



# State Water Resources Control Board



## Division of Financial Assistance

1001 I Street • Sacramento, California 95814

P.O. Box 944212 • Sacramento, California • 94244-2120

(916) 341-5714 • FAX (916) 341-5806 • [www.waterboards.ca.gov/cwphome/ustef](http://www.waterboards.ca.gov/cwphome/ustef)

Linda S. Adams  
Secretary for

Environmental Protection

Arnold Schwarzenegger  
Governor

AUG = 7 2006

LAWRENCE M. WADLER  
2525 MANDELA PKWY  
OAKLAND, CA 94607

Alameda County  
AUG 10 2006  
Environmental Health

UNDERGROUND STORAGE TANK CLEANUP FUND (FUND), CLAIM NO. 018639,  
FOR SITE ADDRESS: 2836 UNION ST, OAKLAND

The State Water Resources Control Board (State Board) is able to issue, pursuant to applicable regulations, the enclosed Letter of Commitment (LOC) in an amount not to exceed \$45,000. This LOC is based upon our review of the corrective action costs you reported to have incurred to date. The LOC may be modified by the State Board.

All invoices must be billed in claimants name and checks paying for invoices must come from the claimant as listed on the application. Any other invoicing and payment arrangements must be received and approved by the Fund or cost may not be reimbursed.

It is very important that you read the terms and conditions listed in the enclosed LOC. Claims filed with the Underground Storage Tank Cleanup Fund far exceed the funding available and it is very important that you make use of the funding that has been committed to your cleanup in a timely manner.

You are reminded that you must comply with all regulatory agency time schedules and requirements and you must obtain three bids for any required corrective action. Only corrective action costs *required* by the regulatory agency to protect human health, safety and the environment can be claimed for reimbursement. If you have any questions about obtaining preapproval of your costs or the three bid requirement, please call Sunil Ramdass, our Technical Reviewer assigned to claims in your Region, at (916) 341-5757. Failure to obtain preapproval of your future costs may result in the costs not being reimbursed.

The following documents needed to submit your reimbursement request are enclosed:

Reimbursement Request Instructions and Information packages. **Retain these packages for future reimbursement requests.** These instructions must be followed when seeking reimbursement for corrective action costs incurred after January 1, 1988.

"Reimbursement Request" forms which you **must use to request reimbursement of costs incurred.**

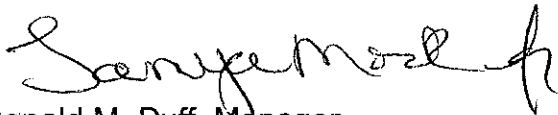
"Spreadsheet" forms which you **must use in conjunction with your reimbursement request.**

\* **THIS IS IMPORTANT TO YOU, PLEASE NOTE:**  
**Signature(s) on the application will be the signature(s) required for all future Fund documents.**

You have 90 calendar days from the date of this letter to submit your first reimbursement request for incurred corrective action costs. **NO EXTENSIONS CAN BE GRANTED.** If you fail to do so, your LOC funds will automatically be reduced to zero (deobligated). Once this occurs, any future funds for this site are subject to availability when you submit your first reimbursement request. We continuously review the status of all active claims. You must continue to remain in compliance and submit a reimbursement request every 6 months. Failure to do so will result in the Fund taking steps to withdraw your LOC.

If you have any questions regarding the enclosed documents, please contact Ginny Lagomarsino at (916) 341-5722.

Sincerely,



Ronald M. Duff, Manager  
Underground Storage Tank Cleanup Fund

Enclosures

cc: Ms. Donna Drogos  
Alameda County EHD  
1131 Harbor Bay Pkway, 2nd Fl.  
Alameda, CA 94502-6577

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



7

June 2, 2006

Mr. Lawrence Wadler  
Modern Mail Express Inc.  
2525 Mandela Parkway  
Oakland, CA 94608

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

Dear Mr. Wadler:

Subject: Fuel Leak Case RO0002901, Modern Mail Express Inc., 2836 Union St.,  
Oakland, CA 94607

Alameda County Environmental Health (ACEH) staff has received and reviewed the June 1, 2006 response letter from Stellar Environmental Solutions (SES) responding to the County's May 23, 2006 comment letter to the SES May 3, 2006 Workplan for Groundwater Characterization and Interim Corrective Actions, 2836 Union Street, Oakland, California. SES has adequately addressed our comments and you may proceed with the proposed remediation and investigation. However, please note the following technical comments:

- We understand that the removal of groundwater from the proposed excavation will be done to keep the excavation dry enough for sampling. Based upon pre and post-pumping groundwater results, your consultant will determine if additional pumping would be effective as interim remediation.
- The proposed location of borehole BH-14 should be relocated approximately 20' north, approximately in line with former boring BH-07. This location is considered to be within the strength of the contaminant plume from the former dispenser, assuming a southwest gradient.

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

Sincerely,

Barney M. Chan  
Hazardous Materials Specialist

cc: files, D. Drogos  
Mr. Bruce Rucker, Stellar Environmental, 2198 Sixth St., Suite 201, Berkeley,  
CA 94701

6\_2\_06 2836 Union St

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY  
DAVID J. KEARS, Agency Director



7

May 23, 2006

Mr. Lawrence Wadler  
Modern Mail Express Inc.  
2525 Mandela Parkway  
Oakland, CA 94608

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

Dear Mr. Wadler:

Subject: Fuel Leak Case RO0002901, Modern Mail Express Inc., 2836 Union St.,  
Oakland, CA 94607

Alameda County Environmental Health (ACEH) staff has reviewed the case file for the subject site including the May 3, 2006 Corrective Action Investigation and the May 3, 2006 Workplan for Groundwater Characterization and Interim Corrective Actions, 2836 Union Street, Oakland, California, prepared by Stellar Environmental Solutions, Inc. (Stellar). The Corrective Action Investigation provides the results of the April 2006 soil and groundwater investigation and the Groundwater Characterization and Interim Corrective Actions report proposes monitoring well installations and excavation and dewatering as interim remediation. We request that you address the following technical comments when performing the proposed work and submit the technical report requested below.

#### TECHNICAL COMMENTS

1. Interim Remediation- The interim corrective action proposes excavation of the area around the former dispenser to an estimated depth of 10', where groundwater is expected to be encountered. The exact dimensions may vary depending on the results of field observations. Four to six sidewall samples are proposed as post-excavation sampling. We approve this interim remediation and recommend that a frequency of one soil sample per every 20' be used for sampling the sidewalls and that one floor sample also be taken per every 400 square feet. In addition, infiltrating groundwater will be pumped from the excavation and future pumping will be considered as an option. An estimated 3000 gallons of water is anticipated for removal. Please clarify the rationale for amount and frequency for initial and post-excavation groundwater extraction.
2. Groundwater Characterization- It is apparent that the petroleum plume has migrated beneath the existing building. The one sample taken from inside the building, BH-07, detected elevated petroleum contamination in both soil and groundwater. Since this area is not proposed for excavation, we request that the plume be further characterized within the existing building. At least two additional borings should be advanced inside the building to better determine the dimensions of the plume. Please submit an amended figure 2, indicating these boring locations. We request that all borings be continuous cored and screened at soil depths every 2.5'. Soil samples exhibiting a PID reading, confirmed with

observed petroleum odor, should be analyzed in the laboratory for TVH-g, BTEX, MTBE and fuel oxygenates and the lead scavengers. In the absence of observation of contamination from screening, one soil sample at the capillary fringe should be analyzed.

3. Groundwater Monitoring Wells- Four monitoring wells are proposed, two are proposed to monitor the shallow 10' zone in addition to the deeper 20' zone. This is based upon the presence of a shallow permeable lens of sand and gravel observed in the borings on-site and the absence of this lens off-site in borings in Union St. The exact connection between the shallow and deeper zones is unclear. Site-specific gradient is also unknown, although groundwater concentration gradient indicates a northwest direction. We recommend that both zones be monitored in all wells. Five-foot screen intervals would appear appropriate. We request well clusters or multi-channeled wells for multi-level sampling. Ideally, at least one additional well from within the existing building should also be installed based upon the boring results.
4. Groundwater Monitoring- Quarterly monitoring should follow well installations.

#### TECHNICAL REPORT REQUEST

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

- June 25, 2006- Rationale for groundwater extraction and amended figure 2.
- 45 days after completion of investigation- Soil and Groundwater Investigation 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. 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, 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](http://www.swrcb.ca.gov/ust/cleanup/electronic_reporting)).

Mr. Lawrence Wadler  
May 23, 2006  
Page 3 of 3

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](mailto:barney.chan@acgov.org).

#### PERJURY STATEMENT

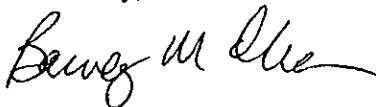
All work plans, technical reports, or technical documents submitted to ACEH must be accompanied by a cover letter from the responsible party that states, at a minimum, the following: "I declare, under penalty of perjury, that the information and/or recommendations contained in the attached document or 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

cc: files, D. Drogos  
Mr. Bruce Rucker, Stellar Environmental, 2198 Sixth St., Suite 201, Berkeley,  
CA 94701

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY  
DAVID J. KEARS, Agency Director



7

March 20, 2006

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

Mr. Lawrence Wadler  
Modern Mail Express Inc.  
2525 Mandela Parkway  
Oakland, CA 94608

Dear Mr. Wadler:

Subject: Fuel Leak Case R00002901, Modern Mail Express Inc., 2836 Union St.,  
Oakland, CA 94607

Alameda County Environmental Health (ACEH) staff has reviewed the case file for the subject site including the December 22, 2005 Workplan for Corrective Action Investigation 2836 Union Street, Oakland, California prepared by Stellar Environmental Solutions, Inc. (Stellar). The work plan follows up the previous November 2005 investigation at this site, which identified areas of residual petroleum contamination near the former dispenser, within the former tank pit and west of the tank pit, presumably in the down-gradient groundwater direction. The work plan proposes additional borings and soil and groundwater sampling to determine the lateral extent of petroleum contamination and determine appropriate remedial actions. We request that you address the following technical comments when performing the proposed work and submit the technical report requested below.

#### TECHNICAL COMMENTS

1. We request that all borings be continuous cored and screened at soil depths every 2.5'. Soil samples exhibiting a PID reading, confirmed with observed petroleum odor, should be analyzed in the laboratory for TVH-g, BTEX, MTBE and fuel oxygenates and the lead scavengers. In the absence of observation of contamination from screening, one soil sample at the capillary fringe should be analyzed.
2. We notice that four borings are proposed around the former dispenser area for soil sampling only. Groundwater sampling should be sufficient to determine the extent of the petroleum plume. Therefore, we recommend groundwater sampling also be done from samples within the Union St. building and from at least one sample between the dispenser and boring BH-02. Additional sampling within the building is recommended if significant contamination is observed in the lone boring within the building.
3. To complete groundwater delineation, we recommend one additional boring to the east of the former tank pit to determine the up-gradient extent of contamination. Please sample soil as stated in comment #1, above.

4. Please include a recommendation for groundwater monitoring and remediation in your soil and groundwater investigation report.

#### TECHNICAL REPORT REQUEST

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

- 45 days after completion of investigation- Soil and Groundwater Investigation 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. 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.

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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](mailto: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

Enclosure: ACEH Electronic Report Upload (ftp) Instructions

cc: files, D. Drogos

Mr. Bruce Rucker, Stellar Environmental, 2198 Sixth St., Suite 201, Berkeley,  
CA 94701

3\_20\_06 2836 Union St



# State Water Resources Control Board



Alan C. I.loyd, Ph.D.  
Agency Secretary

**Division of Financial Assistance**  
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Arnold Schwarzenegger  
Governor

LAWRENCE M. WADLER  
2525 MANDELA PKWY  
OAKLAND, CA 94607

February 28, 2006

UNDERGROUND STORAGE TANK CLEANUP FUND (FUND), NOTICE OF ELIGIBILITY DETERMINATION: CLAIM NUMBER 018639; FOR SITE ADDRESS: 2836 UNION ST, OAKLAND

Your claim has been accepted for placement on the Priority List in Priority Class "B" with a deductible of \$5,000.

We have completed our initial review. The next step in the claim review process is to conduct a compliance review.

Compliance Review: Staff reviews, verifies, and processes claims based on the priority and rank within a priority class. After the Board adopts the Priority List, your claim will remain on the Priority List until your Priority Class and rank are reached. At that time, staff will conduct an extensive Compliance Review at the local regulatory agency or Regional Water Quality Control Board. During this Compliance Review, staff may request additional information needed to verify eligibility. Once the Compliance Review is completed, staff will determine if the claim is valid or must be rejected. If the claim is valid, a Letter of Commitment will be issued obligating funds toward the cleanup. If staff determine that you have not complied with regulations governing site cleanup, you have not supplied necessary information or documentation, or your claim application contains a material error, the claim will be rejected. In such event, you will be issued a Notice of Intended Removal from the Priority List, informed of the basis for the proposed removal of your claim, and provided an opportunity to correct the condition that is the basis for the proposed removal. Your claim will be barred from further participation in the Fund, if the claim application contains a material error resulting from fraud or misrepresentation.

Record keeping: During your cleanup project you should keep complete and well organized records of all corrective action activity and payment transactions. If you are eventually issued a Letter of Commitment, you will be required to submit: (1) copies of detailed invoices for all corrective action activity performed (including subcontractor invoices), (2) copies of canceled checks used to pay for work shown on the invoices, (3) copies of technical documents (bids, narrative work description, reports), and (4) evidence that the claimant paid for the work performed (not paid by another party). These documents are necessary for reimbursement and failure to submit them could impact the amount of reimbursement made by the Fund. *It is not necessary to submit these documents at this time; however, they will definitely be required prior to reimbursement.*

Compliance with Corrective Action Requirements: In order to be reimbursed for your eligible costs of cleanup incurred after December 2, 1991, you must have complied with corrective action requirements of Article 11, Chapter 16, Division 3, Title 23, California Code of Regulations. Article 11 categorized the corrective action process into *phases*. In addition, Article 11 requires the responsible party to submit an *investigative workplan/Corrective Action Plan (CAP)* before performing any work. This phasing process and the workplan/CAP requirements were intended to:

*California Environmental Protection Agency*



1. help the responsible party undertake the necessary corrective action in a cost-effective, efficient and timely manner;
2. enable the regulatory agency to review and approve the proposed cost-effective corrective action alternative before any corrective action work was performed; and
3. ensure the Fund will only reimburse the most cost-effective corrective action alternative required by the regulatory agency to achieve the minimum cleanup necessary to protect human health, safety and the environment.

In some limited situations *interim cleanup* will be necessary to mitigate a demonstrated immediate hazard to public health, or the environment. Program regulations allow the responsible party to undertake interim remedial action after: (1) notifying the regulatory agency of the proposed action, and; (2) complying with any requirements that the regulatory agency may set. Interim remedial action should only be proposed when necessary to mitigate an immediate demonstrated hazard. ***Implementing interim remedial action does not eliminate the requirement for a CAP and an evaluation of the most cost-effective corrective action alternative.***

Three bids: Only corrective action costs required by the regulatory agency to protect human health, safety and the environment can be claimed for reimbursement. You must comply with all regulatory agency time schedules and requirements and you must obtain three bids for any required corrective action. ***If you do not obtain three bids or a waiver of the three-bid requirement, reimbursement is not assured and costs may be rejected as ineligible.***

If you have any questions, please contact me at (916) 341-5714.

Sincerely,

*Shari Knieriem*

Shari Knieriem  
Claims Review Unit  
Underground Storage Tank Cleanup Fund

cc: Ms. Donna Drogos  
Alameda County EHD  
1131 Harbor Bay Pkway, 2nd Fl.  
Alameda, CA 94502-6577

Alameda County  
FEB 21 2006  
Environmental Health

Ms. Donna Drogos  
Alameda County Health Care Services Agency  
Department of Environmental Health  
1311 Harbor Bay Parkway # 250  
Alameda, Ca. 94502

February 15, 2006

Re: Case #RO2901, State Claim #018639

Dear Ms. Drogos:

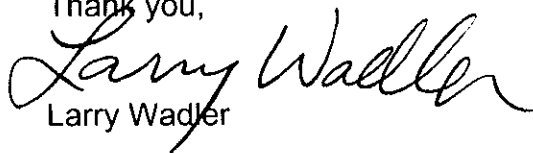
I am writing this letter as a follow-up to the recent telephone message.

The State Water Resources Control Board has requested a "Copy of the **first letter** from the local regulatory agency naming you as a responsible party and directing you to cleanup the contamination at the subject site".

I spoke to Shari Knieriem and she suggested that I contact you with regards to the first letter.

Since the corrective action was initiated by me would it be possible for you to write or email Shari and let her know that I, Larry Wadler, am the responsible party and that we should get it cleaned up.

Thank you,

  
Larry Wadler

# State Water Resources Control Board



Alan C. Lloyd, Ph.D.  
Agency Secretary

## Division of Financial Assistance

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Arnold Schwarzenegger  
Governor

LAWRENCE M. WADLER  
2525 MANDELA PKWY  
OAKLAND, CA 94607

FEB - 8 2006

UNDERGROUND STORAGE TANK CLEANUP FUND (FUND), REQUEST FOR FURTHER DOCUMENTATION DURING INITIAL REVIEW: CLAIM NUMBER 018639; FOR SITE ADDRESS: 2836 UNION ST, OAKLAND

After reviewing your claim application to the Cleanup Fund, we find that the following additional information is needed to determine your eligibility for placement on the Priority List:

✓ A copy of the permit to own or operate the UST from the local implementing agency dated between January 1, 1984 and January 1, 1990 (pursuant to Chapter 6.7 of the Health and Safety Code).

If you were not subject to the permit requirement, submit documentation to confirm this claim. Situations where the permit was not required by January 1, 1990, can include: a) you removed all USTs prior to January 1, 1990; and not replaced; b) you decommissioned all USTs pursuant to the direction of the regulatory agency prior to January 1, 1984; c) you sold the property and tanks by January 1, 1990.

If you were subject to the permit requirement but failed to comply by January 1, 1990, you can request the State Board to waive the requirement as a condition for eligibility. To request a waiver, complete the enclosed "Permit Waiver Request" form and return with any additional information requested below.

In order to be eligible for the Permit Waiver, claimant must have obtained an operating permit on January 1, 1990. Absent the permit, claimant will not qualify for the Permit Waiver.

**Copy of the first letter from the local regulatory agency naming you a responsible party and directing you to cleanup the contamination at the subject site.**

Claimant must submit complete Federal Tax Returns (FTR). Schedule E was not submitted with your FTRs. Please provide Schedule E. If claimant has affiliates, such as, partnerships or corporations please provide copies (three years prior to application) of those FTRs.

**NOTE:** Failure to respond to this request within thirty (30) calendar days from the date of this letter may result in an ineligibility determination of your claim.

If you have any questions, please contact me at (916) 341-5714.

Sincerely,

Shari Knieriem  
Claims Review Unit  
Underground Storage Tank Cleanup Fund

cc: Ms. Donna Drogos  
Alameda County EHD  
1131 Harbor Bay Pkway, 2nd Fl.  
Alameda, CA 94502-6577

*California Environmental Protection Agency*



# State Water Resources Control Board



## Division of Financial Assistance

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FEB 14 2006  
Environmental Health

LAWRENCE M. WADLER  
2525 MANDELA PKWY  
OAKLAND, CA 94607

February 8, 2006

UNDERGROUND STORAGE TANK CLEANUP FUND (FUND), REQUEST FOR FURTHER DOCUMENTATION DURING INITIAL REVIEW: CLAIM NUMBER 018639; FOR SITE ADDRESS: 2836 UNION ST, OAKLAND

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In order to be eligible for the Permit Waiver, claimant must have obtained an operating permit on January 1, 1990. Absent the permit, claimant will not qualify for the Permit Waiver.

Copy of the first letter from the local regulatory agency naming you a responsible party and directing you to cleanup the contamination at the subject site.

Claimant must submit complete Federal Tax Returns (FTR). Schedule E was not submitted with your FTRs. Please provide Schedule E. If claimant has affiliates, such as, partnerships or corporations please provide copies (three years prior to application) of those FTRs.

**NOTE:** Failure to respond to this request within thirty (30) calendar days from the date of this letter may result in an ineligibility determination of your claim.

If you have any questions, please contact me at (916) 341-5714.

Sincerely,  
Shari Knieriem

Shari Knieriem  
Claims Review Unit  
Underground Storage Tank Cleanup Fund

cc: Ms. Donna Drogos  
Alameda County EHD  
1131 Harbor Bay Pkway, 2nd Fl.  
Alameda, CA 94502-6577

JAN 30 2006

**Environmental Health**

January 26, 2006

Ms. Donna Drogos – Supervisor  
Alameda County Health Care Services Agency  
Department of Environmental Health  
Local Oversight Program  
1131 Harbor Bay Parkway, Suite 250  
Alameda, California 94502

**RECEIVED**

JAN 27 2006

ENVIRONMENTAL HEALTH SERVICES

Subject: History of UST Release Case  
2836 Union Street, Oakland, California

Dear Ms. Drogos:

Thank you again for the time you spent with me on the phone today. Per your request, this is a summary of the case history with a list of technical documents and regulatory correspondence, indicating what we have already provided Alameda County Health, with some additional information that you requested. We understand that the City of Oakland has already submitted to Alameda County Health the case transfer form, and the next step will be listing the case and assigning a case officer. We hope that our technical workplan for corrective action investigation could be reviewed soon thereafter. Please call if you have any questions, and thank you again for your prompt attention to this case.

- September 1998 – 10,000 gallon gasoline UST was removed. Discussed in Golden Gate Tank Removal's July 31, 1998 report. Attached is a hard copy of that report, and today we uploaded it to Alameda County Health's "FTP" system.
- October 2005 – discussion between Hernan Gomez (City of Oakland Fire Department) and Larry Wadler (Responsible Party) in which the case was "resurrected." Mr. Gomez verbally requested that a technical workplan for an initial site investigation be submitted to Oakland Fire, and based on the results, the case would be either "closed" by Oakland Fire or transferred to Alameda County Health.

*Ms. Donna Drogos*

*Alameda County Health – LOP*

*January 26, 2006*

*Page 2 of 2*

- October 25, 2005 – SES submits to Oakland Fire Department “Technical Workplan for Initial Site Characterization” (hard copy attached and electronic copy was previously uploaded to “FTP” system).
- October 31, 2005 – Oakland Fire approves the workplan (approval letter attached)
- November 2005 – Initial site characterization conducted.
- December 14, 2005 – SES submits “Technical Documentation Report for Initial Site Characterization” to Oakland Fire (hard copy) and to Alameda County (hard copy and uploaded to “FTP” system)
- December 22, 2005 – Based on the elevated soil and groundwater concentrations detected, SES submitted “Workplan for Corrective Action Investigation to Alameda County Health (both hard copy and uploaded to “FTP” system.
- December 29, 2005 – Oakland Fire Department completes “Contaminated Site Case Transfer Form” (copy attached) and transmits to SES with note that the form was sent to Alameda County Health.

Sincerely,



Bruce M. Rucker, R.G., R.E.A.  
Project Manager

Attachments: 1998 Golden Gate Tank Removal “Tank Closure Report  
10/25/05 SES “Workplan for Initial Site Characterization  
10/31/05 Oakland Fire Department letter approving Workplan  
12/29/05 Oakland Fire Department “Contaminated Site Case Transfer Form

cc: Mr. Larry Wadler – Responsible Party



CITY OF OAKLAND FIRE DEPARTMENT  
Office Of Emergency Services  
1605 Martin Luther King Jr. Way, Oakland, CA 94612

Hazardous Materials Program

Contaminated Site Case Transfer Form

Alameda County  
JAN 30 2006  
Environmental Health

Referral To:

Date	
Agency	Alameda County Environmental Health, 1131 Harbor Bay Parkway, Alameda, CA 94502
Attention	Donna L. Drogos, LOP/SLIC Program Manager

Site Information:

Site Responsible Party(s)	
Site Name	Former Modern Mail Express Inc Fac.
Site Address	2836 Union St.
Site Phone	
Site Contractor/Consultant (if available)	Stellar Env. Sol. Inc.
Site DBA	

Site Conditions:

UST		Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
USTs removed? # removed: <u>1X10,000</u> Date removed: <u>July 1992</u>		Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
Contents (circle): <u>gasoline</u> diesel waste oil heating oil solvents kerosene stoddard solvent other (specify) _____		Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
Observations of system (holes, leaks)?		Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
Observed contamination (free product, smell, soil/water discoloration)?		Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
Detectable concentrations of soil and/or groundwater contamination?		Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
o Highest Concentration Detected in Soil Contaminant (specify) <u>Toluene</u> Concentration <u>920</u> ppm					
o Highest Concentration Detected in Water Contaminant (specify) <u>Benzene</u> Concentration <u>67</u> ppb					
Unauthorized Release Form filed?		Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
Future intended use if known? Specify _____		Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
NON-UST		Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
Former industrial use?		Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
Detectable concentrations of soil and/or groundwater contamination?		Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
o Highest Concentration Detected in Soil Contaminant (specify) _____ Concentration _____ ppm					
o Highest Concentration Detected in Water Contaminant (specify) _____ Concentration _____ ppb					
Future intended use if known? Specify _____		Yes	<input type="checkbox"/>	No	<input type="checkbox"/>

If available, attach pertinent reports

Transferred as:

LOP

SLIC

Level of Update requested: distribution list all meetings all site visits closure sign off all the above

Transfer requested by Inspector: H. Goiny Date: 12/29/05

Transfer accepted by (ACEH): \_\_\_\_\_ Date: \_\_\_\_\_



**City of Oakland  
Oakland Fire Department  
Fire Prevention Bureau**

250 Frank Ogawa Plaza, Suite 3341  
Oakland, CA 94612  
(510) 238-3851 - VOICE  
(510) 238-6739 - FAX  
(510) 238-6384 - TTY/TDD

# FACSIMILE

To: Patrice Rocher From: H. Gomez

Fax: 044 3859 Phone: \_\_\_\_\_

Date: 1/10/06 Pages: \_\_\_\_\_ (including cover)

Re: \_\_\_\_\_ CC: \_\_\_\_\_

- Urgent     
 For Review     
 Please Comment     
 Please Reply

Comments:

Transfer Form given to Alameda Co -

This facsimile is intended to be viewed solely by the person to whom it is addressed. Please deliver immediately. If any portion of this facsimile did not transmit clearly, please call our office to re-send.

Alameda County

CITY OF OAKLAND FIRE DEPARTMENT  
Office Of Emergency Services  
1605 Martin Luther King Jr. Way, Oakland, CA 94612

JAN 06 2006

Hazardous Materials Program

Environmental Health

Contaminated Site Case Transfer Form

Referral To:

Date	
Agency	Alameda County Environmental Health, 1131 Harbor Bay Parkway, Alameda, CA 94502
Attention	Donna L. Drogos, LOP/SLIC Program Manager

Site Information:

<b>Site Responsible Party(s)</b>	
Site Name	Former Modern Mail Express Inc. Fac.
Site Address	2836 Union St.
Site Phone	
Site Contractor/Consultant (if available)	Stellar Env. Sol. Inc.
Site DBA	

Site Conditions:

<b>UST</b>			
USTs removed? # removed: 1x10,000	Date removed: July 1998	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Contents (circle): gasoline	diesel waste oil heating oil solvents	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
kerosene stoddard solvent other (specify)			
Observations of system (holes, leaks)?		Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Observed contamination (free product, smell, soil/water discoloration)?		Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Detectable concentrations of soil and/or groundwater contamination?		Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
o Highest Concentration Detected in Soil			
Contaminant (specify) Tphg	Concentration 920 ppm		
o Highest Concentration Detected in Water			
Contaminant (specify) Benzene	Concentration 67 ppb		
Unauthorized Release Form filed?		Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Future intended use if known? Specify		Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
<b>NON-UST</b>			
Former industrial use?		Yes <input type="checkbox"/>	No <input type="checkbox"/>
Detectable concentrations of soil and/or groundwater contamination?		Yes <input type="checkbox"/>	No <input type="checkbox"/>
o Highest Concentration Detected in Soil			
Contaminant (specify)	Concentration ppm		
o Highest Concentration Detected in Water			
Contaminant (specify)	Concentration ppb		
Future intended use if known? Specify		Yes <input type="checkbox"/>	No <input type="checkbox"/>
<i>If available, attach pertinent reports</i>			

Transferred as:

LOP

SLIC

Level of Update requested: distribution list all meetings all site visits closure sign off all the above

Transfer requested by Inspector: H. Goines Date: 12/29/05

Transfer accepted by (ACEH): [Signature] Date: 1/10/06

# UNDERGROUND STORAGE TANK UNAUTHORIZED RELEASE (LEAK)/ CONTAMINATION SITE REPORT

EMERGENCY <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	HAS STATE OFFICE OF EMERGENCY SERVICES REPORT BEEN FILED? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	FOR LOCAL AGENCY USE ONLY I HEREBY CERTIFY THAT I AM A DESIGNATED GOVERNMENT EMPLOYEE AND THAT I HAVE REPORTED THIS INFORMATION TO LOCAL OFFICIALS PURSUANT TO SECTION 25180.7 OF THE HEALTH AND SAFETY CODE.
REPORT DATE December 22, 2005	CASE #	SIGNED _____ DATE _____

REPORTED BY	NAME OF INDIVIDUAL FILING REPORT Bruce Rucker	PHONE 510-644-3123	SIGNATURE Bruce M. Rucker
	REPRESENTING <input type="checkbox"/> LOCAL AGENCY <input type="checkbox"/> REGIONAL BOARD <input checked="" type="checkbox"/> OWNER/OPERATOR <input checked="" type="checkbox"/> OTHER... consultant for owner	COMPANY OR AGENCY NAME Stellar Environmental Solutions, Inc.	
ADDRESS 2198 Sixth St. #201 Berkeley CA 94710			

RESPONSIBLE PARTY	NAME Mr. Lawrence M. Wadler <input type="checkbox"/> Unknown	PHONE 510/444-6245
	ADDRESS 2525 Mandela Parkway Oakland CA 94607	

SITE LOCATION	FACILITY NAME (IF APPLICABLE) Vacant Property	OPERATOR —	PHONE —
	ADDRESS 2836 Union Street Oakland CA 94608		
	CROSS STREET 28th Street		

IMPLEMENTING AGENCIES	LOCAL AGENCY AGENCY NAME City of Oakland Fire Department (Mr. Herman Gomez)	PHONE 510/238-7253
	REGIONAL BOARD	PHONE

SUBSTANCES INVOLVED	(1) NAME Gasoline	QUANTITY LOST (GALLONS) <input checked="" type="checkbox"/> Unknown
	(2)	<input type="checkbox"/> Unknown

DISCOVERY/ABATEMENT	DATE DISCOVERED July 1998	HOW DISCOVERED <input type="checkbox"/> Tank Test <input checked="" type="checkbox"/> Tank Removal <input type="checkbox"/> Nuisance Conditions <input type="checkbox"/> Inventory Control <input type="checkbox"/> Subsurface Monitoring <input type="checkbox"/> Other...
	DATE DISCHARGE BEGAN <input checked="" type="checkbox"/> Unknown	METHOD USED TO STOP DISCHARGE (CHECK ALL THAT APPLY) <input checked="" type="checkbox"/> Remove Contents <input type="checkbox"/> Close Tank <input type="checkbox"/> Repair Tank <input type="checkbox"/> Change Procedure <input type="checkbox"/> Replace Tank <input checked="" type="checkbox"/> Other... remove UST <input type="checkbox"/> Repair Piping
	HAS DISCHARGE BEEN STOPPED? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	IF YES, DATE July 1998

SOURCE/CAUSE	SOURCE OF DISCHARGE <input type="checkbox"/> Tank Leak <input type="checkbox"/> Piping Leak <input checked="" type="checkbox"/> Unknown <input type="checkbox"/> Other...	CAUSE(S) <input type="checkbox"/> Overfill <input type="checkbox"/> Corrosion <input type="checkbox"/> Rupture/Failure <input checked="" type="checkbox"/> Unknown <input type="checkbox"/> Spill <input type="checkbox"/> Other...
--------------	--	--

CASE TYPE	CHECK ONE ONLY <input type="checkbox"/> Undetermined <input type="checkbox"/> Soil Only <input checked="" type="checkbox"/> Groundwater <input type="checkbox"/> Drinking Water - (CHECK ONLY IF WATER WELLS HAVE ACTUALLY BEEN AFFECTED)
-----------	--

CURRENT STATUS	CHECK ONE ONLY <input type="checkbox"/> No Action Taken <input type="checkbox"/> Case Closed (Cleanup Completed or Unnecessary) <input type="checkbox"/> Leak Being Confirmed <input checked="" type="checkbox"/> Pollution Characterization <input type="checkbox"/> Remediation Plan <input type="checkbox"/> Post Cleanup Monitoring in Progress <input type="checkbox"/> Preliminary Site Assessment Workplan Submitted <input type="checkbox"/> Cleanup Underway <input type="checkbox"/> Preliminary Site Assessment Underway
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REMEDIAL ACTION	CHECK APPROPRIATE ACTION(S) <input type="checkbox"/> Cap Site (CD) <input type="checkbox"/> Excavate & Treat (ET) <input type="checkbox"/> Treatment at Hookup (HU) <input type="checkbox"/> Other... <input type="checkbox"/> Contamination Barrier (CB) <input type="checkbox"/> No Action Required (NA) <input type="checkbox"/> Enhanced Bio Degradation (IT) <input type="checkbox"/> Vacuum Extract (VE) <input checked="" type="checkbox"/> Remove Free Product (FP) <input type="checkbox"/> Replace Supply (RS) <input checked="" type="checkbox"/> Excavate & Dispose (ED) <input type="checkbox"/> Pump & Treat Groundwater (GT) <input type="checkbox"/> Vent Soil (VS)
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COMMENTS  
 Preliminary site assessment report (by Stellar) in Dec 2005 submitted to Oakland Fire and Alameda County Health. Corrective action investigation workplan submitted to Alameda Health in 12/05.

# CITY OF OAKLAND



250 FRANK H. OGAWA PLAZA • 3RD FLOOR • OAKLAND, CALIFORNIA 94612

Fire Department  
Fire Prevention Bureau  
Office of the Fire Marshal

(510) 238-3851  
FAX: (510) 238-6739  
TTY/TDD: (510) 238-6884

October 31, 2005

Mr. Bruce M. Rucker  
Stellar Environmental Solutions, Inc.  
2198 Sixth Street, Suite 201  
Berkeley, CA 94710

RE: **Workplan for initial site characterization**  
2836 Union Street  
Oakland, Ca 94608

Dear Mr. Rucker:

City of Oakland Fire Department/Hazardous Materials Management Program (OFD/HMMP) staff has received and reviewed the workplan prepared by Stellar Environmental Solutions, Inc. (SES) for the initial site characterization at the referenced property, dated October 25, 2005.

Based on the available information and with the provision that the information provided to OFD/HMMP was accurate and representative of site conditions, the proposed site characterization meets our agency's needs.

Please be advised that prior to start the scheduled drilling you need to provide OFD/HMMP with a site-specific Health and Safety Plan and obtained all the required permits and notified this office if there are any changes in the schedule.

If you have any questions, please contact me at (510) 238-7253.

Sincerely,

A handwritten signature in cursive script that reads "Hernán E. Gómez".

Hernán E. Gómez  
Hazardous Materials Inspector