

ALAMEDA COUNTY  
HEALTH CARE SERVICES  
AGENCY

DAVID J. KEARS, Agency Director



R01184

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

August 30, 1994  
STID 3772

Don Rostocil  
2200 Browning St.  
Berkeley, CA 94702

Re: 3423 Harlan St., Oakland, CA 94608

Dear Don Rostocil:

This office has reviewed a soil boring workplan dated July 22, 1994 by Tank Protect Engineering. The plan is acceptable although the following comments should be considered:

1. The plan calls for no well installation. If contamination is discovered a new groundwater investigation will have to be conducted because there will not be anything remaining from this work.
2. The single boring will be done in the tank pit. There will not be any sampling upgradient or down gradient. This will also be significant if contamination is discovered.

Thank you for the Unauthorized Release Form which has been submitted, as required.

If you have any questions please call this office at (510) 567-6700. Note that our office has relocated to Alameda.

Sincerely,

Thomas F. Peacock, Supervising HMS  
Hazardous Material Division

cc: Edgar B. Howell, III, Chief - file  
John Mrakovich, Tank Protect Engineering, 2821 Whipple  
Rd., Union City, CA 94587-1233

ALAMEDA COUNTY  
HEALTH CARE SERVICES  
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Roll 184

RAFAT A. SHAHID, ASST. AGENCY DIRECTOR

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

April 1, 1994  
STID 3772

Don Rostocil  
2200 Browning St.  
Berkeley, CA 94702

Re: 3423 Harlan St., Oakland, CA 94608

**FINAL NOTICE OF VIOLATION**

Dear Don Rostocil:

This office has reviewed reports of the underground storage tank removals performed at the above referenced site on June 28, 1988 and subsequent soil analysis. A Notice of Violation was written dated September 28, 1993. You were sent a **Second Notice** dated January 31, 1994. There has been no response to either of these notices. The following comments are to be considered:

It is clear that the elevated volatile hydrocarbon concentrations (as high as 670 ppm TOG) in soil at the above site requires a soil and groundwater investigation.

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 thirty (30) days of this letter. You were told of this requirement already in a letter from this office dated December 19, 1988, on August 28, 1992, and again on January 31, 1994. **To date you have not responded.**

3423 Harlan St., Oakland, CA 94608  
STID 3772  
April 1, 1994  
Page 2 of 2

Also, no Unauthorized Release Form has been submitted, as required. One was included with the last letter and is attached again, for your submittal.

**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. 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: Edgar B. Howell, III, Chief - file  
Gil Jensen, Alameda County District Attorney's Office

ALAMEDA COUNTY  
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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 31, 1994  
STID 3772

Don Rostocil  
2200 Browning St.  
Berkeley, CA 94702

Re: 3423 Harlan St., Oakland, CA 94608

**SECOND NOTICE OF VIOLATION**

Dear Don Rostocil:

This office has reviewed reports of the underground storage tank removals performed at the above referenced site on June 28, 1988 and subsequent soil analysis. A Notice of Violation was written dated September 28, 1993. There has been no response to this notice. The following comments are to be considered:

It is clear that the elevated volatile hydrocarbon concentrations (as high as 670 ppm TOG) in soil at the above site requires a soil and groundwater investigation.

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 thirty (30) days of this letter. You were told of this requirement already in a letter from this office dated December 19, 1988 and again on August 28, 1992. **To date you have not responded.**

3423 Harlan St., Oakland, CA 94608

STID 3772

January 31, 1994

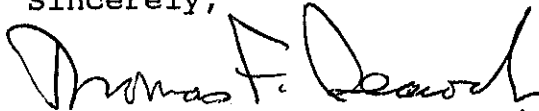
Page 2 of 2

Also, no Unauthorized Release Form has been submitted, as required. One was included with the last letter and is attached again, for your submittal.

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. 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: Edgar B. Howell, III, Chief - file

ALAMEDA COUNTY  
HEALTH CARE SERVICES  
AGENCY

DAVID J. KEARS, Agency Director



R01184

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 28, 1993  
STID 3772

Don Rostocil  
2200 Browning St.  
Berkeley, CA 94702

Re: 3423 Harlan St., Oakland, CA 94608

**NOTICE OF VIOLATION**

Dear Don Rostocil:

This office has reviewed reports of the underground storage tank removals performed at the above referenced site on June 28, 1988 and subsequent soil analysis. The following comments are to be considered:

It is clear that the elevated volatile hydrocarbon concentrations (as high as 670 ppm TOG) in soil at the above site requires a soil and groundwater investigation.

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 thirty (30) days of this letter. You were told of this requirement already in a letter from this office dated December 19, 1988 and again on August 28, 1992. **To date you have not responded.**

Also, no Unauthorized Release Form has been submitted, as required. One was included with the last letter and is attached again, for your submittal.

3423 Harlan St., Oakland, CA 94608  
STID 3772  
September 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. 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: Edgar B. Howell, III, Chief - file

ALAMEDA COUNTY  
HEALTH CARE SERVICES  
AGENCY

DAVID J. KEARS, Agency Director



R01184

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

August 28, 1992  
STID 3772

Don Rostocil  
2200 Browning St.  
Berkeley, CA 94702

Re: 3423 Harlan St., Oakland, CA 94608

Dear Don Rostocil:

This office has reviewed reports of the underground storage tank removals (6-28-88) performed at the above referenced sites and subsequent soil analysis. Petroleum hydrocarbon contamination (620 and 670 ppm oil and grease) was found in soil samples taken at the time of the removals.

In a December 19, 1988 letter addressed to you, Dennis Byrne of the office informed you of your obligation to perform further subsurface investigation at the site. This letter reiterates the need for you to do this additional investigation at the site and provide our office with closure reports and a work plan for further investigation. In Dennis' 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 is clear that the elevated oil and grease concentrations in samples from 3423 Harlan St. require a soil and groundwater investigation. I have enclosed the document, Workplan for Initial 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.
2. No Unauthorized Release form was submitted, as required. A blank form is attached, which must be completed and submitted to this office.

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



3423 Harlan St., Oakland, 94608  
STID 3772  
August 28, 1992  
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 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  
enclosures

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY

J. MICHAEL LEAHY, Agency Director



Department of Environmental Health  
Hazardous Materials Division  
80 Swan Way, Room 200  
Oakland, CA 94621

R01184

19 December, 1988

~~470 27th Street, Third Floor~~  
~~XXXXXXXXXXXXXXXXXXXX~~  
~~Oakland, California 94612~~  
(415) 271-4320

Mr. Don Rostocil  
2200 Browning Street  
Berkeley, Ca. 94702

Subject: Underground Tank Removal at 3423 Harlan St. Oakland

Dear Mr. Rostocil:

On the 29th of June, 1988, two underground storage tanks were removed from the property listed above. Soil samples were collected at that time and concentrations of up to 600 parts per million of Total Oil and Grease were measured.

Within the State of California, underground storage tanks are administered under Title 23 of the California Code or Regulations. The owner has the final legal responsibility for addressing any required remediation stemming from the operation of underground storage tanks on that property.

The detection of 100 parts per million of soil contamination requires that action be taken to more fully define the level and extent of the problem. Guidelines established by the San Francisco Bay Regional Water Quality Control Board stipulate that a monitoring well must be sunk within ten feet of the underground tank location to a depth of fifteen feet below initial ground water. During the well drilling, soil samples must be collected for analysis at five foot depth intervals. This operation must be supervised by a registered engineer/geologist and the boring logs and analytical data must be submitted to our office for review.

Please prepare a written Plan of Action for 3423 Harlan Street and submit it to our office for review on or before the 31st of January, 1989. This Plan should address the specific measures which you propose to take in regards to this matter.

Mr. Don Rostocil  
2200 Browning Street  
Berkeley, Ca. 94702  
Page 2 of 2

We in the Alameda County Department of Environmental Health, Hazardous Materials Division, are eager to assist you in ensuring that this situation is resolved in an expedient and responsible manner. Please feel free to contact, Dennis Byrne, Hazardous Materials Specialist, at (415) 271-4320, for any advice or clarification which you may require in the preparation of this Plan.

Sincerely,

*Rafat A. Shahid*

Rafat A. Shahid, Chief,  
Hazardous Materials Division

RAS:DB

cc: Lisa McCann, RWQCB

ALAMEDA COUNTY  
HEALTH CARE SERVICES  
AGENCY  
DAVID J. KEARS, Director



Department of Environment  
Hazardous Materials Division  
80 Swan Way, Room 200  
Oakland, CA 94621

R01184

Telephone Number: (415) 271-4320

20 July, 1988

James Brinker  
Champco  
1281 30th St.  
Oakland, Ca. 94608

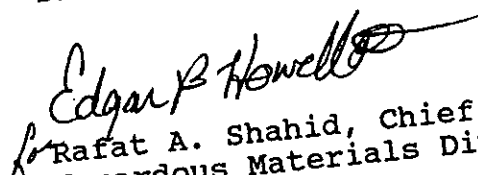
Dear Mr. Brinker:

Thankyou for delivering the analytical data from the underground storage tank removal performed at 3423 Harlan St. in Oakland the 29th of June, 1988. As discussed on Friday, July 15th, oil and grease readings which equal or exceed 100 parts per million require some followup action to determine the extent of soil contamination.

Guidelines established by the State of California, Water Resources Control Board and the San Francisco Regional Water Quality Control Board stipulate that a monitoring well must be sunk within ten feet of the underground tank location to a depth of fifteen feet below initial ground water. This well is to be located in a downgradient direction relative to ground water flow. Guidelines specify that three wells must be used to determine ground water flow direction. During the well drilling, soil samples must be collected for analysis at five foot depth intervals. This operation must be supervised by a registered engineer/geologist and the soil profile log and analytical data must be submitted to this office.

If you have any questions or require further clarification concerning the soil mitigation measures necessary to address this underground tank removal project, please contact, Dennis Byrne, Hazardous Materials Specialist, at (415)271-4320.

Sincerely,

  
for Rafat A. Shahid, Chief,  
Hazardous Materials Division

EBH:DB