

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



out
9-19-06

September 15, 2006

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

Ms. Shelley Pond Minor
924 Kirkcrest Road
Alamo, CA 94507

Mr. Micheal Dailey Pond
P.O. Box 323
Idyllwild, CA 94549

Mrs. Peggy Gato
140 Wellington Lane
Alamo, CA 94507

Dear Mr. Pond and Ms. Minor and Ms. Gato:

Subject: Toxics Leak Case RO0002500, El Monte RV Center, 4341 Howard St.,
Oakland, CA 94601

Alameda County Environmental Health (ACEH) staff has received your September 5, 2006 letter, which includes an updated list of property owners and confirmation of notification for request for closure for the subject site. Although we believe no further investigation of the former 1000 gallon gasoline tank will be required, additional investigation of the halogenated solvent release at the site is necessary prior to site closure consideration. We would like to inform you that the site has been transferred into the County's Toxics program and now is identified as RO0002500. As you are aware, prior County letters requested an investigation of potential sources for the solvent. This was to include, minimally, site inspection and soil and groundwater sampling of potential source areas. In addition, our August 11, 2006 letter requested that you submit a check in the amount of \$6000.00 to cover the County's oversight costs of this Toxics site.

Please submit your check and a work plan to investigate source areas and the halogenated solvent release to our office by October 20, 2006.

ELECTRONIC SUBMITTAL OF REPORTS

Effective **January 31, 2006**, the Alameda County Environmental Cleanup Oversight Programs (LOP and SLIC) require submission of all reports in electronic form to the county's ftp site. Paper copies of reports will no longer be accepted. The electronic copy replaces the paper copy and will be used for all public information requests, regulatory review, and compliance/enforcement activities. Instructions for submission of electronic documents to the Alameda County Environmental Cleanup Oversight Program ftp site are provided on the attached "Electronic Report Upload (ftp) Instructions." Please do not submit reports as attachments to electronic mail.

Submission of reports to the Alameda County ftp site is an addition to existing requirements for electronic submittal of information to the State Water Resources Control Board (SWRCB) Geotracker website. Submission of reports to the Geotracker website does not fulfill the requirement to submit documents to the Alameda County ftp site. In September 2004, the SWRCB adopted regulations that require electronic submittal of information for groundwater cleanup programs. For several years,

Mr. Pong, Ms. Minor and Mrs. Gato
RO2500, 4341 Howard St., Oakland
Page 2 of 2

wells, and other data to the Geotracker database over the Internet. Beginning July 1, 2005, electronic submittal of a complete copy of all necessary reports was required in Geotracker (in PDF format). Please visit the SWRCB website for more information on these requirements (http://www.swrcb.ca.gov/ust/cleanup/electronic_reporting). In order to facilitate electronic correspondence, we request that you provide up to date electronic mail addresses for all responsible and interested parties. Please provide current electronic mail addresses and notify us of future changes to electronic mail addresses by sending an electronic mail message to me at barney.chan@acgov.org.

PERJURY STATEMENT

All work plans, technical reports, or technical documents submitted to ACEH must be accompanied by a cover letter from the responsible party that states, at a minimum, the following: "I declare, under penalty of perjury, that the information and/or recommendations contained in the attached document or report is true and correct to the best of my knowledge." This letter must be signed by an officer or legally authorized representative of your company. Please include a cover letter satisfying these requirements with all future reports and technical documents submitted for this fuel leak case.

PROFESSIONAL CERTIFICATION & CONCLUSIONS/RECOMMENDATIONS

The California Business and Professions Code (Sections 6735, 6835, and 7835.1) requires that work plans and technical or implementation reports containing geologic or engineering evaluations and/or judgments be performed under the direction of an appropriately registered or certified professional. For your submittal to be considered a valid technical report, you are to present site specific data, data interpretations, and recommendations prepared by an appropriately licensed professional and include the professional registration stamp, signature, and statement of professional certification. Please ensure all that all technical reports submitted for this fuel leak case meet this requirement.

If you have any questions, please call me at (510) 567-6765.

Sincerely,



Barney M. Chan
Hazardous Materials Specialist

Enclosure: ACEH Electronic Report Upload (ftp) Instructions

C: files, D. Drogos

9_15_06 4341 Howard St.

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



SOVT
8-18-06

August 11, 2006

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

Mr. Jim Minor P.O. Box 726 Diablo, CA 94528	Ms. Shelley Minor 924 Kirkcrest Rd. Alamo, CA 94507	Mr. Michael Pond P.O. Box 323 Idyllwind, CA 94549
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Dear Messrs. Minor, Pond and Ms. Minor:

Subject: SLIC Case RO0002500, El Monte RV Center, 4341 Howard St., Oakland, CA 94601

Our records indicate that the current balance on the above-referenced SLIC oversight account is -\$122.50. In order to continue to provide regulatory oversight we are requesting the submittal of a check made payable to Alameda County Environmental Health in the amount of \$6000.00. Please send your check to the attention of our Finance Department.

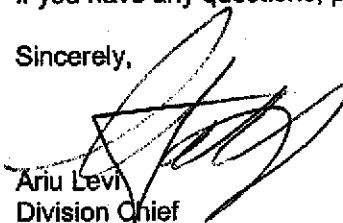
This initial deposit may or may not be sufficient to provide all necessary regulatory oversight. ACEH will deduct actual costs incurred based upon the hourly rate specified below. If these funds are insufficient, additional deposit will be requested. Otherwise, any unused monies will be refunded to you or your designee.

The deposit is authorized in Section 6.92.040L of the Alameda County Ordinance Code. Work on this project is being debited at the Ordinance specified rate, currently \$166.00 per hour.

Please write "SLIC" (the type of project), the site address and the AR# 0306029 on your check.

If you have any questions, please contact me at (510) 567-6862.

Sincerely,



Ariu Levi
Division Chief

cc: D. Drogos, J. Jacobs, B. Chan

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



20136 CONSOLIDATED
INTO 202500

202500

November 14, 1997
StID # 2623 - 20136

Mr. Jim Minor
P.O. Box 726
Diablo, CA 94528

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

**Re: Work Plan for Subsurface Investigation at 4341 Howard St.,
Oakland CA 94601, former El Monte RV**

Dear Mr. Minor:

Thank you for the submittal of the November 6, 1997 work plan by Artesian Environmental. The work plan proposes the advancement of three additional borings upgradient to the monitoring well at this site and the collection of soil and groundwater samples. These samples will be analyzed for chlorinated solvents. The work plan attempts to adequately characterize the chlorinated hydrocarbon plume which impacts this and neighboring sites.

Please be aware that not all of the items requested in my September 5, 1997 letter are addressed in the work plan provided. Specifically, I requested that an inspection be performed to locate potential source areas such as stained areas, sumps, floor drains, oil-water separators and catch basins. Please confirm that this will be done. At least one such potential source area is located southeast of the main building where a wash rack and an oil-water separator is located. Therefore, our office requests that at least one boring be located in this area. It would be beneficial to perform your site inspection prior to modifying this work plan.

Please submit a revised work plan within 30 days or by December 15, 1997. You may contact me at (510) 567-6765 if you have any questions.

Sincerely,

Barney M. Chan
Hazardous Materials Specialist

c: B. Chan, files
Mr. T. Fortner, Artesian Environmental, 229 Tewksbury Ave.,
Point Richmond, CA 94801

rewp4341

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



RO#136
✓ RO#2500

October 6, 1997
StID# 2623

Mr. Jim Minor
P.O. Box 726
Diablo CA 94528

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

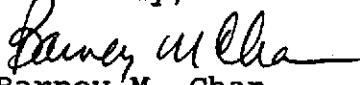
**Re: Request for Work Plan for Additional Subsurface Investigation
at 4341 Howard St., Oakland CA 94601, former El Monte RV**

Dear Mr. Minor:

This letter serves to approve your request for an additional 30 days to prepare and provide a work plan for additional site assessment for the above referenced property. Accordingly, please provide your work plan to our office by November 7, 1997.

You may contact me at (510) 567-6765 if you have any questions.

Sincerely,


Barney M. Chan
Hazardous Materials Specialist

c: B. Chan, files
Mr. J. Jacobs, Artesian Env., 3100 Kerner Blvd., Suite C, San
Rafael, CA 94901

wpex4341

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



RO# 136 (LOP)

✓ RO# 2500 (SUC)

September 5, 1997
StID# 2623

Mr. Jim Minor
P.O. Box 726
Diablo CA 94528

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

**Re: Request for Additional Subsurface Investigation at 4341
Howard St., Oakland CA 94601, former El Monte RV**

Dear Mr. Minor:

Our office has reviewed the referenced site for consideration for site closure. In regards to the former 1,000 gallon gasoline tank, it appears that no further work is required. However, you may be aware that the ongoing investigation of the chlorinated solvents at 500 High St. has exposed potential sources of solvent contamination other than from that site.

Bank of America has performed a Human Health Risk Assessment (HHRA) which estimated risk based upon chlorinated solvent in groundwater detected in their wells, MW-5 and MW-8, plus your well, MW-1 (also called MW-7 by Bank of America). The concentration of chlorinated solvents has consistently been higher in MW-1 when compared to any of the wells installed by Bank of America. Therefore, there is concern that there may be other sources of chlorinated solvents and a need to determine the limits of the chlorinated solvent plume. The area within and around the former El Monte Service Center has not been fully characterized. In order to estimate potential risk for human health, the entire extent of contamination needs to be determined. Our office recommends the advancement of borings via a rapid site assessment tool (ie Geoprobe, hydropunch etc.) and the sampling of both soil and groundwater. You should perform an inspection of the former service building and look for sources such as stained areas, sumps, floor drains, oil-water separators and catch basins.

Please provide, within 30 days or by October 6, 1997, a work plan to perform both a site inspection and additional subsurface investigation. You may contact me at (510) 567-6765 if you have any questions.

Sincerely,

Barney M. Chan, Hazardous Materials Specialist

c: B. Chan, files

Mr. J. Jacobs, Artesian Env., 3100 Kerner Blvd., Suite C, San
Rafael, CA 94901 adwp4341

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



RO# 2500

RAFAT A. SHAHID, Assistant Agency Director

February 1, 1996
StID # 2623

Mr. Jim Minor
P.O. Box 726
Diablo, CA 94528

*Alameda County Environmental Health
1131 Harbor Bay Parkway, Suite 250
Alameda, CA 94502-6577
(510)567-6700 FAX (510)337-9335 cc:458*

Re: Minor Property at 4341 Howard St., Oakland CA 94601

Dear Mr. Minor:

Our office has received and reviewed the January 19, 1996 Groundwater Sampling Report from Artesian Environmental Consultants. This report gives the results of the October 13, 1995 temporary boring survey done at this site. The rationale for the installation of the temporary borings was to determine the extent of the chlorinated solvent plume which has impacted both this site and the 500 High St. site, owned by Bank of America. Chlorinated solvents were detected in each of the grab groundwater samples from these borings with the highest concentrations being found in boring B3, located closest to the former El Monte Service Center building. These results continue to indicate your property may be a potential source of these solvents.

This report also requested a discontinuance of monitoring in MW-1 for the analytes, TPHg and BTEX. Our office agrees and you may discontinue monitoring for these parameters. Please keep in mind that you must continue to monitor MW-1 for chlorinated solvents until it is determined that chlorinated solvent concentrations pose no threat to human health or the environment. Your monitoring should be done at the same time the 500 High St. wells are monitored.

You may contact me at (510) 567-6765 if you have any questions.

Sincerely,

Barney M. Chan
Hazardous Materials Specialist

c: G. Jensen, Alameda County District Attorney Office
T. Fortner, 3100 Kerner Blvd., Suite C, San Rafael, CA 94901
M. Detterman, Blymyer Engineers, 1829 Clement Ave., Alameda
94501

Ms. A. Gerace-Coles, B of A Environmental Services #4122, 555
Anton Blvd., Suite 1025, Costa Mesa, CA 92626

JK
G. Coleman, files
mon4341

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY

DAVID J. KEARS, Agency Director



R02500

RAFAT A. SHAHID, DIRECTOR

June 5, 1995
StID # 2623

Mr. Jim Minor
P.O. Box 726
Diablo CA 94528

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

**Re: Comment on May 24, 1995 Groundwater Sampling Work Plan for
4341 Howard St., Oakland CA 94601**

Dear Mr. Minor:

Thank you for the submission of the above referenced work plan as prepared by your consultant, Artesian Environmental Consultants. As you may recall, this work plan is a result of the March 27, 1995 joint meeting with you and Bank of America, associated representatives/consultants from both sides, members of the Regional Water Quality Control Board (RWQCB) and myself. In this meeting we discussed a way to manage the chlorinated solvent plume which appears beneath the Bank of America, the former El Monte RV and the Dailey Truck Body sites. It was acknowledged that it would be appropriate to consider all three sites a Non-Attainment Area (NAA) and manage the site with monitoring program. This was decided due to the lack of an identifiable source for the solvent release. Both Bank of America and yourself were thus requested to perform additional work.

I understand that Bank of America is working on obtaining the necessary permits to install a permanent well on Howard St. Their risk assessment will be based on this well and perhaps the other well concentrations or the concentrations in your study, depending on the highest observed concentrations.

Our office has reviewed your work plan and it is acceptable with the following additions:

1. Please screen the soil obtained in during the proposed boring. At least one sample should be saved for laboratory analysis for chlorinated solvents. This sample should be either the sample with the highest screening reading or a sample just above the first encounter groundwater.
2. Prior to sampling the groundwater from the temporary wells, please take a groundwater level reading. We would like to verify the assumed groundwater gradient.
3. Please contact our office at least 48 working hours prior to your field work so I may arrange to be present if possible.

Mr. Jim Minor
StID # 2623
4341 Howard St.
June 5, 1995
Page 2.

You may contact me at (510) 567-6765 if you have any questions.

Sincerely,



Barney M. Chan
Hazardous Materials Specialist

cc: Mr. T. Fortner, Artesian Environmental, 3100 Kerner Blvd.,
Suite C, San Rafael CA 94901
Mr. M. Detterman, Blymyer Engineers, Inc., 18129 Clement Ave.
Alameda CA 94501-1395
Ms. A. Gerace-Coles, Bank of America, Env. Services # 4122,
555 Anton Blvd., Suite 1025 Costa Mesa, CA 92626
S. Arigala, RWQCB
M. L. Tung, files
wpap4341

**ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY**

DAVID J. KEARS, Agency Director



RO 2500

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

May 1, 1995
StID # 2623

Mr. Jim Minor
P.O. Box 726
Diablo, CA 94528

NOTICE OF VIOLATION

**Re: Request for Work Plan for Temporary Well Installations at
4341 Howard St., Oakland CA 94601**

Dear Mr. Minor:

Our office has received and reviewed your April 21, 1995 quarterly groundwater monitoring report as prepared by your consultant, Artesian Environmental, for the above site. As you are aware, this sampling event tested for both petroleum and chlorinated compounds. I have spoke with Mark Detterman of Blymyer Engineers and he told me that their sampling of this same well yielded similiar results. Our office has not yet received their report.

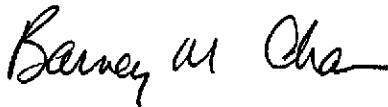
In regards to the installation of the temporary wells at this site, you are reminded that the request for the temporary wells was part of the site management for the three sites; former Cobbledick-Kibbe, former El Monte RV and Dailey Truck Body. Recall, these three sites were proposed to be considered as one site using the Non-Attainment Area (NAA) policy. According to this policy "trigger" wells immediately downgradient to the source of contamination are required to indicate when remediation is necessary to prevent migration beyond the perimeter of the site. Therefore, the need for these temporary wells was not dependent on contaminant concentration in the source area. It was agreed during the March 27, 1995 County meeting that you would install the additional temporary wells, while Bank of America would install one additional permanent well and later submit a Human Health Risk Assessment and a site management plan. I suggest that you remain in contact with Bank of America so that you can follow the progress of this investigation.

Please submit your work plan for temporary wells to our office **within 30 days or by June 2, 1995**. This is a request pursuant to the Water Code, Section 13267. Failure to provide the requested technical report may subject you to civil liability.

Mr. Jim Minor
STID # 2623
4341 Howard St.
May 1, 1995
Page 2.

You may contact me at (510) 567-6765 if you have any questions.

Sincerely,



Barney M. Chan
Hazardous Materials Specialist

cc: Mr. T. Fortner, Artesian Environmental, 3100 Kerner Blvd.,
Suite C, San Rafael, CA 94901
Mr. M. Detterman, Blymyer Engineers, Inc., 1829 Clement Ave.,
Alameda, CA 94501-1395
Ms. A. Gerace-Coles, Bank of America, Env. Services # 4122,
555 Anton Blvd., Suite 1025, Costa Mesa, CA 92626
B. Reynolds, files
NOV4341

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY

DAVID J. KEARS, Agency Director



RO 2500

RAFAT A. SHAHID, ASST. AGENCY DIRECTOR

DEPARTMENT OF ENVIRONMENTAL HEALTH

ALAMEDA COUNTY-ENV. HEALTH DEPT.
ENVIRONMENTAL PROTECTION DIV.
1131 HARBOR BAY PKWY., #250
ALAMEDA CA 94502-6577
(510)567-6700

March 22, 1995
StID # 2623

Mr. Jim Minor
P.O. Box 726
Diablo, Ca 94528

**Re: Extension for Work Plan for Additional Subsurface
Investigation at 4341 Howard St., Oakland 94601**

Dear Mr. Minor:

This letter serves to verify that our office agrees with your request for an extension of 30 days for the submittal of a work plan for additional subsurface investigation for the above site. It would be best to have all site information presented to you and your consultant so as to have your work plan and that of Bank of America cover all the County's and the RWQCB's concerns.

Therefore, your supplemental work plan should be provided within 30 days of the scheduled March 27, 1995 meeting at our office or **by May 1, 1995**. This work plan should compliment that of Bank of America and in fact the details of its contents should be clear after the previously mentioned meeting.

You may contact me at (510) 567-6765 if you have any questions.

Sincerely,

Barney M. Chan
Hazardous Materials Specialist

cc: Mr. J. Jacobs, Artesian Environmental Consultants, 3100
Kerner Blvd., Suite C, San Rafael CA 94901
Mr. M. Detterman, Blymyer Engineers, Inc., 1829 Clement Ave.,
Alameda, CA 94501-1395
Ms. A. Gerace-Coles, Bank of America, Env. Services #4122,
555 Anton Blvd., Suite 1025, Costa Mesa, CA 92626
G. Coleman, file ext4341

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY



DAVID J. KEARS, Agency Director

R02500

RAFAT A. SHAHID, ASST. AGENCY DIRECTOR

March 20, 1995
StID # 2623

Mr. Jim Minor
P.O. Box 726
Diablo, CA 94528

DEPARTMENT OF ENVIRONMENTAL HEALTH
ALAMEDA COUNTY-ENV. HEALTH DEPT.
ENVIRONMENTAL PROTECTION DIV.
1131 HARBOR BAY PKWY., #250
ALAMEDA CA 94502-6577
(510)567-6700

**Re: Status of Subsurface Investigation at 4341 Howard St.,
Oakland CA 94601, former El Monte RV**

Dear Mr. Minor:

Thank you for the recent submission of October 6, 1993, May 23, 1994, August 26, 1994 and November 23, 1994 monitoring reports for the above site. In the future, please insure that these reports are sent to our office within 45 days of the actual monitoring date. Based on this information, you should continue to monitor the existing well quarterly for Total Petroleum Hydrocarbons as gasoline and for BTEX.

Should it be shown that the solvent contamination is not associated with your site, have your consultant recommend site closure after appropriate monitoring shows that the residual petroleum soil contamination will not have an adverse human or environmental impact.

You are aware of the potential liability which may exist for the chlorinated solvents being detected in your monitoring well. It is hoped that you and your consultant will be able to make the **March 27, 1995, 3:00pm meeting at our office** to discuss what additional information/investigation is necessary to resolve this issue. It is hoped that this meeting can avert a pre-enforcement meeting with the District Attorney and the Regional Water Quality Control Offices.

You may contact me at (510) 567-6765 if you have any questions.

Sincerely,

Barney M. Chan
Hazardous Materials Specialist

cc: Mr. Jim Jacobs, Artesian Environmental Consultants, 3100
Kerner Blvd., Suite C, San Rafael CA 94901
Mr. M. Detterman, Blymyer Engineers, Inc., 1829 Clement Ave.,
Alameda, CA 94501-1395
Ms. A. Gerace-Coles, Bank of America, Env. Services#4122, 555
Anton Blvd., Suite 1025, Costa Mesa, CA 92626
G. Coleman, files mon4341

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY

DAVID J. KEARS, Agency Director



RO# 136 (LOP)

✓RO# 2500 (SUC)

RAFAT A. SHAHID, ASST. AGENCY DIRECTOR

DEPARTMENT OF ENVIRONMENTAL HEALTH

ALAMEDA COUNTY Water Resources Control Board CC4580
DEPT. OF ENVIRONMENTAL HEALTH
ENVIRONMENTAL PROTECTION DIV.
1131 HARBOR BAY PKWY., #250
ALAMEDA CA 94502-6577

January 23, 1995
StID # 2623

Mr. and Mrs. Jim Minor
P.O. Box 726
Diablo, CA 94528

**Re: Request for Investigation of Chlorinated Solvent Plume at
4341 Howard St., Oakland CA 94601, formerly El Monte RV**

Dear Mr. and Mrs. Minor:

This letter serves to update you on the current investigation of both solvent and petroleum contamination in groundwater beneath the 500 High St. site, formerly Cobbledick Kibbe, and the above site, 4341 Howard St. As you are aware, Bank of America, the current owner of 500 High St., has for some time been sampling the monitoring well installed on your property. They have designated this well MW-7 in their reports. Both gasoline and chlorinated solvents have been analyzed for in MW-7 as well as B of A's network of wells.

At this time, it appears that the gasoline plume from both sites has been defined. The low levels of gasoline and BTEX (benzene, toluene, ethylbenzene and xylenes) being detected in MW-7 should, however, continue to be monitored quarterly. It appears that you have been relying on the monitoring reports (prepared for Bank of America) to update our office on your site. Please verify that this is the case. You should be submitting your own copy of their report with a cover letter attesting to the accuracy of these results and their recommendations.

Bank of America has also been monitoring a chlorinated solvent groundwater plume using MW-7 along with their own wells. Three sampling events occurred in 1994. Recently, our office and the RWQCB (Regional Water Quality Control Board) met with consultants for B of A to discuss the remedial alternatives for their site. It was at this time that our office learned that B of A no longer assumed total responsibility for the chlorinated solvents being detected in MW-7. In fact, they suggested that given the established groundwater gradient, the concentration of chlorinated solvents being detected in MW-5 are more representative of B of A's release. They also offered to provide a risk assessment (RA) which would calculate the human health risk to the nearby residents based on monitoring well MW-5 solvent concentration. They were, however, reluctant to incorporate the concentrations being found in MW-7. It should be pointed out that the concentrations of chlorinated solvents

Mr. and Mrs. Minor
4341 Howard St.
StID # 2623
January 23, 1995
Page 2.

has been higher in MW-7 over the past 1994 sampling events. This concentration gradient may indicate a source of solvent contamination on the former El Monte RV property. Our office and the RWQCB would not accept a separate RA for B of A since the cumulative affect of chemical exposure has and continues to be of potential risk to the neighboring residents.

The consultants for B of A suggested performing additional groundwater sampling between 500 High St. and the former El Monte RV site. They recommended that the same type of investigation be performed on your property. Based on the past year's groundwater monitoring results, our office concurs that this work will be necessary to determine the responsibility for the chlorinated solvent release.

You should be aware that any risk assessment would need to include the entire potential exposure to humans. It is, however, possible that this risk may be minimal and both properties could be included in an areal management plan for the groundwater contamination under the Non-Attainment Area policy. The exact proportion of responsibility would still need to be settled among the potential responsible parties.

You are therefore requested to provide a work plan for investigation of chlorinated solvents on your property. You are encouraged to contact the Bank of America and their consultants to co-ordinate your investigation. It is expected that a joint investigation will shed new light and offer a consistent remedial approach for this situation. Please provide your work plan **within 60 days or by March 25, 1995**. Should both parties be unable to resolve this additional investigation, our office will request the intervention of the RWQCB or the District Attorney's office for their aid.

You may contact me at (510) 567-6765 if you have any questions.

Sincerely,



Barney M. Chan
Hazardous Material Specialist

cc: Mr. Tom Fortner, Artesian Environmental Consultants, 3175
Kerner Blvd., Suite E, San Rafael, CA 94901
M. Detterman, Blymyer Engineers Inc., 1829 Clement Ave.,
Alameda, CA 94501-1396
S. Arigala, RWQCB sup4341

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY

DAVID J. KEARS, Agency Director



R0136

✓ R02500

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

October 15, 1993

Mr. Jim Minor
1925 Alameda
P.O. Box 726
Diablo, CA 94528

**Re: Access for Subsurface Investigation for 440 High St. and 4341
Howard St., Oakland CA 94601**

Dear Mr. Minor:

Our office has been requested to intercede in a dispute regarding the performance of additional subsurface investigation at the above referenced sites. We have been informed that both properties are owned by a family trust which is managed by you. This information has been provided in a letter from the law offices of Gutierrez and Associates. The letter states that you have been requested by Bank of America on several occasions to allow access to these properties but have refused on each occasion.

Bank of America, the current owner of 500 High St., (former Cobbledick-Kibbe site), has performed a subsurface investigation on and off-site of 500 High St. Due to the detection of chlorinated solvents in the monitoring wells on and off-site, Bank of America is required to define the full extent of this contamination. In order to do this, they will need to have access to your properties to perform additional subsurface investigation.

I spoke recently with Mr. Darrell Taylor of Artesian Environmental regarding this matter. He stated that he has had conversations with you and your concern is that you would like more control over what will be performed at your site as well what will be done with the data generated from this investigation. This is a reasonable concern. I see no reason why a conditional access agreement cannot be made. Having also spoken with Mr. Ramon Khu, consultant for 500 High St., I feel confident that Bank of America is willing to compromise on access conditions which will make their investigation less obtrusive.

You should be aware that Bank of America is required by the Regional Water Quality Control Board (RWQCB) to extend its investigation and cleanup to any location affected by their discharge (release of contamination), or to any location threatened by the discharge. Given the current data which indicates off-site contamination and the calculated ground-

Mr. Jim Minor
El Monte RV Center
October 15, 1993
Page 2.

water gradient, towards your properties, there is a likely possibility that your site has been impacted by their contamination. As such, it is reasonable that some type of subsurface investigation be performed on your site to determine the limits of contamination (if any).

It is also reasonable that you should have some control over such items as: the type of investigation performed, the location and number of borings and/or monitoring wells installed, the review of all data generated and the review of any recommendations or conclusions made by Bank of America's consultant by a consultant of your own choice.

Please keep in mind, our office is acting in behalf of the RWQCB who has the authority to require uncooperative landowners and tenants of property affected by a discharge, to cooperate or, if necessary, to participate in investigation, cleanup and abatement. (Resolution No. 92-49, Section II, (A), (2).) In other words, you may be required to perform your own investigation if you do not cooperate with Bank of America's investigation by providing access to your properties.

In regards to your liability or future liability for any monitoring wells installed, until the site (500 High St.) has been recommended for closure and concurred with by the RWQCB, the wells must continue to be monitored. But keep in mind, that even if the gasoline investigation at 4341 Howard St. is resolved, the potential of known off-site contamination would not allow your site to be "closed" without the investigation which Bank of America proposes.

I understand that Bank of America has a draft work plan for the additional offsite subsurface investigation. Our office encourages both parties to reach an agreement for conditional access. If necessary, and as a last resort, our office can ask the RWQCB to consider this case for enforcement if you cannot reach an agreement.

As an initial step, it is recommended that the quarterly monitoring of the well on 4341 Howard St. be analyzed for volatile halogenated solvents by Method 8010 in addition to Total Petroleum Hydrocarbons as gasoline (TPHg) and BTEX. The specifics of sampling, reporting and analytical cost payment can be negotiated.

Mr. Jim Minor
El Monte RV Center
October 15, 1993
Page 3.

Because our office would like to see the investigation at 500 High St. proceed in a timely fashion, you are requested to inform me of the status of this situation **within 45 days or by December 1, 1993**. It is also recommended that files for both sites be made available to each party and/or their consultants.

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

Sincerely,



Barney M. Chan
Hazardous Materials Specialist

cc: R. Hiatt, RWQCB
D. Taylor, Artesian Environmental Consultants, 3175 Kerner
Blvd., Suite E, San Rafael, CA 94901
S. Braff, Gutierrez & Associates, 930 Montgomery St.,
Penthouse, San Francisco, CA 94133
A. Gerace-Coles, Bank of America Env. Services, 555 Anton
Blvd., Suite 1025, Costa Mesa, CA 92626
R. Khu, Blymyer Engineers, 1829 Clement Ave., Alameda 94501
E. Howell, files

acc-500Hi

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY

DAVID J. KEARS, Agency Director



R0136

✓ R02500

RAFAT A. SHAHID, ASST. AGENCY DIRECTOR

June 11, 1993
StID # 2623

Mr. and Mrs. Jim Minor
P.O. Box 726
Diablo, CA 94528

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: Evaluation of Work Plan for Subsurface Investigation at
4341 Howard St., Oakland CA 94601**

Dear Mr. and Mrs. Minor:

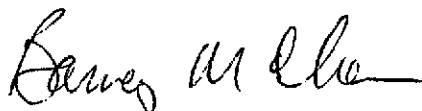
Our office has received the June 7, 1993 work plan from Artesian Environmental Consultants proposing the re-excavation of the former gasoline tank pit and the installation of one groundwater monitoring well in the assumed downgradient location. Because of the close proximity of the monitoring wells at 500 High St., the former Cobbledick Kibbe site, you may use the gradient on that site to infer gradient on this site, 4351 Howard St. The general approach of re-excavating the tank pit to ten feet and taking confirmatory sidewall samples is acceptable and work may proceed with the following conditions:

1. Assuming groundwater is encountered upon overexcavation, you are requested to take confirmatory sidewall samples at the soil/groundwater interface on all sidewalls or at least every one per every 20 linear feet. If groundwater is not encountered at least one floor sample should be taken for analysis.
2. You will need to verify the removal and proper sampling of the product piping run and under the dispenser. Field notes from the day of the tank removal indicate that no soil samples were taken from under the piping.
3. Prior to installing the appropriately located monitoring well, please provide a map indicating its location for our office's review.
4. Please note that Oakland Hospital identified in your health and safety plan is no longer in operation. Another hospital should be identified prior to initiating work.
5. Please contact me 48 working hours prior to initiating your work plan so I may arrange the witnessing of all sampling.

Mr. and Mrs. Minor
StID # 2623
4341 Howard St.
June 11, 1993
Page 2.

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

Sincerely,



Barney M. Chan
Hazardous Materials Specialist

cc: R. Hiett, RWQCB
D. Taylor, Artesian Environmental Consultants, 3175 Kerner
Blvd., Suite E, San Rafael, CA 94901
E. Howell, files

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ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY

DAVID J. KEARS, Agency Director



R0136 (LOP)

✓ R02500 (SLIC)

RAFAT A. SHAHID, ASST. AGENCY DIRECTOR

January 29, 1993
StID #2623

Mr. and Mrs. Jim Minor
P.O. Box 726
Diablo, CA 94528

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: Request for Work Plan for Additional Subsurface
Investigation at 4341 Howard St., Oakland CA 94601,
Formerly, El Monte RV Center.**

NOTICE OF VIOLATION

Dear Mr. and Mrs. Minor:

Please be advised that the oversight of the remediation for the above referenced site has been transferred to the Local Oversight Program (LOP) section of Alameda County Environmental Health, Hazardous Materials Division and your new case handler is the undersigned Hazardous Materials Specialist. Recall contamination up to 8,200 parts per million (ppm) Total Petroleum Hydrocarbons as gasoline (TPHg) was found in a soil sample taken subsequent to the removal of the 1000 gallon gasoline tank on November 15, 1991 from this site.

You were initially notified, in Mr. Paul Smith's December 24, 1991 letter, that a work plan for subsurface investigation and the completion of the investigation of soils under the piping run would be required **within 45 days**. To this date, our office has not received the requested reports. This letter serves to request, once again, a work plan for subsurface investigation plus the following:

1. A plan for the closure and sampling of the piping and dispenser.
2. Provide documentation for the disposition of all stockpiled soils generated from the tank removal.
3. Provide a copy of the manifest for the disposal of the underground tank.
4. Complete and return to our office, the enclosed Unauthorized Release Form. This form was also included in Mr. Smith's December 1991 letter.

Please provide the requested documents and reports to our office **within 30 days**.

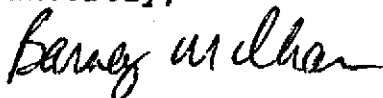
Mr. and Mrs. Minor
StID #2623
4341 Howard St.
January 28, 1993
Page 2.

Please be advised that this office has the authority to act as an agent for both the Regional Water Quality Control Board (RWQCB) and the Department of Toxic Substances Control (DTSC) and is thus empowered to enforce or refer for enforcement, the California Health and Safety Code (CH&SC), Title 23 of the California Code of Regulations and the California Water Code.

You should be aware that Section 13267 (b) of the California Water Code authorizes the requesting of technical documents and the failure to submit these documents may subject you to civil liabilities. Again, note that copies of all reports, work plans or analytical results should be sent to this office and to that of the RWQCB. Your new contact person within the RWQCB is Mr. Rich Hiett. Please also be aware that sections 25299 (a) (4) and (5) of the CH&SC allow for civil penalties of up to \$5000 per day for each underground tank which fails to report an unauthorized release or fails to properly close an underground tank.

You may contact me at (510) 271-4530 should 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, Chief, Hazardous Materials Division

NOV-4341

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



R0136
✓R02500

December 24, 1991

Jim & Shelly Minor
4341 Howard Street
Oakland, CA 94605

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

Re: Work Plan for remediation at El Monte R.V. Center Site,
4341 Howard St., Oakland, CA 94605

Dear Mr. & Mrs. Minor,

Alameda County Environmental Health Department, Hazardous Materials Division is in receipt of the laboratory results collected during the removal of one underground storage tanks at the above location. Soil sampling results from beneath the former tanks showed the presence of subsurface contamination of Total Petroleum Hydrocarbons as gasoline (TPHg) at concentrations as high as 8,200 ppm and benzene concentrations as high as 33 ppm from the bottom of the former tank excavation.

Alameda County Environmental Health Department, Hazardous Materials Division has currently been delegated authority from the San Francisco Regional Water Quality Control Board (RWQCB) to oversee a large number of remediation cases within Alameda County. Therefore, we will be the lead contact agency for the oversight duties regarding this case.

Based upon the above results you are required to conduct additional investigation and remediation at the above location. Specifically, you are required to submit to this office within 45 days, a Work Plan outlining the activities selected to adequately delineate and address the soil contamination encountered at the site.

All work must be performed according to the following RWQCB documents:

Regional Board Staff recommendations for Initial Evaluation and Investigation of Underground Storage Tanks 2 June 1988, revised 10 August 1990.

Appendix A of the Tri-Regional Recommendations (see enclosure)

Copies of this document can be obtained by calling the SFRWQCB data management group at (510) 464-1269.

According to the Tri-Regional recommendations, when contamination to soil of either TPH or Oil and Grease (O&G) exceeding 100 ppm are encountered a groundwater investigation is required. You are required to install monitoring wells in order to determine the impact to groundwater and also in order to determine the hydraulic gradient.

Mr. & Mrs. Minor
December 24, 1991
Page 2 of 2

The portion of the work plan addressing groundwater contamination must be prepared by CA-Certified Engineering Geologist, CA-Registered Geologist or a CA-Registered Civil Engineer and should include a proposal to identify and address subsurface contamination. It should include but shall not be limited to a depiction of the proposed locations for monitoring well installations and a sampling plan including sampling type and frequency. The work plan proposal must also address existing soil contamination on site

The technical report should be submitted with a cover letter from the environmental professional you have chosen to oversee the subsurface contamination and must be 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 that person.

All proposals, reports and analytical results pertaining to this investigation and remediation must be sent to our office and to:

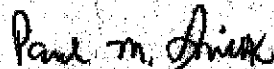
Eddy So
Regional Water Quality Control Board, San Francisco Bay Region
2101 Webster Street, Suite 500
Oakland, California 94612
(415) 464-1255

You are also requested to complete and submit the enclosed Unauthorized Release Form to this office within 10 days of the receipt of this letter.

Because soil samples were not collected at the time of the initial tank removal, the Work Plan must include the proposed measures to remove all ancillary piping and to characterize the soil around the area of the piping.

Should you have any questions pertaining to any of the above requests please contact me at 510/ 271-4320.

Sincerely,



Paul M. Smith
Hazardous Materials Specialist

cc:

Gary Zaccor, Zaccor Corporation
Eddy So, SFRWQCB
Gil Jensen, Alameda County District Attorney's Office of
Consumer and Environmental Affairs



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

July 1, 1991

Ms. Shelley Pond Minor
P.O. Box 726
Diablo, CA 94528

Re: Underground Tank at 4341 Howard Street, Oakland

NOTICE OF LEGAL OBLIGATION

Dear Ms. Minor:

On June 24, 1991, I inspected Dailey Body, located at 440 High Street, and El Monte RV Center, 4341 High Street. During my inspection at El Monte RV, I observed that there is an underground storage tank at this facility that appears to have not been used in some time. Our files do not contain any registration or permit records of this underground storage tank.

All underground tanks that have stored or do store hazardous substances must be permitted by the state or properly closed and removed from service. Laws and regulations pertaining to underground storage tanks can be found in the California Code of Regulations, Title 23, Chapter 3, Subchapter 16, and California Health and Safety Code Division 20, Chapter 6.7. These laws have been in effect since 1984. In accordance with these regulations you are required, as the tank owner, to 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.

If this tank has not been used in over two years and there are no plans to use it in the immediate future, then it must be removed. I have enclosed a copy of our underground storage tank removal letter and a blank closure plan for your information. To remove the tank, a tank owner can contract with an underground tank removal construction firm, or contract with an environmental consulting firm who will arrange all the necessary activities. Our office currently does not keep a list of either; however, there are several listed in the Yellow Pages. You might also call Contra Costa County Environmental Health to see if they keep a list of contractors and consultants.

Mr. Dale Frost
July 1, 1991
Page 2

If the tank has not been used within the past two years and you wish to begin using the tank on a regular basis, then you need to apply for a permit. This requires an initial tank test to determine if it leaks. If the tank has a leak rate of less than 0.05 gallons per hour, the tank can be reused. At that point, inventory reconciliation would be required, and a line leak detection system must be installed if the tank has an automatic turbine pump system. The tank system must be tested annually, and the results are required to be sent to our office. By 1998, all tanks are required to have overspill and overflow protection and internal corrosion protection. All tank owners/operators will eventually be required to maintain evidence of financial responsibility for taking corrective action and compensating third parties for bodily injury and property damage arising from operating an underground storage tank.

I am enclosing tank registration forms. If you can't decide what to do with this underground storage tank within 60 days, you will need to complete the registration forms and return them to our office. There is an annual county fee and a five year state surcharge fee for registering underground tanks.

Please contact me at 415/271-4320 within 30 days of the date of this letter to let me know your course of action.

Sincerely,

Cynthia Chapman

Cynthia Chapman
Hazardous Materials Specialist

enclosures

c: Ms. Peggy Gatto
Mr. Michael Pond