

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



ENVIRONMENTAL HEALTH SERVICES

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

September 21, 1999

Mr. Jay Clare
URS Greiner Woodward Clyde
500 12th Street, Suite 200
Oakland, CA 94607-4014

RE: City Center Project, Parcel T12, Martin Luther King Jr. Way between 12th and 11th Streets, Oakland, CA

Dear Mr. Clare:

I have received the summary report for the above site dated June 1993. This site is not eligible for the Local Oversight Program because there is no evidence on an underground storage tank that formerly contained motor fuel.

The current charges for Alameda County Environmental Health for site investigation/remediation review is \$100.00 per hour. Please submit a deposit/refund check for \$2,000 made payable to the County of Alameda-Environmental Health.

If you have any questions, please contact me at (510) 567-6774.

Sincerely,



Larry Seto
Sr. Hazardous Materials Specialist

Cc: Leroy Griffin, City of Oakland Fire Services, 1603 Martin Luther King, Fire Services, Fire Station 1, Oakland, CA 94612
Files

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



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

August 26, 1997

Mr. John Prall
Environmental Department
Port of Oakland
530 Water Street, 5th Floor
Oakland, California 94607

RE: Project 3539A - Type M (SLIC # 2286)
at Can Transport - 196 Burma Road, Oakland, CA 94607

Dear Mr. Prall:

Our records indicate the deposit / refund account for the above project has a negative balance of \$556.00. The subject site was issued a "no further action letter" on July 22, 1997. In order to close the deposit / refund account, please submit a deposit of \$556.00, payable to Alameda County, Environmental Health Services.

We must receive this deposit in a timely fashion to close the account. The deposit refund mechanism is authorized in Section 6.92.040L of the Alameda County Ordinance Code. Work on this project was debited at the Ordinance specified rate of \$94 per hour.

Please be sure to write the following on the check to identify your account:

- project #,
- type of project and
- site address (see RE: line above)

If you have any questions, please contact me at (510) 567-6780.

Sincerely,

Susan L. Hugo
Hazardous Materials Specialist

c: Leslie Peters, Deposit / Refund Program
Candyce Kelly, Billing
Arui Levi, Program Manager
SH / files

LOP - RECORD CHANGE REQUEST FORM

printed:
07/22/97

Mark Out What Needs Changing and Hand to LOP Data Entry
(Name/Address changes go to Annual Programs Data Entry)

Insp: SH

AGENCY # : 10000 SOURCE OF FUNDS: SUBSTANCE:
StID : 2286 LOC:
SITE NAME: Can Transport DATE REPORTED :
ADDRESS : 196 Burma Rd DATE CONFIRMED:
CITY/ZIP : Oakland 94607 MULTIPLE RPs :

SITE STATUS

CASE TYPE: CONTRACT STATUS: PRIOR CODE: EMERGENCY RESP:
RP SEARCH: DATE COMPLETED:
PRELIMINARY ASMNT: DATE UNDERWAY: DATE COMPLETED:
REM INVESTIGATION: DATE UNDERWAY: DATE COMPLETED:
REMEDIAL ACTION: DATE UNDERWAY: DATE COMPLETED:
POST REMED ACT MON: DATE UNDERWAY: DATE COMPLETED:

ENFORCEMENT ACTION TYPE: DATE ENFORCEMENT ACTION TAKEN:
LUFT FIELD MANUAL CONSID:
CASE CLOSED: Y DATE CASE CLOSED: 07/22/97
DATE EXCAVATION STARTED : REMEDIAL ACTIONS TAKEN: ED

RESPONSIBLE PARTY INFORMATION

RP#1-CONTACT NAME: Mr. John Prall
COMPANY NAME: Port Of Oakland
ADDRESS: 530 Water St., 5th Floor
CITY/STATE: Oakland, California 94607

INSPECTOR VERIFICATION:			
NAME _____	SIGNATURE _____	DATE _____	
Name/Address Changes Only		Case Progress Changes	
ANNPMS _____	LOP _____	DATE _____	LOP _____ DATE _____

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



CALIFORNIA REGIONAL WATER

NOV 25 1996

QUALITY CONTROL BOARD

November 20, 1996

SLIC# 2286

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

Mr. Sum Arigala ✓
San Francisco Bay RWQCB
2101 Webster Street, Suite 500
Oakland, California 94612

**RE: Case Closure Recommendation for
CAN Transport - 196 Burma Road, Oakland, California 94607**

Dear Mr. Arigala:

Enclosed is a copy of the case closure summary for the above referenced site for your review, comments and approval. Please consider the subject site for closure. This office will issue a **Remedial Action Completion Certification** for the site after receiving your agency's concurrence for case closure.

You may reach me at (510) 567- 6780 concerning any questions or comments you may have regarding this site.

Sincerely,

Susan L, Hugo
Senior Hazardous Materials Specialist

enclosure

c: Mee Ling Tung, Director, Environmental Health
Gordon Coleman, Acting Chief, Environmental Protection Division
John Prull, Port of Oakland, 530 Water Street, 5th Floor
Oakland, CA 94607 (with enclosure)

SH / files

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



RAFAT A. SHAHID, DIRECTOR

February 6, 1996

DEPARTMENT OF ENVIRONMENTAL HEALTH

1131 Harbor Bay Parkway
Alameda, CA 94502-6577
(510) 567-6777

Mr. John Prall
Port Of Oakland, Environmental Dept.
530 Water Street, 5th Floor
Oakland, California 94604-2064

RE: CAN Transport - 195 Burma Road, Oakland, CA 94607

Dear Mr. Prall:

The Alameda County Department of Environmental Health, Environmental Protection Division has recently reviewed the Preliminary Groundwater Investigation report dated September 1995, and prepared by Baseline for the above referenced site.

Soil contamination as high as 4500 ppm TOG and soluble lead up to 9 ppm were found at the site. A Geo Resource report (prepared under contract by Cal Trans for the Cypress replacement) also identified the presence of soil contamination up to 5,800 ppm TRPH and 52 ppm soluble lead. Soil contamination in excess of 1000 ppm TOG were subsequently excavated at the site.

On August 11, 1995, one shallow groundwater monitoring well was installed in the previously excavated areas affected by oil and grease and lead. Groundwater was first encountered at 4.5 feet bgs. Soil sample collected from the boring at approximately 4 to 4.5 feet depth found 9,400 ppm TPH as motor oil and 1,800 ppm oil and grease. The groundwater sample exhibited up to 610 ppb TPH as diesel, <1,300 ppb TPH as motor oil and <5,000 ppb oil and grease.

This agency recommends that prior to evaluating the site for closure the following items must be addressed:

- 1) The groundwater monitoring well must be sampled every quarter for one year.
- 2) Groundwater samples must be analyzed for TPH diesel, BTEX, and TPH motor oil.

The groundwater data collected at the site will be evaluated at the end of the monitoring period (one year). If the concentration of dissolved petroleum hydrocarbon remains stable as initially detected or the trend is decreasing, the site will be recommended for case closure.

Reports documenting the results of the quarterly monitoring program must be submitted within 45 days of field activity. The reports should include the following:

- site map delineating contamination contours for soil and groundwater (if applicable) based on recent data

Mr. John Prall
RE: CAN Transport, 195 Burma Road, Oakland, 94607
February 6, 1996
Page 2 of 2

- historical records of groundwater level in the well must be tabulated to indicate the fluctuation in water levels
- tabulate analytical results from all previous sampling events; provide laboratory reports (including quality control/quality assurance) and chain of custody documentation

All reports and proposals must be submitted under seal of a California Registered Geologist or Registered Civil Engineer with a statement of qualifications for each lead professionals involved with the project.

Please contact me at (510) 567-6780 if you have any questions concerning this letter.

Sincerely,

Susan L. Hugo

Susan L. Hugo
Senior Hazardous Materials Specialist

c: Jun Makishima, Interim Director, Environmental Health
Gordon Coleman, Acting Chief, Environmental Protection / file
Sum Arigala, San Francisco Bay RWQCB
Rhodora Del Rosario - 5900 Hollis Street, Suite D,
Emeryville, CA 94608

SNC 2286



PORT OF OAKLAND

January 16, 1996

Ms. Susan Hugo
Alameda County Health Care Services
Department of Environmental Health
1131 Harbor Bay Parkway
Alameda, CA 94502-6577

SUBJECT: CAN TRANSPORT, 195 BURMA ROAD, OAKLAND

Dear Ms. Hugo:

Enclosed is a copy of a Preliminary Groundwater Investigation report, dated September 1995, regarding the CAN Transport site prepared by Baseline Environmental Consulting. As specified in the approved work plan, Baseline constructed one monitoring well that was located within the area of previously excavated soils. Findings from the first sampling event (August 1995) indicated minimal impact to ground water. Laboratory tests for petroleum compounds indicated the following (Table 1): Total Petroleum Hydrocarbons (TPH) as Diesel was 0.61 mg/l, TPH as Motor Oil was <1.3 mg/l, and Oil and Grease was <5 mg/l. Tests for soluble metals indicated the presence of trace amounts of antimony, arsenic, barium, and zinc. Soluble lead was below the laboratory detection limit of 0.3 mg/l. In addition, the electrical conductivity values recorded during the sampling event ranged from 6,500 to 7,000 umhos/cm which exceeds the 5,000 umhos/cm limit for potable water adopted by the State Water Resource Control Board (Resolution No. 88-63).

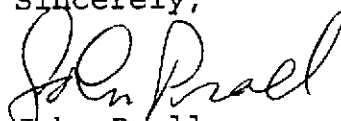
During the construction of the well, a soil sample was collected from a depth interval of 4 to 4.5 feet below ground surface (bgs). Laboratory analyses were conducted for the same constituents as examined in the ground water sample. The results from the analyses for petroleum compounds indicated the presence of TPH as Motor Oil at 9,400 mg/kg and Oil and Grease at 1,800 mg/kg. Metals were also detected in the soils and are summarized in Table 2 of the enclosed report. The lithologic log recorded during the construction of the well indicated that the soil sample was derived from a 1.5 foot thick layer of gray, fine-grained sand that immediately underlay back fill material and probably represents a remnant of affected soils left during the previous excavation efforts.

Based upon the findings from the ground water sampling event, the previous soil excavation effort, and the future industrial use of the site, the Port of Oakland seeks to close the CAN Transport

site. The Port has removed approximately 290 cubic yards of soils containing oil and grease from the site during a time period extending from May 1989 through March 1991 (the excavation effort extended to the groundwater table at a depth of 4.5 feet bgs). Groundwater sampling has indicated no impact by the former release of oil and grease compounds. Any oil and grease compounds that remain are not likely to impact ground water in the future. The elevated conductivity values recorded during sampling indicate that the ground water is not potable. Given the location of the site underneath the new Caltrans Highway 880 interchange, the property will continue to be used for industrial activity and it is unlikely ground water will be used in the future in an industrial-related process.

The Port is requesting that the County review the CAN Transport site for closure. If you have any questions or need additional information, please contact me at (510) 272-1373.

Sincerely,



John Prall
Associate Environmental Scientist

JRP\jrp

Enclosure

cc: Neil Werner
Dave Adams
James McGrath

**ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY**



DAVID J. KEARS, Agency Director

RAFAT A. SHAHID, DIRECTOR

June 27, 1995

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

Ms. Susa Gates
Port Of Oakland, Environmental Dept.
530 Water Street, 5th Floor
Oakland, California 94607

RE: CAN Transport - 195 Burma Road, Oakland, CA 94607

Dear Ms. Gates:

The Alameda County Department of Environmental Health, Environmental Protection Division has recently reviewed the files regarding the soil and groundwater investigation related to the oil and grease (TOG) spill at the referenced site.

Soil contamination as high as 4500 ppm TOG and soluble lead up to 9 ppm were found at the site. A Geo Resource report (prepared under contract by Cal Trans for the Cypress replacement) also identified the presence of soil contamination up to 5,800 ppm TRPH and 52 ppm soluble lead. Soil contamination in excess of 1000 ppm TOG were excavated at the site.

The Work Plan for Well Installation and Groundwater Sampling prepared by Baseline Environmental Consulting is acceptable to this agency. Please notify this office 72 hours in advance of any field work.

Additionally, a deposit of \$ 1350.00 made payable to Environmental Health Services must be submitted. This deposit is authorized under Section 3-141.6 of the Ordinance Code of the County of Alameda and is used to cover County's oversight of the project at an hourly rate of \$90.00. The balance of the deposit will be refunded to the responsible party or their designee upon completion of the project.

All reports and proposals must be submitted under seal of a California Registered Geologist or Registered Civil Engineer with a statement of qualifications for each lead professionals involved with the project.

Please contact me at (510) 567-6780 if you have any questions concerning this letter.

Sincerely,

A handwritten signature in cursive script that reads "Susan L. Hugo".

Susan L. Hugo
Senior Hazardous Materials Specialist

cc: Rafat A. Shahid, Director, Environmental Health
Jun Makishima, Acting Chief, Environmental Protection Div/file
Sum Arigala, San Francisco Bay RWQCB
Lydia Huang, Baseline - 5900 Hollis St. Emeryville, CA 94608



PORT OF OAKLAND

HAZARDOUS MATERIALS
SECTION
DEC 21 3:21

December 19, 1994

Ms. Jennifer Eberley
Hazardous Materials Division
Department of Environmental Health
Alameda County Health Services Agency
1131 Harbor Bay Parkway
Alameda, CA 94502-6577

Subject: California, Arizona, Nevada (CAN) Transport, 196 Burma Road (Oakland Army Base) Oakland, California

Dear Ms. Eberley:

Enclosed, you will find a copy of the Work Plan for Well Installation and Groundwater Sampling at CAN Transport, 196 Burma Road, Oakland, CA. The basis for this work plan had been previously discussed with and approved by Mr. Britt Johnson and Mr. Paul Smith of your office.

This site was on Oakland Army Base property and was leased by the Port of Oakland. The site was subleased to California, Arizona, Nevada Transport (CAN) by the Port. CAN spilled motor oil on the site which the Port has mitigated under agreement with CAN. The Port removed 576 cubic yards of contaminated soil from the site.

The site was transferred to CalTrans by the Army, under right-of-way agreement for construction of the new Cypress interchange. The Port will keep CalTrans informed of the site activities.

Please call me at 272-1184 if you have questions or comments. The Caltrans representative, Mr. James Ross, can be reached at 286-5629.

Sincerely,

Jon Amdur
Environmental Scientist

cc w\attachment

Mr. James Ross, California State Department of Transportation, Hazardous Material Section,
111 Grand Avenue, Oakland, CA 94623-0440

cc\ letter

Ms. Yane Nordhav, Baseline Environmental Consulting, 5900 Hollis Street, Suite D,
Emeryville, CA 94608

Neil Werner (Environmental Department)
Michele Heffes (Legal Department)

Enclosure

BASELINE

ENVIRONMENTAL CONSULTING

16 December 1994
S9-121

Mr. Jon Amdur
PORT OF OAKLAND
Environmental Department
530 Water Street, 5th Floor
Oakland, CA 94607

**Subject: Work Plan for Well Installation and Groundwater Sampling at CAN Transport,
196 Burma Road, Oakland, California**

Dear Jon:

This letter presents a work plan to perform a preliminary groundwater investigation at CAN Transport to determine whether groundwater at the site has been impacted by oil and grease and lead contamination in the shallow soils (Figure 1).

A total of approximately 576 cubic yards of soil has been excavated along the northwestern fence line at the site. Contaminants contained in the excavated soils included oil and grease, petroleum hydrocarbons, and soluble lead. The California Department of Toxic Substances granted a nonhazardous waste classification for the excavated soil. The nonhazardous soil was then treated on-site and transported off-site for disposal.

We propose to install one groundwater well within the area which required the largest amount of excavation as dictated by progressive verification sampling. This area is located within 100 feet northeast of the southwest edge of the former excavation (the location of the former office trailer), along the northwestern fence line (Figure 2). The proposed location of the groundwater monitoring well is shown in Figure 2.

Data from the single monitoring well would be sufficient for demonstrating whether groundwater has been impacted by the shallow soil contamination for the following reasons: (1) the well would be placed in the middle of the formerly most contaminated area and therefore would intercept the most contaminated groundwater, if present; (2) groundwater is shallow (approximately 4.5 feet below the ground surface) so the well would directly intercept potentially contaminated groundwater; and (3) the site is approximately 500 feet from San Francisco Bay and the topography on and near the site is very level; therefore, we expect the groundwater gradient to be flat and groundwater movement to be limited. If the groundwater were determined to be impacted, then additional well(s) may be needed to characterize the extent of contamination. Details on the proposed well installation and groundwater sampling activities are described below.

BASELINE

Mr. Jon Amdur
16 December 1994
Page 2

Monitoring Well Installation and Groundwater Sampling

BASELINE would submit a well installation permit application to the Alameda County Flood Control and Water Conservation District, Zone 7 prior to field activities. USA and Port facilities would not be contacted since previous excavations indicated that utilities are not present at this location.

One two-inch diameter well would be installed inside a nominal eight-inch diameter borehole advanced using hollow stem augers. The augers would be decontaminated by steam cleaning before drilling commences to prevent cross-contamination. Decontamination water would be contained in a trough and transferred into a 55-gallon drum. Soil cuttings would also be placed in a 55-gallon drum. The drums would be sealed and left on-site.

One soil sample would be collected from the borehole just above the groundwater interface. The sample would be collected by driving a California modified sampler fitted with pre-cleaned stainless steel tubes into the undisturbed soil ahead of the augers. The soil sampler would be washed in a trisodium phosphate solution and rinsed with tap water. The sample tube would be sealed with sheets of teflon film, capped with plastic caps, and sealed with silicon tape. The tubes would be labelled, placed in a cooler with blue ice, and delivered to a state-certified laboratory on the day of sampling. The soil sample would be submitted for Total Petroleum Hydrocarbons (TPH) as diesel and as motor oil, oil and grease, and Title 22 metals analyses.

The well would be approximately 15 feet deep and the screened interval would extend from approximately four feet below the ground surface to the bottom of the well. The well would be constructed with 2-inch diameter PVC casing and machine-slotted screens. The slot size would be 0.02 inch and appropriately sized sand would be used to construct the filter pack. The sand pack would be tremied around the casing and extend approximately one foot above the screened interval. A bentonite seal would be placed above the filter pack; and the top one foot of the annular space would be sealed with concrete. The well would be fitted with a locking cap. The well be completed with a christy box set in concrete, finished to drain water away from the well. A typical monitoring well construction diagram is shown in Figure 3.

The well would be developed by surging and pumping after a minimum of 24 hours have elapsed since well completion. A double diaphragm pump and new polypropylene tubing would be used to extract the water. Development would be considered complete once the well produced clear water.

One groundwater sample would be collected from the well following at least 24 hours after development. The well would be checked for floating product using a dual-interface probe and the water level would be measured. Groundwater would be purged from each well using a double diaphragm pump and new tubing until the electrical conductivity, pH, and temperature of the water had stabilized, or at least three well volumes have been removed,

BASELINE

Mr. Jon Amdur
16 December 1994
Page 3

or the well had been pumped dry. We would collect a groundwater sample after the water level had recovered to 90 percent of the original level unless the well recharge rate were slow and the well did not recharge within two hours; in this case, a sample would be collected after two hours. A groundwater sample would be withdrawn using a new disposable PVC bailer. Sample bottles would be labeled, stored in a plastic cooler on blue ice, and transported to a state-certified laboratory. The sample would be analyzed for TPH as diesel and as motor oil, oil and grease, and Title 22 metals.

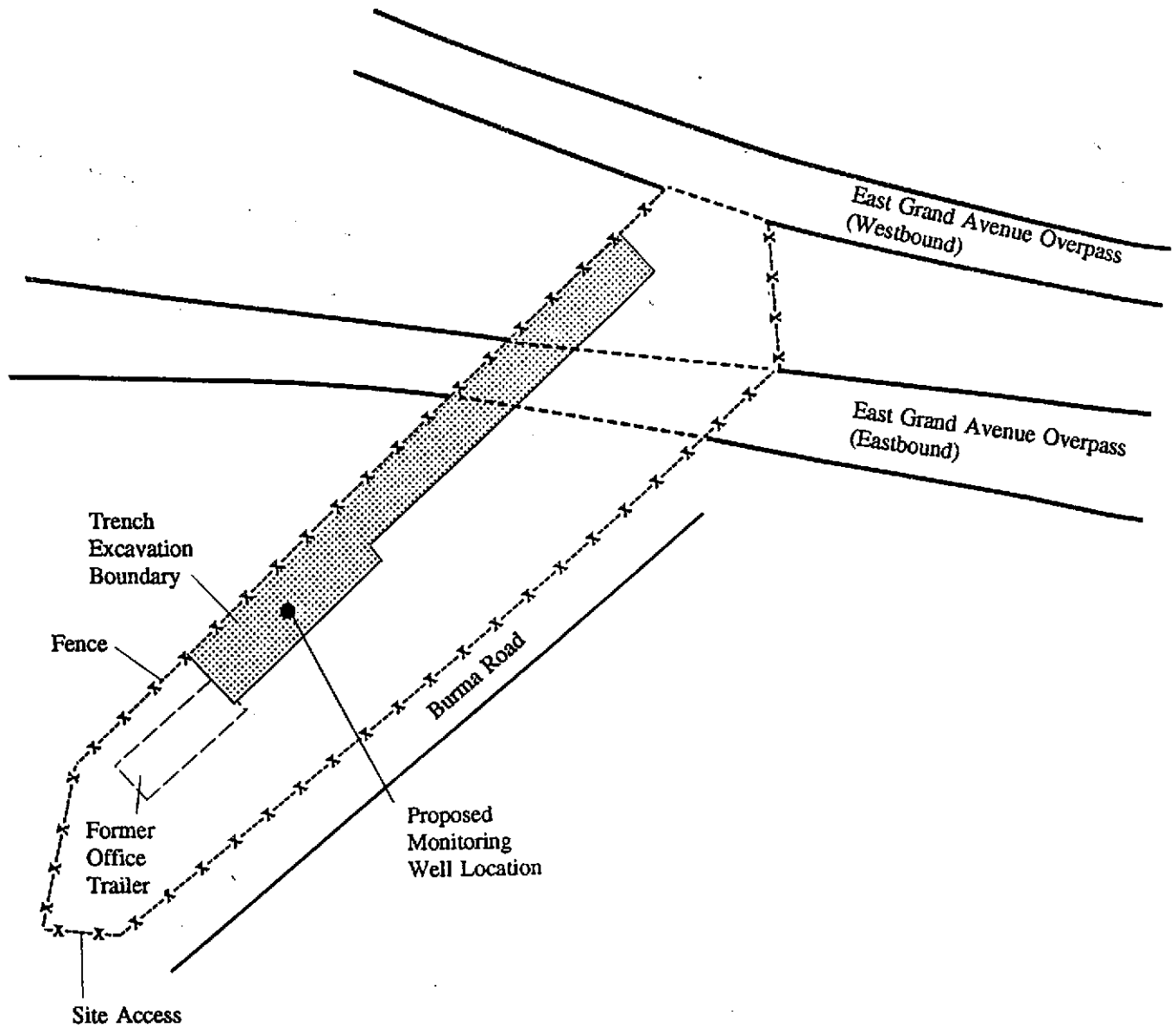
BASELINE would prepare a report documenting the initial groundwater investigation describing the field activities and analytical results. We would also submit the well logs to the Department of Water Resources as required.

Three additional quarters of groundwater sampling would be performed to collect data over a full year. Sampling procedures would be the same as those described above. A report would be prepared following each quarter.

The well installation and initial groundwater sampling activities would be completed within three weeks of the approval of this work plan. Laboratory analysis would require an additional two weeks. A report documenting the investigation would require an additional two weeks. A total of seven weeks would be required between plan approval and the submittal of a final report. Please contact us should you have any questions or comments about this work plan.

Sincerely,


Yane Nordhav
Principal

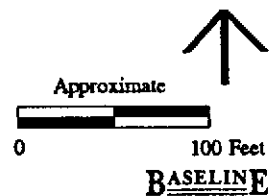


Legend



Extent of Excavation

CAN TRANSPORT
196 Burma Road
Oakland, California



CAN TRANSPORT 196 Burma Road Oakland, California

BASELINE

3000 Feet

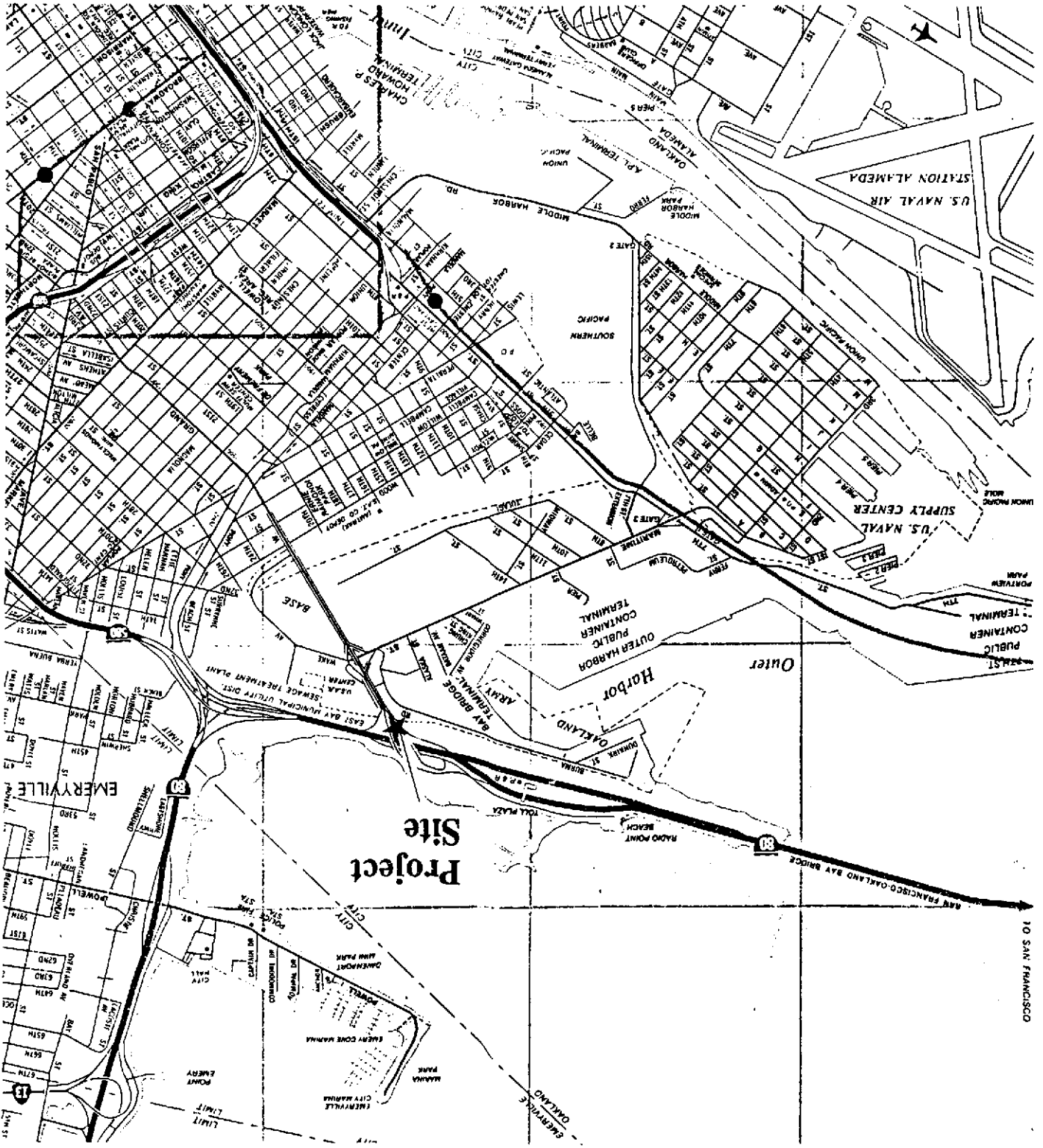


Figure 1

REGIONAL LOCATION

STATE OF CALIFORNIA—ENVIRONMENTAL PROTECTION AGENCY

PETE WILSON, Governor

DEPARTMENT OF TOXIC SUBSTANCES CONTROL

400 P Street, 4th Floor
P.O. Box 808
Sacramento, CA 95812-0808

(916) 322-3670

May 15, 1992

RECEIVED

MAY 22 1992

BASELINE



Mr. Jon Amdur
Environmental Department
Port of Oakland
530 Water Street
Oakland, California 94604-2064

Dear Mr. Amdur:

NONHAZARDOUS CLASSIFICATION PURSUANT TO SECTION 66260.200(f) FOR
LEAD CONTAMINATED SOIL - PORT OF OAKLAND (WASTE EVALUATION UNIT
FILE #F96)

The Department of Toxic Substances Control (Department) has completed its review of the waste classification application dated May 7, 1991, and additional information dated February 6, 1992, prepared on your behalf by Baseline Environmental Consulting. The initial application, dated May 7, 1991, requested a concurrence with a nonhazardous waste classification pursuant to Section 66260.200(d), Title 22, California Code of Regulations (22 CCR). Upon receipt of additional information, you amended your request in the letter dated February 6, 1992, from a concurrence pursuant to 22 CCR, Section 66260.200(d), to a request for the Department's approval to classify and manage the waste as nonhazardous pursuant to 22 CCR, Section 66260.200(f).

Wastes which are non-RCRA hazardous wastes may be classified, pursuant to the provisions of 22 CCR, Section 66260.200(f), as nonhazardous by the waste producer, upon approval of the Department, if the waste can be shown to possess mitigating physical and/or chemical characteristics which render it insignificant as a hazard to human health or the environment. Upon review of the submitted information and/or analytical data, the Department finds that the approximately 290 cubic yards of excavated soil located at the CAN Transport freight line facility (subleased from the Port of Oakland) possesses mitigating physical and/or chemical characteristics. The Department, therefore, approves your application to classify the soil as nonhazardous pursuant to 22 CCR, Section 66260.200(f).

BACKGROUND

An application dated May 7, 1991, requested the Department to concur with a nonhazardous waste classification for these soils. The application states that in response to a Notice of Violation issued by the Alameda County, Department of



Mr. Jon Amdur
May 15, 1992
Page 2

Environmental Health in March of 1989, soil excavation activities were started at 196 Burma Road in Oakland, California. These soils were contaminated by waste oil being spilled on the ground. This site is currently occupied by CAN Transport, subleased to them by the Port of Oakland, which is a lessee under a long-term lease with the U.S. Army. Excavation of soils continued from May 1989 through March 1991. Approximately 290 cubic yards are currently stockpiled onsite, placed on and covered by plastic.

On August 8, 1991, the Department sent a letter requesting additional information necessary to complete the application.

On November 5, 1991, Ms. Teresa Anaya of Baseline Environmental Consulting, requested on your behalf a 90 day extension in writing pursuant to 22 CCR, Section 66260.200(e). In addition, a clarification was made regarding actual property ownership of the subject site.

On December 10, 1991, the Department sent a letter to you granting the requested 90 day extension pursuant to 22 CCR, Section 66260.200(e).

On February 6, 1992, the Department received a letter with the requested information and an amendment to your original concurrence request. The additional information gathered indicated that due to the continued presence of concentrations of soluble lead higher than regulatory thresholds, it was necessary to change your request from a concurrence with a nonhazardous classification [22 CCR, Section 66260.200(d)] to a request for approval to classify and manage as nonhazardous a waste which would otherwise be a non-RCRA hazardous waste [22 CCR, Section 66260.200(f)].

ANALYTICAL TESTING

Samples of the soil were collected on seven different dates.

July 24, 1989 - two samples were collected and subjected to the following analytical testing:

- 1) Acute aquatic bioassay pursuant to 22 CCR, Section 66261.24(a)(6);
- 2) pH pursuant to 22 CCR, Section 66261.22;
- 3) Flash point pursuant to 22 CCR, Section 66261.21;
- 4) total concentrations of inorganic persistent and bioaccumulative toxic substances as described in 22 CCR, Section 66261.24(a)(2)(A) and soluble concentrations of lead using the Waste Extraction Test (WET) as described in 22 CCR, Section 66261.24(a)(2);

Mr. John Amdur
May 15, 1992
Page 3

February 5, 1991 - five samples were analyzed for using the soluble lead WET and oil and grease using Method 5520 EF.

March 18, 1991 - two samples were analyzed for WET soluble lead, one sample for soluble lead using the Toxicity Characteristic Leaching Procedure (TCLP) pursuant to Title 40, Code of Federal Regulations (40 CFR), Section 621.24, and six samples for hydrocarbon oil and grease.

June 27, 1991 - two samples were analyzed for acute aquatic bioassay, total inorganic constituents per 22 CCR, Section 66261.24(a)(2) and WET soluble concentrations of lead and nickel.

July 23, 1991 - four samples were analyzed for WET soluble lead, two samples for total and WET soluble nickel and two samples for pH.

November 20, 1991 - ten samples were analyzed for WET soluble lead.

January 24, 1992 - four samples were analyzed for soluble lead using the TCLP.

ANALYTICAL RESULTS

Results from the above analytical testing revealed that the contaminated soil did not exhibit any of the following characteristics:

- 1) acute toxicity as measured by the acute aquatic 96-hour LC₅₀ pursuant to 22 CCR, Section 66261.24(a)(6);
- 2) corrosivity pursuant to 22 CCR, Section 66261.22;
- 3) ignitability pursuant to 22 CCR, Section 66261.21;
- 4) toxicity as measured by the TCLP pursuant to 40 CFR, Section 261.24;

It should be noted that the ignitability characteristic as measured by the Pensky-Martens Closed Cup Tested is not applicable to solid wastestreams for the purposes of hazardous waste classification. It was conducted, however, and the flashpoint was found to be greater than 200° Fahrenheit.

The only constituent found to exceed regulatory thresholds was soluble inorganic lead as determined by the WET pursuant to

Mr. Jon Amdur
May 15, 1992
Page 4

22 CCR, Section 66261.24(a)(2). The mean concentration of WET-soluble lead was 5.52 mg/L with an 80 percent upper confidence level (UCL) of 6.63 mg/L. Both the mean and 80 percent UCL of WET-soluble lead concentrations were above the Soluble Threshold Limit Concentration (STLC) of 5 mg/L.

DISCUSSION

The Department has evidence through numerous studies (see enclosed list) to indicate that lead adsorbs strongly to a variety of soil types and sediments. The Department established the STLC level for lead of 5 mg/L based on the application of an attenuation factor derived by the United States Environmental Protection Agency (U.S. EPA) and applied to the Maximum Contaminant Level for lead of 0.05 mg/L in drinking water. The U.S. EPA used an attenuation factor of 100 in conjunction with the drinking water standards to establish the thresholds under the federal characteristic of Extraction Procedure Toxicity (since replaced by the TCLP.)

In light of the referenced studies, the attenuation factor of 100 used by California in the development of the STLC for lead may have been too conservative for inorganic lead and/or inorganic lead compounds under certain conditions, such as near neutral pH, and a higher attenuation factor may be more appropriate. The Department used an attenuation factor of 1,000 to account for the relative immobility of copper and zinc in establishing their respective STLCs. In this case, lead is expected to exhibit an immobility similar in magnitude to copper and zinc. Therefore, the concentration of WET-soluble lead in the contaminated soil was compared to 50 mg/L rather than 5 mg/L.

CONCLUSION

Based upon the evaluation of the information and analytical data submitted with your application, the subsequent additional information requested, and studies which show that lead adsorbs strongly to a variety of soil types, the Department determines that the contaminated soil possesses mitigating physical and/or chemical characteristics which render it insignificant as a hazard to human health and safety, livestock, and wildlife. The Department, therefore, grants approval to the Port of Oakland to classify and manage the approximately 290 cubic yards of contaminated soils located at the CAN Transport site as nonhazardous waste pursuant to 22 CCR, Section 66260.200(f).

This nonhazardous waste classification is contingent upon the representativeness and accuracy of the analytical data

Mr. Jon Amdur
May 15, 1992
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submitted to the Department for review. This nonhazardous determination is not an approval by the Department to leave all or any portion of this waste in place nor is this an approval by the Department for any other use of the contaminated soil. The classification of wastes is not to be confused with the establishment of cleanup levels for contaminated soils. Waste classification determines only whether a waste must be managed as a hazardous waste. Approval for other uses of the contaminated soil or for proposed remedial actions must be sought and obtained from the appropriate Department regional office, regional water quality control board, and any other state or local regulatory agency which has authority over waste management and disposal.

If you have any questions regarding this waste classification, please contact Ms. Diana Peebler of my staff at the above letterhead address or telephone number.

Sincerely,



Ronald Pilorin
Alternative Technology Division

Enclosures

cc: Ms. Teresa Anaya
Baseline Environmental Consulting
5900 Hollis Street, Suite D
Emeryville, California 94608

Mr. Ed Howell
Division Chief
Alameda County
Department of Environmental Health
Hazardous Materials
80 Swan Way, Room 200
Oakland, California 94621

Mr. Howard Hatayama
REGION 2/BERKELEY
Department of Toxic Substances Control
700 Heinz Avenue, Building F
Berkeley, California 94701

Mr. Jon Amdur
May 15, 1992
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Ms. Diana Peebler
Alternative Technology Division
Department of Toxic Substances Control
P.O. Box 806
Sacramento, California 95812-0806

Mr. Greg Williams
Alternative Technology Division
Department of Toxic Substances Control
P.O. Box 806
Sacramento, California 95812-0806

Mr. Val Siebal
Regional Administrator
REGION 1/SACRAMENTO
Department of Toxic Substances Control
10151 Croydon Way
Sacramento, California 95827

Mr. Dennis Dickerson
Regional Administrator
REGION 3/BURBANK
Department of Toxic Substances Control
1405 North San Fernando Boulevard, Suite 300
Burbank, California 91504

Mr. John Hinton
Regional Administrator
REGION 4/LONG BEACH
Department of Toxic Substances Control
245 West Broadway, Suite 350
Long Beach, California 90802

Mr. Don Johnson
Acting Chief
Permitting Unit
Department of Toxic Substances Control
P.O. Box 806
Sacramento, California 95812-0806

Mr. John J. Melhan
District Attorney
Alameda County
1225 Fallon Street, Room 900
Oakland, California 94612

Mr. Jon Amdur
May 15, 1992
Page 7

Regional Water Quality Control Board
San Francisco Bay Region
2101 Webster, #500
Oakland, California 94612

RP:DP:dp/vs

REFERENCES

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DEPARTMENT OF TOXIC SUBSTANCES CONTROL

400 P STREET, 4TH FLOOR
SACRAMENTO, CA 95814

91 AUG 12 PM 2:22

(916) 322-3670

August 8, 1991

Mr. Jon Amdur
Environmental Department
Port of Oakland
530 Water St.
P.O. Box 2064
Oakland, CA 94604-2064

Dear Mr. Amdur:

REQUEST FOR ADDITIONAL INFORMATION - PORT OF OAKLAND (WEU FILE #F96)

The Alternative Technology Division (ATD), Department of Toxic Substances Control (Department), acknowledges receipt of a waste classification application submitted on behalf of the Port of Oakland by Baseline Environmental Consulting. The Port of Oakland is seeking from the Department a concurrence with their nonhazardous classification of stockpiled soils pursuant to Section 66305(c), [now Section 66260.200(d)], Title 22, California Code of Regulations (CCR).

The site where the stockpiled soil is located is currently occupied by CAN Transport and owned by the Port of Oakland. From May 1989 until March 1991, soil excavation activities were conducted at the direction of the Alameda County Department of Environmental Health. Approximately 290 cubic yards of excavated soils were stockpiled on-site. The excavated soil is described as being contaminated with oil, grease and soluble lead.

Based upon review of the information contained in the submitted application, the Department finds the information to be insufficient for concurrence with your nonhazardous classification. The following analytical data needs to be submitted to the Department so that the classification request may be completed:

- 1) Two additional aquatic bioassays for acute toxicity pursuant to 22 CCR Section 66261.24(a)(6), [previously 66694(a)(4)].
- 2) Two additional samples analyzed for total concentrations of the inorganic Persistent and Bioaccumulative Toxic Substances pursuant to 22 CCR Section 66261.24(a)(2), [previously 66699(b)]. Statistical analysis of the data may indicate analytical results are needed from two additional

Mr. Jon Amdur
Page 2

samples analyzed for soluble concentrations of the inorganic Persistent and Bioaccumulative Toxic Substances pursuant to 22 CCR Section 66261.24(a)(2), [previously 66699(b)].

- 3) Two additional samples analyzed for the characteristic of corrosivity (pH) pursuant to 22 CCR Section 66261.22, [previously 66708].

Pursuant to 22 CCR, Section 66261.20(c) [previously 66694], sampling and sample management for classification purposes must be done in accordance with the methods and procedures specified in chapter nine of "Test Methods For Evaluating Solid Waste, Physical/Chemical Methods (SW-846)." This includes collecting, at a minimum, four representative samples of the waste for analytical testing. Please include with the above requested information a diagram indicating the locations where the previous and additional samples were collected.

In addition, California's hazardous waste regulations were revised effective July 1, 1991, to incorporate federal regulations for the purpose of possible state authorization of the federal hazardous waste program. These revised regulations are found in Title 22, Division 4.5 (formerly Division 4.0), 22 CCR. The revised 22 CCR now clarifies in Section 66260.200 (e) the status of a waste classification request (concurrence) when the Department is awaiting additional information. This section states:

"(The Department, within 30 days of receipt of a notification pursuant to section 66260.200(d), shall acknowledge in writing receipt of the notification. Within 60 days of receipt of a notification, the department shall notify the sender of the notification in writing that concurrence with that person's classification of the waste as nonhazardous is approved, disapproved, or that the notification is incomplete or inadequate and what additional information is needed. Upon receipt of the additional information, the Department, within 60 days of receipt of the additional information, shall notify the sender of the notification in writing that concurrence of that person's classification of the waste as nonhazardous is approved or disapproved. The notification shall be considered disapproved if the sender of the notification fails to provide the additional information within 90 days from the date the information was requested. However, that person may request in writing an extension, up to 90 days, within

Mr. Jon Amdur
Page 3

which the information shall be submitted or the notification shall be considered disapproved."
(underline added for emphasis)

Failure to respond to the Department's request for additional information within 90 days after August 8, 1991 will result in disapproval of your nonhazardous waste classification request based on insufficient information. As stated above, you may request a 90 day extension in writing from the Department within which the requested information shall be submitted.

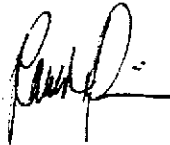
In the event the Department disapproves your classification request pursuant to Section 66260.200(e), 22 CCR, you may:

- (1) resubmit your request to the Department and remit waste classification fees as assessed by the State Board of Equalization, or;
- (2) self-classify your waste pursuant to Section 66260.200(c), 22 CCR [formerly Section 66305(b), 22 CCR].

Once the above requested information/analytical data is received, the Department will reassess your submitted application for a concurrence with a nonhazardous classification.

Should you have any questions regarding the above letter, please contact Ms. Diana Peebler at the above letterhead address or telephone number.

Sincerely,



Ronald Pilorin
Alternative Technology Division

cc: See next page.

Mr. Jon Amdur
Page 4

cc: Ms. Teresa Anaya
Baseline Environmental Consulting
5900 Hollis St. Suite D
Emeryville, CA 94608

Mr. Howard Hatayama
Region 2/Berkeley
Department of Toxic Substances Control
2151 Berkeley Way, Annex 9
Berkeley, CA 94704

Ed Howell, Division Chief ✓
Alameda County Department of
Environmental Health
Hazardous Materials
80 Swan Way, Room 200
Oakland, CA 94621

Mr. Greg Williams
Alternative Technology Division
Department of Toxic Substances Control
P.O. Box 806
Sacramento, CA 95812-0806

Waste Evaluation Unit

RP:DP/dp:al

Kevin Graves

Records Organize Go To Exit
SITENAME CAN TRANSPORT CASENO.# RBFILENO 01-0275
STREETNO 196 STREET BURMA RD HOW DISCOVERED TC
CITY OAKLAND ZIP DISCVRDATE 06/20/90
COUNTY 01 LOCALAGENCY 01000 MOPNO HOWSTOPPED CT STOPDATE 06/20/90
PRIORITY X: XXXXX Y:XXXXX LAT:XXXXX LON:XXXXX LEAKSOURCE T LEAKCAUSE F

ENTERDATE 08/24/90 REVIEWDATE 09/12/94 CORRDATE 06/15/90 RPTDATE 06/20/90
UPDATE REVSTAT C STAFF KLG FUNDING F NO.WELLS: PILOTPRPGM Y

PRIM SUB 12035 SEC SUB MAXSOIL 28000 MAXGW 0
MAXBENZENE 0 BENZENE 0 GWDEPTH CASETYPE S STATUS 0

DATE 1 00/00/00 DATE3A 00/00/00 DATE3B 00/00/00 DATE5C 00/00/00
DATE5R 00/00/00 DATE 7 00/00/00 DATE 8 00/00/00 DATE 9 00/00/00

INTERIM Y INTERIMDATE 00/00/00 ABATEMETHOD NT LEADAGENCY L

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COMMENT COMPOSITE SAMPLES ONLY; SENT FILE TO ACHD 9/94

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Snow Hugo case *not in Dept*
SRUC

STAD 2286 *active*

Not is closing

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



gk/m

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

Certified Mailer #

13 October 1989

Donald Penner
CAN Transport, Incorporated
1155 3rd Street
Oakland, CA 94607

Subject; Soil Remediation Project Being Conducted at 196 Burma
Road, Oakland.

Dear Mr. Penner:

This agency is responsible for overseeing the work conducted with the soil remediation project being implemented at the CAN Transport facility listed above. To date, the only documentation received by this office regarding this project was the initial work proposal prepared by Baseline Environmental Consulting. This proposal was approved for implementation shortly after it's receipt in April of 1989.

This agency cannot fulfill it's proper oversight function in the absence of full communication of all pertinent information derived during a project. Consequently, in accordance with Section 25185.6 of the California Health and Safety Code, a formal request is hereby made that a copy of all analytical documentation associated with this project be submitted to the office for review. We request that this information be delivered within ten working days of the date upon which you receive this letter.

Donald Penner
CAN Transport, Inc.
1155 3rd St.
Oakland, CA 94607
Re. 196 Burma Rd.
13 October 1989
Page 2 of 2

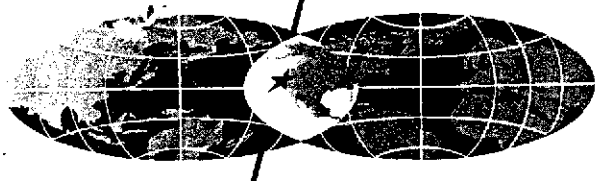
Should you have any questions regarding this matter, or should you require further time in which to prepare your response, please contact me at (415) 271-4320.

Sincerely,

Dennis J. Byrne
Hazardous Materials Specialist

cc: Gil Jensen, Alameda County District Attorney's Office,
Consumer and Environmental Protection Agency.
Rafat Shahid, Assistant Director, Alameda County Department of
Environmental Health.
Michael Williams, Military Traffic Management Command
Attention MTWA-GE
Oakland Army Base
Oakland, CA 94626-5000
Michele Heffes, Port of Oakland
P.O. Box 2064
66 Jack London Square
Oakland, CA 94604
Yane Nordhav, Baseline Environmental Consulting
5900 Hollis St. Suite D
Emeryville, CA 94608

PORT OF OAKLAND



BOARD OF PORT COMMISSIONERS CITY OF OAKLAND

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WALTER A. ABERNATHY	<i>Executive Director</i>

March 31, 1989

Mr. Don Penner, Sr.
CAN Transport, Inc.
300 Market Street
Oakland, CA 94607

Dear Mr. Penner:

**SUBJECT: NOTIFICATION OF EMERGENCY CLEAN-UP REQUIREMENTS AT 196
BURMA ROAD (FORMER CALTRANS AREA)**

The Port of Oakland, Environmental Division was notified on March 23, 1989 at 10:08 a.m. that a spill had occurred on the property sub-leased by CAN Transport, Inc. (CAN) from the Port of Oakland, Assignment OHQ-247. The Port of Oakland was notified by the Oakland Army Base that a spill of apparent waste oil had occurred. Local and State emergency agencies were notified of the evidence of stained soils observed by Army Personnel.

The Port of Oakland staff inspected the property on March 23, 1989 at 10:30 a.m. and 1:30 p.m. and found black discolored and stained soils along the northern leasehold boundary. The stained soils along the northern leasehold boundary may be considered hazardous waste and may affect the waters of the State. Also noted at the time of the 10:30 a.m. inspection was an open dented container apparently containing waste oil. The Port of Oakland staff specifically advised Mr. Penner, Jr. not to engage in any clean-up activities before further notification.

On March 29, 1989, the Port of Oakland received a copy of the letter dated March 24, 1989, from the Alameda County Health Care Services Agency to CAN. As described in the above-mentioned letter, the County has outlined specific tasks to be undertaken by CAN to comply with applicable environmental regulations.

On March 29, 1989, Mr. Joseph Lopez of CAN contacted the Port Environmental Division regarding the clean-up activities to be undertaken by CAN. In this conversation, Mr. Lopez mentioned

66 Jack London Square • P.O. Box 2064 • Oakland, California 94604-2064 • Phone (415)444-3188
Cable Address PORTFOAK, Oakland - Telex 336-334

MEMBER OF THE AMERICAN ASSOCIATION OF PORT AUTHORITIES, INC., THE AIRPORT OPERATORS COUNCIL INTERNATIONAL, INC.
and THE INTERNATIONAL ASSOCIATION OF PORTS AND HARBORS

ALAMEDA COUNTY
HEALTH CARE SERVICES



AGENCY
DAVID J. KEARS, Agency Director

Certified Mailer #P 833 981 376

DEPARTMENT OF ENVIRONMENTAL HEALTH
Hazardous Materials Program
80 Swan Way, Rm. 200
Oakland, CA 94621
(415) 271-4320

24 March, 1989

Joseph Lopez
C.A.N. Transport, Inc.
1155 Third Street
Oakland, Ca. 94607

Subject: 196 Burma Road, Oakland. 94607

****NOTICE OF VIOLATION****

Dear Mr. Lopez:

On the 23rd of March, 1989, in response to a citizen complaint, a representative of our office inspected your facility at 196 Burma Road in Oakland. It appeared that some vehicle maintenance had recently been conducted at this site. Present was an open, dented container of approximately ten gallons. This container was full of oil and rags. In addition, there was considerable evidence of oil having been spilled at various places along the fence which marks the northern perimeter of your lot. You were deemed to be in violation of the following sections of the California Code of Regulations.

- 1) Section 66472 (a) and (d), of the CCR, Title 22, which states that any generator of a hazardous waste must obtain an EPA Identification Number. Prior to obtaining this number, it is illegal to treat, store or dispose of, transport or offer for transportation, a hazardous waste. An EPA identification Number can be obtained by calling (916) 324-1781.
- 2) The open dented container constitutes a violation of two sections of Title 22 of the Code of Regulations. Section 67241 states that if a container holding hazardous waste is not in good condition (e.g. severe rusting, apparent structural defects), or if it begins to leak, the owner or operator shall transfer the hazardous waste to a container that is in good condition.
Section 67243 (a), states that a container holding hazardous waste shall always be closed except when necessary to add or remove waste.

Joseph Lopez
C.A.N. Transport, Inc.
1155 Third Street
Oakland, Ca. 94607
24 March, 1989
Notice of Violation
Page 2 of 4

The evidence of spillage along the fenceline constitutes the most serious violation of the hazardous waste laws. Section 25189.5 of the California Health and Safety Code forbids the disposal of a hazardous waste at any location which is not licensed as a hazardous waste treatment, storage and disposal facility.

Addressing this issue will require the following steps be taken:

- 1) All oil-stained soil, vegetation and pavement will have to be physically removed for proper disposal as a hazardous waste. This material will have to be transported by a registered hazardous waste hauler to a licensed hazardous waste treatment, storage and disposal facility. A properly completed hazardous waste manifest will have to accompany this shipment and a copy of the completed manifest will have to be sent to this office for review.

- 2) Following the removal of any contaminated materials, soil samples will have to be collected to verify that the cleanup has been sufficiently thorough. Proper protocols will have to be followed in the collection of these samples and they will have to be analyzed at a laboratory certified by the State of California. Specific analysis which should be conducted on these samples include Total Petroleum Hydrocarbons Diesel (method 3550 GCFID), Total Oil and Grease (method 503 D+E) and Benzene, Toluene, Ethylbenzene and Xylene (method 8020 or 8240). The results of these analysis must be submitted to this office for review.

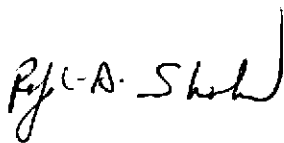
You are requested to submit to our office, a Plan of Correction for 196 Burma Road, on or before the 28th of April, 1989. This Plan should address each violation specified in this letter and describe the consequent actions you propose to take. Following a review of the Plan, this office will inform you of any changes or additions required for approval.

Joseph Lopez
C.A.N. Transport, Inc.
1155 Third Street
Oakland, Ca. 94607
24 March, 1989
Notice of Violation
Page 3 of 4

Please give this matter your immediate attention. Sections 25189.5, 25190 and 25191 of the California Health and Safety Code provide for civil and criminal penalties of up to \$25,000.00 per day, per violation.

The Alameda County Department of Environmental Health, Hazardous Materials Division is eager to see this matter resolved in an expedient and responsible manner. If you have any questions or require further clarification concerning the actions which need to be taken to address this issue, please contact, Dennis Byrne, Hazardous Materials Specialist, at (415) 271-4320.

Sincerely,



Rafat A. Shahid, Chief,
Hazardous Materials Division

RAS:DB

Joseph Lopez
C.A.N. Transport, Inc.
1155 Third Street
Oakland, Ca. 94607
24 March, 1989
Notice of Violation
Page 4 of 4

Finsen

cc: Gil Jensen, Alameda County District Attorney, Consumer and
Environmental Protection Agency.
Norm Healy, Alameda County, Consumer and Environmental
Protection Agency.
M. Hosain Kazemi, SFBRWQCB
D. Krause, DOHS
✓ Sgt. Alan Whitman, Oakland Police Department
Michael Williams, Commander,
Military Traffic Management Command
Attention MTWA-GE (M. Williams)
Oakland Army Base, Oakland, Ca. 94626-5000
David Adams, Property Manager,
Port of Oakland,
66 Jack London Square
P.O. Box 2064
Oakland, Ca. 94604
Michele Heffes, Environmental Specialist
Port of Oakland,
66 Jack London Square
P.O. Box 2064
Oakland, Ca. 94604