

Kathy
420-8455

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY
DAVID J. KEARS, Agency Director



ENVIRONMENTAL HEALTH SERVICES
1131 Harbor Bay Parkway
Alameda, CA 94502-6577
(510)

October 8, 1998

Francis & Catherine Collins
P.O. Box 8685
Emeryville, CA 94662

Re: 4701 San Leandro Street, Oakland

ORDER TO ABATE LEAD HAZARD

You are the owners of the above named multi-unit residential property. It has been determined that the property is heavily contaminated by lead and other toxins. It has further been determined that you have not complied with prior requests by this Department to take specific measures to investigate and remedy the contamination. Moreover, we have concluded that within the past two years at least four children have suffered lead poisoning as a result of the conditions at this property.

Because of the unmitigated lead contamination, we have concluded that the buildings at the site are substandard, the entire site constitutes a nuisance, and the current condition there substantially endangers the health and safety of residents and the public.

Therefore, pursuant to California Health and Safety Code sections 17920.3(c), 17920.3(k), 17980 and 17980.6, and other powers vested in the Public Health Officer of Alameda County, you are hereby ordered to do the following within thirty (30) days:

1. Contamination From Past Uses

Submit a workplan prepared by an environmental consultant and/or contractor acceptable to the Alameda County Public Health Department, Environmental Health Services ("the Department"), setting forth a proposed investigation of the site for all contamination caused by past industrial and commercial uses, including those of adjacent properties. The investigation

shall include, but is not limited to, soil and groundwater sampling. This workplan must be submitted within thirty (30) days of this order.

Once the workplan is reviewed by the Department, any necessary modifications shall occur within ten (10) days. Once the final workplan is accepted by the Department, it shall be implemented within thirty (30) days of the acceptance. A report detailing the results of the investigation shall be submitted to the Department within thirty (30) days of the completion of the investigation.

2. Exposure to Children (Notification of Lead Danger)

A. Children

Effective immediately, you are to not allow children to live at this facility. You are not to allow children to visit the premises for longer than 6 hours in any week long period.

B. Individual Warnings

Within the next 30 days you are to provide a copy of the attached "Notice of Lead Danger" along with a copy of the attached EPA pamphlet "Protect Your Family From Lead in Your Home" (EPA Publication 747-K-94-001) to an adult occupant of each unit at the property, and obtain a signature from each such occupant on the attached "Receipt of Notice of Lead Danger". The original of all said receipts shall be provided to the Department within thirty (30) days. For all tenants for whom you have not obtained a signed receipt, you shall explain, in writing, the reasons why no such receipt is available for submittal, listing each tenant and reason separately.

Effective immediately, when any unit is rented to a new tenant, that tenant shall be provided with a copy of the "Notice of Lead Danger" and a signed receipt obtained. The receipt shall be provided to the Department within five (5) days of the beginning of the tenancy.

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C. **Warning Signs**

Effective immediately, a sign is to be posted at each entrance of each building on the property, which contains the following language:

WARNING

This building has been determined to be substantially contaminated by hazardous levels of lead. Under no circumstances should any child occupy these premises.

For information on lead poisoning, call the Alameda County Lead Poisoning Prevention Program at

1-800-B LEAD SAFE

A sample sign is attached. The actual signs posted shall be at least 8 1/2" x 11" with print size no smaller than on the sample. The background of the sign shall be orange and the print shall be bold black. If at any time a sign is removed or becomes illegible, it shall be replaced within two days.

3. **Residential Units**

A. **Risk Assessment**

Within the next thirty (30) days provide the Department with the report of a lead hazard risk assessment, conducted by a California Department of Health Services Certified Risk Assessor, for each and every unit in the complex for which such a report has not been submitted. The risk assessment shall be done pursuant to title 17 of the California Code of Regulations and include painted and non-painted surfaces, as well as soil samples.

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B. Hazard Reduction Plan

Within thirty (30) days of the completion of each risk assessment, a Lead Hazard Reduction Workplan, prepared by a California Department of Health Services certified Lead Project Designer, shall be submitted to the Department.

Once the workplan is reviewed by the Department, any necessary modification shall occur within ten (10) days. Once the plan is accepted, it shall be implemented within thirty (30) days of the acceptance. You are required to obtain a permit for all work requiring a permit pursuant to the Oakland Building Code.

C. Operations and Maintenance Plan

For every unit that you contend has been remediated, provide a Operations and Maintenance plan, prepared by a California Department of Health Services certified Lead Project Designer, which sets forth how the property owner will periodically inspect remediated areas and address newly identified lead hazards.

Once the plan is submitted, necessary modifications shall be completed within ten (10) days.

Once the plan is accepted its provisions will be implemented immediately.

4. Common Areas

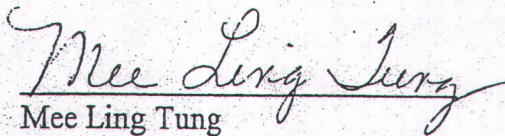
For each common area of any building on the property, the provisions regarding risk assessment, lead hazard reduction and operations and maintenance set forth in section 3 above, shall be complied with.

5. Demolition, New Construction or Renovations

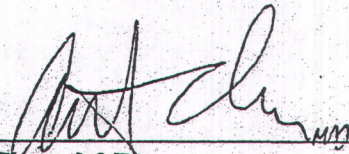
Prior to any demolition, new construction, renovation or soil removal occurring at the property, by any person, a workplan setting forth how the work shall be done in a lead safe manner, pursuant to the "work practices" provisions of title 17 of the California Code of Regulations, shall be submitted to the Department. This obligation shall continue indefinitely,

beyond the completion of any acceptable hazard reduction. You are required to obtain a permit for all work requiring a permit pursuant to the Oakland Building Code.

Given the history of this case, if any of the above items are not complied with within the next thirty (30) days, it is our intention to pursue any and all legal remedies available to achieve compliance. This includes, but is not limited to, referring the matter to the District Attorney's Office for prosecution. If you have any questions call Pamela Evans at 567-6770.



Mee Ling Tung
Director
Environmental Health Services



Art Chen, M.D.
Public Health Officer
Alameda County Public Health Dept.

WARNING

This building has been determined to be substantially contaminated by hazardous levels of lead. Under no circumstances should any child occupy these premises.

**For information on lead poisoning, call the
Alameda County Lead Poisoning Prevention Program at**

1-800-B Lead Safe

ALAMEDA COUNTY LEAD POISONING PREVENTION PROGRAM

Serving the Cities of Alameda, Berkeley, Emeryville, and Oakland

2000 Embarcadero Suite #300 • Oakland, CA 94606 • (510) 567-8281

**RESIDENTS OF
LIVE-WORK UNITS**
4701 San Leandro Street, Oakland

NOTICE OF LEAD DANGER

In accordance with a directive issued by Alameda County Environmental Health Services and the Public Health Officer of Alameda County, you are hereby notified of the significant risk of lead poisoning to children spending time at the Dutch Boy Paint Factory site, formerly a facility of the National Lead Company.

Very hazardous levels of lead in dust, paint, cement, bricks, and soil have been found in many samples collected in and near the live-work units at the site. The lead levels found in samples tested were found to be from 2 to 62 times the allowable residential lead levels!

In January 1996, a nine month old child was found to have a dangerously high level of lead in his blood, requiring several months of medical care to resolve. Despite the initiation of lead hazard reduction work in many of the units, in April 1998, three additional children living in another live-work unit were found to have elevated levels of blood lead. These children have all been relocated away from the site and remain in continuing medical care for their lead poisoning condition.

Lead damages the brain and nervous system, and causes learning disabilities, loss of fertility, behavioral problems and hearing loss. Children under age 6 are most at risk for lead poisoning. Lead poisoning is most often caused by swallowing or inhaling small amounts of lead dust, contaminated soil, and lead paint chips.

Until all of the lead hazards in all of the buildings and surrounding property have been cleared by Alameda County Environmental Health Services, **CHILDREN UNDER SIXTEEN (16) YEARS OF AGE SHOULD NOT OCCUPY ANY OF THE UNITS**, and should not visit for longer than 6 hours in any week.

Please do not attempt to remove any lead contamination yourself. Procedures for the safe remediation of the lead hazards are being planned. If you have any question about the risks of lead poisoning to your children or other family members, please call the Alameda County Lead Poisoning Prevention Program at (510) 567-8280 or 1-800-B-LEAD-SAFE.

Attachment: EPA Pamphlet

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HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



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

RECEIPT OF NOTICE OF LEAD DANGER

I hereby acknowledge receipt of the "Notice of Lead Danger" issued by the Alameda County Lead Poisoning Prevention Program.

I live and/or work in Unit _____ at 4701 San Leandro Street, Oakland.

My phone number is _____

Date: _____

Name: _____ (please print)

Signature: _____