

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY



DAVID J. KEARS, Agency Director

201098 cl

ENVIRONMENTAL HEALTH SERVICES
ENVIRONMENTAL PROTECTION
1131 Harbor Bay Parkway, #250
Alameda, CA 94502-6577
(510) 567-6700 FAX (510) 337-9335

StID 1828

September 11, 1996

East Bay Enterprises
c/o Christine Noma
1111 Broadway, Suite 2400
Oakland, CA 94607-4036

Mr. Henry Achatz
Achatz Corp
330 19th St, Suite 116
Oakland, CA 94612

RE: Well Decommission at 9029 San Leandro St, Oakland, CA

Dear Ms. Noma and Mr. Achatz:

This office and the San Francisco RWQCB have reviewed the case closure summary for the above referenced site and concur that no further action related to the underground tank release is required at this time. Before a remedial action completion letter is sent, the onsite monitoring well (MW-1) should be decommissioned, if it will no longer be monitored. Please notify this office upon completion of well destruction so a closure letter can be issued.

Well destruction permits may be obtained from Alameda County Flood Control and Water Conservation, Zone 7. They can be reached at (510) 484-2600.

If you have any questions, I can be reached at (510) 567-6762.

Sincerely,

eva chu
Hazardous Materials Specialist

cc: files

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY

DAVID J. KEARS, Agency Director



R01098

RAFAT A. SHAHID, Director

DEPARTMENT OF ENVIRONMENTAL HEALTH

Environmental Protection Division

1131 Harbor Bay Parkway, #250

Alameda, CA 94502-6577

(510) 567-6700

StID 1828

August 1, 1995

Mr. Henry Achatz
2000 Powell St, Suite 1200
Emeryville, CA 94608

RE: QMR for 9029 San Leandro St, Oakland 94603

Dear Mr. Achatz:

I have completed review of Century West's September 1994 Report of Soil and Groundwater Investigation for the above referenced site. Five investigative soil borings were advanced around the former tank pit to delineate the extent of petroleum hydrocarbon contamination. In addition, a monitoring well was installed south-southwest of the former tank pit. Laboratory analytical results show impacted soil (by TPH-MO) at approximately 8 to 10' depths, within 10' of the former excavation perimeter. Groundwater exhibited 160 ppb TPH-D, though it appears to be a heavier hydrocarbon than diesel, and elevated levels of the metals Cr, Pb, and Ni.

At this time, a quarter monitoring schedule should be established for well MW-1. Groundwater should be analyzed for TPH-G, TPH-D, TPH-MO, and BTEX. Groundwater should also be analyzed for Cr, Pb, and Ni. Be sure these samples are filtered prior to extraction. The next sampling event should be within 30 days of the date of this letter. Quarterly monitoring reports (QMR) are due 60 days upon completion of field work.

If you have any questions, I can be reached at (510) 567-6762.

A handwritten signature in black ink, appearing to read 'eva chu'.

eva chu
Hazardous Materials Specialist

cc: James Gribi, Century West, 7950 Dublin, #203, Dublin 94568
files

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



R01098

RAFAT A. SHAHID, Assistant Agency Director

Stid 1828

May 8, 1995

Mr. Henry Achatz
2000 Powell St, Suite 1200
Emeryville, CA 94608

ALAMEDA COUNTY CC4580
DEPT. OF ENVIRONMENTAL HEALTH
ENVIRONMENTAL PROTECTION DIVISION
1131 HARBOR BAY PKWY., #250
ALAMEDA CA 94502-6577

RE: Quarterly Reports for 9029 San Leandro St, Oakland 94603

Dear Mr. Achatz:

On May 5, 1994 this office approved a workplan to delineate the extent of soil contamination and to install one downgradient monitoring well at the above referenced site. This workplan was modified and given verbal approval on August 2, 1994. Field work was scheduled for August 9, 1994.

In a recent conversation with your consultant, Mr. James Gribi, the proposed work has been completed. However, to date this office is not in receipt of a report documenting this phase of the investigation. Please submit the required summary report to this office **by June 9, 1995**. Also, a quarterly monitoring and sampling schedule should be established for the onsite well. Technical summary reports documenting each well sampling and monitoring episode are also due quarterly. This schedule shall continue until further notice.

On August 26, 1994 this office also requested you characterize the contents of numerous unlabeled drums at the site and to assess if subsurface contamination has resulted from the improper storage of the drums, and waste batteries noted. To date we have not receive communication from you that this work has been completed. Please respond to the referenced letter (attached) **within 10 days of the date of this letter**.

If you have any questions, I can be reached at (510) 567-6762.

eva chu
Hazardous Materials Specialist

attachment

cc: James Gribi, Century West, 7950 Dublin Blvd, Suite 203,
Dublin 94568
files (wood8)

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY

DAVID J. KEARS, Agency Director



R01098

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

StID 1828

May 5, 1994

Mr. James Gribi
Century West
7950 Dublin Blvd, Suite 203
Dublin, CA 94568

**Subject: Workplan Approval for 9029 San Leandro St, Oakland
94603**

Dear Mr. Gribi:

I have completed review of Century West's April 1994 Workplan for Subsurface Investigation for the above referenced site. This workplan proposes to advance up to 8 borings (using Powercore) to delineate the extent of soil contamination onsite. In addition, one groundwater monitoring well will be installed in the verified downgradient direction of the former tank pit to evaluate ground water quality beneath the site. This proposal is acceptable and field activities should commence **within 45 days of the date of this letter**. Please notify this office at least 72 hours prior to the start of field work.

Past investigations have not analyzed soil and water samples for metals Cd, Cr, Pb, Ni, and Zn. Analysis of groundwater should also include these metals during the initial sampling event. Pending laboratory analytical results, it will then be re-evaluated if analysis of metals should continue in subsequent sampling quarters.

If you have any questions, I can be reached at (510) 271-4530.

A handwritten signature in cursive script, appearing to read 'eva chu'.

eva chu
Hazardous Materials Specialist

cc: Henry Achatz, 2000 Powell, Emeryville, CA 94608
files

wood7

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



R01098

RAFAT A. SHAHID, Assistant Agency Director

Certified Mailer # P 386 338 349

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

August 26, 1994

Mr. Henry Achatz
2000 Powell Street
Emeryville, CA 94608

RE: 9029 San Leandro Street, Oakland, CA 94603

Dear Mr. Achatz:

On August 18, 1994 an inspection of your above listed property revealed the presence of one 16 gallon and 12 - 55 gallon unlabeled drums which apparently contained waste oil or waste oil and water mixtures left by a former tenant. Some of the drums were left open and may have spilled some of their contents onto the ground. In addition, there were at least four used motor vehicle batteries observed in a nearby pile of trash and construction debris.

The contents of the drums must be characterized by a certified laboratory to determine whether they are hazardous or not before being properly disposed of or recycled. If hazardous, the drums and their contents will have to be removed by a licensed hazardous waste hauler for proper disposal with copies of the manifests sent to this office. Otherwise, their disposition must be accounted for. The waste batteries are to be disposed of or recycled in a similar manner. After the waste and debris is removed, a subsurface soil investigation may be necessary to address any possible contamination.

You are now required to submit a plan of correction to this office within ten days of the receipt of this letter. This work plan must include but shall not be limited to the following:

1. Name of your environmental consultant
2. Method that will be used to determine the lateral and vertical extent of any subsurface contamination
3. Name of your licensed hazardous waste hauler
4. Location of the approved disposal site
5. Proposed time schedule for your investigation and remediation.

Mr. Henry Achatz
August 26, 1994
page 2 of 2

In addition to your work plan, please remit a deposit/refund check of \$900.00 made payable to the County of Alameda to cover the costs of the remediation review. This deposit is authorized by Section 3-141.6 of the Ordinance Code of Alameda County. You will be billed at a rate of \$90.00 per hour. Upon completion, any remaining balance will be returned to you.

If you have any questions on this matter, please contact me at 567-6700.

Sincerely,



Ronald J. Owcarz, REHS
Hazardous Materials Specialist

pc: Gil Jensen, Alameda County District Attorney's Office
Paul Giardina, DTSC
Eva Chu, LOP
Ariq Levi - file

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD CO
SAN FRANCISCO BAY REGION
HAZMAT2101 WEBSTER STREET, SUITE 500
OAKLAND, CA 94612
(510) 286-1255

94 APR 18 PM 12:56



East Bay Enterprises, a General Partnership April 15, 1994
c/o Christine Noma File:01-0041 & 2198.17
Wendel, Rosen, Black, Dean & Levitan
1221 Broadway, 20th Floor
Oakland, CA 94612

Mr. David Wendel,
Trustee of the Bette Macleod Trust
Successor in interest to East Bay Enterprises
Wendel, Rosen, Black, Dean & Levitan
1221 Broadway, 20th Floor
Oakland, CA 94612

Mr. Kendall Cole and Mr. Kenneth Keegan,
General Partners of East Bay Enterprises
c/o Christine Noma
Wendel, Rosen, Black, Dean & Levitan
1221 Broadway, 20th Floor
Oakland, CA 94612

Mr. Phil Wood
900 Modoc Street
Berkeley, CA 94707

Mr. Henry Achatz
2000 Powell Street, #1200
Emeryville, CA 94608

Mr. Bernard Quante
108 Blossom Court
San Rafael, CA 94901

RE: **Legal Designation of Responsible Party and Request for
Submittal of a Technical Report Resulting from the Alameda
County Department of Environmental Health's Pre-Enforcement
Review Panel Meeting on February 15, 1994**

Dear Ms. Noma and Messrs. Achatz, Cole, Keegan, Quante, Wendel, and Wood:

It has been brought to my attention by Regional Board staff that a condition of soil and groundwater pollution exists on the property located at **9029 San Leandro Street, Oakland, CA 94601** from an underground storage tank release. The Alameda County Department of Environmental Health (ACHD) staff have requested technical reports from one or more of you to fulfill your obligations per California Code of Regulations, Title 23 Waters, Chapter 16, Underground

Enforcement Panel Review
Page 2 of 3

Storage Tank Regulations, Article 11, Corrective Action Requirements. It is my understanding that ACHD staff were unsuccessful in eliciting your cooperation in resolving these issues through normal correspondence.

A Pre-Enforcement Review Panel was held at the ACHD offices on February 15, 1994, attended by Mr. Richard Hiatt, of my staff. Pursuant to the Regional Board's authority under Section 13267 (b) of the California Water Code, you are hereby found to be a responsible party as defined by Title 23 of the California Code of Regulations, Division 3, Chapter 16, Article 11, Section 2720. A Responsible Party is "any person who owned or operated the underground storage tank immediately before the discontinuation of its use." A responsible party also includes any owner of property from which an unauthorized release of a hazardous substance from an underground storage tank has occurred, or any person who had or has control over an underground storage tank at the time of or following an unauthorized release of a hazardous substance, among others.

While six (6) years have past since realization that a leak has occurred, evidence does not conclusively exclude the potential for the tenants (lessees of East Bay Enterprises) to have operated the tanks during the period between 1945-1985. The only evidence provided has been that from a partner of East Bay Enterprises, stating he never saw the tanks in use. However, this statement conflicts with the fact that both Total Petroleum Hydrocarbons as diesel and Oil and Grease, in addition to Total Petroleum Hydrocarbons as gasoline, were found in samples collected from below the tanks during closure, even though it has been communicated that Borman Lumber, the reported owner of the site prior to 1949, stored only gasoline in the subject tanks. Substantial evidence that East Bay Enterprises, while engaged in commerce, took deliberate steps to control and preclude operation of the tanks by the tenants does not exist. Therefore, East Bay Enterprises is hereby named as a responsible party.

As a responsible party, you are required to conduct both soil and groundwater investigations to determine the extent of the environmental pollution resulting from the release. Therefore, you are requested to submit technical reports specifically addressing the following numbered items within forty five (45) days of the date of this letter:

- 1) A Preliminary Site Assessment (PSA) workplan to define the lateral and vertical extent of pollution in soil and groundwater resulting from the confirmed release at this site;
- 2) Following implementation, submit a final PSA report documenting the results of this phase of the investigation,

Enforcement Review Panel
Page 3 of 3

including, among other elements, professional recommendations for any work deemed necessary;

- 3) Technical summary reports are due **quarterly** until the site qualifies for "closure".

All Work must comply with the Tri-Regional Board Staff Recommendations for the Preliminary Evaluation and Investigation of Underground Storage Tank Sites - August 10, 1990 and Article 11 of Title 23, Waters, California Code of Regulations.

I am hereby transmitting this request for a technical report to ACHD for service and continued case handling. You should be aware that failure on your part to submit the requested technical report, or late submittal may result in fines up to \$1000 per day of delinquency. Your response to this technical report request should be sent to the attention of Ms. Eva Chu at ACHD. Please inform Ms. Chu at least three working days in advance of all field activities.

Please be advised that this is a formal request for a technical reports pursuant to California Water Code Section 13267 (b). Any extensions of the stated deadlines, or modifications of the required tasks, must be confirmed in writing by either this agency or the ACHD.

If you have any questions regarding the contents of this letter, Please contact Ms. Chu, of ACHD, at (510) 271-4530.

Sincerely,



Steven R. Ritchie
Executive Officer

cc: Gil Jensen, ACDA, 7677 Oakport Street, Suite 400, Oakland
94621

Eva Chu, ACHD, 80 Swan Way, Suite 200, Oakland 94621

Alameda County Health Care Services Agency, Department of
Environmental Health, Hazardous Materials Division

In Re The Property Known As :

9029 San Leandro
Oakland, CA 94603

) Proof of Service of
) Notice of
) Pre-Enforcement
) Review Panel

I, Eva Chu , do hereby certify
that I served Christine Noma
with a copy of the attached Notice of Pre-Enforcement Review
Panel on January 12, 1994 by certified
mailer # P 386 338 457

Dated:

4/12/94

esach

(signature)

- Enforcement Type
- Date enf. action taken

Alameda County Health Care Services Agency, Department of
Environmental Health, Hazardous Materials Division

In Re The Property Known As :

9029 San Leandro
Oakland, CA 94603

) Proof of Service of
) Notice of
) Pre-Enforcement
) Review Panel

I, Eva Chu , do hereby certify
that I served David Wendel
with a copy of the attached Notice of Pre-Enforcement Review
Panel on January 12, 1994 by certified
mailer # P 386 338 455

Dated: 1/12/94


(signature)

Alameda County Health Care Services Agency, Department of
Environmental Health, Hazardous Materials Division

In Re The Property Known As :

9029 San Leandro
Oakland, CA 94603

) Proof of Service of
) Notice of
) Pre-Enforcement
) Review Panel

I, Eva Chu , do hereby certify
that I served Bernard Quante
with a copy of the attached Notice of Pre-Enforcement Review
Panel on January 12, 1994 by certified
mailer # P 386 338 460

Dated: 4/12/94


(signature)

Alameda County Health Care Services Agency, Department of
Environmental Health, Hazardous Materials Division

In Re The Property Known As :

9029 San Leandro
Oakland, CA 94603

) Proof of Service of
) Notice of
) Pre-Enforcement
) Review Panel

I, Eva Chu , do hereby certify
that I served Henry Achatz
with a copy of the attached Notice of Pre-Enforcement Review
Panel on January 12, 1994 by certified
mailer # P 386 338 459

Dated: 1/12/94


(signature)

Alameda County Health Care Services Agency, Department of
Environmental Health, Hazardous Materials Division

In Re The Property Known As :

9029 San Leandro
Oakland, CA 94603

) Proof of Service of
) Notice of
) Pre-Enforcement
) Review Panel

I, Eva Chu , do hereby certify

that I served Phil Wood

with a copy of the attached Notice of Pre-Enforcement Review

Panel on January 12, 1994 by certified

mailer # P 386 338 454

Dated: 1/12/94


(signature)

Alameda County Health Care Services Agency, Department of
Environmental Health, Hazardous Materials Division

R01098

In Re The Property Known As :

9029 San Leandro
Oakland, CA 94603

) Proof of Service of
) Notice of
) Pre-Enforcement
) Review Panel

I, Eva Chu , do hereby certify
that I served Scott Sommer
with a copy of the attached Notice of Pre-Enforcement Review
Panel on January 12, 1994 by certified
mailer # P 386 338 453

Dated: 1/12/94


(signature)

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY

DAVID J. KEARS, Agency Director



R01098

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

StID 1828

December 1, 1993

Mr. Phil Wood
Wood Properties
P.O.Box 7123
Berkeley, CA 94708

Subject: PSA for 9029 San Leandro St., Oakland 94603

Dear Mr. Wood:

I have completed review of Erickson's March 1989 Site Report of Underground Tank Removal prepared for the above referenced site. When two underground storage tanks (USTs) were removed in November 1988, soil samples collected from native soil beneath the USTs exhibited up to 2,600 parts per million total petroleum hydrocarbons as diesel (ppm TPH-D), and 5,800 ppm total oil and grease (TOG).

In December 1988, the UST pit was over-excavated an additional two feet from all sidewalls, and down to the water table at 14 feet depth. Sidewalls soil samples still exhibited elevated levels of contaminants, up to 110 ppm TPH-D and 5,900 ppm TOG. The ground water sample collected exhibited up to 290 ppm TPH as gasoline, 3,100 ppm TPH-D, and 18,000 ppm TOG.

Clearly, an unauthorized release has occurred as a result from the use of the former USTs. At this time additional investigations are required to determine the extent and severity of soil and ground water contamination at this site. Such an investigation shall be in the form of a **Preliminary Site Assessment**, or PSA. The information gathered by the PSA will be used to determine an appropriate course of action to remediate the site, if deemed necessary. The PSA must be conducted in accordance with the RWQCB Staff Recommendations for the Initial Evaluation and Investigation of Underground Tanks, and Article 11 of Title 23, California Code of Regulations. The major elements of such an investigation are summarized in the attached Appendix A.

The PSA proposal is due **within 45 days** of the date of this letter. Once the proposal is approved, field work should commence within 60 days. A report must be submitted within 45 days after the completion of this phase of work at the site. Subsequent reports are to be submitted quarterly until this site qualifies for RWQCB "sign off." All reports and proposals must be submitted under seal of a California Registered Geologist, Certified Engineering Geologist, or Registered Civil Engineer.

Phil Wood
re: 9029 San Leandro St., Oakland
December 1, 1993

Page 2

Please be advised that this is a formal request for technical reports pursuant to Title 23, CCR, Section 2722(c). Any extensions of the stated deadlines, or modifications of the required tasks, must be confirmed in writing by this agency.

Should you have any questions about the content of this letter, please contact me at (510) 271-4530.

Sincerely,



eva chu
Hazardous Materials Specialist

enclosure

cc: David Wendel, P.O.Box 2047, Oakland 94604-2047
Scott Sommer, Tobin & Tobin, 1676 North California, Suite
690, Walnut Creek, CA 94596
file

wood2

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY

DAVID J. KEARS, Agency Director
StID 1828



R01098

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

November 5, 1992

Wood Properties
Attn. Mr. Phil Wood
P.O. Box 7123
Berkeley, CA 94707

SECOND NOTICE OF VIOLATION

Dear Mr. Wood:

On April 3, 1992, the Alameda County Department of Environmental Health, Hazardous Materials Division, sent you a letter requesting technical reports detailing the work performed during the underground storage tank removal on November 1988, as well as a workplan to assess the extent of contamination to soil and ground water due to the unauthorized release of fuel products at 9029 San Leandro St., Oakland. As of the date of this letter, however, we have not received any communication from you on this matter. Therefore, this letter constitutes a **Second Notice** that you are in violation of specific laws and that the technical reports are due.

According to Section 25298 of the California Health and Safety Code, underground storage tank closure is incomplete until the responsible party characterizes and remediates the contamination resulting from product discharge. Therefore, you, as the responsible party are in violation of this section of the Code, for which Section 25299 specifies civil penalties of up to \$5,000, for each day of violation. Also, failure to furnish technical reports regarding documented or potential groundwater contamination violates Section 13267(b) of the California Water Code. The Regional Water Quality Control Board (RWQCB) can impose civil penalties of up to \$1,000 per day that such a violation continues.

You are required to submit the technical reports for the site to this office **within 15 days** from the date of this letter. **Failure to respond will result in referral of this case to the RWQCB or Alameda County District Attorney to consider for enforcement action. Modification of required tasks or extensions of stated deadlines must be confirmed in writing by either this agency or the RWQCB.**

Phil Wood
9029 San Leandro St., Oak
November 5, 1992

Page 2

If you have any questions about the content of this letter,
please contact me at (510) 271-4530.

Sincerely,



Eva Chu
Hazardous Materials Specialist

cc: Rich Hiett, RWQCB
Gil Jensen, Alameda County District Attorney's Office
David Wendel, P.O.Box 2047, Oakland 94604-2047
Edgar Howell/files

wood

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



R01098

RAFAT A. SHAHID, Assistant Agency Director

April 3, 1992
STID #1828

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

Wood Properties
Attn: Mr. Phil Wood
P.O. Box 7123
Berkeley, CA 94707

Re: Request for Workplan for Subsurface Investigation at 9029
San Leandro St., Oakland CA 94621 dba Alameda Chemical and
Scientific

Dear Mr. Wood:

Our division has received the results of soil and water sample results subsequent to underground storage tank removals performed at the above referenced site. Three tanks were apparently removed in November of 1988. Considerable petroleum hydrocarbon contamination was found in these samples. In a December 9, 1988 letter addressed to you, you were informed by Ms. Mary Jo Meyer-Barnes of this office, that a workplan was to be submitted to our division. This workplan should include what work would be done to assess and remediate this hydrocarbon contamination. The letter also briefly outlined the contents of an acceptable workplan. You were requested to submit such a workplan to our office within 30 days ie on or before January 10, 1988. To this date, some four years later, we have not received this workplan and we are not aware of any remediation that has taken place.

In addition to the absence of a workplan, our division has also yet to receive a closure report for the underground tank removals. This closure report should include at a minimum:

1. General description of the closure activities;
2. Description of the tanks, fittings and piping conditions;
3. Description of the excavation including a log of the stratigraphic units encountered within the excavation, any observation of odor-bearing soils and description of any water or free product present;
4. Description of any remedial activities performed at the time of the removals;
5. Chain of custody document for all samples analyzed; and
6. A tabulation of the volume and final destination of all non-manifested contaminated soil hauled offsite.

Mr. Phil Wood
9029 San Leandro St.
STID # 1828
April 3, 1992
Page 2.

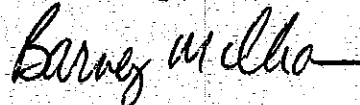
Enclosed is the document, Workplan for Initial Subsurface Investigation, a guidance document for the contents of a preliminary workplan as published by the Regional Water Quality Control Board (RWQCB). Please be advised this office is working in conjunction with the RWQCB to oversee the remediation of hydrocarbon contaminated sites such as this one. The RWQCB is the agency entrusted to protect the waters of the state.

Please submit a workplan in addition to a complete tank closure report to this office within thirty (30) days of this letter.

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 Hiatt. Their address is 2101 Webster St., Fourth Floor, Oakland CA 94612. Be aware that failure to submit the requested documents may subject you civil liabilities.

Our office also has a Memorandum of Understanding (MOU) with the Department of Health Services (DOHS). As such, we are empowered to enforce the regulations of the California Health and Safety Code (CH&SC), Division 20, Chapter 6.7. I point your attention to Section 25298 (c) 4 of the CH&SC which states that no person shall close an underground tank unless that person has taken steps to demonstrate to the appropriate agency that the site has been investigated to determine if there are any present, or were past, releases, and if so that appropriate corrective or remedial actions have been taken. Section 25299 (5) allows for the civil penalty of not less than \$500 or more than \$5,000 for each underground tank for each day which the operator or owner fails to properly close an underground tank as required by Section 25298. You are reminded that failure to submit the requested documents may subject you to these civil liabilities in addition to referral of this case to the District Attorney Office for litigation. You may contact me at (510) 271-4320 should you have any questions regarding this letter.

Sincerely,



Barney M. Chan, Hazardous Materials Specialist
enclosure

cc: M. Thomson, Alameda County District Attorney Office
R. Hiatt, RWQCB
J. Cox, Erickson, Inc.

WP9020SLSt

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



R01098

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

July 26, 1989

Fred Jarvis P.E.
EOA, INC.
6214 Florio St., #4
Oakland, CA 94618

Dear Mr. Jarvis:

We are in receipt of your letter of July 24, 1989, requesting a copy of the Business Plan of Alameda Chemical and Scientific, 9029 San Leandro St., Oakland CA, and the request of Ms. Jill Korte, for a file search for the same address.

As I informed Ms. Korte, for the Chemical List of the address we must inform the operator that a request has been made for disclosure of their chemical inventory and give them 30 days to have trade secret information declared by a court order.

The public record of the site is presented for your information.

Inspection made January 13, 1988, violations noted were:

1. Waste containers needed identification labels including date of accumulation start.
2. Identify and remove rusted drum found by wood pile

No record of spills were noted on the inspection form.

Underground Tank (1000 gallons) removed in Nov. 1988.

Underground Tank Leak Report filed 11/29/88, Tank removed.

Site Mitigation for the tank removal has not been finalized, please call Larry Seto for information on this.

The files show that contamination was found in the pit from the tank removal and no final remediation plan was in the folder. Last consultant listed is Jim Cox of Erickson Inc.

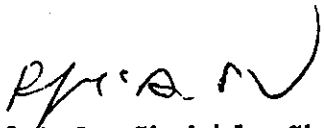
Fred Jarvis P.E.
EOA, INC.
6214 Florio St., #4
Oakland, CA 94618
July 26, 1989
Page 2 of 2

This is limited to information available to our office and does not include any information which may be available to other businesses or agencies involved with this property.

Please find enclosed, a copy of our invoice sent to Billing.

If you have any questions, please call Edgar Howell, Supervising Hazardous Materials Specialist, at (415) 271-4320.

Sincerely,


Rafat A. Shahid, Chief,
Hazardous Materials Program

RAS:EH:mnc

Enclosure (1)

cc: Files
Edgar Howell

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



R01098

December 9, 1988

DEPARTMENT OF ENVIRONMENTAL HEALTH
470 - 27th Street, Third Floor
Oakland, California 94612
(415)

Alameda Chemical Company
P.O. Box 7123
Berkeley, CA 94707
Attn: Phil Woods

Dear Mr. Woods:

We have received the report of analytical results from the soil sampling that was performed at your facility, Alameda Chemical, 9029 San Leandro St., Oakland, CA, during the removal of the tanks on November 21, 1988. The samples were analyzed for total petroleum hydrocarbons (TPH), BTXE, and Total Oil and Grease (TOG), and were found to contain up to 2600 parts per million (ppm) TPH, and 5800 ppm TOG. You are required to excavate all soil contaminated above 1000ppm, and dispose of as Hazardous Waste to an approved disposal facility, with manifests retained.

A. Please complete and submit the form titled "Underground Storage Tank Unauthorized Release (Leak)/Contamination Site Report." This report must be filed immediately with the Health Agency. A copy is enclosed for your convenience.

B. You will need to obtain professional services from a reputable engineering/consulting firm.

The responsibility of your consultant will be to establish the extent of contamination and provide professional judgment/recommendations, based on scientific data, of the necessary remedial actions needed. A plan and time schedule for investigation should be submitted to this agency within thirty (30) days.

The following is a summary of the steps your consultant should take to evaluate the problem.

1. Preliminary Assessment
 - results of initial work done
 - proposal for the delineation of the site's contamination
 - site history

2. Site Investigation
 - site geology and hydrogeology
 - definition of lateral and vertical extent of contamination including soil and groundwater
 - evaluation of mitigation alternatives

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3. Final Remedial Plan

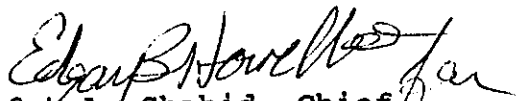
- plans for the removal of soil contaminants and recovery of fuel product and removal of dissolved constituents from the groundwater, if necessary
- details and time frame for implementing the various remedial phases

C. Submit \$300.00 deposit for Health Agency costs.

The information requested must be submitted to this office within thirty (30) days, on or before January 10, 1988.

Should you have any questions concerning this matter, please contact Ms. Mary Jo Meyers-Barnes, Hazardous Materials Specialist at 271-4320.

Sincerely,



Rafat A. Shahid, Chief
Hazardous Materials Division

RAS:MJM-B

Enclosure

cc: Jim Cox, Erickson, Inc.
Gil Jensen, District Attorney, Alameda County Consumer and
Environmental Protection
Lisa McCann, RWQCB
Dwight Hoenig, DOHS
Mary Jo Meyers-Barnes, HazMat
Files