

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY  
DAVID J. KEARS, Agency Director



RO# 1596

Alameda County CC4580  
Environmental Protection Services  
1131 Harbor Bay Parkway, Room 250  
Alameda CA 94502-6577

May 21, 1996  
STID 1089

Jack Scholl  
Mostly Mustangs  
2576 Martin Luther King Jr. Way  
Oakland, CA 94612

Re: 2576 Martin Luther King Jr. Way, Oakland, CA 94612

**Final Notice of Violation**

Dear Jack Scholl:

This office has reviewed a plan dated January 22, 1996 for installation of a monitoring well at the above site by Sequoia Environmental and sent you a letter dated January 31, 1996.

Information was provided so that you would take action. It has now been 4 months and you have not done anything. This inaction will place you in jeopardy with the Cleanup Fund as you are not in compliance with county directives. Please contact this office at least 3 days prior to beginning field work.

**You were directed** to implement the work plan within 30 days of the January 31, 1996 letter. **You have not done so.** You are further directed to implement the work plan within 30 days.

If you have any questions please call this office at (510) 567-6782.

Sincerely,

Thomas F. Peacock, Manager  
Division of Environmental Protection

c: David & Patty Vanek, Mostly Mustangs, 1027 Bell Ln.,  
Napa, CA 94558  
Gordon Coleman, Acting Chief - file  
Gil Jensen, Alameda County District Attorney's Office

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY  
DAVID J. KEARS, Agency Director



R0#1596

ARNOLD PERKINS, DIRECTOR  
RAFAT A. SHAHID, DEPUTY DIRECTOR

January 31, 1996  
STID 1089

Alameda County CC4580  
Environmental Health Services  
1131 Harbor Bay Pkwy., #250  
Alameda CA 94502-6577  
(510)567-6700 FAX(510)337-9335

Jack Scholl  
Mostly Mustangs  
2576 Martin Luther King Jr. Way  
Oakland, CA 94612

Re: 2576 Martin Luther King Jr. Way, Oakland, CA 94612

Dear Jack Scholl:

This office has reviewed a plan dated January 22, 1996 for installation of a monitoring well at the above site by Sequoia Environmental. The plan mentions other wells nearby at a Greyhound site, over 4 blocks away. After researching our own GIS database, we found that there is a site at 633 Sycamore St. that is almost across the street. Attached is a drawing showing the gradient and location of monitoring wells from 2 years ago. This site is now closed so new information is not available.

Please contact this office at least 3 days prior to beginning field work. You should take into consideration the location of this other information in locating your new well.

You are directed to implement the workplan within 30 days.

If you have any questions please call this office at (510) 567-6782.

Sincerely,

Thomas F. Peacock, Manager  
Division of Environmental Protection

c: David & Perry Vanek, Mostly Mustangs, 1027 Bell Ln.,  
Napa, CA 94558  
Gordon Coleman, Acting Chief - file  
Gil Jensen, Alameda County District Attorney's Office  
Chris 'Wabuzoh, Sequoia Environmental, 1111 Aladdin Ave.,  
Suite B, San Leandro, CA 94577

Alameda County Health Care Services Agency, Department of  
Environmental Health, Division of Environmental Protection

In Re The Property Known As :

STID 1089

2576 Martin Luther King Jr. Way )

Oakland, CA 94612 )

\_\_\_\_\_)

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

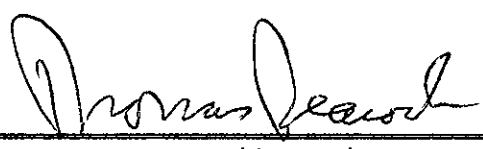
I Thomas Peacock, do hereby certify

that I served Jack Scholl

with a copy of the attached **Notice of Pre-Enforcement Review**  
**Panel on November 22, 1995** by certified

mailer # P 072 565 851

Dated: 11/7/95

  
(signature)

**Alameda County Health Care Services Agency, Department of Environmental Health, Division of Environmental Protection**

In Re The Property Known As : )  
STID 1089 )  
2576 Martin Luther King Jr. Way )  
Oakland, CA 94612 )

Notice of  
Pre-Enforcement  
Review Panel

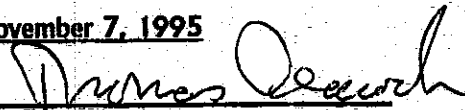
Notice is hereby given that upon the motion of the Alameda County Hazardous Materials Division, and the San Francisco Bay Regional Water Quality Control Board a **Review Panel** will convene on **November 22 1995 at 9:00** a.m. in the offices of the Alameda County Environmental Protection Division located at 1131 Harbor Bay Parkway, Alameda, CA 94502. This **Review Panel** will convene for the purpose of determining responsible parties as well as appropriate closure, site assessment, clean-up and mitigation of contamination at the above location.

The Alameda County Environmental Protection Division, and the San Francisco Bay Regional Water Quality Control Board have named and served notice of this **Review Panel** on the following persons or entities as having proposed responsibility for closure, site assessment, clean-up and mitigation of contamination at the above location, and by this notice all parties named herein are informed of the right to appear and show cause, if any they have, for the exclusion or inclusion of any of the parties served herein from said responsibility or obligations:

1. Jack Scholl  
(name)  
2576 Martin Luther King Jr. Way, Oakland, CA 94612

1. David & Parry Vanek  
(name)  
1027 Bell Lane, Napa, CA 94558  
(address)

Dated: November 7, 1995

  
(signature)

Alameda County Health Care Services Agency, Department of Environmental Health, Division of Environmental Protection

In Re The Property Known As :

STID 1089

2576 Martin Luther King Jr. Way )

Oakland, CA 94612 )  
\_\_\_\_\_ )

Proof of Service of  
Notice of  
Pre-Enforcement  
Review Panel


I Thomas Peacock, do hereby certify

that I served David & Parry Vanek

with a copy of the attached Notice of Pre-Enforcement Review  
Panel on November 22, 1995 by certified

mailer # P 072 565 852

Dated: 11/7/95

  
(signature)

**Alameda County Health Care Services Agency, Department of Environmental Health, Division of Environmental Protection**

In Re The Property Known As : )  
STID 1089 )  
2576 Martin Luther King Jr. Way )  
Oakland, CA 94612 )

Notice of  
Pre-Enforcement  
Review Panel

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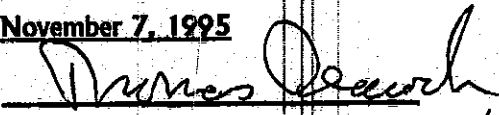
1. **Jack Scholl** \_\_\_\_\_  
(name)

**2576 Martin Luther King Jr. Way, Oakland, CA 94612**

1. **David & Patty Vanek** \_\_\_\_\_  
(name)

**1027 Bell Lane, Napa, CA 94558**  
(address)

Dated: **November 7, 1995**

  
\_\_\_\_\_  
(signature)

ALAMEDA COUNTY  
HEALTH CARE SERVICES  
AGENCY

DAVID J. KEARS, Agency Director



R01596

RAFAT A. SHAHID, DIRECTOR

DEPARTMENT OF ENVIRONMENTAL HEALTH  
State Water Resources Control Board  
Division of Clean Water Programs  
UST Local Oversight Program  
1131 Harbor Bay Parkway  
Alameda, CA 94502-6577  
(510) 567-6700

June 22, 1995  
STID 1089

Jack Scholl  
Mostly Mustangs  
2576 Martin Luther King Jr. Way  
Oakland, CA 94612

Re: 2576 Martin Luther King Jr. Way, Oakland, CA 94612

**NOTICE OF VIOLATION**

Dear Jack Scholl:

This office has reviewed a Workplan Amendment for Geohydrologic Investigation dated November 22, 1994 by Questa Engineering Corporation for the above site. This report was considered acceptable to this office in a letter dated December 9, 1994. To date there has been no response on your part to **actually implement the workplan**. Quarterly reports which describe actions taken in the last 90 days are due to be submitted quarterly. The last correspondence you had with this office was the Workplan dated November 22, 1994. No other kind of report seems to have been submitted since the tank was removed **almost 6 years ago**.

You are directed to implement the workplan within 60 days.

If you have any questions please call this office at (510) 567-6782.

Sincerely,

Thomas F. Peacock, Supervising HMS  
Division of Environmental Protection

c: David & Perry Vanek, Mostly Mustangs, 1027 Bell Ln.,  
Napa, CA 94558  
Jun Makishima, Acting Chief - file  
Gil Jensen, Alameda County District Attorney's Office

ALAMEDA COUNTY  
HEALTH CARE SERVICES  
AGENCY

DAVID J. KEARS, Agency Director



R01596

RAFAT A. SHAHID, ASST. AGENCY DIRECTOR

DEPARTMENT OF ENVIRONMENTAL HEALTH  
State Water Resources Control Board  
Division of Clean Water Programs  
UST Local Oversight Program

December 9, 1994  
STID 1089

Jack Scholl  
Mostly Mustangs  
2576 Martin Luther King Jr. Way  
Oakland, CA 94612

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

Re: 2576 Martin Luther King Jr. Way, Oakland, CA 94612

Dear Jack Scholl:

This office has reviewed a Workplan Amendment for Geohydrologic Investigation dated November 22, 1994 by Questa Engineering Corporation for the above site. This report is acceptable. A request was also submitted for information from 633 Sycamore St. This information is also attached to the Questa Engineering copy only. Please notify this office at least three days prior to drilling taking place.

If you have any questions please call this office at (510) 567-6782. Note that our has moved.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Thomas F. Peacock'.

Thomas F. Peacock, Supervising HMS  
Hazardous Material Division

cc: David & Perry Vanek, Mostly Mustangs, 1027 Bell Ln.,  
Napa, CA 94558  
Edgar B. Howell, III, Chief - file  
Willard Hopkins and Jim Barnard, Questa Engineering Corp.,  
1220 Brickyard Cove Rd., Suite 206, Point Richmond, CA  
94807



ALAMEDA COUNTY  
HEALTH CARE SERVICES  
AGENCY

DAVID J. KEARS, Agency Director



R01596

RAFAT A. SHAHID, ASST. AGENCY DIRECTOR

DEPARTMENT OF ENVIRONMENTAL HEALTH

ALAMEDA COUNTY HEALTH CARE SERVICES AGENCY  
**DEPARTMENT OF ENVIRONMENTAL HEALTH**  
1131 HARBOR BAY PARKWAY, 2ND FLOOR  
ALAMEDA, CA 94502-6577

August 30, 1994

Jack Scholl  
Mostly Mustangs  
2576 Martin Luther King Jr. Way  
Oakland, CA 94612

STID 1089

**Subject: Need to Comply with 90 day Compliance Letter**

Dear Jack Scholl:

On July 11, 1994, your file was reviewed by State Water Resources Control Board staff with the Underground Storage Tank Cleanup Fund Program (Cleanup Fund). The purpose of their review was to determine if you are in compliance with corrective action orders and directives is a requirement for reimbursement of cleanup costs from the Cleanup Fund.

As a result of their review, it has been determined that you are currently not in compliance because of lack of investigation. You were notified of this situation in a letter from this office dated July 8, 1994, (attached) and have not responded.

For cases such as yours, the Cleanup Fund is providing responsible parties with an opportunity to come into compliance provided the regulatory agency will issue a revised corrective action directive. You must take positive concrete steps to come into compliance.

Accordingly, pursuant to **Section 13267 (b)** of the **California Water Code**, you are hereby directed to begin the necessary work at your site within 90 calendar days from the date of the SWRCB notice of August 9, 1994 concerning the same issue. The required work shall include:

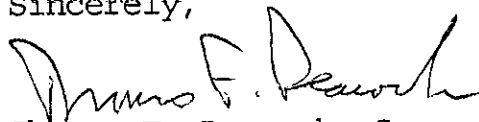
1. you have not done begun a soil and groundwater investigation,
2. you have not submitted quarterly reports of your actions on the site.

Jack Scholl  
2576 Martin Luther King Jr. Way, Oakland  
STID 1089  
Page 2 of 2

Please be aware, that pursuant to Title 23, Division 3, Chapter 16, Article 11 of the California Code of Regulations you are required to have any approved workplan prior to initiation of any work. In addition, you are to provide a status report of all activities, including the progress, of this case every 90 days. All correspondence, workplans and reports are to be submitted to this office.

If you have any questions regarding the provisions of this letter and/or the necessary work at the site, please call me at 567-6700.

Sincerely,



Thomas F. Peacock, Supervising HMS  
Hazardous Materials Division

cc: Edgar B. Howell, Chief - files  
State Water Resources Control Board, Clean-up Fund  
Gil Jensen, Alameda County District Attorney's Office  
David & Parry Vanek, Mostly Mustangs, 1027 Bell Lane,  
Napa, CA 94558

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY  
DAVID J. KEARS, Agency Director



R01596

RAFAT A. SHAHID, Assistant Agency Director

July 8, 1994  
STID 1089

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

Jack Scholl  
Mostly Mustangs  
2576 Martin Luther King Jr. Way  
Oakland, CA 94612

1131 Harbor Bay Pkwy.  
Alameda, CA 94501

Re: 2576 Martin Luther King Jr. Way, Oakland, CA 94612

Dear Jack Scholl:

This office has reviewed a Workplan for Geohydrologic Investigation by Questa Engineering Corporation dated July 1994 for the above site. The following comments are to be considered:

1. Page 2 of the workplan mentions doing three soil borings and then converting them to groundwater monitoring wells. It also mentions installing fewer wells if a survey of area wells finds wells that are adjacent and can be used to determine gradient. Three borings should still be made, even if fewer than three wells are installed.
2. Attached find a map of area sites and monitoring wells that were extracted from our database. Note that 633 Sycamore is very close and already has three monitoring wells. Please check with this office and the respective responsible party to see if that information can be used with your site.

If you have any questions please call this office at (510) 271-4320. Our office has moved and phone service is not yet permanent. If you call please be patient.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Thomas F. Peacock'.

Thomas F. Peacock, Supervising HMS  
Hazardous Material Division

cc: David & Perry Vanek, Mostly Mustangs, 1027 Bell Ln.,  
Napa, CA 94558  
Edgar B. Howell, III, Chief - file  
Willard Hopkins, Questa Engineering Corp., 1220 Brickyard  
Cove Rd., Suite 206, Point Richmond, CA 94807

ALAMEDA COUNTY  
HEALTH CARE SERVICES  
AGENCY

DAVID J. KEARS, Agency Director



R01596

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

February 22, 1994

Jack Scholl  
Mostly Mustangs  
✓ 2576 Martin Luther King Jr. Way  
Oakland, CA 94612

STID 1089

**Second Notice of Violation**

**Subject: Failure to Comply with 90 day Compliance Letter**

Dear Jack Scholl:

On September 29, 1993, your file was reviewed by State Water Resources Control Board staff with the Underground Storage Tank Cleanup Fund Program (Cleanup Fund). The purpose of their review was to determine if you are in compliance with corrective action orders and directives is a requirement for reimbursement of cleanup costs from the Cleanup Fund.

As a result of their review, it has been determined that you are currently not in compliance because of lack of investigation. You were notified of this situation in a letter from this office dated October 8, 1993, and have not responded.

For cases such as yours, the Cleanup Fund is providing responsible parties with an opportunity to come into compliance provided the regulatory agency will issue a revised corrective action directive. You must take positive concrete steps to come into compliance.

Accordingly, pursuant to **Section 13267 (b)** of the **California Water Code**, you are hereby directed to begin the necessary work at your site within 90 calendar days from the date of this letter. The required work shall include:

1. you have not done begun a soil and groundwater investigation,
2. you have not submitted quarterly reports of your actions on the site.

Jack Scholl  
2576 Martin Luther King Jr. Way, Oakland  
STID 1089  
Page 2 of 2

Please be aware, that pursuant to Title 23, Division 3, Chapter 16, Article 11 of the California Code of Regulations you are required to have any approved workplan prior to initiation of any work. In addition, you are to provide a status report of all activities, including the progress, of this case every 90 days. All correspondence, workplans and reports are to be submitted to this office.

If you have any questions regarding the provisions of this letter and/or the necessary work at the site, please call me at 271-4530.

Sincerely,



Thomas F. Peacock, Supervising HMS  
Hazardous Materials Division

cc: Edgar B. Howell, Chief - files  
State Water Resources Control Board, Clean-up Fund  
Gil Jensen, Alameda County District Attorney's Office  
David & Parry Vanek, Mostly Mustangs, 1027 Bell Lane,  
Napa, CA 94558

ALAMEDA COUNTY  
HEALTH CARE SERVICES  
AGENCY

DAVID J. KEARS, Agency Director



R01596

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 24, 1993  
STID 1089

Jack Scholl  
Mostly Mustangs  
2576 Martin Luther King Jr. Way  
Oakland, CA 94612

Re: 2576 Martin Luther King Jr. Way, Oakland, CA 94612

Dear Jack Scholl:

This office has reviewed reports of the underground storage tank removals performed at the above referenced site on July 26, 1989 and subsequent soil analysis. The following comments are to be considered:

It is clear that the elevated volatile hydrocarbon concentrations (as high as 2,800 ppm TPHd and 2,100 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 June 8, 1992. To date you have not responded. This is unusual for this office as the State Water Resources Control Board has accepted you in their letter of June 29, 1993 as eligible to receive a letter of commitment. However, you will not qualify if you have not spent at least \$10,000 in site remediation or if you are not in compliance with a cleanup

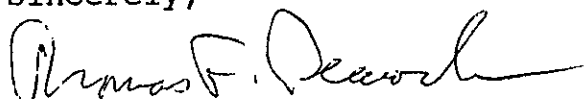
5330 Foothill Blvd., Oakland, CA 94610  
STID 3674  
February 18, 1993  
Page 2 of 2

schedule as agreed to by the Local Agency.

**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: David & Perry Vanek, Mostly Mustangs, 1027 Bell Ln.,  
Napa, CA 94558  
Edgar B. Howell, III, Chief - file

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



R01596  
State Water Resources Control Board  
Division of Clean Water Programs  
UST Local Oversight Program

RAFAT A. SHAHID, Assistant Agency Director

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

June 8, 1992

Jack Schroll  
Mostly Mustangs  
2576 Martin Luther King Way  
Oakland, CA 94612

Re: 2576 M. L. King Way, Oakland, CA 94608  
STID # 1089

Dear Jack Schroll:

On August 9, 1989 this office received lab analysis from Trace Analysis Laboratory concerning samples of the above site. It has been 2 and 1/2 years since the last correspondance on this site. The level of Total Petroleum Hydrocarbons as diesel (TPHd) is such that a groundwater investigation is required. Levels as high as 2,800 ppm were found. It may be necessary to overexcavate to remove the highest levels of contamination. There was also found up to 13 ppm of 1,2 dichlorobenzene. A workplan is required to be submitted to this office within 60 days. Attached is a sample format for a workplan. You will need to have monitoring wells installed as part of your plan.

If you have any questions please contact this office, at 271-4530.

Sincerely,

Thomas Peacock, Supervising HMS  
Hazardous Material Division

cc: Richard Hiett, RWQCB  
Mark Thomson, Alameda County District Attorney's Office  
David & Parry Vanek, 1027 Bell Ln., Napa, CA 94558





August 28, 1989

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

15

 Byron T. Hobbs, Vice President  
 SOTA Environmental Technology, Inc.  
 16980 Via Tazon, Suite 130  
 San Diego, CA 92127

Dear Mr. Hobbs:

As requested, a file search has been conducted for the area of one mile radius with 1970 Broadway Oakland being the center. The area was defined as being between 2nd and 34th Streets, North and South, and between Lakeshore Ave. and Adeline St., East and West on a Thomas Bros Map. Our files were reviewed for reported releases of hazardous materials or waste. This included any emergency response, underground tank release report or Prop. 65 report made to this Department.

The following reports were made to this department:

	07/02/87	601 Webster St.	Tear Gas
(R0151)	04/08/87	1700 Jefferson	Tank Release Gasoline
(R0463)	06/22/87	2528 Adeline	Tank Release 160ppm TPH in soil
(R0844?)	02/19/87	4th and Broadway	Tank Removal 25 gal. fuel oil
	03/10/87	1221 Broadway	Tank Release fuel oil
	12/13/88	13th & Franklin	Tank Release 29 gal. gasoline
	12/07/88	30 Bay Place	Tank Release waste oil
	06/25/88	774 West Grand	Tank Release gasoline
	03/22/88	39 - 4th St.	10 gal. fixer/devel. spilled
	03/21/88	Grand & Harrison	spilled white foaming liquid into Lake Merritt
	06/09/88	11th and Webster	EDB found at construction site
	01/21/88	515 Bay St.	Tank Release gasoline
	03/02/89	1764 - 13th St.	Tank Release diesel
	03/02/89	600 Fallon St.	Tank Release diesel pipe leak
(R0391)	03/02/89	500 Grand Ave.	Tank Release gasoline in monitoring well
(R0358)	03/02/89	2225 Telegraph	Tank Release product in monitoring well
(R018)	01/24/89	1310 - 14th St.	Tank Release gasoline/diesel
	02/13/89	600 Fallon St.	Tank Release diesel
(R0385)	03/14/89	404 Market	Spill petroleum naptha
	02/14/89	1769 - 13th St.	Tank Release gas/diesel/waste oil
(R01064)	04/03/89	255 - 27th St.	Spill 110 gals. hazardous liquid
(R09)	04/21/89	2800 Telegraph	Tank Release gasoline
(R01139)	04/21/89	822 Alice	Tank Release diesel

Byron T. Hobbs, Vice President  
SOTA Environmental Technology, Inc.  
16980 Via Tazon, Suite 130  
San Diego, CA 92127  
Page 2 of 2  
August 28, 1989

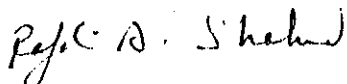
(R01082) 06/20/89	365 Hawthorne	Tank Release heating fuel
(R01033) 06/30/89	2735 Broadway	Tank Release waste oil
(R0954) 07/19/89	1 City Hall Plaza	Tank Release gasoline
(R01596) 08/11/89	2576 MLK, Jr. Way	Tank Release waste oil
(R0446) 08/21/89	330 Chestnut	Tank Release 75 ppm O&G in soil

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

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

If you have any questions, please call Edgar Howell, Supv. Hazardous Materials Specialist at (415) 217-4320.

Sincerely,



Rafat A. Shahid, Chief  
Hazardous Materials Program

RAS:mnc

cc: Edgar Howell, Alameda County Hazardous Materials  
Files