

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY

DAVID J. KEARS, Agency Director



R01095

RAFAT A. SHAHID, ASST. AGENCY DIRECTOR

October 19, 1994
StID # 1288

Mr. Frank Spinardi
3901 San Leandro St.
Oakland CA 94601

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

FINAL NOTICE OF VIOLATION

**RE: Request for Work Plan for the Installation of Monitoring
Wells at 2350 High St., Oakland CA 94601**

Dear Mr. Spinardi:

Our office has notified you on three previous occasions requesting a work plan for groundwater investigation. You were initially notified in my August 2, 1993 letter, in my January 26, 1994 letter and in my July 25, 1994 letter to provide a work plan for the installation of monitoring wells at the above site. The last letter requested work plan submission by August 29, 1994. To this date, our office has not received the requested report.

Please submit a work plan for the installation of monitoring wells for the above site **within 30 days or by November 21, 1994**. You should also be prepared to initiate field work within 30 days of receiving County approval.

Again, you are reminded that this constitutes a formal request for technical reports pursuant to the California Water Code, Section 13267 (b). Failure to submit this document will cause this case to be referred to the Water Board and the District Attorney office for enforcement. In addition, you will be scheduled to appear at a December 1994 pre-enforcement hearing in the presence of these agencies.

If you have any questions you may reach me at (510) 567-6765.

Sincerely,

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

Barney M. Chan
Hazardous Materials Specialist

cc: G. Jensen, Alameda County District Attorney Office
Ms. S. Black, Blymyer Engineers Inc., 1829 Clement Ave.,
Alameda, CA 94501
E. Howell, files
FNOV2350

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY

DAVID J. KEARS, Agency Director



R01095

RAFAT A. SHAHID, ASST. AGENCY DIRECTOR

July 25, 1994
StID # 1288

Mr. Frank Spinardi
3901 San Leandro St.
Oakland CA 94601

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

SECOND NOTICE OF VIOLATION

**RE: Request for Work Plan for the Installation of Monitoring
Wells at 2350 High St., Oakland CA 94601**

Dear Mr. Spinardi:

Our office has notified you on two previous occasions requesting a work plan for groundwater investigation. You were initially notified in my August 2, 1993 letter and later in my January 26, 1994 letter to provide a work plan for the installation of monitoring wells at the above site. The last letter requested work plan submission by February 28, 1994. To this date, our office has not received the requested report.

Please submit a work plan for the installation of monitoring wells for the above site **within 30 days or by August 29, 1994**. You should also be prepared to initiate field work within 30 days of receiving County approval.

Again, you are reminded that this constitutes a formal request for technical reports pursuant to the California Water Code, Section 13267 (b). Failure to submit this document will cause this case to be referred to the Water Board and the District Attorney office for enforcement.

Please be aware, our office have recently moved to: **1131 Harbor Bay Parkway, Room 250, Alameda CA 94502**. If you have any questions you may reach me at (510) 337-2864.

Sincerely,

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

Barney M. Chan
Hazardous Materials Specialist

cc: G. Jensen, Alameda County District Attorney Office
Ms. S. Black, Blymyer Engineers Inc., 1829 Clement Ave.,
Alameda, CA 94501
E. Howell, files
2NOV2350

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY

DAVID J. KEARS, Agency Director



R01095

RAFAT A. SHAHID, ASST. AGENCY DIRECTOR

January 26, 1994
StID # 1288

Mr. Frank Spinardi
3901 San Leandro St.
Oakland CA 94601

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

NOTICE OF VIOLATION

**Re: Request for Work Plan for the Installation of Monitoring
Wells at 2350 High St., Oakland CA 94601**

Dear Mr. Spinardi:

Our office has received the January 1994 Blymyer report which documents the proper disposal of stockpiled soils generated from the re-excavation of the former gasoline and waste oil tank pits at the above site. The report also gives the analytical results of the sidewall and bottom samples taken from the gasoline pit after overexcavation. These results indicate that the gasoline affected soils have been removed. This report also requests further direction from our office as to your next step.

Please refer to my August 2, 1993 letter which required that you complete your soil investigation and provide a work plan for monitoring well installation by **September 13, 1993**. Therefore, your next action should be to provide an acceptable work plan for the installation of a minimum of three monitoring wells at this site in order to determine the extent of groundwater impact and to determine the site specific gradient. Please provide this report to our office **within 30 days or by February 28, 1994**.

You should consider this a formal request for technical reports pursuant to the California Water Code Section 13267 (b). Failure to provide the requested report may cause this case to be referred to the District Attorney Office for enforcement. You should contact me at (510) 271-4530 if you have any questions.

Sincerely,

Barney M. Chan
Hazardous Materials Specialist

cc: G. Jensen, Alameda County District Attorney Office
S. Black, Blymyer Engineers, Inc., 1829 Clement Ave.,
Alameda CA 94501
E. Howell, files
NOV2350

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY

DAVID J. KEARS, Agency Director



R01095

RAFAT A. SHAHID, ASST. AGENCY DIRECTOR

August 2, 1993
StID # 1288

Mr. Frank Spinardi
3901 San Leandro St.
Oakland CA 94601

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

**Re: Status of Subsurface Investigation at 2350 High St., Oakland
94601, formerly German Auto Repair**

Dear Mr. Spinardi:

This letter serves to recount our conversation today regarding the necessary work required for the subsurface investigation being performed at the above site. Recall, my last letter to you, dated April 8, 1993, requested that you restart your excavation of the site and take confirmatory soil samples by May 9, 1993, nearly three months ago. Our recent conversation restated the County's request for you to complete the excavation process of your investigation and provide a work plan for the installation of monitoring wells to determine the extent of groundwater contamination, if any. To summarize, you are to have completed your soil investigation, along with confirmation sampling, and provide a work plan for monitoring well installation by **September 13, 1993**. Please contact me at least 48 working hours prior to taking soil samples so I may witness this activity. Should you not perform the requested work or our office not receive the requested work plan by this date a pre-enforcement hearing will be scheduled for the end of September.

You may contact me at (510) 271-4530 if you have any questions.

Sincerely,

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

Barney M. Chan
Hazardous Materials Specialist

cc: G. Jensen, Alameda County District Attorney Office
E. Howell, files

2-2350High

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY



DAVID J. KEARS, Agency Director

R01095

April 8, 1993
StID #1288

Mr. Frank Spinardi
3901 San Leandro St.
Oakland CA 94601

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

**Re: Status of Subsurface Investigation at 2350 High St., Oakland
CA, 94601, formerly German Engine Repair**

Dear Mr. Spinardi:

This letter serves to clarify our office's position in regards to the resumption of the subsurface investigation at the above site. Recall this investigation was required after the removal of the underground tanks. Our office agreed informally last year to grant you some time to allow for the rainy season to subside prior to the continuance of overexcavation of the former fuel tank pit. Through conversation with Ms. Sue Black of Blymyer today, I was informed that you needed clarification as to when our office believed work could continue. I told her, and this letter is meant to inform you of the same, that you should start immediately with the continuance of overexcavation at this site. You are reminded to contact me 48 working hours in advance of soil sampling at this site in order to witness this activity. You should commence your overexcavation and take confirmatory samples within 30 days, or by May 9, 1993 .

You are also reminded that once you have completed your overexcavation and sampling, you will be required to provide a work plan for the determination of the extent of any groundwater contamination. In fact, our office can review this type of work plan at the same time you are defining the extent of soil contamination.

Please contact me at (510) 271-4530 if you have any questions.

Sincerely,

Barney M. Chan
Hazardous Materials Specialist

cc: G. Jensen, Alameda County District Attorney Office
S. Black, Blymyer Engineers, 1829 Clement Ave., Alameda,
CA 94501-1395
E. Howell, files
WP-2350High

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY

DAVID J. KEARS, Agency Director



R01095

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

December 10, 1992
STID # 1288

Mr. Frank Spinardi
3901 San Leandro St.
Oakland CA 94601

Re: Request for Receipts for Disposal of Stockpiled Soils from
Underground Tank Removals at 2350 High St., Oakland 94601

Dear Mr. Spinardi:

Recently, I observed that all stockpiled soils, which were previously at the above site, had been removed. I contacted Sue Black of Blymyer Engineers and she said she thought that you had transported the soils to BFI Landfill in Livermore for disposal. Please submit, within 10 days, copies of the weight tag receipts for all soils disposed from this property. If not all soils were disposed to the landfill, please state where these soils are currently and what your intentions with them are.

You may contact me at (510) 271-4530 if you have any questions.

Sincerely,

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

Barney M. Chan
Hazardous Materials Specialist

cc: G. Jensen, Alameda County District Attorney Office
S. Black, Blymyer Engineers, 1829 Clement Ave., Alameda CA
94501-1395
E. Howell, files

Sp-2350High

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



R01095

RAFAT A. SHAHID, Assistant Agency Director

April 28, 1992
STID # 1288

DEPARTMENT OF ENVIRONMENTAL HEALTH
Hazardous Materials Division
80 Swan Way, Rm. 200
Oakland, CA 94621
(510) 271-4320

Mr. Frank Spinardi
3901 San Leandro St.
Oakland CA 94601

Re: Request for Work Plan for Subsurface Investigation at 2350
High St., Oakland CA 94601 dba German Engine Repair

Dear Mr. Spinardi:

On April 27, 1992 I received your "work plan" consisting of the following: "Rons backhoe to excavate hole at 2350 High Street about 19' deep. Then we will get a test, wait for results and then go from there."

Perhaps there was a miscommunication during our March 17, 1992 phone conversation or in my March 18, 1992 letter to you which outlined the requirements of a work plan for subsurface investigation. I would like to clarify my request at this time. You should provide a work plan which includes those elements outlined in Appendix A, which was included in the March 18th letter. Items I-V must be addressed. Please note that since the work plan will include work which requires geologic or engineering evaluations, it should be signed by registered or certified professional as required by the Business and Professions Code sections 6735, 7835 and 7835.1. It was assumed that the list of contractors/consultants which I had personally worked with, might serve as a starting place to identify a qualified professional. This professional should draft your work plan as well as perform the work, write a summary of events and make any other recommendations or conclusions.

Our office will grant a thirty (30) day extension for submittal of an acceptable work plan to our office. Again, you should be reminded that this is a formal request of technical reports pursuant to the California Water Code Section 13267 (b). Failure to submit the requested documents may subject you to civil penalties as well as the referral of this case to the District Attorney's Office for enforcement. You may contact me at (510) 271-4320 should you have any questions.

Sincerely,

Barney M. Chan, Hazardous Materials Specialist

cc: M. Thomson, Alameda County District Attorney Office
R. Hiatt, RWQCB
2-WP2350High

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



R01095

RAFAT A. SHAHID, Assistant Agency Director

March 18, 1992
STID # 1288

DEPARTMENT OF ENVIRONMENTAL HEALTH
Hazardous Materials Division
80 Swan Way, Rm. 200
Oakland, CA 94621
(510) 271-4320

Mr. Frank Spinardi
3901 San Leandro St.
Oakland, CA 94601

Re: Request for Work Plan for Subsurface Investigation at 2350
High St., Oakland CA 94601 dba German Engine Repair

Dear Mr. Spinardi:

This letter recounts the phone conversation we had on March 17, 1992 regarding the requirements for further site investigation following the removal of four underground tanks at the above site in November of 1989. Our office has received and reviewed the analytical results from soil samples taken from the underground tank removals as performed by Brown and Caldwell Laboratories. The results indicate gasoline contamination in the range of 230 parts per million (ppm) to a high of 11,000 ppm in soil samples taken from around the gasoline tanks and oil and grease contamination in the amount of 2100 ppm in soil from under the waste oil tank D.

Please be aware that the County uses the "Tri-Regional Board Staff Recommendations for Preliminary Evaluation and Investigation of Underground Tank Sites" for determining when additional work is required at tank removal sites. This guidance document requires a soil/ground water investigation when soils taken from one to two feet underneath an underground tank have total petroleum hydrocarbons as gasoline (TPHg) or as diesel (TPHd) or total oil and grease (TOG) in concentrations equal to or exceeding 100 ppm. Because of the results of soil samples previously mentioned, you are requested to submit a work plan which determines the full extent of hydrocarbon contamination in the soil and ground water and presents a plan to remediate said contamination. Enclosed please find Appendix A, Workplan for Initial Subsurface Investigation, a guidance document from the Regional Water Quality Control Board (RWQCB), which outlines the contents of a typical workplan proposal.

Also enclosed are copies of specific pages from the "Tri-Regional Board Guidelines" which further explain the requirements of analysis and investigation at underground tank removal sites. In addition, enclosed, for your information, is a list of consultants/contractors I have worked with the past few years.


Mr. Frank Spinardi
2350 High St.
March 18, 1992
STID # 2259
Page 2.

Please submit the requested work plan within thirty (30) days of receipt of this letter. All proposals, reports and analytical results pertaining to this investigation and remediation must be sent to our office and to the RWQCB to the attention of Mr. Richard Hiett. Their address is 2101 Webster St., Fourth Floor, Oakland CA 94612.

Please be advised that this is a formal request for technical reports pursuant to the California Water Code Section 13267 (b). Failure to respond may subject you to civil liabilities. Any extensions of agreed upon time deadlines must be confirmed in writing by either this Division or the RWQCB.

You may contact me (510) 271-4320 should you have any questions regarding this letter.

Sincerely,



Barney M. Chan
Hazardous Materials Specialist

enclosures

cc: M. Thomson, Alameda County District Attorney Office
R. Hiett, RWQCB

WP2350High