

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY
ALEX BRISCOE, Director



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

July 5, 2012

Ms. Elana Wadler-Aabas, Trustee
Estate of Larry M. Wadler
2860 Carmel St. # D,
Oakland, CA 94602-3458
(Sent via E-mail to: [mommyaabas@yahoo.com](mailto:mommaaabas@yahoo.com))

Subject: Landowner Notification and Public Participation, Fuel Leak Case No. RO0002901 (Global ID # T0600105641), Modern Mail Express Inc, 2836 Union Street, Oakland, CA 94608

Dear Ms. Aabas:

As you are aware, an investigation resulting from underground storage tank leaks was performed at the subject property to which you are named as the primary or active responsible party. Pursuant to Section 25297.15 (a), Alameda County Environmental Health (ACEH), the local agency, shall not consider cleanup or site closure proposals from the primary or active responsible party, issue a closure letter, or make a determination that no further action is required with respect to a site upon which there was an unauthorized release of hazardous substances from an underground storage tank subject to this chapter unless all current record owners of fee title to the site of the proposed action have been notified of the proposed action by the primary or active responsible party. ACEH is required to notify the primary or active responsible party of their requirement to certify in writing to the local agency that the notification requirement in the above-mentioned regulation has been satisfied and to provide the local agency with a complete mailing list of all record fee title owners.

To satisfy this requirement, please complete the enclosed "List of Landowners Form," and mail it back to ACEH within thirty (30) days from the date of this letter. Also your comments, if any, must be considered prior to the proposed cleanup or closure. Please respond within 30 days from the date of this letter for your comments to be considered.

Additionally, pursuant to California Code of Regulations, Title 23, Division 3, Chapter 16, §2728, ACEH requires notification to the public of the proposed case closure for the site. To that end, we request that you distribute the Fact Sheet (attached) to the attached mailing list. Following distribution of the Fact Sheet, please provide verification that the Fact Sheet was distributed by standard U.S. Mail no later than July 16, 2012.

At the end of the 30-day public comment period, ACEH may request that you address the public comments received. If no public comments are received, ACEH will close the open case.

Ms. Aabas
RO0002901
July 5, 2012, Page 2

TECHNICAL REPORT REQUEST

Please submit technical reports to ACEH (Attention: Barbara Jakub), according to the following schedule:

- **July 16, 2012** – Send out Fact Sheet
- **July 20, 2012** – Verification that Fact Sheet was distributed to the attached mailing list and persons on cc list at the end of this correspondence and Landowner Notification Form

Should you have any questions, please contact me at (510) 639-1287 or send me an electronic mail message at barbara.jakub@acgov.org.

Sincerely,

Barbara J. Jakub, P.G.
Hazardous Materials Specialist

Enclosures: Draft Public Notification of Potential Case Closure
 Mailing List for Fact Sheet
 List of Landowners Form
 Responsible Party(ies) Legal Requirements/Obligations
 ACEH Electronic Report Upload (ftp) Instructions

cc: Henry Pietropaoli, Stellar Environmental Solutions, Inc., 2198 Sixth Street, Suite 201 Berkeley, CA 94710 (*Sent via E-mail to: hpietropaoli@stellar-environmental.com*)
 Leroy Griffin, Oakland Fire Department, 250 Frank H. Ogawa Plaza, Ste. 3341, Oakland, CA 94612-2032 (*Sent via E-mail to: lgriffin@oaklandnet.com*)
 Donna Drogos, ACEH, (*Sent via E-mail to: donna.drogos@acgov.org*)
 Barbara Jakub, ACEH, (*Sent via E-mail to: barbara.jakub@acgov.org*)
 Geotracker, e-File



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PUBLIC NOTIFICATION OF POTENTIAL CLOSURE OF FUEL LEAK CASE
2836 Union Street, Oakland
July 16, 2012

Site Name: Modern Mail Express Inc
Site Location: 2836 Union Street, Oakland, CA 94608
Fuel Leak Case RO0002901 and Geotracker Global ID T0600105641

Summary – This fact sheet has been prepared to inform community members and other interested parties of proposed case closure for a fuel leak case at 2836 Union Street in Oakland, California. Site investigation and cleanup activities have been completed by the Elena Abbas Trust and it does not appear that the fuel release presents a risk to

human health. One 10,000 gasoline underground storage tank (UST) was removed in 1991 and one waste-oil UST was removed in July 1998. Remediation consisted of removing approximately 610 tons of soil, 9,600 gallons of water and injecting oxygen releasing compound into the subsurface. Remediation ended in 2010 and one-year of post-remediation monitoring indicated that the on-site concentrations of petroleum hydrocarbons in groundwater have declined significantly and do not appear to pose a risk to nearby or on-site residents.



Figure 1: Site Vicinity Map

Background – The property operated as an express courier facility (Modern Mail Services, Inc.) between 1951 and 2003. One 10,000-gallon gasoline underground storage tank (UST) was installed in the late 1970s and removed in 1998. The site is located in a mixed commercial residential area and currently contains a vacant structure. A series of site investigations and remediation has been performed to clean up the site. Remediation activities including 610 tons of soil, 9,600 gallons of water and injecting oxygen releasing compound into the subsurface. Groundwater sampling indicates that the concentrations of petroleum hydrocarbons in groundwater beneath the site do not appear to pose a risk to the public at the site or at surrounding properties.

Next Step – The public is invited to review and comment on the potential closure of the fuel leak

case. The entire case file can be viewed over the internet on the ACEH website at <http://www.acgov.org/aceh/lop/ust.htm> or at the State of California Water Resources Control Board Geotracker website <http://geotracker.swrcb.ca.gov>. Please send written comments to Barbara Jakub at the address below; all comments will be forwarded to the responsible party. **Comments received by August 16, 2012** will be considered and responded to prior to a final determination on the proposed case closure.

Additional information: Contact Barbara Jakub of the Alameda County Department of Environmental Health, 1131 Harbor Bay Parkway, Alameda, CA 94502 at 510-639-1287 or by email at barbara.jakub@acgov.org.

2850 POPLAR LLC
Parcel #: 5-459-27-2
2200 ADELINE ST #350
OAKLAND CA 94607

AABAS ELANA TR
Parcel #: 5-458-29
2514 8TH AVE
OAKLAND CA 94606

AABAS ELANA TR
Parcel #: 5-458-16
2514 8TH AVE
OAKLAND CA 94606

BOLERO JOHN
Parcel #: 5-458-32
PO BOX 8040
EMERYVILLE CA 94662

COATES WILLIE ANNA
Parcel #: 5-459-12
2847 UNION ST
OAKLAND CA 94608

GILL KULVINDER &
Parcel #: 5-458-30
2844 UNION ST
OAKLAND CA 94608

GREEN WILLIE & WILLIE
Parcel #: 5-458-14-1
2845 MAGNOLIA ST
OAKLAND CA 94608

LYNCH EUGENE
Parcel #: 5-458-31
2501 BEST AVE
OAKLAND CA 94601

RESIDENT
Parcel #: 5-458-32
2906 UNION ST
OAKLAND CA 94608

RESIDENT
Parcel #: 5-458-29
2836 UNION ST
OAKLAND CA 94608

RESIDENT
Parcel #: 5-458-16
MAGNOLIA ST
OAKLAND CA 94608

RESIDENT
Parcel #: 5-458-31
2900 UNION ST
OAKLAND CA 94608

RESIDENT
Parcel #: 5-458-27
2820 UNION ST
OAKLAND CA 94608

RESIDENT
Parcel #: 5-459-27-2
2850 POPLAR ST
OAKLAND CA 94608

RICHARD DILONE TR
Parcel #: 5-458-28
2826 UNION ST
OAKLAND CA 94608

WALKER ALLAN E III & WEBB
Parcel #: 5-458-27
4141 GILBERT ST
OAKLAND CA 94611

LIST OF LANDOWNERS FORM

County of Alameda
Environmental Health Services
Environmental Protection
1131 Harbor Bay Parkway, Suite 250
Alameda, CA 94502-6577

CERTIFIED LIST OF RECORD FEE TITLE OWNERS FOR:

Site Name: Modern Mail Express Inc
Address: 2836 Union St.
City, State, Zip: Oakland, CA 94608
Record ID #: RO0002901

Please fill out item 1 if there are multiple site landowners (attach an extra sheet if necessary). If you are the sole site landowner, skip item 1 and fill out item 2.

1. In accordance with Section 25297.15(a) of Chapter 6.7 of the California Health & Safety Code, I, _____ (name of primary responsible party), certify that the following is a complete list of current record fee title owners and their mailing addresses for the above site:

Name: _____

Address: _____

City, State, Zip: _____

E-mail Address: _____

Name: _____

Address: _____

City, State, Zip: _____

E-mail Address: _____

Name: _____

Address: _____

City, State, Zip: _____

E-mail Address: _____

2. In accordance with Section 25297.15(a) of Chapter 6.7 of the California Health & Safety Code, I _____, certify that I am the sole landowner for the above site.

Sincerely,

Signature of Primary Responsible Party

Printed Name

Date

E-mail Address

Attachment 1

Responsible Party(ies) Legal Requirements/Obligations

REPORT REQUESTS

These reports are being requested pursuant to California Health and Safety Code Section 25296.10. 23 CCR Sections 2652 through 2654, and 2721 through 2728 outline the responsibilities of a responsible party in response to an unauthorized release from a petroleum UST system, and require your compliance with this request.

ELECTRONIC SUBMITTAL OF REPORTS

ACEH's Environmental Cleanup Oversight Programs (LOP and SLIC) require submission of reports in electronic form. The electronic copy replaces paper copies and is expected to 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 Instructions." 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. In September 2004, the SWRCB adopted regulations that require electronic submittal of information for all 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 monitoring wells, and [other](#) data to the GeoTracker database over the Internet. Beginning July 1, 2005, these same reporting requirements were added to Spills, Leaks, Investigations, and Cleanup (SLIC) sites. Beginning July 1, 2005, electronic submittal of a complete copy of all reports for all sites is required in GeoTracker (in PDF format). Please visit the SWRCB website for more information on these requirements (http://www.waterboards.ca.gov/water_issues/programs/ust/electronic_submittal/).

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.

AGENCY OVERSIGHT

If it appears as though significant delays are occurring or reports are not submitted as requested, we will consider referring your case to the Regional Board or other appropriate agency, including the County District Attorney, for possible enforcement actions. California Health and Safety Code, Section 25299.76 authorizes enforcement including administrative action or monetary penalties of up to \$10,000 per day for each day of violation.

Oversight Programs (LOP and SLIC)	ISSUE DATE: July 5, 2005
	PREVIOUS REVISIONS: October 31, 2005; December 16, 2005; March 27, 2009; July 8, 2010
SECTION: Miscellaneous Administrative Topics & Procedures	SUBJECT: Electronic Report Upload (ftp) Instructions

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.

REQUIREMENTS

- **Please do not submit reports as attachments to electronic mail.**
- Entire report including cover letter must be submitted to the ftp site as a **single portable document format (PDF) with no password protection.**
- It is **preferable** that reports be converted to PDF format from their original format, (e.g., Microsoft Word) rather than scanned.
- **Signature pages and perjury statements must be included and have either original or electronic signature.**
- **Do not password protect the document.** Once indexed and inserted into the correct electronic case file, the document will be secured in compliance with the County's current security standards and a password. **Documents with password protection will not be accepted.**
- Each page in the PDF document should be rotated in the direction that will make it easiest to read on a computer monitor.
- Reports must be named and saved using the following naming convention:

RO#_Report Name_Year-Month-Date (e.g., RO#5555_WorkPlan_2005-06-14)

Submission Instructions

- 1) Obtain User Name and Password
 - a) Contact the Alameda County Environmental Health Department to obtain a User Name and Password to upload files to the ftp site.
 - i) Send an e-mail to deh.loptoxic@acgov.org
 - b) In the subject line of your request, be sure to include **"ftp PASSWORD REQUEST"** and in the body of your request, include the **Contact Information, Site Addresses,** and the **Case Numbers (RO# available in Geotracker) you will be posting for.**
- 2) Upload Files to the ftp Site
 - a) Using Internet Explorer (IE4+), go to <ftp://alcoftp1.acgov.org>
 - (i) Note: Netscape, Safari, and Firefox browsers will not open the FTP site as they are NOT being supported at this time.
 - b) Click on Page located on the Command bar on upper right side of window, and then scroll down to Open FTP Site in Windows Explorer.
 - c) Enter your User Name and Password. (Note: Both are Case Sensitive.)
 - d) Open "My Computer" on your computer and navigate to the file(s) you wish to upload to the ftp site.
 - e) With both "My Computer" and the ftp site open in separate windows, drag and drop the file(s) from "My Computer" to the ftp window.
- 3) Send E-mail Notifications to the Environmental Cleanup Oversight Programs
 - a) Send email to deh.loptoxic@acgov.org notify us that you have placed a report on our ftp site.
 - b) Copy your Caseworker on the e-mail. Your Caseworker's e-mail address is the entire first name then a period and entire last name @acgov.org. (e.g., firstname.lastname@acgov.org)
 - c) The subject line of the e-mail must start with the RO# followed by **Report Upload.** (e.g., Subject: RO1234 Report Upload) If site is a new case without an RO#, use the street address instead.
 - d) If your document meets the above requirements and you follow the submission instructions, you will receive a notification by email indicating that your document was successfully uploaded to the ftp site.