

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



RO# 735

Alameda County CC4080
Environmental Health Services
1131 Harbor Bay Pkwy., #250
Alameda CA 94502-6577
(510)567-6700 FAX(510)337-9335

STID 4450

April 25, 1996

Norman Narin
HNS Partners
3352 Storey Blvd
Eugene, OR 94705

RE: SUNSET WHOLESALE SITE, 105 EMBARCADERO, OAKLAND, CA 94607

Dear Mr. Narin:

This office is in receipt of and has completed review of the case file for this site, up to and including the April 17, 1996, Dames & Moore "Work Plan - Groundwater Investigation".

This Dames & Moore work plan proposes four (4) direct push technology (DPT) borings (Geoprobe or equivalent), two (2) borings approximately ten (10) feet southwest and northeast of the former UST excavation and two (2) borings approximately 100 feet south and southwest of the former UST excavation. One soil sample and one "grab" groundwater sample are to be collected from each boring and analyzed for total petroleum hydrocarbons as gasoline (TPHg), benzene, toluene, ethyl benzene and total xylenes (BTEX) and total lead.

A site map showing approximate locations of the four borings was not included in the work plan. **Please provide a site map showing the approximate locations of the four DPT borings. In addition, please have the soil and groundwater samples analyzed for the presence of methyl-tert-butyl ether (MTBE).** The MTBE analysis is being requested by the Regional Water Quality Control Board (RWQCB).

The Dames & Moore work plan is approved with the preceding stipulations. Please have your consultant contact this office 72 hours in advance of the field operations. Please feel free to contact me directly at 510/567-6880 should you have any questions about the content of this letter.

Sincerely,

A handwritten signature in cursive script, appearing to read "Dale Klettke".

Dale Klettke, CHMM
Hazardous Materials Specialist

Norman Narin

RE: Sunset Wholesale Site

April 25, 1996

Page 2 of 2

c: Dan Schoenholz, Port of Oakland, 530 Water Street, Oakland, CA 94607
Steven Kay of Kay & Merkle, 100 The Embarcadero, 3rd Floor, San Francisco, CA
94105-1217

bc

Charles B. Snell, Dames & Moore, 221 Main Street, Suite 600, San Francisco, CA
94105-1917

Thomas Peacock, LOP Manager--files

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ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



RO#735

RAFAT A. SHAHID, DIRECTOR

STID 4450

March 19, 1996

Norman Narin
HNS Partners
2190 Washington #603
San Francisco, CA 94109

DEPARTMENT OF ENVIRONMENTAL HEALTH
1131 Harbor Bay Parkway
Alameda, CA 94502-6577
(510) 567-6700

RE: SUNSET WHOLESALE SITE, 105 EMBARCADERO, OAKLAND, CA 94607

Dear Mr. Narin:

This letter serves to follow-up to a March 18, 1996 telephone conversation regarding the Alameda County Health Care Services Agency (ACHCSA) "Notice of Violation" letter dated March 1, 1996. In this telephone conversation you requested additional information pertaining to Regional Water Quality Control Board (RWQCB) case closure of your site, since you were under the impression that no further work was required.

In response to the October 16, 1995, Lawrence Livermore National Laboratory (LLNL) Study entitled "Recommendations To Improve the Cleanup Process for California's Leaking Underground Fuel Tanks", RWQCB issued its December 8, 1995 "Interim Guidance on Required Cleanup at Low Risk Fuel Sites". These guidance documents concur with the findings and conclusions of the LLNL Study, which recommended that fuel sites be treated differently and less stringently than solvent sites. The study also concluded that most fuel sites fall into the low-risk category, for which source removal and passive remediation are adequate.

In order for your site to fall into the "Low Risk Groundwater Case" the following definitions must apply:

- 1) The leak has been stopped and ongoing sources, including free product, have been removed or remediated.
- 2) The site has been adequately characterized.
- 3) The dissolved hydrocarbon plume is not migrating.
- 4) No water well, deeper drinking water aquifers, surface water, or other sensitive receptors are likely to be impacted.
- 5) The site presents no significant risk to human health.
- 6) The site presents no significant risk to the environment.

A copy of these guidelines are enclosed for your review.

Norman Narin
RE: 105 Embarcadero, Oakland, CA
March 19, 1996
Page 2 of 2

Additional regulatory guidance with specific application to your site is provided in the State Water Resources Control Board (SWRCB) "Water Quality Control Plan for Enclosed Bays and Estuaries of California 93-5WQ" dated May 1993.

File information documents that on March 31, 1993 one (1) 8000-gallon gasoline underground storage tank (UST) was removed from the site. As referenced in the Blaine Tech Services, Inc., Report dated May 11, 1993, five (5) soil samples and one (1) subsurface water sample were collected and analyzed. Detectable concentrations of total petroleum hydrocarbons as gasoline (TPHg) and benzene, toluene, ethyl benzene and total xylenes (BTEX) were found at maximum concentrations of 10,000 ug/L (ppb)-TPHg and 870 ppb-benzene in the initial groundwater sample.

Between June 30, 1993 and July 15, 1993, approximately 85 cubic yards of contaminated soils were excavated from the tank pit area. In addition, the product piping which connected the former UST and the dispenser were also removed. Groundwater was encountered at approximately five (5) feet below grade (bg) in the open excavation. In order to obtain a representative groundwater sample, the tank excavation was purged of the standing groundwater. Approximately 1800 gallons of groundwater was removed and transported to H & H Environmental Services. Laboratory analysis of the collected groundwater sample after purging of the excavation detected 1,500 ppb-TPHg and 320 ppb-benzene.

The first course of action for the requested work plan should be to adequately characterize the soil and groundwater contamination at the site. This could entail the use of rapid site assessment tools (Hydropunch, Geoprobe, soil-vapor surveys, etc.) to define the extent of soil and groundwater contamination associated with the site. Another option would be for the installation of three (3) permanent groundwater monitoring wells, after which quarterly groundwater monitoring would be required until the case qualifies for RWQCB closure.

Please be advised that groundwater monitoring wells may be required, in addition to the rapid site assessment, if significant levels of petroleum hydrocarbons are detected during the rapid site assessment.

At this time you are given an additional 45 days to submit a work plan for subsurface investigation or no later than May 15, 1996. Please be advised that no further extensions will be given.

Please be advised that failure to satisfy this request may result in the referral of this case to the Alameda County District Attorneys Office. Please be further advised that Section 25299(b) of the California Health and Safety Code, among other possible statutes, provides for civil penalties of up to \$5000 per tank per day for failure to comply with this directive.

Please feel free to contact me directly at 510/567-6880 should you have any questions about the content of this letter.

Norman Narin
RE: 105 Embarcadero, Oakland, CA
March 19, 1996
Page 3 of 3

Sincerely,



Dale Klettke, CHMM
Hazardous Materials Specialist

enclosure

c: Gil Jensen, Alameda County District Attorney's Office
Dan Schoenholz, Port of Oakland, 530 Water Street, Oakland, CA 94607
Steven Kay of Kay & Merkle, 100 The Embarcadero, 3rd Floor, San Francisco, CA
94105-1217
Thomas Peacock, LOP Manager--files

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STID 4450

March 1, 1996

Norman Narin
HNS Partners
2190 Washington #603
San Francisco, CA 94109

DEPARTMENT OF ENVIRONMENTAL HEALTH
1131 Harbor Bay Parkway
Alameda, CA 94502-6577
(510) 567-6700

"NOTICE OF VIOLATION"

RE: SUNSET WHOLESALE SITE, 105 EMBARCADERO, OAKLAND, CA 94607

Dear Mr. Narin:

This letter serves to follow-up to a Alameda County Health Care Services Agency (ACHCSA) letter from Jennifer Eberle dated January 21, 1994. In this letter you were requested to **submit a work plan for a groundwater investigation within 45 days or no later than March 8, 1994.** To my knowledge, this work plan has not been received by this office. A copy of this letter is enclosed for your review.

At this time you are directed to submit a work plan for subsurface investigation within 30 days of the date of this letter or by March 30, 1996.

Please be advised that failure to satisfy this request may result in the referral of this case to the Alameda County District Attorneys Office. Please be further advised that Section 25299(b) of the California Health and Safety Code, among other possible statutes, provides for civil penalties of up to \$5000 per tank per day for failure to comply with this directive.

I have just recently taken over management of this case from Jennifer Eberle of this office. Please call me at your earliest convenience concerning this matter. Failure to reply to this request may subject you additional penalties under the Water Code. Please contact me at 510/567-6880 should you have any questions about the content of this letter.

Sincerely,

Dale Klettke, CHMM
Hazardous Materials Specialist
enclosure

c: Gil Jensen, Alameda County District Attorney's Office
 Dan Schoenholz, Port of Oakland, 530 Water Street, Oakland, CA 94607
Steven Kay of Kay & Merkle, 100 The Embarcadero, 3rd Floor, San Francisco, CA 94105-1217
Thomas Peacock, LOP Manager--files

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY

DAVID J. KEARS, Agency Director



R0735

RAFAT A. SHAHID, ASST. AGENCY DIRECTOR

DEPARTMENT OF ENVIRONMENTAL HEALTH
State Water Resources Control Board
Division of Clean Water Programs
UST Local Oversight Program
80 Swan Way, Rm 200
Oakland, CA 94621
(510) 271-4530

January 21, 1994
STID 4450

Hillel Narin
HNS Partners
2190 Washington #603
San Francisco CA 94109

RE: Sunset Wholesale site
105 Embarcadero
Oakland CA 94607

Dear Mr. Narin,

We are in receipt of a letter report dated 11/18/93 prepared by Levine-Fricke, under a cover letter dated 10/20/93 from Steven Kay of Kay & Merkle, Attorneys at Law. The 10/20/93 letter indicates that the groundwater contaminated encountered is not related to the former UST. This office is not in agreement with this conclusion for the following reasons:

- 1) The concentration of TPHg (1,500 ppb) and BTEX (in particular 320 ppb benzene) are **not** low levels. Note that these concentrations were detected subsequent to purging the water from the excavation. The MCL for benzene is 1 ppb. (A previous water sample contained 10,000 ppb TPHg and 870 ppb benzene.)
- 2) These contaminants are not likely associated with the proximity to the Estuary, surface runoff from flooding, or leaks in the storm drain system.

Further, if you believe there is hydraulic connection between the Estuary and this site, a monitoring well would have to be installed anyway. The water from the Estuary and from the well would have to be sampled to prove hydraulic connection. A dye test may also be required.

Therefore, you are requested to submit a workplan for a groundwater investigation **within 45 days or by March 8, 1994.**

All work should adhere to a) the Tri-Regional Board Staff Recommendations for Preliminary Evaluation and Investigation of Underground Tank Sites, dated 8/10/90; and b) Article 11 of Title 23, California Code of Regulations. Reports and proposals must be submitted **under seal** of a California-Registered Geologist, -Certified Engineering Geologist, or -Registered Civil Engineer.

January 21, 1994
STID 4450
Hillel Narin
page 2 of 2

Please note that with the exception of closure reports, routine reports and documents no longer need to be copied to the Regional Water Quality Control Board. Kindly submit a cover letter with your consultant's reports. If you have any questions, please contact me at 510-271-4530.

Please notify me at least 2 business days in advance of field activities so that I may arrange to be onsite.

Sincerely,



Jennifer Eberle
Hazardous Materials Specialist

cc: Dan Schoenholz, Port of Oakland, 530 Water St., Oakland CA
94607
Michael Stoll, Levine-Fricke, 1900 Powell St., 12th Floor,
Emeryville CA 94608
Steven Kay of Kay & Merkle, Attorneys at Law, 100 The
Embarcadero, 3rd Floor, San Francisco CA 94105-1217
Ed Howell/file

je

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



R0735

May 21, 1991
Certified Mailer #P 367 604 376

DEPARTMENT OF ENVIRONMENTAL HEALTH
Hazardous Materials Program
80 Swan Way, Rm. 200
Oakland, CA 94621
(415)

Mr. Norman Narin
c/o Bear, Stearns & Co.
#1 Sansome Street. Floor 41
CitiCorp Center
San Francisco, CA 94104

Re: Underground Tank at 105 Embarcadero, Oakland CA 94606

NOTICE OF VIOLATION

Dear Mr. Narin:

An inspection was conducted of Able Warehouse at the above address on May 7, 1991 by Barney Chan of our office. It was determined from this inspection that an underground storage tank exists at this site. From conversation it was determined that you were the responsible party for this underground tank.

Please note that section 25299 of the California Health and Safety Code states that any operator or owner of an underground storage tank is liable for a civil penalty of not less than five hundred dollars or more than five thousand dollars per day for failure to obtain a permit, or failing to properly close an underground storage tank, as required by section 25298. You must therefore either register and permit or remove the underground tanks unless you provide evidence that proper closure has already occurred.

Enclosed please find the appropriate form to either remove or register and permit the underground tank. Please contact this office within ten (10) days and notify us of you intentions to correct this violation.

You may contact me at 271-4320 should you have any questions.

Sincerely,

A handwritten signature in cursive script that reads "Barney M. Chan".

Barney M. Chan,
Hazardous Materials Specialist

enclosures

cc: Gil Jensen, Alameda County District Attorney, Consumer and
Environmental Protection Agency
Edgar Howell, Chief, Hazardous Materials Division
Dan Schoenholz, Michele Heffes, Environmental Department,
Port of Oakland
105Embarc

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ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY

DAVID J. KEARS, Agency Director



R0735

RAFAT A. SHAHID, ASST. AGENCY DIRECTOR

DEPARTMENT OF ENVIRONMENTAL HEALTH
State Water Resources Control Board
Division of Clean Water Programs
UST Local Oversight Program
80 Swan Way, Rm 200
Oakland, CA 94621
(510) 271-4530

April 28, 1993
STID 4450

Hillel Narin
H. N. S. Partners
2190 Washington #603
San Francisco, CA 94109

Re: 105 Embarcadero, Oakland, CA 94606

Dear Hillel Narin:

This office has received and reviewed the sampling results of the underground storage tank removal performed at the above referenced site on April 1, 1993 and subsequent soil and water analysis. The following comments are to be considered:

1. An Underground Tank Leak Report is required to be filed with this office for distribution. Please submit it completed to this office on the enclosed form as soon as possible.
2. It is clear that the elevated volatile hydrocarbon concentrations (as high as 10,000 ppb TPHg and 870 ppb benzene) in water at the above site requires a groundwater investigation. You are required to begin an investigation, as follows:

I have enclosed the document, Appendix A, Workplan for Initial Subsurface Investigation, a guidance document published by the Regional Water Quality Control Board (RWQCB).

Appendix A is to be used in conjunction with the RWQCB's Staff Recommendations for the Initial Evaluation and Investigation of Underground Tanks, the State Water Resources Control Board Leaking Underground Fuel Tank (LUFT) Field Manual, and Article II of Title 23, Calif. Code of Regulations when developing the scope of the Preliminary Site Assessment (PSA) work plan.

Please be advised this office is working in conjunction with the RWQCB to oversee the remediation of hydrocarbon contaminated sites such as these. The RWQCB is the agency entrusted to protect the waters of the state.

Please submit a workplan as described in the above documents to this office within sixty (60) days of this letter.

105 Embarcadero, Oakland, CA 94606
STID 4450
April 28, 1993
Page 2 of 2

You should consider this a formal request for technical reports pursuant to the California Water Code Section 13267 (b). All workplans, analytical results or reports should be sent to our office and to that of the RWQCB to the attention of Mr. Rich Hiett. Their address is 2101 Webster St., Fourth Floor, Oakland CA 94612. Be aware that failure to submit the requested documents may subject you to civil liabilities.

If you have any questions please call this office at (510) 271-4530.

Sincerely,



Thomas F. Peacock, Supervising HMS
Hazardous Material Division

cc: R. Hiett, RWQCB
Edgar B. Howell, Chief - Files
Dan Schoenholz, Port of Oakland, 530 Water St., P.O. Box
2046, Oakland, CA 94604-2046
enclosures