

ALAMEDA COUNTY  
HEALTH CARE SERVICES  
AGENCY

DAVID J. KEARS, Agency Director



R011581

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

July 21, 1993  
StID # 2873

Mr. Bill Owens  
2221 Olympic Blvd.  
P.O. Box 2308  
Walnut Creek, CA 94595

**Re: Recommendation for No Further Work at 1236 and 1238 41st.  
Ave. Oakland CA 94601**

Dear Mr. Owens:

Recall, after the excavation of the 500 gallon waste oil tank and 1000 gallon gasoline tank at 1238 and 1236 41st. Ave. respectively, a number of questions remained. These questions arose because contaminated stockpiled soils were returned to the waste oil pit even though the floor sample came out non-detectable. The other dealt with the detection of petroleum hydrocarbons from a soil sample taken from within the building located at 1236 41st Ave. The gasoline tank was removed from the sidewalk area in front of 1236 41st Ave.

Our office has received copies of the analytical results from the soil samples taken from the base and the sidewalls of the waste oil tank after re-excavation of the pit. The floor sample as well as the composite of the four sidewall samples showed non-detectable concentrations for gasoline, diesel, BTEX, oil and grease, volatile halogenated compounds and semi-volatile compound, therefore no further excavation is required in this area.

An additional soil sample was taken from within 1236 41st Ave. at six feet depth, two feet beneath the original soil sample. This soil sample exhibited 11 ppm Total Recoverable Hydrocarbons, just above the detection limit of 10 ppm. It is believed that the original soil sample was not associated with the gasoline tank but was within the trench of a previously decommissioned hydraulic lift. Because of the result mentioned plus the fact that on the other side of this trench another boring yielded non-detectable petroleum hydrocarbons, no further excavation will be required in this area either. With the condition that the stockpiled soils generated from the overexcavation of the waste oil pit are properly disposed along with the stockpiled soils generated from your 40th Ave. site., no further work will be required at this site.

Mr. Bill Owens  
StID # 2873  
1236 and 1238 41st Ave.  
July 21, 1993  
Page 2.

Please be advised that this letter does not relieve you of any liability under the California Health and Safety Code or Water Code for past, present, or future operations at this site. Nor does it relieve you of the responsibility to clean up existing, additional or previously unidentified conditions at the site, which cause or threaten to cause pollution or nuisance or otherwise pose a threat to water quality or public health.

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

Sincerely,



Barney M. Chan  
Hazardous Materials Specialist

cc: R. Hogbin, Giles Engineering Associates, Inc., 4875 East La  
Palma Ave. Suite 607, Anaheim, CA 92807  
R. Hiett, RWQCB  
E. Howell, files

ss0-1236

ALAMEDA COUNTY  
HEALTH CARE SERVICES  
AGENCY



DAVID J. KEARS, Agency Director

June 28, 1993  
StID # 2873

Mr. Bill Owens  
2221 Olympic Blvd.  
P.O. Box 2308  
Walnut Creek, CA 94595

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 Site Investigation at 1236 and 1238 41st Ave.,  
Oakland CA 94601, SAAB Auto Repair and Smooth Auto Body**

Dear Mr. Owens:

Our office was recently made aware of additional site assessment results performed by Giles Engineering. In this report, one soil sample identified as B1 @ 4' exhibited 6400 mg/kg (ppm) total recoverable petroleum hydrocarbons. Our office was asked to comment as to whether any additional work would be required. The answer to that question is yes. The extent of the work will be dictated by the results of further soil investigation. The problem which exists here are as follows:

1. It has yet to be confirmed that the pipeline which this sample was taken under was from the underground gasoline tank previously removed by SEMCO. Assuming that it is the case, it is not unreasonable that due to the piping's location, it was not removed during the tank removal process. It is also not unusual that no soil sample beneath the piping due to its length, approximately five feet.

2. The reported analytical results is not sufficient to render an accurate opinion. This area must be resampled and run for TPH as gasoline and as diesel along with BTEX (benzene, toluene, ethyl benzene and xylenes). All attempt should be made to remove the contaminated soil and a confirmatory sample taken after this is done. Depending on the results of this additional work, further investigation may be warranted. Please contact our office 48 working hours prior to this additional sampling so that I may be present to witness such activity.

You may 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  
E. Howell, files  
4-123638

ALAMEDA COUNTY  
HEALTH CARE SERVICES  
AGENCY



DAVID J. KEARS, Agency Director

RAFAT A. SHAHID, ASST. AGENCY DIRECTOR

R01158

May 21, 1993  
StID # 2873

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

Mr. Bill Owens  
2221 Olympic Boulevard  
P.O. Box 2308  
Walnut Creek, CA 94595

**Re: Status of Investigation at 1236 and 1238 41st Ave., Oakland  
CA 94601**

Dear Mr. Owens:

As you recall, additional excavation and soil sampling was performed on the former waste oil tank pit in front of 1238 41st Ave. The results indicated that the previously contaminated stockpile soil had been adequately removed from the pit. Our office also received a May 12, 1992 letter with a SEMCO letterhead which you signed stating that the soils generated from the re-excavation of the waste oil tank were going to be dealt with any soils generated from the investigation at the 40th Ave. site. This is acceptable, however, prior to recommendation for site closure our office has been made aware that additional investigation was performed by Giles Engineering Associates. Preliminary information indicates that there may be gasoline contamination under the piping run from the gasoline tank removed from 1236 41st Ave. Our office will need clarification as to the extent of any contamination and the final disposition of the piping from the gasoline tank.

Please inform our office how we may resolve this problem. We advise contacting Mr. Randy Hogbin of Giles Engineering for information regarding any borings they took. His phone number is (714)-779-0052. I may be reached at (510) 271-4530 should you have any questions.

Sincerely,

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

Barney M. Chan  
Hazardous Materials Specialist

cc: R. Hiett, RWQCB  
R. Hogbin, Giles Eng. Associates Inc., 4875 East La Palma  
Ave., Suite 607, Anaheim, CA 92807  
E. Howell, files

3-123638

ALAMEDA COUNTY  
HEALTH CARE SERVICES  
AGENCY

DAVID J. KEARS, Agency Director



✓ R01158 (STID 2873)  
1236-1238 41st Ave

R0104 (STID 3682)  
1234 40th Ave.

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

March 1, 1993  
StID # 2873 and 3682

Mr. Bill Owens  
Motor Partners  
2221 Olympic Boulevard  
Walnut Creek, CA 94595

**Re: Evaluation of Work Plan for Subsurface Investigation at 1236  
and 1238-41st Ave. and 1234 40th Ave., Oakland 94621**

Dear Mr. Owens:

Thank you for the submission of the proposed work plan for further subsurface investigation for the above sites as prepared by Semco and Certified Environmental Consulting, Inc. Our office received this work plan on September 21, 1992. We have completed our review and you should initiate this work immediately with the following provisions:

1. Our office agrees with the general approach with re-excavating three of the four tank excavation pits and taking confirmation side wall and floor samples. Please be reminded of the appropriate analysis for the confirmation samples:

Gasoline tank- Total Petroleum Hydrocarbons as gas and BTEX (Benzene, Toluene, Ethylbenzene and Xylenes).

Waste Oil tank- Total Petroleum Hydrocarbons as gas, as diesel, BTEX, Chlorinated Solvents, Oil and Grease, specific heavy metals and Semi-volatiles. It was noted that semi-volatiles were omitted during the initial soil sample analyses. Please inform me 48 working hours in advance to witness any resampling. Please identify the certified lab to be used to analyze the soil samples.

Our office agrees that no further work is necessary at the gasoline tank on 41st Ave. In addition, a lone sample defining the vertical extent of contamination may be appropriate in the waste oil tank excavation on 41st Ave. I would, however, like to be present to observe the overexcavated tank pit prior to agreeing to the need for only one sample.

2. The work plan submitted failed to address the need for a groundwater investigation. Recall, because of the initial soil contamination found, you are required to perform a groundwater investigation. Monitoring wells will minimally be required to be

Mr. Bill Owens  
StID #s 2873 and 3682  
1236 and 1238-41st and 1234 40th Ave.  
March 1, 1993  
Page 2.

installed within ten feet of the former tank pits in the confirmed downgradient direction. If gradient information is not available, you will need to install a minimum of three wells per site. Please provide a workplan for the installation of monitoring wells to our office within 30 days of receipt of this letter.

As stated in my previous letter, continual inactivity at these site will be considered the improper closure of underground tanks and will cause this case to be referred to the District Attorney's Office for enforcement.

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

Sincerely,



Barney M. Chan  
Hazardous Materials Specialist

cc: G. Jensen, Alameda County District Attorney Office  
R. Hiett, RWQCB  
D. McCain, Semco, 1806 Leslie St., San Mateo, CA 94402  
S. Klemetson, CEC Environmental Consulting Inc., 3160 Crow Canyon, Suite 350, San Ramon, CA 94583  
E. Howell, files

WP-1234-36-38

ALAMEDA COUNTY  
HEALTH CARE SERVICES  
AGENCY

DAVID J. KEARS, Agency Director



✓ R01158 (STID 2873) #1236  
41st Ave.

R0104 (STID 3682) #1234  
40th Ave.

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

Certified Mailer # P113 815 499

February 10, 1993  
StID# 2873 and 3682

Mr. Bill Owens  
Motor Partners  
2221 Olympic Boulevard,  
Walnut Creek, CA 94595

**FINAL NOTICE OF VIOLATION**

**Re: Request for Work Plan for Subsurface Investigation at 1236  
and 1238- 41st Ave. and 1234 40th Ave., Oakland 94621**

Dear Mr. Owens:

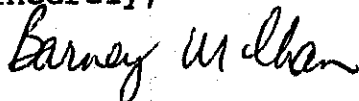
Recall that you were first informed of the requirement to provide a workplan for subsurface investigation, subsequent to the removal of underground tanks at the above sites, in a December 24, 1990 letter from Ms. Cynthia Chapman of this office. You were given 45 days to provide this report. Next, in my April 13, 1992 letter, you were again requested to provide this office with an appropriate workplan for this investigation. That time you were given 30 days to provide this document. You were also given a copy of Appendix A, Workplan for Initial Subsurface Investigation, to use as a guidance document for your workplan. To this date our office has not received any reports or any written correspondence from you regarding these sites. Please be advised that this is your **Final Notice Of Violation**. Please provide an appropriate workplan to our office **within 30 days** of receipt of this letter otherwise this case will be referred to the District Attorney Office for enforcement. In addition, your site may be referred to the Regional Water Quality Control Board (RWQCB) for their issuance of a Cleanup and Abatement Order.

Our office considers your inactivity at these sites the improper closure of underground tanks for which Section 25299 (5) of the California Health and Safety Code (CH&SC) authorizes civil penalties of not less than \$500 or more than \$5,000 per day per each tank which is not properly closed in accordance with the requirements of the appropriate agency.

Mr. Bill Owens  
1236 & 1238 41st and 1234 40th Ave.  
StID # 2873 and 3682  
Page 2.

You may 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  
R. Hiett, RWQCB  
E. Howell, files

FNOV-1236



ALAMEDA COUNTY  
HEALTH CARE SERVICES  
AGENCY

DAVID J. KEARS, Agency Director



✓ R01158 (STID 2873-  
1236-1238 41st Ave)

R0104 (STID 3682 - 1234  
40th)

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

September 23, 1992  
STID # 2873 and 3682

Mr. Bill Owens  
Motor Partners  
2221 Olympic Boulevard  
Walnut Creek, CA 94595

Re: Comment on Site Mitigation Work Plan for Owens Motor  
Partners at 1234 40th Ave., 1236 and 1238 41st Ave.,  
Oakland CA 94621

Dear Mr. Owens:

Thank you for submitting the site mitigation work plan for the above sites as prepared by SEMCO. I have completed my review of this proposal and it is acceptable as an initial step of the site investigation with the following conditions:

1. Prior to initiating any work a site specific Health and Safety (H&S) Plan must be submitted to our office. The plan must include at a minimum the name and responsibilities of the site H&S officer, the identification of H&S hazards of each work task, specific personal protective equipment to be used along with the environmental sampling and monitoring devices to be used, measures to be taken to secure the site, an emergency/contingency plan showing the directions to the nearest hospital, documentation that all site workers have received the appropriate training per 29 CFR 1910.120 and a page for employees to sign indicating they have read and will comply with site H&S plan.
2. You are requested to backfill all re-excavated pits with either clean or approved remediated and reanalyzed backfill to avoid the need for further re-excavation.
3. Please contact this office at least 48 working hours in advance to schedule the witnessing the resampling of appropriate areas within the pits.
4. Please be advised that you will be required to install monitoring well(s) at the 40th Ave. site to investigate the extent of ground water contamination. A work plan detailing the locations and typical construction standards of these wells should be submitted for review by our office by a certified professional.

Mr. Bill Owens  
Motor Partners  
STID # 2873 and 3682  
September 23, 1992  
Page 2.

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

Sincerely,



Barney M. Chan  
Hazardous Materials Specialist

cc: M. Thomson, Alameda County District Attorney Office  
R. Hiett, RWQCB  
D. McCain, SEMCO, 1741 Leslie St., San Mateo, CA 94402  
S. Klemetson, Certified Environmental Consulting Inc.,  
140 West Industrial Way, Benicia, CA 94510  
E. Howell, files

wp-MrOwens

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



R0104 (1234 40th.)

✓ R01158 (1236-1238  
41st.)

RAFAT A. SHAHID, Assistant Agency Director

April 13, 1992  
STID #2873 and 3682

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

Mr. Bill Owens  
Motor Partners  
2221 Olympic Boulevard,  
Walnut Creek, CA 94595

Re: Request for Workplan for Subsurface Investigation at 1236  
and 1238- 41st Avenue and 1234 40th Ave., Oakland CA 94621

Dear Mr. Owens:

Our division has received the results of soil and water samples subsequent to underground storage tank removals performed at the above referenced sites. A total of four underground tanks were removed at these sites in October of 1990. The tank removals were witnessed by Ms. Cynthia Chapman of our office. Considerable petroleum hydrocarbon contamination was found in soil samples taken at the time of the removals. In a December 24, 1990 letter addressed to you, Cynthia informed you of your obligation to perform further subsurface investigation at both sites. This letter is reiterate the need for you to do this additional investigation at these sites and provide our office with closure reports and a work plan for further investigation. In Cynthia's letter you were requested to submit a work plan to our office within 45 days of the date of that letter. To this date we have not received this information.

To summarize our office's concerns I would like to list the current requested items:

1. It was noted that the soil samples taken from under the tanks removed at 1236 and 1238 41st Ave. contained low levels of petroleum although the soil stockpiled soils had elevated oil and grease. Unfortunately, these stockpiled soils were reused and the tank pits resurfaced. In order to avoid a groundwater investigation, you must re-excavate and remove this soil, dispose of it properly and take confirmation soil samples which indicate excavation to non-detectable amounts of hydrocarbon contamination.
2. It is clear that the elevated gasoline, diesel, oil and grease and BTEX (benzene, toluene, ethyl benzene and xylenes) concentrations in samples from 1234 40th Ave. require a soil and groundwater investigation. In addition to Ms. Chapman's 1990 letter, I have enclosed the document, Workplan for Initial

Mr. Bill Owens  
1236,1238 41st and 1234 40th Ave.  
April 13, 1992  
STID 2873,3682  
Page 2.

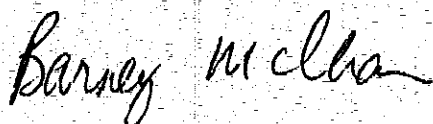
Subsurface Investigation, a guidance document published by the Regional Water Quality Control Board (RWQCB). Please be advised this office is working in conjunction with the RWQCB to oversee the remediation of hydrocarbon contaminated sites such as these. The RWQCB is the agency entrusted to protect 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 Hiett. 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 enforcement. 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. Hiett, RWQCB  
C. Kiper, SEMCO, 1741 Olympic Blvd., Walnut Creek, CA 94595  
WP 1234-40thetc

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



✓ R01158 (1236-38 41st-A)

R0104 (1234 40th Ave)

December 24, 1990

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

Mr. Bill Owens  
Motor Partners  
2221 Olympic Boulevard  
Walnut Creek, CA 94595

Dear Mr. Owens:

The Alameda County Hazardous Materials Division has reviewed the laboratory analyses provided to this office by Semco for the underground tank removal activities at 1234 - 40th Avenue and at 1236 and 1238 - 41st Avenue, Oakland, California. A 1,000 gallon tank and a 500-gallon waste oil tank were removed from the 40th Avenue location, a 300-gallon gasoline tank was removed from 1236 - 41st Avenue, and a 300-gallon waste oil tank was removed from 1238 - 41st Avenue on October 12, 1990.

At the 40th Avenue site significant contamination was found in soil samples taken from both tanks. The 1,000-gallon tank had total petroleum hydrocarbons (TPH) as gasoline at 1,600 ppm, benzene at 3,500 ppb, toluene at 5,500 ppb, ethylbenzene at 43,000 ppb, and xylenes at 15,000 ppb. The 500-gallon waste oil tank had 650 ppm TPH as diesel, 570 ppm TPH as gasoline, 4,000 ppm Oil & Grease, toluene at 470 ppb, ethylbenzene at 1,200 ppb, and xylenes at 8,500 ppb.

At the 41st Avenue sites, no contamination was found in the samples taken from the tank excavation and from the samples taken from the gasoline tank stockpile; however, the stockpile soil from the waste oil tank show Oil & Grease at 1,400 ppm, TPH as gasoline at 150 ppm, toluene at 120 ppb, ethylbenzene at 340 ppb, and xylenes at 3,600 ppb.

The level of contamination found in the soil samples from the 40th Avenue site require that Motor Partners perform a soil and ground water investigation to determine the extent of the contamination associated with the underground storage tanks. For the 41st Avenue site, the contaminated stockpile soil that was placed in the pit should be excavated and removed to an appropriate disposal facility.

You are required to complete a workplan that provides information on how the subsurface investigation will proceed. Please submit this workplan to our office within 45 days of the date of this letter. Our office will be the lead agency overseeing the soil and groundwater investigation at this site. The San Francisco Bay Regional Water Quality Control Board (RWQCB) has delegated the handling of this case to our Division. We will be in contact with the RWQCB in order to provide you with guidance concerning the RWQCB's investigation requirements. However, please be aware that you are responsible for diligent actions to protect the waters of the State. A format for the workplan and items to address is outlined on the following pages.

Motor Partners  
December 24, 1990  
Page 2

## I. INTRODUCTION

- A. Statement of Scope of Work
- B. Site location
- C. Background
- D. Site History

Provide a brief description of the historic site use and ownership information, type of business and associated activities that take place at the site, types and location of any hazardous materials used on site, and a description of any known hazardous materials spills, leaks, or accidents. Provide a history of the use of the underground tank(s), its contents, and include the date of installation.

## II. SITE DESCRIPTION

- A. Provide a map which shows streets, site buildings, underground tank locations, subsurface conduits and utilities, on-site and nearby wells, and nearby streams or water bodies.
- B. Provide a description of the hydrogeologic setting of the site and surrounding area. Include a description of any subsurface work previously done at the site.

## III. PLAN FOR DETERMINING EXTENT OF SOIL CONTAMINATION ON SITE

- A. Describe how the extent of soil contamination associated with the former underground tanks will be determined.
- B. Describe the sampling methods and procedures to be used. If soil samples are to be collected for contamination delineation, consult the RWQCB guidelines for soil sampling protocols. During drilling of all boreholes and monitoring wells, undisturbed soil samples are to be collected at a minimum of every five feet in the unsaturated zone and at any changes in lithology for logging and analytical purposes. Borings and wells are to be permitted through Alameda County Flood Control and Water Conservation District, Zone 7. Their number is 415/484-2600. Borings and wells are to be logged from undisturbed soil samples. Logs shall include observed soil odors; blow counts shall be expressed in blows per 6 inches of drive.

Motor Partners  
December 24, 1990  
Page 3

If a soil gas survey is planned, the location of survey points must be identified along with the analytical methods and techniques to be used. A quality assurance plan for field analyses must be submitted.

- C. Soil samples are to be analyzed by a California State Certified Laboratory for the appropriate constituents.

#### IV. DETERMINATION OF GROUNDWATER QUALITY

- A. A minimum of three monitoring wells must be installed to determine the groundwater gradient. If the verified down-gradient location has been established, then complete gradient data must be submitted and one monitoring well will be required in the down-gradient direction.
- B. Monitoring wells shall be designed and constructed to be consistent with the RWQCB guidelines and to permit entrance of any free product into the wells. Filter pack and slot sizes for all wells should be based on particle analysis from each stratigraphic unit in at least one boring on the site and on the types of groundwater contaminants present. The well screen must be situated to intercept any floating product from both the highest and lowest ground water levels. All wells shall be surveyed to mean sea level to an established benchmark to 0.01 foot.
- C. Monitoring wells must be sampled for dissolved and floating constituents. Any free product is to be measured with an optical probe or by another method shown to have equivalent accuracy.
- D. A groundwater gradient map shall be developed for every water level data set. If the gradient fluctuates, water level measurements must continue to be made monthly until a gradient pattern is established.
- E. Sample monitoring wells monthly for three consecutive months. Free product thicknesses and water levels shall be measured in all wells for each sampling event before any purging or sampling activities are begun. After three consecutive months of sampling, all monitoring wells must be sampled at least quarterly for one year. Groundwater levels and quality must be monitored quarterly for a minimum of one year, even if no contamination is identified.

Motor Partners  
December 24, 1990  
Page 4

- F. Groundwater samples are to be analyzed by a California State Certified Laboratory for the appropriate constituents.

V. INTERPRETATION OF HYDROGEOLOGIC DATA

- A. Water level contour maps showing groundwater gradient direction and free and dissolved product plume definition maps of each contaminant constituent should be prepared routinely and submitted with other sampling results.
- B. The hydrogeologic characteristics of the aquifer must be described. An estimate of vertical transmissivity, based on a laboratory permeability test or a pump test, is required for any unit identified as a clay. Identification of the clay should be verified by particle analysis (ASTM D-422).
- C. The cross sections, groundwater gradients (horizontal and vertical) should be interpreted to explain pollution migration patterns.

VI. DETERMINATION OF THE TYPES OF BENEFICIAL USES OF THE GROUNDWATER

The State has defined all San Francisco Bay Area water as having beneficial uses; however, the types of beneficial uses vary and must be determined in order to establish appropriate cleanup levels. Beneficial uses include drinking water, irrigation, groundwater recharge, wild life habitat, contact and non-contact recreation, fish migration, etc. A drinking-water beneficial use "aquifer" is defined as an aquifer yielding water of less than 3,000 units of total dissolved solids and yielding water at a rate of at least 200 gallons per day.

VII. SITE SAFETY PLAN

VIII. REPORTING

- A. A technical report must be submitted, within 30 days of completion of the investigation, which presents and interprets the information generated during the initial subsurface site investigation. At a minimum, the report must include the following items: Site history information, boring and well construction logs, records of field observations and data, chain-of-custody forms, water level data, water level contour map showing groundwater gradient direction, contaminant plume maps, tabulations of soil and



Motor Partners  
December 24, 1990  
Page 5

groundwater contaminant concentrations, status of soil contamination characterization, description of any remedial work performed, laboratory-originated analytical results for all soil and groundwater samples analyzed, copies of TSDF-to-Generator manifests for any hazardous wastes hauled off-site, a description on where non-hazardous contaminated soils went, and any recommendations for additional investigative or remedial work.

- B. All reports and proposals must be signed by a California-Certified Engineering Geologist, California-Registered Geologist or a California-Registered Civil Engineer. A statement of qualifications should be included in all reports. Borehole and monitoring well installation and logging, and impact assessments will require the signature of such a professional.
- C. The technical report must be submitted with a cover letter from Motor Partners and received in this office by the established due date. The letter must be signed by a principal executive officer or by an authorized representative of the company.

Any stockpiled soil associated with tank removal activities or investigation activities must be sampled to determine the proper disposition of the soil. The number of samples collected from the stockpile(s) must be adequate to characterize the soil for the appropriate soil handling method.

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 Lester Feldman. The address is:

Regional Water Quality Control Board  
1800 Harrison Street, Suite 700  
Oakland, CA 94612

You should be aware that this Division is working in conjunction with the RWQCB and that this is a formal request for technical reports pursuant to California Water Code Section 13267 (b). Any extensions of agreed upon time deadlines must be confirmed in writing by either this Division or the RWQCB.

We will require a deposit/refund for reviewing the work plan and for oversight of your case. Please remit \$600.00, payable to Alameda County.

Motor Partners  
December 24, 1990  
Page 6

Should you have any questions concerning the contents of this letter or the status of this case, please feel free to contact me at 415/271-4320.

Sincerely,

*Cynthia Chapman*

Cynthia Chapman  
Hazardous Materials Specialist

c: Mr. Lester Feldman, RWQCB

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY  
DAVID J. KEARS, Agency Director



SITE: # 1236-1238  
41st. Ave.

R01158

August 10, 1990

Motor Partners  
P.O. Box 1225  
Lafayette, CA 94549

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

Re: 1236 41st Ave., Oakland, 94601

NOTICE OF VIOLATION

Dear owner/operator:

Our records indicate that there are underground tank(s) at your site at the above facility. You have been notified of the below violations and you have not yet corrected them.

In accordance with the California Code of Regulations, Title 23, Chapter 3, Subchapter 16 Underground Tank Regulations you must perform one of the following actions:

1. Submit a tank closure plan to this Department as required by Article 7, 2670, forms available from this office, or
2. Apply for a permit as required by Article 10, 2710. Permit applications Part A and B are available from this office.

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.

If you have any questions concerning this matter, please contact this office at 271-4320.

Sincerely,

Thomas F. Peacock, Senior HMS  
Hazardous Materials Division

TFP:tfp

cc: Gil Jensen, Alameda County District Attorney, Consumer and  
Environmental Protection Agency  
Lester Feldman, RWQCB

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY  
DAVID J. KEARS, Agency Director



SITE: 1236-1238 41st  
St.

R01158

May 30, 1990

Motor Partners  
c/o Mr. Gordon Arnold  
8855 San Leandro Street  
Oakland, CA 94621

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

Re: 1228 41st Ave., and 1236 41st Ave., Oakland, 94601

SECOND NOTICE OF VIOLATION

Dear Mr. Arnold:

Our records indicate that there is an underground tank at your site at the above facility. Your partner, Mr. William Owens, was sent the first notice to register the tank on March 15, 1990. On March 26, 1990, this office sent you a letter outlining the requirements to either register the tank or have it removed, and sent tank registration forms. We requested a response within 30 days of the date of that letter regarding the continued use of the tank, and also requested a plan of correction for the overspill (noted during the inspection of the tenants) be sent to us within 45 days. Our office has not received a response regarding these issues.

In accordance with the California Code of Regulations, Title 23, Chapter 3, Subchapter 16 Underground Tank Regulations, Motor Partners, as the tank owner, must perform one of the following actions:

1. Submit a tank closure plan to this Department as required by Article 7, 2670, or
2. Apply for a permit as required by Article 10, 2710.

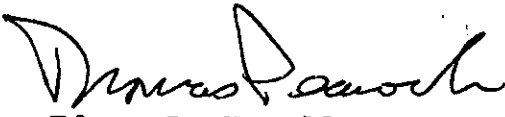
Please note that section 25299 of the California Health and Safety Code states that any operator or owner of an underground storage tank is liable for a civil penalty of not less than five hundred dollars or more than five thousand dollars per day for failure to obtain a permit, or failing to properly close an underground storage tank, as required by section 25298.

Motor Partners  
May 30, 1990  
Page 2 of 2

Please submit the requested information to this office within 10 days.

If you have any questions concerning this matter, please contact Cynthia Chapman at 271-4320.

Sincerely,

  
for Edgar B. Howell, III  
Chief, Hazardous Materials Division

EBH:CAC:cc

cc: Gil Jensen, Alameda County District Attorney, Consumer and  
Environmental Protection Agency  
Lester Feldman, RWQCB  
Mr. William Owens



March 15, 1990

Motor Partners  
P. O. Box 1225  
Lafayette, CA 94549  
c/o Mr. William Owens

Re: 1228 41st Ave., and 1236 41st Ave., Oakland, 94601

NOTICE OF LEGAL OBLIGATION

Dear Mr. Owens:

An inspection by this office of the two businesses located at the above addresses indicates that they share the use of one underground waste oil tank. These tenants have been notified that the tank is not in compliance with underground storage tank regulations. Motor Partners has been identified as the property owners.

In accordance with the California Code of Regulations, Title 23, Chapter 3, Subchapter 16 Underground Tank Regulations, Motor Partners, as the tank owner, must perform one of the following actions:

1. Submit a tank closure plan to this Department as required by Article 7, 2670, or
2. Apply for a permit as required by Article 10, 2710.

Notify this Department within 10 days of your intentions and to obtain the necessary instructions and forms.

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.

If you have any questions concerning this matter, please contact Cynthia Chapman at 271-4320.

Sincerely,

Edgar B. Howell, III  
Acting Chief, Hazardous Materials Division

EBH:CAC:cc

cc: Gil Jensen, Alameda County District Attorney, Consumer and  
Environmental Protection Agency  
Lester Feldman, RWQCB