

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

April 9, 2007

Mr. Francis Rush 2200 Adeline St., #350 Oakland, CA 94607

Dear Mr. Rush:

Subject: Fuel Leak Case RO0002562 & Global ID # T0600194544, Rush Property, 1173 28th St., Oakland, 94608

Alameda County Environmental Health staff has reviewed the files for the subject site including the March 12, 2007 Report of Phase I Activities and Workplan Addendum Former Coast Sausage Company UST Site 1173 28th Street, Oakland, California by Gribi Associates. This report presents a Phase I report for the subject site and work plan to determine the potential source of HVOC contamination detected in the close proximity of this site. Five soil borings, GA-12 through GA-16, are proposed for drilling, plus the collection of at least one soil and one groundwater sample from each boring. These samples will be analyzed for halogenated volatile organic compounds (HVOCs) by EPA Method 8260. Your work plan is approved. We understand this work is tentatively scheduled for the week of April 16, 2007.

TECHNICAL REPORT REQUEST

Please submit the following technical report according to the following schedule.

May 15, 2007- SWI Report

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. 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, responsible parties for cleanup of leaks from underground storage tanks (USTs) have been required to submit groundwater analytical data, surveyed locations of monitor 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.

UNDERGROUND STORAGE TANK CLEANUP FUND

Please note that delays in investigation, later reports, or enforcement actions may result in your becoming ineligible to receive grant money from the state's Underground Storage Tank Cleanup Fund (Senate Bill 2004) to reimburse you for the cost of cleanup.

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

Sincerely,

Barney M. Chan

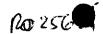
Hazardous Materials Specialist

Bames Milha

C: files, D. Drogos

Mr. Jim Gribi, Gribi Associates, 1090 Adams St., Suite K, Benicia, CA 94510

4_9_07 1173 28th



Chan, Barney, Env. Health

From:

James Gribi [JGribi@gribiassociates.com]

Sent:

Friday, December 22, 2006 12:54 PM

To:

Chan, Barney, Env. Health

Subject: St Francis Pie Shop

Barney,

A quick note: we drilled & sampled the borings for St Francis Pie Shop. We were able to obtain grab groundwater samples on all borings without going deeper than 20 feet bgs. We had to wait overnight for water on only two of the borings. Some shallow soil impacts in the McDonald's borings. Should have lab results by the end of next week.

3

Regarding the Francis Rush (Coast Sausage) property, there was a rag company at 2601 Adeline, south of the site on the same side of Adeline. According to Francis, the previous site owner clearly remembers that they did dry cleaning at that facility. We are going to check City building/planning dept records for that site; I will also talk directly with the previous site owner.

Happy Holidays!

Jim

Jim Gribi, RG

Gribi Associates

1090 Adams Street, Suite K

Benicia, CA 94510

Phone 707-748-7743

Fax 707-748-7763

ALAMEDA COUNTY HEALTH CARE SERVICES









ENVIRONMENTAL HEALTH SERVICES

ENVIRONMENTAL PROTECTION 1131 Harbor Bay Parkway, Suite 250

Alameda, CA 94502-6577

(510) 567-6700 FAX (510) 337-9335

DAVID J. NEARS, Agency Directo

June 2, 2006

Mr. Francis Rush 2200 Adeline St., #350 Oakland, CA 94607

Dear Mr. Rush:

ush Property, 1173 28th St., Oakland, 94608

Subject: Fuel Leak Case Rush Property, 1173 28" St., Oakland, 94608

Alameda County Environmental Health staff has reviewed the files for the subject site including the April 11, 2006 Workplan to Conduct Site Characterization Activities Former Coast Sausage

Company UST Site 1173 28th Street, Oakland, California by Gribi Associates. This work plan responds to the County's April 29, 2005 technical letter request. It proposes the collection of soil and grab groundwater samples from eight borings plus the collection and analysis of eight additional shallow soil gas samples. We generally approve this work plan, however, we request that you address the following technical comments and submit the requested technical report.

TECHNICAL COMMENTS

- 1. We request that two additional borings be drilled one to the immediate west of the former 500 gallon UST and one to the west of boring B-2. Because of the uncertainty of groundwater gradient, the proposed borings may not be appropriately located. However these additional borings will provide better information on the extent of the release to groundwater. We concur with the proposal to obtain groundwater elevation from the temporary casings to estimate groundwater gradient. We understand there may be difficulty in meeting City requirements to drill in the streets. Should this occur, you should consider performing the on and off-site investigations separately.
- The proposed soil gas samples should be taken at a depth no shallower than 5' bgs per DTSC/LARWQCB guidelines. Soil gas samples SG-1 through SG-4 are likely appropriate sample locations, ie above the assumed plume, however, the other sample locations may or may not be appropriate.

TECHNICAL REPORT REQUEST

Please submit the following technical report according to the following schedule.

- 60 days after completion of soil and groundwater investigation- Soil and Groundwater Report
- 60 days after completion of soil gas investigation- Soil Gas Report

ELECTRONIC SUBMITTAL OF REPORTS

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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, responsible parties for cleanup of leaks from underground storage tanks (USTs) have been required to submit groundwater analytical data, surveyed locations of monitor 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.

UNDERGROUND STORAGE TANK CLEANUP FUND

Please note that delays in investigation, later reports, or enforcement actions may result in your becoming ineligible to receive grant money from the state's Underground Storage Tank Cleanup Fund (Senate Bill 2004) to reimburse you for the cost of cleanup.

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

Sincerely,

Barney M. Chan

Hazardous Materials Specialist

C: files, D. Drogos

Mr. Jim Gribi, Gribi Associates, 1090 Adams St., Suite K, Benicia, CA 94510

1173 28th 6_2_06







DAVID J. KEARS, Agency Director

May 2, 2005

Mr. Francis Rush 2200 Adeline St., #350 Oakland, CA 94607

Dear Mr. Rush:

ENVIRONMENTAL HEALTH SERVICES

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

Subject: Fuel Leak Case Rush Property, 1173 28th St., Oakland, 94608

Alameda County Environmental Health staff has reviewed the files for the subject site and determined that additional information is required to progress your site toward closure. We request that you address the following technical comments and submit the technical report requested below.

TECHNICAL COMMENTS

- 1. There appears to have been at least two separate releases at this site, one petroleum from the former underground storage tanks and the other being halogenated volatile organic compounds (HVOC) from an unknown source. The HVOC release was first identified in a December 28,2001 Treadwell and Rollo Phase I & II report. Please provide a complete copy of this report as requested below.
- 2. The HVOC release has not been adequately investigated, particularly in the area near Treadwell & Rollo's B-2. The groundwater sample from B-2 detected 990 ppb 1,2 cis-DCE and 47 ppb TCE, yet when ERAS Environmental later advanced borings SB-1 and SB-2 in this area, they failed to take groundwater samples. HVOCs at the site will require further investigation and risk evaluation.
- 3. Soil and groundwater contamination from the former 500 gallon UST on Adeline St. has not been adequately assessed. A groundwater sample from boring SB-3 (7-8'), adjacent to this tank (ERAS 2002) detected 5900 ppb TPHg, 900 ppb TPHd and 1.7 ppb benzene. A grab groundwater sample from the UST pit taken during the removal detected 1170 ppb TPHg and 1.9, 1.7, 17.8, 4.4 ppb benzene, toluene, ethyl benzene and xylenes, respectively. The soil samples were taken from the sidewalls at the water level (6') and were non-detect for these analytes, however, these results may not reflect true soil conditions. In addition, because the tank pit allows for preferential water migration, the groundwater sample from the tank pit may also not reflect actual conditions. Further characterization of the extent of the petroleum release is required.
- 4. It is noted that the ERAS 2002 report indicates an assumed groundwater gradient to the west. This gradient direction cannot be assumed. Numerous sites in this area have shown site-specific gradient in other directions.
- 5. It appears that the 300 gallon UST has been adequately characterized. Pending receipt of the Treadwell and Rollo report, no additional investigation is requested at this time.

TECHNICAL REPORT REQUEST

Please submit the following technical report according to the following schedule.

 May 31, 2005- Treadwell & Rollo Phase I & II report and work plan for characterization of HVOC and petroleum releases. May 2, 2005 RO0002562 Mr. Francis Rush Page 2

LANDOWNER NOTIFICATION REQUIREMENTS

Pursuant to California Health & Safety Code Section 25297.15, the active or primary responsible party for a fuel leak case must inform all current property owners of a site of cleanup actions or requests for closure. Furthermore, ACEH may not consider any cleanup proposals or requests for case closure without assurance that this notification requirement has been met. ACEH hereby requires that you:

1.) Notify all current record owners of fee title to the site of the proposed action;

- 2.) Submit a letter to ACEH which certifies that the notification requirement in 25297.15(a) of the Health and Safety Code has been met;
- 3.) Forward to ACEH a copy of your complete mailing list of all record fee title holders to the site; and
- 4.) Update your mailing list of all record fee title holders, and repeat the process outlined above prior to submittal of any additional *Corrective Action Plan* or your *Request for Case Closure*.

Your written certification to ACEH should state, at a minimum, the following:

1. In accordance with section 25297.15(a) of the Health & Safety Code, I, (name of primary responsible party), certify that I have notified all responsible landowners of the
enclosed proposed action. (Check space for applicable proposed action(s)):
cleanup proposal (Corrective Action Plan)
site closure proposal (Request for Case Closure)
local agency intention to make a determination that no further action is required
local agency intention to issue a closure letter
- OR -

2. In accordance with section 25297.15(a) of Chapter 6.7 of the Health & Safety Code, I, (name of primary responsible party), certify that I am the sole landowner for the above site.

(Note: Complete item 1 if there are multiple site landowners. If you are the sole site landowner, skip item 1 and complete item 2.)

PERJURY STATEMENT AND PROFESSIONAL CERTIFICATION

All work plans, technical reports, or technical documents submitted to this office 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.

May 2, 2005 RO0002562 Mr. Francis Rush Page 3

Additionally, to be considered a valid technical report you are to present site specific data, data interpretations, and recommendations prepared by the 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.

UNDERGROUND STORAGE TANK CLEANUP FUND

Please note that delays in investigation, later reports, or enforcement actions may result in your becoming ineligible to receive grant money from the state's Underground Storage Tank Cleanup Fund (Senate Bill 2004) to reimburse you for the cost of cleanup.

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

Sincerely,

Barney M. Chan

Hazardous Materials Specialist

C: files, D. Drogos

AGENCY

DAVID J. KEARS, Agency Director



ENVIRONMENTAL HEALTH SERVICES

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

July 3, 2003

Mr. Francis Rush Rush Property Group 2200 Adeline St. #350 Oakland, CA 94607

Dear Mr. Rush:

Subject: Fuel Leak Case No. RO0002562, Rush Property, 1173 28th St., Oakland, CA 94608

LANDOWNER NOTIFICATION AND PARTICIPATION REQUIREMENTS:

This letter is to inform you of new legislative requirements pertaining to cleanup and closure of sites where an unauthorized release of hazardous substance, including petroleum, has occurred from an underground storage tank (UST). Section 25297.15(a) of Ch. 6.7 of the Health & Safety Code requires the primary or active responsible party to notify all current record owners of fee title to the site of: 1) a site cleanup proposal, 2) a site closure proposal, 3) a local agency intention to make a determination that no further action is required, and 4) a local agency intention to issue a closure letter. Section 25297.15(b) requires the local agency to take all reasonable steps to accommodate responsible landowners' participation in the cleanup or site closure process and to consider their input and recommendations.

For purposes of implementing these sections, you have been identified as the primary or active responsible party. Please provide to this agency, within twenty (20) calendar days of receipt of this notice, a complete mailing list of all current record owners of fee title to the site. You may use the enclosed "list of landowners" form (sample letter 2) as a template to comply with this requirement. If the list of current record owners of fee title to the site changes, you must notify the local agency of the change within 20 calendar days from when you are notified of the change.

In addition, our office is considering your request for site closure. Please also complete and submit a "notice of proposed action submitted to local agency" form. You may use sample letter 3, enclosed.

If you are the sole landowner, please indicate that on the landowner list form. The following notice requirements do not apply to responsible parties who are the sole landowner for the site.

LANDOWNER NOTIFICATION RO0002562, 1173 28th St., Oakland, 94608 July 3, 2003 Page 2

In accordance with Section 25297.15(a) of Ch. 6.7 of the Health & Safety Code, you must certify to the local agency that all current record owners of fee title to the site have been informed of the proposed action before the local agency may do any of the following:

- 1) consider a cleanup proposal (corrective action plan)
- 2) consider a site closure proposal
- 3) make a determination that no further action is required
- 4) issue a closure letter

You may use the enclosed "notice of proposed action" form (sample letter 3) as a template to comply with this requirement. Before approving a cleanup proposal or site closure proposal, determining that no further action is required, or issuing a closure letter, the local agency will take all reasonable steps necessary to accommodate responsible landowner participation in the cleanup and site closure process and will consider all input and recommendations from any responsible landowner.

Please call me at (510) 567-6765 should you have any questions about the content of this letter.

Sincerely,

Barney M. Chan

Hazardous Materials Specialist

Attachments

cc: Betty Graham, RWQCB

SAMPLE LETTER (2): LIST OF LANDOWNERS FORM				
Name of local agency Street address City				
SUBJECT: CERTIFIED LIST OF RECORD FEE TITLE OWNERS FOR (Site Name and Address)				
(Note: Fill out item 1 if there are multiple site landowners. If you are the sole site				
landowner, skip item 1 and fill out item 2.)				
1. In accordance with section 25297.15(a) of Chapter 6.7 of the Health & Safety Code, I, (name of primary responsible party), certify that the following is a complete list of current record fee title owners and their mailing addresses for the above site:				
 2. In accordance with section 25297.15(a) of Chapter 6.7 of the Health & Safety Code, I, (name of primary responsible party), certify that I am the sole landowner for the above site.				
Sincerely,				
Signature of primary responsible party				
Name of primary responsible party				

,	Name of local agency Street address City
	SUBJECT: NOTICE OF PROPOSED ACTION SUBMITTED TO LOCAL AGEN FOR (Site Name and Address)
	in accordance with section 25297,15(a) of Chapter 6.7 of the Health & Safety Code
]	<u>name of primary responsible party</u>), certify that I have notified all responsible andowners of the enclosed proposed action. Check space for applicable proposed action(s):
-	cleanup proposal (corrective action plan)
_	site closure proposal
_	local agency intention to make a determination that no further action is required
_	local agency intention to issue a closure letter
ć,	Sincerely,
(k	Signature of primary responsible party
]	Name of primary responsible party



Office of Emergency Services
1605 Martin Luther King Jr. Way, Oakland, CA 94612

Alameda County

Hazardous Materials Program

MAY 0 2 2003

Environmental Health

Contaminated Site Case Transfer Form

Site Information:

Site Responsible Party (ies) Kevin Schaefer	
Site Name Vacant Lot	Vacant Lot
Site Address	1173 28th Street
Site Phone	none
Site Contractor & Consultant (if available)	ERAS Environmental
Site DBA	

Site Conditions:

UST							
former product (fuel, w/o, solvent, others)?	Yes	Х	No				
observations of system (holes,leaks)?	Yes		No	Х			
observed contamination (free product, smell, soil/water discoloration)?	Yes	X	No				
soil and/or groundwater concentrations of contaminants?	Yes	Х	No				
unauthorized Release Form Filed?	Yes		No	Х			
future intended use if known?	Yes		No	X			
NON-UST							
Former industrial use?	Yes		No				
Soil and/or groundwater concentrations of contaminants?	Yes		No				
Future intended use if known?	Yes		No				
If available, attach pertinent reports							

Transferred as:	LOP	X	SLIC		
Level of Update requ	ested:				
X distribution list	all	meetings	all site visits	X closure sign off	all the above
Transfer requested b	y Inspe	ctor: <u>Lero</u>	y Griffin		_
Transfer accepted by	r: (ALC	EHS):			

CITY OF OAKLAND

1605 MARTIN LUTHER KING JR. WAY

OAKLAND, CALIFORNIA 94612

Fire Department
Office of Emergency Services
Hazardous Materials Management Program

(510) 238-7759 FAX: (510) 238-7761 TTY/TDD: (510) 238-6884

APRIL 21, 2003

Mr. Francis Rush Rush Property Group 2200 Adeline Street #350 Oakland, CA 94607

RE: Removal of two underground storage tanks located at 1173 28th Street, Oakland, CA

Dear Mr. Stein:

This office has reviewed the underground storage tank closure report submitted by ERAS Environmental for the removal of the fuel underground tanks at the above reference site.

The former tanks were closed in full compliance with the requirements of Title 23, California Code of Regulations and the California Fire Code. Therefore, based on the information in the above reference file and with the provision that the information provided to this agency was accurate and representative of site conditions, no further action is required regarding the tank removal.

However, the review of the sampling data indicates the presence of hydrocarbons in the soil that suggest that a release has occurred at this site. In addition, the data indicates that the concentrations of TPH in gasoline and diesel exceed Regional Water Quality Control Board (RWQCB) Risk Based Screening Levels. This will require the site to undergo additional soil and groundwater assessment.

A copy of the site closure report will be forwarded for review and oversight by the Alameda County Health Agency, Environmental Health Local Oversight Program.

1173 28th Street Page Two

If you have any questions regarding this matter, please contact me at (510) 238-7759.

ROY GRIFFIN

Hazardous Materials Supervisor

Chuck Headlee, RWQCB CC:

David Segal, ERAS Environmental Donna Dragos, ALCO LOP