

FILE OR PER NO.] Removal	ENVELOPE No. of	PLAN REVIEW \$ 855 ⁰⁰ Rec'd. 9/13/91	By	Date		By	Date		By	Date
<input type="checkbox"/> OWNER Equipment Mobil Corp	Address 729 45th Ave Oakland 94601 Phone	No. Plans Rec'd.			POOL Pre-Concrete/Gunite				U.G. TANKS Pre-Covering	
<input type="checkbox"/> CONTRACTOR SADD	Address Phone	Plans Approved			Pre-Plaster					
<input type="checkbox"/> OTHER (Specify)	Address Phone	Layout Made			Final					
<input checked="" type="checkbox"/> CONTACT FOR INVESTIGATION		Rejected			EXCAVATION Septic Tank				Final	
		Applicant Notified			Absorption Field					
		Plans Returned			Absorption Bed					
		Permit Issued			House Sewer					
		CONSTRUCTION PROGRESS ACCEPTANCE			Septic Tank					
		Pre-Plaster/drywall			Absorption Field					
		Pre-Final			Absorption Bed					
		Final			OTHER					

Closed

XR		REMARKS	Date	By
9/18/91	PK	Plan review & conversation w/ Mr Kocher 0.5 hr.		
9/19/91	PK	Letter re: closure plan to Mr Kocher 1.5 hr.		
9/27/91	PK	Conv. w/ Mr Schalk 0.5 hr.		

Removal

LOCATION

Vicinity Map

U612025
#855⁰⁰
7/31/91

DEBITED & closed
5/20/97
Amia

STWD 88
Project
6125A

ALAMEDA COUNTY HAZARDOUS MATERIALS DIVISION
DEPOSIT / REFUND ACCOUNT SHEET

printed 05/20/97

SITE INFORMATION

Equipment Fabricating Corp.
729 45th Ave
Oakland 94601
Site Contact: Myron Kochan
Site Phone : 261-0343

StID: 88 Site#: 6025
PROJECT#: 6025A
PROJECT TYPE:*** R ***
INSP: Barney Chan
ACCT. SHEET PG #: _____

PROPERTY OWNER INFORMATION

Myron And Stephanie Kochan
729 45th Ave.
Oakland, Ca 94601
Owner Contact: Myron and Stephanie
Owner Phone : 261-0343

PAYOR INFORMATION

Equipment Fabricating
729 45th Ave.
Oakland Ca 94601 # 544
Payor Contact: Myron Kochan
Payor Phone : 261-0343

Date	Action Taken	Insp Init	Hours Spent/ Depstd	Hour Balnce	Money Spent/ Depositd	Money Balance
	Rcpt# 612025 Balance from Prev. Page			RATE		652.00
4/31/91	Admin		1	67-	67-	585-
7/1/92	NOTES to files & PAUL	BC	.5	71-	35.50	549.50
6/12/90-10/11/90	SEVERAL LETTERS	BC	4	60-	240-	309.50
12/16/90	CONSULTATION	BC	1.5	60-	90-	219.50
4/18/91	LETTER	BC	1.5	67-	100.50	119.00
4/18/91	CONSULTATION & 1 LETTER	BC	3	67-	201.00	<82.00
4/10/91	LETTER	BC	1	67-	67-	<149.00
9/23/91	LETTER	BC	2	67-	134-	<283.07
12/8/93	LOP TRANSFER	JS	.5	75-	37.50	<320.50

UPON COMPLETION OF PROJECT

PROJ COMPLETED BY : AMIR ATTACH: State Forms A, B & C
 Billing Adjustment*

DATE OF COMPLETION : 5/20/97 DATE SENT TO BILLING: 5/20/97

TOTAL COST OF PROJECT: 972.50 REFUND AMOUNT: 0 Rev. 7/9

* Billing adjustment forms needed when site is in our UST program.

Paul: 7-1-92

I'm glad to hand this closure to you. Please look into the files I left for my communications. It goes way back > 2yrs when Arin had this case.

Mr Kochan had this egotistical consultant (Mr. A. Sabhlok) who tried to close these tanks in place, tried to not to take samples, treat the tanks as non-hazardous waste, talked to Dotts Alt. Tech, SWRCB & anyone else he could talk to.

We had an administrative hearing w/ Gil Jensen & Mr. Sabhlok + Mr. Kochan relented & went in this closure plan. Now I believe he wants to pull the tank on a Saturday to lessen any business inconvenience. I'd rather not

get involved & happily give this case to you.

Hope fully the tanks can get removed w/i a few years. Will you contact Mr. Kochan & inform him you're the new contact? Thanks —

Sincerely —

Barney

ALAMEDA COUNTY ENVIRONMENTAL HEALTH, HAZARDOUS MATERIALS DIVISION

M E M O R A N D U M

DATE: June 26, 1992
TO: Haz Mat Staff
FROM: Scott
SUBJ: Vacation coverage

I will be enjoying my vacation out of the office from June 29 through July 6, 1992. In my absence, Tom Peacock will carry out any additional responsibilities as Senior in my unit. !Hasta la vista, muchachos!

Below lists a summary of communications with Mr. Kochan and Mr. Sabhlok regarding the underground tanks at 729-45th Ave., Oakland CA 94601.

11/16/89 Mr. Sabhlok requested for closure in place.

12/22/89 Second request by Mr. Sabhlok for closure in place.

3/28/90 Letter sent to Ariu Levi requesting signature for the proposed drilling of bores for sampling purposes.

4/11/90 Letter stating the County's policy and requirements for in-place closure.

5/31/90 Mr. Sabhlok's reply stating that he had an "agreement" with Ariu.

6/11/90 Alameda County's reply okaying in-place closure w/ our requirements.

8/21/90 Letter giving 30 days to submit closure plans or reasons why this cannot be done.

9/18/90 Request made for information on adjoining property on 758 High St. with potential contamination.

10/8/90 Mr. Sabhlok letter agreeing to pay \$50.00 fo copying the files on 758 High St.

12/6/90 Clarification of Alameda County's position regarding closure and potential contamination from another site. Request made for closure plans or registration forms within 10 days or case will be referred to the D.A.'s Office.

1/22/91 Mr Sabhlok states that Mr. Kochan is ready to perform in-place closure but is waiting since he has been unable to get information on adjoining site.

3/26/91 - Hearing - Files are available for review w/ normal fees, RP must do so w/i next 15 days and the soil borings req. for in-place closure should be performed w/i 60 days.

ENVIRONMENTAL CONSULTANTS

9/769 CRAIGMONT AVENUE
BERKELEY, CALIFORNIA 94708
415 524 5083

January 22, 1991

Mr. Barney M. Chan
Alameda County Health Care Services Agency
Department of Environmental Health
80 Swan Way, Room 200
Oakland, CA 94621

Dear Mr. Chan:

Subject: 729 45th Ave., Oakland

This is in response to your letter dated December 6, 1990 and your subsequent telephone conversation with Mr. Myron Kochan. Once again, I would like to remind you that my client is ready, willing and able to accept the in-place closure of tanks. However, my client is unable to do so because he has been unsuccessful in determining the nature of contamination and the status of its cleanup for the adjacent property.

Your assertion that contamination at the adjacent property and its potential impact on my client's property are separate issues is erroneous. The surface gradient at the site is such that surface runoff from the adjacent property impacts the bank site. Further complicating this problem is the fact that the water table in the area is very shallow. As I have informed you and Mr. Levi, the tanks at the site do not leak; therefore, we were initially not reluctant to agree to soil testing requirements. However, given the history of the adjacent property, I find high probability of contamination from the adjacent property.

I am sure you will agree that it is prudent to discover all the facts prior to closure of tanks. Under the Government Records Act, my client is entitled to copies of the file for the adjacent property, provided we agree to pay for the cost of reproduction. We have agreed to pay on numerous occasions but have been unable to obtain these records. I am surprised to learn that you charge for review of public records.

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



December 6, 1990

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

Mr. Myron Kochan
729-45th Ave.
Oakland, Ca 94601

Re: Underground Storage Tanks at 729-45th Ave., Oakland CA 94601

Dear Mr. Kochan:

This letter clarifies Alameda County's position regarding the closure of the underground tanks at the above referenced location. The County has agreed to accept in-place closure of the tanks assuming the guidelines, outlined in our June 11, 1990 letter addressed to you and your spouse, are followed. It appears that your consultant, Mr. Sabhlok, has been withholding the submission of the underground tank closure plan pending receipt of information on a neighboring site which is believed to have soil and/or ground water contamination, 758 High Street, dba Scrap Metal Supply Co.. The County considers these two separate issues. The first issue is your legal obligation to either register and permit or close or remove the underground tanks on your property as required by section 25286 (a) of the Health and Safety Code Division 20, Chapter 6.7. Since the beginning of our communications, approximately one year ago, the County has accepted the fact that the three underground tanks at your facility would be removed or closed in-place, therefore we have not pressed you to register these tanks with the State, which has saved you the County fees of \$416.00 and the State fees of \$600.00. Since there has been such a delay in the submission of the closure plans for these tanks I am enclosing forms A and B to register these tanks until the time that you choose to close the tanks. You should submit either these forms or your closure plan within ten (10) days of receipt of this letter.

In regards to providing you or your consultant information on the neighboring site, 758 High Street, our files are accessible to you for your review at a charge of \$60.00 per hour or any part thereafter with a minimum charge of \$60.00. Please contact me to arrange a convenient time to review our files. Any claims of offsite contamination to your property must be handled as a separate issue.

I hope this clarifies the County's opinions. Due to the length of time that these tanks have not been in compliance, this case will be referred to the District Attorney's Office if there is no submittal within the stated time constraints.

Mr. Myron Kochan
729-45th Ave.
December 7, 1990
Page 2.

Please contact the undersigned at 271-4320 should you have any questions regarding this letter.

Sincerely,

Barney M. Chan
Hazardous Materials Specialist

cc: Gil Jensen, Alameda County District Attorney Office, Consumer and
Environmental Protection Division
Andrew Sabhlok, Environmental Consultants, 769 Graigmont Ave.,
Berkeley, CA 94708
Lester Feldman, RWQCB
H. Hatayama, DOHS
Edgar Howell, Chief Hazardous Materials Division

Please note that Section

ENVIRONMENTAL CONSULTANTS

769 CRAIGMONT AVENUE
BERKELEY, CALIFORNIA 94708
415 524 5083

October 23, 1990

Mr. Barney M. Chan
Hazardous Materials Specialist
Alameda County
Health Care Services Agency
Department of Environmental Health
80 Swan Way Room 200
Oakland, CA 94621

Dear Mr. Chan:

Subject: 729 - 45th Ave., Oakland

This is to confirm our telephone conversation of last week regarding the above subject matter. As I explained to you on the telephone that my client is ready, willing and able to proceed with abandonment of the tank, as soon as I receive the information of the adjoining property. As a precautionary measure, I want to be sure that my client's property was not contaminated by the adjoining parcel. I hope this clears up any misunderstanding.

Thanks.

Sincerely,



Andrew K. Sabhlok

ENVIRONMENTAL CONSULTANTS

769 CRAIGMONT AVENUE
BERKELEY, CALIFORNIA 94708
415 524 5083

90 OCT 10 AM 11:22

October 8, 1990

Ariv Levi
Hazardous Materials Department
Alameda County
Health Care Services Agency
Department of Environmental Health
80 Swan Way Room 200
Oakland, CA 94621

Dear Sir:

We have been exchanging phone messages. Unfortunately, due to your busy schedule, as requested by you I hereby agree to pay the cost of copying the information requested by me. I am sure \$50.00 will cover the expenses. In case the cost is more than that, please let me know in advance. I am anxiously waiting for the information.

Thank you.

Sincerely,

Andrew K. Sabhlok

Andrew K. Sabhlok *AKS*

ENVIRONMENTAL CONSULTANTS

769 CRAIGMONT AVENUE
BERKELEY, CALIFORNIA 94708
415 524 5083

12/5/90 0.5 hr
Conversation w/ Mr Kochan

September 18, 1990

Tanks are not permitted.

Mr. Barney M. Chan
Hazardous Materials Specialist
Alameda County
Health Care Services Agency
Department of Environmental Health
80 Swan Way Room 200
Oakland, CA 94621

Dear Mr. Chan:

Equip. Fabricating

Subject: 729 - 45th Ave., Underground Fuel Tanks - ~~3~~ 3 tanks

This is in response to your letter of August 21, 1990. I was on vacation and was unable to respond earlier. I have been authorized by Mr. Myron Kochan to proceed with the necessary steps to complete abandonment of the tanks. However, during my recent visit to the site I have discovered that property adjacent to the site (758 High Street, Oakland) was used for auto wreckage and storage. It is imperative that I have any and all environmental data regarding this site at your earliest convenience. It is possible that a general ground contamination may have drifted towards my client's property. I must eliminate adjacent property as a potential source of soil contamination at the subject property. 94601

I look forward to your reply. I will be mailing a completed application upon receipt of your reply.

Thank you.

758 High St. - not permitted except Scrap metal supply Co.

Sincerely,

1000 gal UG Tank - Reg gasoline

Tank was removed 1/89, closed 3/89

Andrew K. Sabhlok

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



August 21, 1990

Mr. Myron Kochen
729-45th Ave.
Oakland, CA 94601

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

Re: In Place Closure of Underground Fuel Tanks

Dear Mr. Kochan:

This letter is to acknowledge our August 17th phone conversation in regards to the closure of the underground tanks at 729 45th Ave., Oakland 94601. In the conversation you stated that your consultant was still working on the closure forms. In the meanwhile, you have received three notice of violations from Mr. Thomas Peacock from our office. In order to prevent this case from being referred to the District Attorney office we request that a completed tank closure plan be submitted to our office within thirty (30) days of receipt of this letter. If this is not possible, please have your consultant respond by letter stating the reasons why not.

Please contact the undersigned should you have any questions regarding this letter.

Sincerely,

Barney M. Chan
Hazardous Materials Specialist

cc: Gil Jensen, Alameda County District Attorney Office, Consumer and
Environmental Protection Division
Andrew Sabhlok, Environmental Consultants, 769 Craigmont Ave.,
Berkeley, CA 94708

ENVIRONMENTAL CONSULTANTS

769 CRAIGMONT AVENUE
BERKELEY, CALIFORNIA 94708
415 524 5083

May 31, 1990

Edgar

Mr. ~~Roger~~ B. Howell III, Chief
Hazardous Materials Division
Alameda County
Health Care Services Agency
Department of Environmental Health
Swan Way Room
Oakland, CA 94621

Dear Mr. Howell:

Re: 729 - 45th Avenue, Oakland
Equipment Fabricating Corp.

This letter is in response to your letter dated May 11, 1990 which was received on May 21, 1990. I regret to note that you have not reviewed my correspondence with Mr. Levi and Mr. Shahid. Additionally, you have not reviewed the notes of my telephone conversation with Mr. Levi on January 8, 10, and 12, 1990. Mr. Myron Kochan, owner, also spoke with Mr. Levi in January as well. My letter dated March 28, 1990 was intended to document my agreement with Mr. Levi, however, now you wish to wipe the slate clean and start all over. This is grossly unfair to my client.

I have been involved in closure of underground tanks and am well versed with the law on said matter. As a registered California fire protection engineer I am familiar with the provisions of the Uniform Fire Code which has been adopted by the City of Oakland. Under my proposal it is the owner's responsibility to get the permit from the City of Oakland, Fire Department (see my letter dated November 16, 1989, page 2, item 3). The owner has agreed to record the tank abandonment (see my letter dated November 16, 1989 page 2, item 4).

No one knows what the Legislature might do in the future. The Legislature, in its wisdom, determined to preempt the entire issue of underground tanks by enacting Chapter 6.7 in the California Health & Safety Code. Furthermore, the Legislature expressly provided for abandonment of underground tanks in Health & Safety Code Section 25298. The owner has already

Mr. Roger B. Howell III
Page Two
May 31, 1990

clearly expressed his wish to abandon the tanks. Your letter does not help to facilitate his will or legislative mandate.

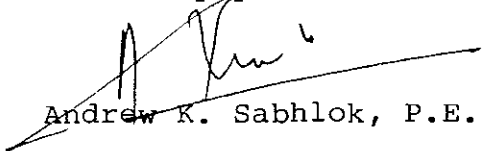
Item 3 in your letter specifies conditions under which your department approves abandonment of tanks. However, this item is contrary to the expressed language of the Health & Safety Code. State Water Resources Control Board regulations in Title 23, Subchapter 16 also do not lend support to item 3 of your letter. Since the entire field has been preempted by the State there is no room for additional local regulations.

Tanks at the site have never leaked, therefore the owner is confident that the possibility of soil contamination from this source is nil. I have proposed to conduct soil tests consistent with the regulations. It is apparent that no abandonment will take place if contamination due to the tanks is found.

Lastly, please note that the tanks at the site have not been in operation for a number of years and, therefore, your reference to penalties, etc. is moot.

Please review the on-site closure plan already outlined in my letter of November 16, 1989 and March 28, 1990. I will have the owner file the application, along with the fees, upon hearing from you. Let me take the responsibility for getting a permit from the Oakland Fire Department.

Sincerely yours,



Andrew K. Sabhlok, P.E.

cc: Gil Jensen, Alameda County District Attorney
Myron Kochan

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



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

May 11, 1990

Mr. Andrew K. Sabhlok, P.E.
769 Craigmont Ave.
Environmental Consultants
Berkeley, CA 94708

RE: Underground Tank Closure/Removal at 729 45th Ave., Oakland
Equipment Fabricating Corp.

Dear Mr. Sabhlok:

It would be premature at this time to consider your proposal for onsite closure of the underground tanks at the above site. I would like to clarify your option for closure of underground tanks in place. There are an overriding number of reasons why the County encourages removal versus closure in place.

1. Future legislation may disallow closure in place and require removal of "closed" tanks.
2. A "closed" tank must be listed on the property's deed.
3. Closure in place is normally only an option when the building's structural integrity may be jeopardized with the tank removal. We would not consider tanks under a driveway a structural threat.
4. Soil sampling and possible water monitoring well installation is more difficult with the underground tank in place.
5. In-place closure in the City of Oakland requires the approval of the Oakland Fire Department. OFD has stated the same restrictions for their approval, namely, jeopardizing the building's structural integrity or if utility lines prevent such removal.
6. Our office will require proof that no product has impacted the soil, therefore, soil sampling will be required. Should any contamination be found above action limits we will request the underground tank's removal.

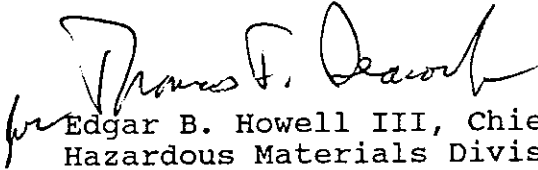
Although closure in place is an option, it is so under the narrowly defined conditions stated above. Future liability is greater and the risk is high, therefore the county encourages tank removal. Should you get concurrence with OFD approving your onsite closure you should submit an underground tank closure/modification plan for our review. Please note that Section 25299a of Chapter 6.7 of the Health and Safety Code allows for civil penalties of not less than \$500 or more than \$5000 per day for operating an underground tank without a permit or failing to

Mr. Andrew Sabhlok, P.E.
May 11, 1990
page 2

monitor an underground tank as required by the permit. Please inform our office within 10 days of receipt of this letter of your client's intentions.

Please contact Barney Chan at 271-4320 should you have any questions.

Sincerely,


Edgar B. Howell III, Chief,
Hazardous Materials Division

BC:bc

cc: Gil Jensen, Alameda County District Attorney Consumer and
Environmental Protection Agency
Rafat Shahid, Assistant Agency Director
Mr. and Mrs. Myron Kochen, Property Owners

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



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

May 11, 1990

Mr. Andrew K. Sabhlok, P.E.
769 Craigmont Ave.
Environmental Consultants
Berkeley, CA 94708

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Equipment Fabricating Corp.

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5. In-place closure in the City of Oakland requires the approval of the Oakland Fire Department. OFD has stated the same restrictions for their approval, namely, jeopardizing the building's structural integrity or if utility lines prevent such removal.
6. Our office will require proof that no product has impacted the soil, therefore, soil sampling will be required. Should any contamination be found above action limits we will request the underground tank's removal.


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Mr. Andrew Sabhlok, P.E.
May 11, 1990
page 2

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Please contact Barney Chan at 271-4320 should you have any questions.

Sincerely,


for Edgar B. Howell III, Chief,
Hazardous Materials Division

BC:bc

cc: Gil Jensen, Alameda County District Attorney Consumer and
Environmental Protection Agency
Rafat Shahid, Assistant Agency Director
Mr. and Mrs. Myron Kochen, Property Owners

ENVIRONMENTAL CONSULTANTS

769 CRAIGMONT AVENUE
BERKELEY, CALIFORNIA 94708
415 524 5083

March 28, 1990

Mr. Ariv Levi
Alameda County Health Care Services Agency
Department of Environmental Health
Hazardous Materials Program
80 Swan Way, Room 200
Oakland, CA 94621

Dear Mr. Levi:

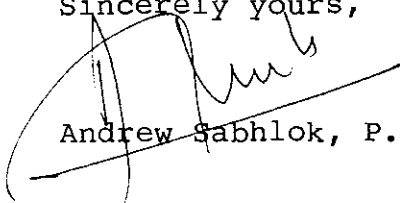
Re: 729 - 45th Ave., Equipment Fabricating Corp.
Underground Tanks

This is confirm our discussion of last week regarding the above-referenced facility. Based upon review of my proposal as outlined in my letter to you dated November 16, 1989, you agreed to accept my aforementioned proposal with the following additions:

1. Drill to soil sample holes. Holes shall be in locations most representative of the gradient in the area. Hole locations shall be depicted on the site plan (see enclosed site plan).
2. First soil sample from each hole shall be at the seven foot depth and additional soil samples at depths in five foot increments until the water table is penetrated. It is estimated that no more than two soil samples per hole will be necessary.

As stated originally, a permit will be obtained from the Oakland Fire Department. Thank you for your cooperation.

Sincerely yours,



Andrew Sabhlok, P.E.

Enclosures

Approved:

Ariv Levi

ENVIRONMENTAL CONSULTANTS

769 CRAIGMONT AVENUE
BERKELEY, CALIFORNIA 94708
415 524 5083

89 DEC 22 AM 11:05

SECOND REQUEST

November 16, 1989

Mr. Ariv Levi
Alameda County Health Care Services Agency
Department of Environmental Health
Hazardous Materials Program
80 Swan Way, Room 200
Oakland, CA 94621

*Myron + Stef Mend
Kocher
Address same.*

Dear Sir:

Subject: 729 45th Ave. (Equipment Fabricating Corp.) 94601

This is to follow up my previous letter and our subsequent discussion regarding the underground storage tanks at the above facility. The above site has three underground storage tanks. Capacity of the two of the tanks is about 400 gallons. The third tank can hold 1,000 gallons. These tanks were used for storage of gasoline until 1984. Currently the tanks are empty with no residue and are void of leaks. These tanks are adjacent to each other and are located under the private driveway. The total area occupied by tanks is less than 200 sq. ft. (Title 23, Section 2672(d)).

The owner wants to abandon these tanks permanently as per Health and Safety Code Section 25298(c). The owner further understands that State of California, Water Control Board has adopted regulations in Title 23, Subchapter 16, Article 7, Section 2672 to implement the provisions of Health and Safety Code.

In order to comply with the regulations I propose (as required by Title 23 Section 2670(f)) to perform the following tasks:

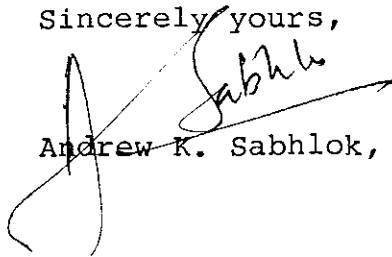
1. Drill one soil sample hole to the depth of 7 ft. (tanks bottom is 6 ft. below the paved surface) in an area common to all tanks.
2. Collect soil sample and submit to approved laboratory for testing. Establish total petroleum hydrocarbon level (TPH-G) per EPA 80-15 standard. (Title 23, Section 2672(3) and Health and Safety Code Section 26298(c)(4).)

Alameda County Health Care Services Agency
Department of Environmental Health
Hazardous Materials Program
Page Two
November 16, 1989

3. Obtain permit from the fire department of the City of Oakland, prior to filling the tanks with light-weight concrete (Title 23, Section 2672(c)(3)).
4. Record a note in the deed to the property regarding abandonment of the tanks (Title 23, Section 2672(c)(4)).

I hope that you will find the above tank closure plan in compliance with the State regulations. I look forward to receiving a written response from you. Upon receiving response from you, an application consistent with the above statement will be submitted for your agency's approval. Please notify me of the application fee for the above facility required to accompany the application. Thanks.

Sincerely yours,


Andrew K. Sabhlok, P.E.

ENVIRONMENTAL CONSULTANTS

769 CRAIGMONT AVENUE
BERKELEY, CALIFORNIA 94708
(415)524-5083

NOV 28 PM 12:08
November 16, 1989

Mr. Ariv Levi
Alameda County Health Care Services Agency
Department of Environmental Health
Hazardous Materials Program
80 Swan Way, Room 200
Oakland, CA 94621

Dear Sir:

Subject: 729 45th Ave. (Equipment Fabricating Corp.)

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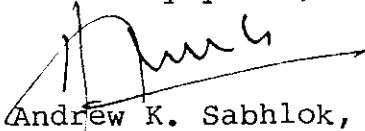
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Alameda County Health Care Services Agency
Department of Environmental Health
Hazardous Materials Program
Page Two
November 16, 1989

3. Obtain permit from the fire department of the City of Oakland, prior to filling the tanks with light-weight concrete (Title 23, Section 2672(c)(3)).
4. Record a note in the deed to the property regarding abandonment of the tanks (Title 23, Section 2672(c)(4)).

I hope that you will find the above tank closure plan in compliance with the State regulations. I look forward to receiving a written response from you. Upon receiving response from you, an application consistent with the above statement will be submitted for your agency's approval. Please notify me of the application fee for the above facility required to accompany the application. Thanks.

Sincerely yours,



Andrew K. Sabhlok, P.E.

~~248.02~~
168

56
3
168

~~416.00~~

600

200

1014.

248

600

848

9/14/90

L38721

~~#1461~~

char ~~#1461~~ 271-4522

Mr. Don Seligo

- Mr. Rutledge

Mr. Lentz

Mr. Baltazar

- not in use since 1973

April 22 - reconvene @ office if there is no progress.

Myron Kochan, Michael Kolchan, Andrew Sabhlak.

- 15 days to search files
- 45 days to do the borings

Andrew Sabhlak (415) 524-5083
769 Craigmont Berkeley, 94708

April 6, 1990

Big Oil
1000 B St.
Oakland, CA 94512

Re: 100 Martin Luther King Jr. Way, Oakland 94607

SECOND NOTICE OF VIOLATION

Dear Mr. Oil:

An inspection was conducted of your underground storage tank at your site at the above facility. The following violations of the California Code of Regulations, Title 23, Chapter 3, Subchapter 16 Underground Tank Regulations and the California Health & Safety Code were found:

- 1.
- 2.

Notify this Department in writing within 10 days of your intentions regarding the corrections of these violations.

Please note that section 25299 of the California Health and Safety Code states that any operator or owner of an underground storage tank is liable for a civil penalty of not less than five hundred dollars or more than five thousand dollars per day for failure to obtain a permit, or failing to properly close an underground storage tank, as required by section 25298.

You were notified on March 26, 1990 by this Department and there has been no response to date. If you have any questions concerning this matter, please contact this office at 271-4320.

Sincerely,

Thomas F. Peacock, Senior HMS
Hazardous Materials Division

TFP:tfp

cc: Gil Jensen, Alameda County District Attorney, Consumer and
Environmental Protection Agency
City Manager, Oakland

September 27, 1990

Mr. Myron Kochan
729-45th Ave.
Oakland, CA 94601

Do NOT SEND

Re: Closure of Underground Tanks at 729-45th Ave., Oakland 94601

Dear Mr. Kochen:

Alameda County Environmental Health, Hazardous Materials Division has received Mr. Andrew Sabhlok's letter dated September 18, 1990 expressing his concern about an adjacent site to yours. This site is 758 High St., dba Scrap Metal Supply Co. This site had one underground tank which was removed in January 1989 and the site and any remediation involved was closed in March 1989. Upon closure it was the opinion of our Agency that no further work was required at this site, therefore it would be safe to assume that potential contamination of your site from migration from Scrap Metal Supply is unlikely. In any event, please be reminded you are responsible for the closure of the underground tanks on your property regardless of the circumstances of any neighboring properties. To prevent this case from being immediately scheduled for an administrative hearing you are requested to submit a completed closure application with the deposit for \$744.00 along with a timeframe for initiation of the project which is acceptable to this agency.

You may contact the undersigned at 271-4320 should you have any questions regarding this letter.

Sincerely,

Barney M. Chan
Hazardous Materials Specialist

cc: Gil Jensen, Alameda County District Attorney Office, Consumer
and Environmental Protection Division
Edgar B. Howell III, Chief, Hazardous Materials Division
Andrew Sabhlok, Environmental Consultants, 769 Craigmont Ave.,
Berkeley, CA 94708

- 7513 **Truck Rental and Leasing, Without Drivers**
 -primarily engaged in short-term rental or extended-term leasing (with or without maintenance) of trucks, truck tractors, or semitrailers without drivers.
 -truck leasing, except industrial trucks and finance leasing: without drivers
 -truck rental, except industrial: without drivers

AUTOMOTIVE WRECKERS

- 5093 **Scrap and Waste Materials**
 -primarily engaged in assembling, breaking up, sorting, and wholesale distribution of scrap and waste materials. This industry includes auto wreckers engaged in dismantling automobiles for scrap.

- | | |
|--|---|
| <ul style="list-style-type: none"> Automotive wrecking for scrap—wholesale Bag reclaiming—wholesale Bottles, waste—wholesale Boxes, waste—wholesale Fur cuttings and scraps—wholesale Iron and steel scrap—wholesale Junk and scrap, general line—wholesale Metal waste and scrap—wholesale Nonferrous metals scrap—wholesale | <ul style="list-style-type: none"> Oil, waste—wholesale Plastics scrap—wholesale Rags—wholesale Rubber scrap—wholesale Scavenging—wholesale Scrap and waste materials—wholesale Textile waste—wholesale Waste paper, including paper recycling—wholesale Wiping rags, including washing and reconditioning—wholesale |
|--|---|

DRYCLEANERS

- 7216 **Drycleaning Plants, Except Rug Cleaning**
 -primarily engaged in drycleaning or dyeing apparel and household fabrics other than rugs.
 -cleaning and dyeing plants, except rug cleaning
 -drapery drycleaning plants
 -drycleaning plants, except rug cleaning

- 7218 **Industrial Launderers**
 -primarily engaged in supplying laundered or drycleaned industrial work clothing, mats & rugs, wiping towels, etc. These items may belong to the industrial launderer and be supplied to users on a rental basis, or they may be the customers' own goods. Establishments may or may not operate their own laundry or drycleaning facilities.

- | | |
|---|--|
| <ul style="list-style-type: none"> Clean room apparel supply service Flame and heat resistant clothing supply service Industrial launderers Industrial uniform supply service Laundered mat and rug supply service Radiation protective garments supply service | <ul style="list-style-type: none"> Safety glove supply service Towel supply service, wiping Treated mats, rugs, mops, dust tool covers, and cloth supply service Wiping towel supply service Work clothing supply service, industrial |
|---|--|

MANUFACTURERS

- 3711 **Automobile Manufacturers**
 -primarily engaged in manufacturing or assembling complete passenger automobiles, trucks, commercial cars and buses and special purpose motor vehicles which are for highway use.

① Copy
② ~~File~~ Move

*Captain
H. Ford,
JFD*

Sablok is really = ~~827~~
827 Grams
Dec 27, 1989

June 7, 1990

Re: In Place Closure of Underground Fuel Tanks

Dear Mr. Kochan: *Environmental Consultants*

This letter records the recent conversation between your consultant, Mr. Sablok of ~~and~~ and Senior Hazardous Materials Specialist Ariu Levi of this office. Mr. Sablok informed our office that you accept the possible drawbacks to in-place closures of the underground tanks and still wish to proceed with this plan of action.

As your consultant has instructed you, in-place closures must follow the guidelines set forth in 23CCR and the CHSC. The requirements to be met follow: *Calif. Health + Safety Code*
Title 23 of the California Administrative Code

1. Provide proof of former tank contents.
2. Provide proof that the tanks have not leaked. The method proposed by Mr. Sablok, soil borings with sampling at every five foot interval until ground water is encountered or at any point of suspect contamination, is acceptable. Acceptable verification can be in the form of lab analysis by a state certified lab of the soil samples, with sample prep. and analysis ~~by~~ *methods* ~~recommended~~ *by the Tri-Regional Board Recommendations for Initial Evaluation and Investigation of UG Tanks Nov. 9, 1989 Revision.* following EPA standards. Boring logs will also be required.
3. Provide verification that all associated tank piping has been or will be removed. Soil evaluation of pipe trench will also be required.
4. Provide proof that the tanks have been sufficiently cleaned. All rinsate generated by cleaning the tanks is considered hazardous waste until proven otherwise and as such must be properly characterized. Offsite movement of hazardous waste must be under manifest.
5. Provide information on proposed material for filling the inerted tank. Sand slurry or cement are acceptable fill materials.
6. Provide proof of the Deed restriction
7. Fill out and return the attached closure plan.

Upon receipt *and review* of a complete closure plan, this office will stamp and return two copies, one of which will be delivered by yourself to the Oakland Fire Department. If, after evaluating the merits of your request for in-place closures, they accept your proposal, contact this office with at least forty eight hour notice to complete the field work.



Alameda County
District Attorney's Office
John J. Meehan, District Attorney

91 MAR 13 AM 11:13

NOTICE OF CITATION HEARING

March 11, 1991

Myron Kochen dba
Equipment Fabricating Corp.
729 - 45th Ave.
Oakland, CA 94601

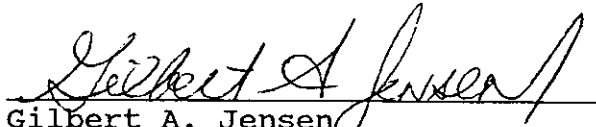
Complaint has been made to this office that you may have violated California Underground Tank Laws.

You are therefore, cited to appear in the Office of the District Attorney, Consumer & Environmental Protection Division located at 7677 Oakport Street, Suite 400, Oakland, CA 94621, on 3/26/91 at 11:00 a.m. to show cause, if any you may have, why a formal complaint should not be filed.

Please be prompt and bring this citation with you.

Very truly yours,

JOHN J. MEEHAN
District Attorney

By: 
Gilbert A. Jensen
Senior District Deputy Attorney

JJM:GAJ:shb



Alameda County
District Attorney's Office
John J. Meehan, District Attorney

91 MAR 13 AM 11:13

NOTICE OF CITATION HEARING

March 11, 1991

Andrew K. Sabhlok dba
Environmental Consultants
769 Craigmont Ave.
Berkeley, CA 94708

Complaint has been made to this office that you may have violated California Underground Tank Laws.

You are therefore, cited to appear in the Office of the District Attorney, Consumer & Environmental Protection Division located at 7677 Oakport Street, Suite 400, Oakland, CA 94621, on 3/26/91 at 11:00 a.m. to show cause, if any you may have, why a formal complaint should not be filed.

Please be prompt and bring this citation with you.

Very truly yours,

JOHN J. MEEHAN
District Attorney

By: *Gilbert A. Jensen*
Gilbert A. Jensen
Senior District Deputy Attorney

JJM:GAJ:shb

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



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

Mr. Myron Kochan
Equipment Fabricating Co.
729- 45th Ave.
Oakland CA 94601

Re: Underground Tanks at 729- 45th Ave., Oakland 94601

Dear Mr. Kochan:

Alameda County Environmental Health, Hazardous Materials Division has received the latest correspondence dated March 26, 1991 from your consultant, Mr. Sabhlok. We would like to clarify our position subsequent to our hearing at the District Attorney's office. It is agreed that you will have 15 days to review the files on the adjacent property on High St. If you would like to come in and review the files or have our office copy these documents, you will be charged \$67 per hour for this service, with a minimum of one hour charged, and \$1 per page photocopied. Please send a letter in writing as to the amount you are willing to spend for this service. We cannot proceed without this written authorization.

Before you proceed with any borings, which may be used to establish whether there has been any fuel release, we request a copy of your written approval for in-place closure of the underground tanks at your site from the Oakland Fire Marshall. Please be reminded of the requirements for in-place closure as outlined in the County's June 11, 1990 letter to you. Your completed closure plan should also be submitted with a site map and the locations where sample borings will be taken noted. All other requirements noted in this June 11 letter must also be addressed.

The County has spent considerable time overseeing the closure of these tanks and at this time we request that a check for \$855.00 be sent to our office payable to Alameda County for the continuance of our oversight. Please note that the \$855 requested represents the deposit/refund fee for the oversight of the removal/closure of three underground tanks in accordance with Section 3-141.6 of the Ordinance Code of the County of Alameda for 1991. No further oversight can be done without the submission of this fee.

It has been indicated by your consultant that you are considering removing the tanks. Please inform this office if this is your intent, as your closure/removal form must be appropriate for whichever process you perform. You are reminded to inform our office 72 hours in advance prior to performing closure activities so that we may witness these events.

Mr. Myron Kochan
April 8, 1991
Page 2

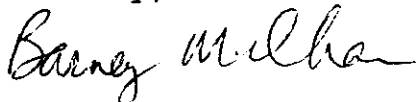
It appears from our records that since the time of the County's knowledge of the existence of these underground tanks in November of 1989, they have remained unregistered and unpermitted. In fact, in a December 6, 1990 letter from this office you were given the appropriate forms A and B to register these tanks until the time you chose to close or remove them.

You are reminded that Section 25299 of the California Health and Safety Code states that any owner or operator of an underground storage tank is liable for a civil penalty of not less than five hundred dollars or more than five thousand dollars per day for failure to obtain a permit, or failing to properly close an underground storage tank, as required by section 25298.

In agreement with Mr. Sabhlok's letter, the closure in-place or the removal of these underground tanks should be performed within 60 days of the administrative hearing date, March 26, 1991.

Please contact the undersigned at 271-4320 should you have any questions regarding this letter.

Sincerely,



Barney M. Chan
Hazardous Materials Specialist

cc: Gil Jensen, Alameda County District Attorney Office, Consumer and
Environmental Protection Division
Andrew Sabhlok, Environmental Consultants, 769 Craigmont Ave.,
Berkeley, CA 94708
Lester Feldman, RWQCB
H. Hatayama, DOHS
G. Bluford, OFD, 1605 Grove St., Oakland CA 94612
Edgar Howell, Chief, Hazardous Materials Division

AL

729-45th2

ENVIRONMENTAL CONSULTANTS

769 CRAIGMONT AVENUE

91 APR 1991 BERKELEY, CALIFORNIA 94708

415 524 5083

March 26, 1991

Mr. Barney M. Chan
Alameda County Health Care Services Agency
Department of Environmental Health
80 Swan Way, Room 200
Oakland, CA 94621

Dear Mr. Chan:

Subject: 729 - 45th Ave., Oakland

This is to summarize our agreement of this morning regarding underground tanks at the above site. It is my understanding that you will make available information regarding adjacent site (High St.) for my review. This review is to take place within the next 15 days.

Furthermore, I will have an additional 45 days to establish that soil contamination (if any) at the above site is due to contamination at the adjacent property.

(Mr. Kochan is considering removing the tanks in the interim while we resolve the soils contamination issue.)

I look forward to working with you.

Thank you.

Sincerely,



A. K. Sabhlok

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



December 6, 1990

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

Mr. Myron Kochan
729-45th Ave.
Oakland, Ca 94601

Re: Underground Storage Tanks at 729-45th Ave., Oakland CA 94601

Dear Mr. Kochan:

This letter clarifies Alameda County's position regarding the closure of the underground tanks at the above referenced location. The County has agreed to accept in-place closure of the tanks assuming the guidelines, outlined in our June 11, 1990 letter addressed to you and your spouse, are followed. It appears that your consultant, Mr. Sabhlok, has been withholding the submission of the underground tank closure plan pending receipt of information on a neighboring site which is believed to have soil and/or ground water contamination, 758 High Street, dba Scrap Metal Supply Co.. The County considers these two separate issues. The first issue is your legal obligation to either register and permit or close or remove the underground tanks on your property as required by section 25286 (a) of the Health and Safety Code Division 20, Chapter 6.7. Since the beginning of our communications, approximately one year ago, the County has accepted the fact that the three underground tanks at your facility would be removed or closed in-place, therefore we have not pressed you to register these tanks with the State, which has saved you the County fees of \$416.00 and the State fees of \$600.00. Since there has been such a delay in the submission of the closure plans for these tanks I am enclosing forms A and B to register these tanks until the time that you choose to close the tanks. You should submit either these forms or your closure plan within ten (10) days of receipt of this letter.

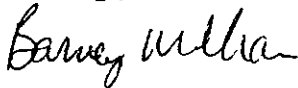
In regards to providing you or your consultant information on the neighboring site, 758 High Street, our files are accessible to you for your review at a charge of \$60.00 per hour or any part thereafter with a minimum charge of \$60.00. Please contact me to arrange a convenient time to review our files. Any claims of offsite contamination to your property must be handled as a separate issue.

I hope this clarifies the County's opinions. Due to the length of time that these tanks have not been in compliance, this case will be referred to the District Attorney's Office if there is no submittal within the stated time constraints.

Mr. Myron Kochan
729-45th Ave.
December 7, 1990
Page 2.

Please contact the undersigned at 271-4320 should you have any questions regarding this letter.

Sincerely,



Barney M. Chan
Hazardous Materials Specialist

cc: Gil Jensen, Alameda County District Attorney Office, Consumer and
Environmental Protection Division
Andrew Sabhlok, Environmental Consultants, 769 Graigmont Ave.,
Berkeley, CA 94708
Lester Feldman, RWQCB
H. Hatayama, DOHS
Edgar Howell, Chief Hazardous Materials Division

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



June 11, 1990

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

Mr. and Mrs. Kochan
729-45th Avenue
Oakland, CA 94601

Re: In Place Closure of Underground Fuel Tanks

Dear Mr. Kochan:

This letter records the recent conversation between your consultant, Mr. Sabhlok of Environmental Consultants and Senior Hazardous Materials Specialist, Ariu Levi of this office. Mr. Sabhlok informed our office that you accept the possible drawbacks to inplace closures of the underground tanks and still wish to proceed with this plan of action.

As your consultant has instructed you, inplace closures must follow the guidelines set forth in Title 23 of the California Code of Regulations and the California Health and Safety Code. The requirements to be met follow:

1. Obtain written approval for the inplace closure from the Oakland Fire Marshall.
2. Provide proof of former tank contents.
3. Provide proof that the tanks have not leaked. The method proposed by Mr. Sabhlok, soil borings with sampling at every five foot interval until ground water is encountered or at any point of suspect contamination, is acceptable. Acceptable verification can be in the form of lab analysis by a state certified lab of the soil samples, with sample preparation and analysis by methods recommended by the Tri-Regional Board Recommendations for Initial Evaluation and Investigation of UG Tanks, Nov.9,1989 Revision. Boring logs will also be required.
4. Provide verification that all associated tank piping has been or will be removed. Soil evaluation of pipe trench will also be required.
5. Provide proof that the tanks have been sufficiently cleaned. All rinsate generated by cleaning the tanks is considered hazardous waste until proven otherwise and as such must be properly characterized. Offsite movement of hazardous waste must be under manifest.
6. Provide information on proposed material for filling the inerted tank. Concrete slurry or cement are acceptable fill materials.
7. Provide proof of the Deed restriction

729- 45th Avenue, Oakland
June 11, 1990
Page 2

8. Fill out and return the attached closure plan with a deposit of \$744.00, the removal fee for three underground tanks.

Upon receipt and review of a completed closure plan, this office will stamp and return two copies, one of which will be delivered by yourself to the Oakland Fire Department. Contact this office with at least forty eight hours notice to complete the field work.

Please contact Ariu Levi or Barney Chan at 271-4320 should you have any questions regarding this letter.

Sincerely,



Edgar B. Howell III,
Chief, Hazardous Materials Division

cc: Gil Jensen, Alameda County District Attorney Consumer and
Environmental Protection Agency
Rafat Shahid, Assistant Agency Director
Andrew Sabhlok, Environmental Consultants
Captain Bluford, OFD

Mr. Myron Kochan
April 8, 1991
Page 2

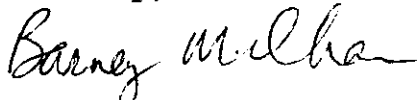
It appears from our records that since the time of the County's knowledge of the existence of these underground tanks in November of 1989, they have remained unregistered and unpermitted. In fact, in a December 6, 1990 letter from this office you were given the appropriate forms A and B to register these tanks until the time you chose to close or remove them.

You are reminded that Section 25299 of the California Health and Safety Code states that any owner or operator of an underground storage tank is liable for a civil penalty of not less than five hundred dollars or more than five thousand dollars per day for failure to obtain a permit, or failing to properly close an underground storage tank, as required by section 25298.

In agreement with Mr. Sabhlok's letter, the closure in-place or the removal of these underground tanks should be performed within 60 days of the administrative hearing date, March 26, 1991.

Please contact the undersigned at 271-4320 should you have any questions regarding this letter.

Sincerely,



Barney M. Chan
Hazardous Materials Specialist

cc: Gil Jensen, Alameda County District Attorney Office, Consumer and
Environmental Protection Division
Andrew Sabhlok, Environmental Consultants, 769 Craigmont Ave.,
Berkeley, CA 94708
Lester Feldman, RWQCB
H. Hatayama, DOHS
G. Bluford, OFD, 1605 Grove St., Oakland CA 94612
Edgar Howell, Chief, Hazardous Materials Division

AL

729-45th2

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



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

April 10, 1991

Mr. Myron Kochan
729-45th Ave
Oakland CA 94601

Re: Underground Tanks at 729-45th Ave., Oakland 94601

Dear Mr. Kochan:

After speaking with your consultant, Mr. Sabhlok, on April 9, 1991 he stated that it was likely that you will remove the underground tanks. He was notified that Alameda County doesn't allow triple rinsing of the tanks as a means of rendering a tank non-hazardous. Names and phone numbers of those individuals and agencies which have jurisdiction over this matter were given to Mr. Sabhlok.

Enclosed, to your consultant, is the most recent version of Alameda County's closure/modification plan. This form is to be filled out and approved prior to scheduling the tank removals. It should be submitted along with the fee for the County's oversight for the removal of three tanks, \$855.00.

Please contact our office 72 hours in advance to schedule the underground tank removals after receiving your approved plans. You may contact the undersigned at 271-4320 if you have any questions regarding this letter.

Sincerely,

Barney M. Chan
Hazardous Materials Specialist

enclosure: to Mr. Sabhlok

cc: Gil Jensen, Alameda County District Attorney Office, Consumer and
Environmental Protection Division
Andrew Sabhlok, Environmental Consultants, 769 Craigmont Ave.,
Berkeley, CA 94708
Lester Feldman, RWQCB
Edgar Howell, Chief, Hazardous Materials Division

729-45-3

ENVIRONMENTAL CONSULTANTS

769 CRAIGMONT AVENUE
BERKELEY, CALIFORNIA 94708
415 524 5083

April 4, 1991

Mr. Barney M. Chan
Alameda County Health Care Services Agency
80 Swan Way, Room 200
Oakland, California 94621

Dear Mr. Chan:

Subject: 729 - 45th Ave., Oakland

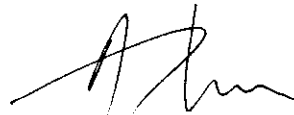
Finally, after numerous phone calls, I was able to contact Cynthia Chapman of your office. She informed me that the soil at the site is contaminated. According to her, you will be out of the office for the rest of the week.

I have established that I do not need to meet with your staff; I simply need a photocopy of the entire file. I agree to pay the cost of photocopying at the rate of \$1.00 per page.

I look forward to receiving the information in the near future. Please note that you had agreed to a two-week arrangement.

Thank you.

Sincerely,



A. K. Sabhlok

91 APR -8 11:19:17

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



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

Mr. Myron Kochan
Equipment Fabricating Co.
729- 45th Ave.
Oakland CA 94601

Re: Underground Tanks at 729- 45th Ave., Oakland 94601

Dear Mr. Kochan:

Alameda County Environmental Health, Hazardous Materials Division has received the latest correspondence dated March 26, 1991 from your consultant, Mr. Sabhlok. We would like to clarify our position subsequent to our hearing at the District Attorney's office. It is agreed that you will have 15 days to review the files on the adjacent property on High St. If you would like to come in and review the files or have our office copy these documents, you will be charged \$67 per hour for this service, with a minimum of one hour charged, and \$1 per page photocopied. Please send a letter in writing as to the amount you are willing to spend for this service. We cannot proceed without this written authorization.

Before you proceed with any borings, which may be used to establish whether there has been any fuel release, we request a copy of your written approval for in-place closure of the underground tanks at your site from the Oakland Fire Marshall. Please be reminded of the requirements for in-place closure as outlined in the County's June 11, 1990 letter to you. Your completed closure plan should also be submitted with a site map and the locations where sample borings will be taken noted. All other requirements noted in this June 11 letter must also be addressed.

The County has spent considerable time overseeing the closure of these tanks and at this time we request that a check for \$855.00 be sent to our office payable to Alameda County for the continuance of our oversight. Please note that the \$855 requested represents the deposit/refund fee for the oversight of the removal/closure of three underground tanks in accordance with Section 3-141.6 of the Ordinance Code of the County of Alameda for 1991. No further oversight can be done without the submission of this fee.

It has been indicated by your consultant that you are considering removing the tanks. Please inform this office if this is your intent, as your closure/removal form must be appropriate for whichever process you perform. You are reminded to inform our office 72 hours in advance prior to performing closure activities so that we may witness these events.

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



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

April 10, 1991

Mr. Myron Kochan
729-45th Ave
Oakland CA 94601

Re: Underground Tanks at 729-45th Ave., Oakland 94601

Dear Mr. Kochan:

After speaking with your consultant, Mr. Sabhlok, on April 9, 1991 he stated that it was likely that you will remove the underground tanks. He was notified that Alameda County doesn't allow triple rinsing of the tanks as a means of rendering a tank non-hazardous. Names and phone numbers of those individuals and agencies which have jurisdiction over this matter were given to Mr. Sabhlok.

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Please contact our office 72 hours in advance to schedule the underground tank removals after receiving your approved plans. You may contact the undersigned at 271-4320 if you have any questions regarding this letter.

Sincerely,

Barney M. Chan
Hazardous Materials Specialist

enclosure: to Mr. Sabhlok

cc: Gil Jensen, Alameda County District Attorney Office, Consumer and
Environmental Protection Division
Andrew Sabhlok, Environmental Consultants, 769 Craigmont Ave.,
Berkeley, CA 94708
Lester Feldman, RWQCB
Edgar Howell, Chief, Hazardous Materials Division

729-45-3

STATE WATER RESOURCES CONTROL BOARD

DIVISION OF CLEAN WATER PROGRAMS

2014 T STREET, SUITE 130

P.O. BOX 944212

SACRAMENTO, CA 94244-2120

(916) 739-2399

(916) 739-2300 FAX



Arieu Levi
County of Alameda
Hazardous Materials Division
Alameda Co. Department of
Environmental Health
80 Swan Way, Room 200
Oakland, Ca 94621

TANK CLOSURE AT METAL FABRICATING INC. OAKLAND, CALIFORNIA.

This letter follows up on conversations with Andy Sablock, consultant for the owner of Metal Fabricating; Barney Chan of your staff; and you. My understanding of the present situation is that the owner propose to:

1. Remove the three 200-300 gallon USTs from below ground
2. Clean them on-site;
3. Take three soil samples from the tank pit and perform any necessary site assessment and cleanup; and
4. Reuse tanks for above ground storage of non-hazardous waste, i.e. scrap metal

Mr. Sablock is no longer interested in closing the tank in place. The Metal Fabricating, Inc. site falls under the UST program of the Toxics Cleanup Division and is receiving general Regional Board oversight. Alameda County is working closely with the San Francisco Bay RWQB (Regional Board) Land Disposal Division on the Southern Pacific site adjacent to the site that is the subject of this letter. At this time, there does not appear to be any threat of contaminant migration from the Southern Pacific site to the Metal Fabricating site.

I am responding to a request from Mr. Sablock, concurred with by Barney Chan, for the State Water Resources Control Board (State Board) UST program to state its position on this proposal for tank closure and reuse at Metal Fabricating, Inc. The Underground Storage Tank law and regulations allow the owner to perform the above four steps, provided that the owner meets the following conditions:

1. Tank removal and reuse above ground must conform with any applicable requirements of the Oakland Fire Department, Alameda County Hazardous Materials Management or other (e.g., building, zoning, land use planning) local departments or agencies.

2. On-site tank cleaning must meet any applicable fire prevention requirements of the Oakland Fire Department and any applicable technical and permitting requirements of the State Department of Health Services (DHS). The waste generated by cleaning the tank must be properly disposed of. If hazardous, the waste must be handled accordingly. It is my understanding that DHS has rescinded the triple-rinsing policy and has issued policy guidance that precludes DHS Regional Offices from granting a variance from the Chapter 6.5 (Division 20, Health and Safety Code) Treatment, Storage, and Disposal (TSD) facility permitting requirements, pending promulgation of Permit-by-Rule (PBR) regulations for out-of-service USTs. If these policies are still in effect, the only way that the owner can clean the tank on-site, without obtaining a TSD permit, is to demonstrate that the tanks are not now hazardous. As the triple-rinsing policy has been rescinded, a potential source of guidance on tank cleaning is the permit that DHS Region 2 issued to Erickson Inc. to clean tanks at their Richmond facility. The DHS permit says that a tank is non-hazardous when the Lower Explosive Level (LEL) is below 10%.

Mr. Sablock must obtain approval from DHS to use this TSD facility permit requirement as an on-site tank cleaning guideline. If DHS agrees to this tank cleaning guideline and the owner of Metal Fabricating Inc. can demonstrate that the tank has been rendered non-hazardous based on a LEL of less than 10%, then it can be removed and cleaned without a DHS TSD permit or variance from such a permit. It is up to Alameda County Hazardous Materials Division, in consultation with the Oakland Fire Department, to decide whether the LEL test will be administered by the Alameda County Hazardous Materials staff, the Oakland Fire Department staff, or the owner's consultant.

- 3). The number and location of soil samples to be taken must be approved by the Alameda County Hazardous Materials Division consistent with the Tri-Regional Guidelines adopted by the San Francisco Bay RWQB UST Program. Any site investigation and corrective action required at the site must conform with the applicable provisions of the UST law and regulations, The Porter Cologne Water Quality Control Act, and any local requirements.

If you have any questions about this letter, please give me a call at (916) 739-2399.

Sincerely,

Terry Brazell, Chief
Cleanup Unit

cc Andy Sallock
Gil Jensen District Attorney
Alameda County

STATE WATER RESOURCES CONTROL BOARD
DIVISION OF CLEAN WATER PROGRAMS
2014 T STREET SUITE 130
P.O. BOX 944212
SACRAMENTO, CA 94244-2120



(916) 739-2399
(916) 739-2300 FAX

Arieu Levy
County of Alameda
Hazardous Materials Division
Alameda Co. Department of
Environmental Health
80 Swan Way, Room 200
Oakland, CA 94621

RE: TANK # 1 AT METAL FABRICATING INC., OAKLAND, CALIFORNIA.

This letter follows up on conversations with Andy Sablock, consultant for the owner of Metal Fabricating; Barney Chan of your staff; and me. My understanding of the present situation is that the owner proposes to:

1. Remove the three 200-350 gallon USTs from below ground
2. Clean them on-site,
3. Take three soil samples from the tank pit and perform any necessary site assessment and cleanup, and
4. Provide tanks for above ground storage of non-hazardous waste, i.e. scrap metal.

Mr. Sablock is no longer interested in closing the tank in place. The Metal Fabricating, Inc. site falls under the UST program of the Toxics Cleanup Fund and is subject to regional Regional Board oversight. Alameda County is closely working with the San Francisco Bay RWQB (Regional Board) land disposal site on the South San Francisco site adjacent to the site that is the subject of this letter. At this time, there does not appear to be any threat of contaminant migration from the South San Francisco site to the Metal Fabricating site.

I am responding to a request from Mr. Sablock, concurred with by Barney Chan, for the State Water Resources Control Board (State Board) UST program to state its position on this proposal for tank closure and reuse at Metal Fabricating, Inc. The Underground Storage Tank law and regulations allow the owner to perform the above four steps, provided that the owner meets the following conditions:

1. Tank removal and reuse above ground must conform with any applicable requirements of the Oakland Fire Department, Alameda County Hazardous Materials Management or other (e.g., building, zoning, land use planning) local departments or agencies.

2. On-site tank cleaning must meet any applicable fire prevention requirements of the Oakland Fire Department and any applicable technical and permitting requirements of the State Department of Health Services (DHS). The waste generated by cleaning the tank must be properly disposed of. If hazardous, the waste must be handled accordingly. It is my understanding that DHS has rescinded the triple-rinsing policy and has issued policy guidance that precludes DHS Regional Offices from granting a variance from the Chapter 6.5 (Division 20, Health and Safety Code) Treatment, Storage, and Disposal (TSD) facility permitting requirements, pending promulgation of Permit-by-Rule (PBR) regulations for out-of-service USTs. If these policies are still in effect, the only way that the owner can clean the tank on-site, without obtaining a TSD permit, is to demonstrate that the tanks are not now hazardous. As the triple-rinsing policy has been rescinded, a potential source of guidance on tank cleaning is the permit that DHS Region 2 issued to Erickson Inc. to clean tanks at their Richmond facility. The DHS permit says that a tank is non-hazardous when the Lower Explosive Level (LEL) is below 10%.

Mr. Sallock must obtain approval from DHS to use this TSD facility permit requirement as an on-site tank cleaning guideline. If DHS agrees to this tank cleaning guideline and the owner of Metal Fabricating Inc. can demonstrate that the tank has been rendered non-hazardous based on a LEL of less than 10%, then it can be removed and cleaned without a DHS TSD permit or variance from such a permit. It is up to Alameda County Hazardous Materials Division, in consultation with the Oakland Fire Department, to decide whether the LEL test will be administered by the Alameda County Hazardous Materials staff, the Oakland Fire Department staff, or the owner's consultant.

- 3) The number and location of soil samples to be taken must be approved by the Alameda County Hazardous Materials Division consistent with the Tri-Regional Guidelines adopted by the San Francisco Bay RWQD USF Program. Any NRI investigation and corrective action required at the site must conform with the applicable provisions of the USF law and regulations, the federal Clean Water Quality Control Act, and any local requirements.

If you have any questions about this letter, please give me a call at (916) 739-2399.

Sincerely,

Terry Brazell, Chief
Cleanup Unit

cc Andy Sallock
Gil Jensen District Attorney
Alameda County

① Andrew Sabhlok - Terry Brazile - SWR@B

729 - 45th Ave : 3rd GTS

- ① Remove tanks
- ② Clean on site
called Enichrom - Cut hole, purge w/ CO₂
scrape out residue, LEL < 10%

keep tank on site for scrap metal

~~OFD + Env. Health needs to approve.~~

~~keep on site~~

LG letter - ~~state~~ local ordinance may prevent on site closure - OFD etc.

Tip's Mike Jones DOTS

Conduct

① City FD

must ok

② Ala City Hazmat

must OK
must OK

③ DOTS

\$8475 - fee schg

Shill FAX a letter: Consult w/ Ann + Gil

Our : JB8-3706

FAX

~~Mr. Murray Kelson~~

~~RE: Sunol; Valley Chevron, 3004 Andrade Road, Sunol~~

~~April 24, 1991~~

~~Page 4 of 4~~

~~Your attention is directed to Sections 25299 and 25540 of the HSC which authorize civil penalties of up to \$25,000 per day per violation, and jail sentences of up to one year. Please be advised that the Alameda County District Attorney's Office is being advised of these violations by way of copy of this letter.~~

~~Should you have any questions, please contact the undersigned at 415/271-4320.~~

~~Sincerely,~~

~~Scott O. Seery, CHMM
Hazardous Materials Specialist~~

~~cc: Rafat A Shahid, Assistant Agency Director, Environmental Health
Edgar Howell, Chief, Hazardous Materials Division
Gil Jensen, Alameda County District Attorney's Office
Howard Hatayama, DHS
files~~

8/17/90 - Spoke w/ Mr. Kochen + he will take to MA. Sabhlok
and find out when a closure plan will be submitted

Must receive a closure plan (+ \$744) dep. by 10/25/90 or schedule adm.

History

- 11/16/89 Sabhlok request for closure in place
- 12/22/89 2nd request by Sabhlok for closure in place.
- 3/28/90 Letter of approval for Ann's signature by Sabhlok
- 4/11/90 Letter discouraging 1st place closure by Ann + Be
- 5/31/90 A. Sabhlok's reply saying that he had an agreement "had been reached" a
- 6/11/90 Ala City reply Okaying in place closure w/ our requirements
- 7/18/90 Request for info on 758 High St adjoining property
- 10/18/90 Agreement to pay \$500 for copying information on 758 High St
- 8/21/90 given (30) days to give closure plans or reason why not
- Dec. 6/90 Clarification of Ala. City's position. + request closure plans w/ 10 days or A + B forms or will refer to DA's office

4/9/91 : Spoke w/ A. Sabhlok w/ Ann, he stated he was considering removing the fence, but thought implementation was OK. I sent him the new closure plans which do not allow this + requested a dep. be submitted.

4/29/91 : Rec'd Fax from J. Brazell - she says the removal + on site cleaning of apts provided she gets approval from OPD, Her Nat, written OK from OPD to exempt from permit or variance

ALAMEDA COUNTY HAZARDOUS MATERIALS DIVISION
DEPOSIT / REFUND ACCOUNT SHEET

SITE INFORMATION

Equipment Fabricating Corp.
729 - 45th Ave.
Oakland 94601
Site Contact: Myron Kochan
Site Phone : 261-0343

SITE#:	6025
PROJECT#:	6025A
PROJECT TYPE:	R
INSP:	Barney Chan
ACCT. SHEET PG #:	_____

PROPERTY OWNER INFORMATION

Myron And Stephanie Kochan
729 45th Ave.
Oakland, Ca 94601
Owner Contact: Myron and Stephanie
Owner Phone : 261-0343

CONTRACTOR INFORMATION

Equipment Fabricating
729 45th Ave.
Oakland Ca 94601 #544
Contr. Contact: Myron Kochan
Contr. Phone : 261-0343

Date	Action Taken	Time		Hours	Money	Money
		In	Out	Spent/ Depstd	Spent/ Depositd	
	Balance from Prev. Page
	Rcpt# U612025					
07/31/91	Deposit of \$855.00 @ \$67/hour			+12.76		
9/18			0.5	\$	12.26	
9/19			1.5		10.76	
12/9/91			0.5		10.26	
4/27/92	Conv w/ T. Peacock		0.5		9.76	
5/29/92	TO BILLING					
7/1/92	Co Given to P. Smith		0.25		9.51	
12/9/93	Review Case for Transfer		.25			

PROJECT COMPLETED BY : _____

DATE OF COMPLETION : _____ DATE SENT TO BILLING: _____

DATE: 12/8/93
TO : Madhulla Logan
FROM: JLF
SUBJ: Transfer of Slic cases

Site name: Equipment FAB Corp.
Address: 729 45^B AVE. City oak Zip 94601
Stid # _____

This site is also regulated by the following programs:

Gen _____ UGT LOP _____ Storm Water _____

Contamination level: _____ (ppm, TTLC, STLC, in order of hazard)

additional: _____

Have you made all entries on the deposit/refund account sheet? _____

Is the site file organized with all pertinent information in it? _____

Date of last correspondance from this office: 9/12/91

Date of last workplan/technical report: _____

DepRef remaining \$ _____ If the case has less than \$100 first send a
Dep/Ref request for additional funds, complete this transfer sheet, and
then give it with the case to Madhulla.

#

Read Barney's NOTE to
Paul. I don't know if
these tanks were ever removed.

IMPORTANT MESSAGE

FOR Barnes
DATE 4-24-92 TIME _____ A.M.
M. Sabhalo P.M.
OF _____
PHONE 524-5083
AREA CODE NUMBER EXTENSION

TELEPHONED	<input checked="" type="checkbox"/>	PLEASE CALL	<input checked="" type="checkbox"/>
CAME TO SEE YOU	<input type="checkbox"/>	WILL CALL AGAIN	<input type="checkbox"/>
WANTS TO SEE YOU	<input type="checkbox"/>	RUSH	<input type="checkbox"/>
RETURNED YOUR CALL	<input type="checkbox"/>	SPECIAL ATTENTION	<input type="checkbox"/>

MESSAGE re: 729-4574
Recharge 0.4
hr.

SIGNED [Signature]

Air Construction :

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



Copy

September 19, 1991

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

Mr. Myron Kochan
Equipment Fabricating Co.
729-45th Ave.
Oakland CA 94601

Re: Underground Tank Removals at Equipment Fabricating Co.,
729-45th Ave., Oakland 94601

Dear Mr. Kochan:

This Division has received and reviewed the Underground Tank Closure Plan for the above referenced site as provided to us by your consultant, Mr. Sabhlok. In review of this plan, a number of items need clarification before the County can approve the plan. Please address the following County concerns in writing so that the removals can proceed as soon as possible.

(533-3474)

1. MacKenzie Concrete was identified as the contractor to perform the underground tank removals. Upon speaking with this company, I found out that they have a C-8 license. Please be aware that the Contractors State License Board has stated that only properly licensed contractors may remove underground tanks and that a C-8 license is not on this list. Please identify the appropriately licensed contractor who will perform this work. You must provide written approval from the State License Board for any exemption to their requirement.

2. It was stated that you intend to cold cut the tanks and keep them on your site for scrap metal. As you may be aware of, Terry Brazell of the State Water Resources Control Board, stated to Mr. Sabhlok the requirements to enable you to do this. These requirements are:

- a. Obtain written variance from the Department of Health Services enabling you to treat the underground tanks, which are assumed to be a hazardous material. It was pointed out that triple-rinsing the tank has been rescinded as a method of verifying tank cleanliness. Since this is the case, state the alternative method which is approved by DOHS for the verification of a "clean" tank.

- b. If this alternative method involves the generation of any waste, this waste must be analyzed and properly disposed. To this end, please identify a licensed hazardous waste hauler and disposal site for potential sludge and rinsate.

- c. Please note that if you cannot get a variance to treat the tanks onsite or if you generate any hazardous waste through an approved cleaning process, you must obtain an EPA Identification Number.

Mr. Myron Kochan
729-45th Ave. UGT Closure Plan
September 19, 1991
Page 2. *23*

3. Obtain written approval from the Oakland Fire Marshall to cold cut the cleaned and inerted tanks. Please inform him that you also intend to perform this work on the weekend, as there may be difficulty obtaining an inspector for the weekend.

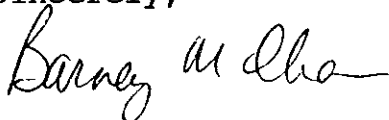
4. It was noted that the "experienced" sample collector identified in the closure plan was the "same as contractor". As MacKenzie Concrete is not an appropriately licensed contractor to remove underground tanks, I contend that they are likely not an "experienced" sample collector. Please identify an appropriate individual who will perform this work.

5. The plan stated that you do not intend to sample the stockpiled soil due the shallow burial depth. Please be advised that any soil removed to expose the underground tank must be segregated and analyzed at a rate of 1 discrete sample per 20 cubic yards or portion thereof, to determine proper disposition.

6. The sampling plan states that one soil sample will be collected beneath each tank. This will only be the case if no water is found in the excavation pit. From previous information, it is likely that groundwater will be present in the pit and that minimally one groundwater sample will be required in addition to a minimum of three soil samples.

7. Since it is likely that an appropriately licensed contractor will perform the tank removals, please provide proof of their worker's compensation certificate. Please also provide a site specific health and safety plan including the elements listed on the instruction sheets which follow the closure plan. As soon as these items are addressed the County can proceed in approving your Tank Closure Plan. You may contact me at 271-4320 should you have any questions regarding this letter.

Sincerely,



Barney M. Chan
Hazardous Materials Specialist

cc: G. Jensen, Alameda County District Attorney Office
A. Sabhlok, Environmental Consultants, 769 Craigmont Ave.,
Berkeley, CA 94708
L. Feldman, RWQCB
H. Hatayama, DOHS
G. Bluford, OFD, 1605 Grove St., Oakland CA 94612
T. Brazell, SWRCB 729-45-1

5/20

ALAMEDA COUNTY HEALTH CARE SERVICES AGENCY
DEPARTMENT OF ENVIRONMENTAL HEALTH
HAZARDOUS MATERIALS DIVISION
80 SWAN WAY, ROOM 200
OAKLAND, CA 94621
PHONE NO. 415/271-4320

Project Specialist (print)

UNDERGROUND TANK CLOSURE PLAN
*** * * Complete according to attached instructions * * ***

1. Business Name Equipment Fabricating Corp.
Business Owner Myron Kochan
2. Site Address 729 - 45th Ave.
City Oakland Zip 94601 Phone (415) 261-0343
3. Mailing Address 729 - 45th Ave.
City Oakland Zip 94601 Phone (415) 261-0343
4. Land Owner Myron and Stephanie Kochan
Address 729 - 45th Ave. City, State Oakland Zip 94601
5. Generator name under which tank will be manifested _____
N/A
- EPA I.D. No. under which tank will be manifested N/A

0612025
#855
7/31/91

6. Contractor MacKenzie Concrete
Address 740 - 45th Ave.
City Oakland Phone _____
License Type _____ ID# 430765

7. Consultant Environmental Consultants
Address 769 Cragmont Ave.
City Berkeley Phone 524-5083

8. Contact Person for Investigation
Name Andrew Sabhlok Title Consultant
Phone 524-5083

9. Number of tanks being closed under this plan three
Length of piping being removed under this plan none
Total number of tanks at facility three

* 10. State Registered Hazardous Waste Transporters/Facilities (see instructions).

** Underground tanks are hazardous waste and must be handled **
as hazardous waste

a) Product/Residual Sludge/Rinsate Transporter

Name N/A EPA I.D. No. _____
Hauler License No. _____ License Exp. Date _____
Address _____
City _____ State _____ Zip _____

b) Product/Residual Sludge/Rinsate Disposal Site

Name N/A EPA I.D. No. _____
Address _____
City _____ State _____ Zip _____

14. Describe methods to be used for rendering tank inert

Measure LEL levels. Below 10% tanks are considered inert. Tanks are empty.

Accessible piping was removed several years ago.

Before tanks are pumped out and inerted, all associated piping must be flushed out into the tanks. All accessible associated piping must then be removed. Inaccessible piping must be plugged.

The Bay Area Air Quality Management District (771-6000), along with local Fire and Building Departments, must also be contacted for tank removal permits. Fire departments typically require the use of explosion proof combustible gas meters to verify tank inertness. It is the contractor's responsibility to bring a working combustible gas meter on site to verify tank inertness.

15. Tank History and Sampling Information

Tank		Material to be sampled (tank contents, soil, ground-water, etc.)	Location and Depth of Samples
Capacity	Use History (see instructions)		
3 tanks each less than 500 gallons	Installed on or about Dec. 5, 1974. Used for storage of unleaded gasoline only. Tanks are empty and have been empty at least since 1979.	Tanks are empty. Soil to be sampled for TPHG and BTX&E.	One soil sample per tank. Sample beneath bottom of tank at a depth not to exceed two feet.

One soil sample must be collected for every 20 feet of piping that is removed. A ground water sample must be collected should any ground water be present in the excavation.

Excavated/Stockpiled Soil	
Stockpiled Soil Volume (Estimated) N/A	Sampling Plan We expect no need of stockpiling since tanks are buried extremely shallow (less than one foot).

Stockpiled soil must be placed on bermed plastic and must be completely covered by plastic sheeting.

16. Chemical methods and associated detection limits to be used for analyzing samples

The Tri-Regional Board recommended minimum verification analyses and practical quantitation reporting limits should be followed. See attached Table 2.

Contaminant Sought	EPA, DHS, or Other Sample Preparation Method Number	EPA, DHS, or Other Analysis Method Number	Method Detection Limit
TPHG	Soil Sample	GCFID (5030)	1
BTX&E	Soil Sample	EPA 8020	.0005

17. Submit Site Health and Safety Plan (See Instructions)

18. Submit Worker's Compensation Certificate copy

Name of Insurer Owner of MacKenzie Concrete will only work at the site and is thus exempt.

19. Submit Plot Plan (See Instructions)

20. Enclose Deposit (See Instructions)

21. **Report any leaks or contamination to this office within 5 days of discovery.** The report shall be made on an Underground Storage Tank Unauthorized Leak/Contamination Site Report form. (see Instructions)

22. Submit a closure report to this office within 60 days of the tank removal. This report must contain all the information listed in item 22 of the instructions.

I declare that to the best of my knowledge and belief the statements and information provided above are correct and true.

I understand that information in addition to that provided above may be needed in order to obtain an approval from the Department of Environmental Health and that no work is to begin on this project until this plan is approved.

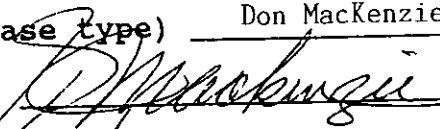
I understand that any changes in design, materials or equipment will void this plan if prior approval is not obtained.

I understand that all work performed during this project will be done in compliance with all applicable OSHA (Occupational Safety and Health Administration) requirements concerning personnel health and safety. I understand that site and worker safety are solely the responsibility of the property owner or his agent and that this responsibility is not shared nor assumed by the County of Alameda.

Once I have received my stamped, accepted closure plan, I will contact the project Hazardous Materials Specialist at least three working days in advance of site work to schedule the required inspections.

Signature of Contractor

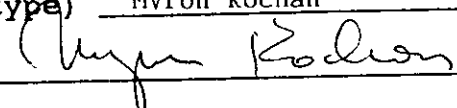
Name (please type) Don MacKenzie

Signature 

Date 5/29/91

Signature of Site Owner or Operator

Name (please type) Mvron Kochan

Signature 

Date 5/29/91

ENVIRONMENTAL CONSULTANTS

769 CRAIGMONT AVENUE
BERKELEY, CALIFORNIA 94708
415 524 5083

July 23, 1991

Mr. Barney M. Chan
Alameda County Health Care Services Agency
80 Swan Way, Room 200
Oakland, California 94621

Dear Mr. Chan:

Subject: 729 - 45th Ave., Oakland

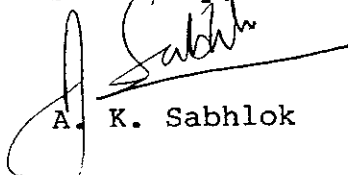
Enclosed is a check, along with a completed application, for removal of three small tanks from the above site, which have not been in service since at least 1980. This enclosure is based upon my understanding with Mr. Levi and his discussion with Terry Brazell that my client is only required to perform the following.

1. Removal all tanks.
2. Since the tanks are buried below concrete and hardly any soil is expected from the excavation, the client will not store any soil from the excavation at the site.
3. One soil sample per tank site will be taken for testing. If the soil is found to be contaminated additional testing, etc. may be required.
4. The owner will be permitted to "cold cut" the tanks and keep them as "scrap" storage bins.
5. The owner will be able to close the openings in the ground immediately so that he can continue his operations.
6. The results of soil tests will be submitted to you for approval.

Work will take place on a Saturday or Sunday. Please notify my client directly if you need additional information.

Thank you for your assistance.

Sincerely,

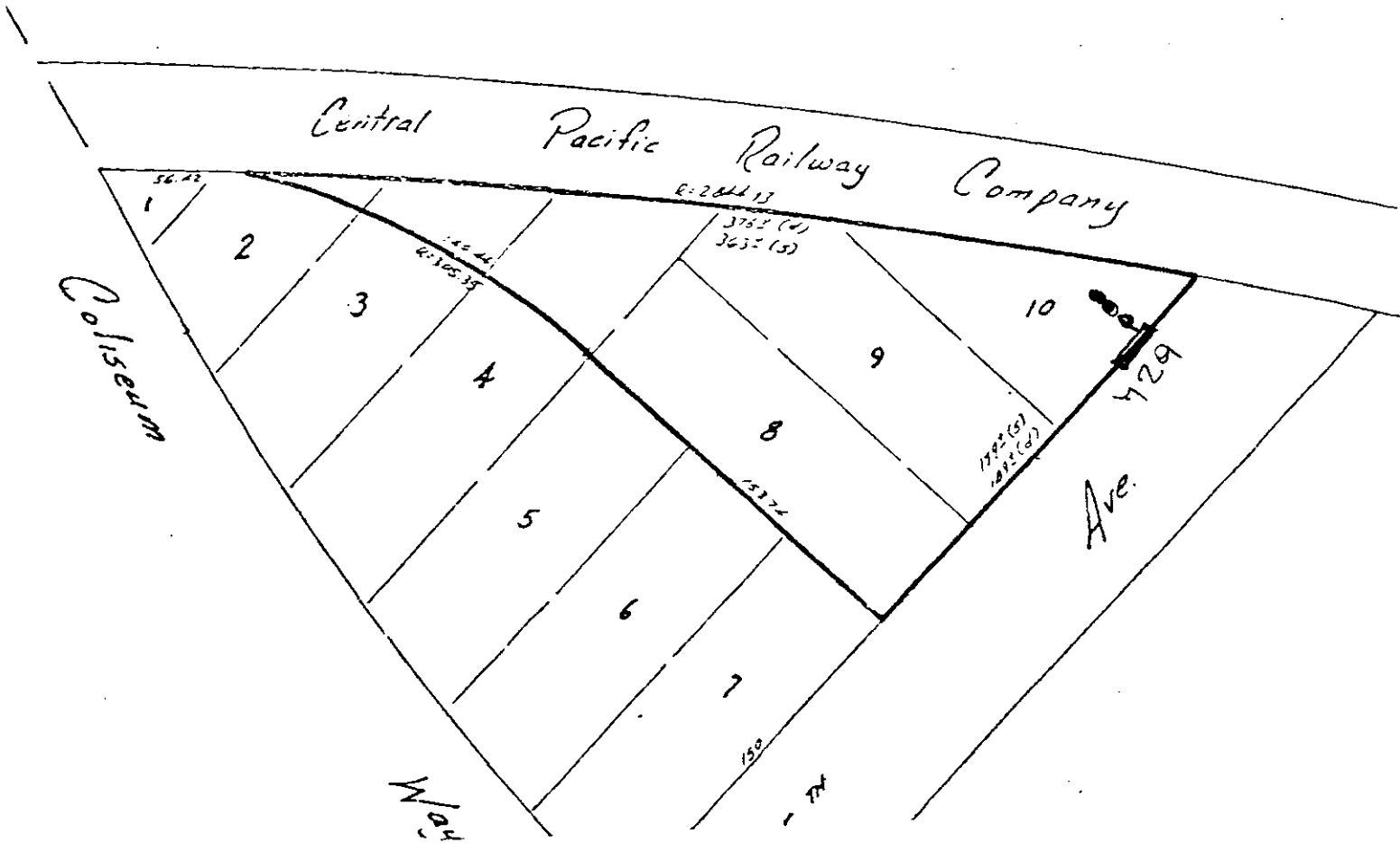

A. K. Sabhlok

91 JUL 31 PM 3:37

EQUIPMENT FABRICATING CORP.
729 - 45th AVENUE
OAKLAND, CALIFORNIA 94601
(415) 261-0343



Property is shown
with dark outline!



ALAMEDA COUNTY HEALTH CARE SERVICES AGENCY
DEPARTMENT OF ENVIRONMENTAL HEALTH
HAZARDOUS MATERIALS DIVISION
80 SWAN WAY, ROOM 200
OAKLAND, CA 94621
PHONE NO. 415/271-4320

Project Specialist (print)

UNDERGROUND TANK CLOSURE PLAN

*** Complete according to attached instructions ***

1. Business Name Equipment Fabricating Corp.
Business Owner Mvron Kochan
2. Site Address 729 - 45th Ave.
City Oakland Zip 94601 Phone (415) 261-0343
3. Mailing Address 729 - 45th Ave.
City Oakland Zip 94601 Phone (415) 261-0343
4. Land Owner Myron and Stephanie Kochan
Address 729 - 45th Ave. City, State Oakland Zip 94601
5. Generator name under which tank will be manifested _____
N/A
- EPA I.D. No. under which tank will be manifested N/A

412025
108552
7/31/91

6. Contractor MacKenzie Concrete
Address 740 - 45th Ave.
City Oakland Phone 533-3474
License Type C-8 ID# 430765

7. Consultant Environmental Consultants
Address 769 Cragmont Ave.
City Berkeley Phone 524-5083

8. Contact Person for Investigation
Name Andrew Sabhlok Title Consultant
Phone 524-5083

9. Number of tanks being closed under this plan three
Length of piping being removed under this plan none
Total number of tanks at facility three

* 10. State Registered Hazardous Waste Transporters/Facilities (see instructions).

** Underground tanks are hazardous waste and must be handled **
as hazardous waste

a) Product/Residual Sludge/Rinsate Transporter

Name N/A EPA I.D. No. _____
Hauler License No. _____ License Exp. Date _____
Address _____
City _____ State _____ Zip _____

b) Product/Residual Sludge/Rinsate Disposal Site

Name N/A EPA I.D. No. _____
Address _____
City _____ State _____ Zip _____

14. Describe methods to be used for rendering tank inert

Measure LEL levels. Below 10% tanks are considered inert. Tanks are empty.

Accessible piping was removed several years ago.

Before tanks are pumped out and inerted, all associated piping must be flushed out into the tanks. All accessible associated piping must then be removed. Inaccessible piping must be plugged.

The Bay Area Air Quality Management District (771-6000), along with local Fire and Building Departments, must also be contacted for tank removal permits. Fire departments typically require the use of explosion proof combustible gas meters to verify tank inertness. It is the contractor's responsibility to bring a working combustible gas meter on site to verify tank inertness.

15. Tank History and Sampling Information

Tank		Material to be sampled (tank contents, soil, ground-water, etc.)	Location and Depth of Samples
Capacity	Use History (see instructions)		
3 tanks each less than 500 gallons	Installed on or about Dec. 5, 1974. Used for storage of unleaded gasoline only. Tanks are empty and have been empty at least since 1979.	Tanks are empty. Soil to be sampled for TPHG and BTX&E.	One soil sample per tank. Sample beneath bottom of tank at a depth not to exceed two feet. <i>Side walls or any location if H₂O present in put water sample if encountered (which is likely)</i>

One soil sample must be collected for every 20 feet of piping that is removed. A ground water sample must be collected should any ground water be present in the excavation.

Excavated/Stockpiled Soil	
Stockpiled Soil Volume (Estimated) N/A	Sampling Plan We expect no need of stockpiling since tanks are buried extremely shallow (less than one foot).

Stockpiled soil must be placed on bermed plastic and must be completely covered by plastic sheeting.

16. Chemical methods and associated detection limits to be used for analyzing samples

The Tri-Regional Board recommended minimum verification analyses and practical quantitation reporting limits should be followed. See attached Table 2.

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TPHG	Soil Sample	GCFID (5030)	1
BTX&E	Soil Sample	EPA 8020	.0005

17. Submit Site Health and Safety Plan (See Instructions)

18. Submit Worker's Compensation Certificate copy

Name of Insurer Owner of MacKenzie Concrete will only work at the site and is thus exempt.

19. Submit Plot Plan (See Instructions)

20. Enclose Deposit (See Instructions)

21. **Report any leaks or contamination to this office within 5 days of discovery.** The report shall be made on an Underground Storage Tank Unauthorized Leak/Contamination Site Report form. (see Instructions)

22. Submit a closure report to this office within 60 days of the tank removal. This report must contain all the information listed in item 22 of the instructions.

I declare that to the best of my knowledge and belief the statements and information provided above are correct and true.

I understand that information in addition to that provided above may be needed in order to obtain an approval from the Department of Environmental Health and that no work is to begin on this project until this plan is approved.

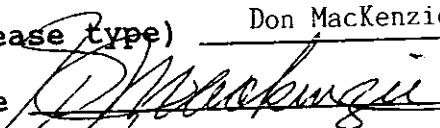
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Once I have received my stamped, accepted closure plan, I will contact the project Hazardous Materials Specialist at least three working days in advance of site work to schedule the required inspections.

Signature of Contractor

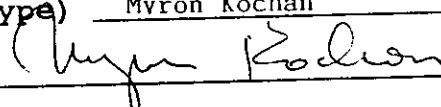
Name (please type) Don MacKenzie

Signature 

Date 5/29/91

Signature of Site Owner or Operator

Name (please type) Myron Kochan

Signature 

Date 5/29/91

ENVIRONMENTAL CONSULTANTS

769 CRAIGMONT AVENUE
BERKELEY, CALIFORNIA 94708
415 524 5083

July 23, 1991

Mr. Barney M. Chan
Alameda County Health Care Services Agency
80 Swan Way, Room 200
Oakland, California 94621

Dear Mr. Chan:

Subject: 729 - 45th Ave., Oakland

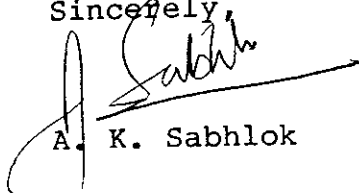
Enclosed is a check, along with a completed application, for removal of three small tanks from the above site, which have not been in service since at least 1980. This enclosure is based upon my understanding with Mr. Levi and his discussion with Terry Brazell that my client is only required to perform the following.

1. Removal all tanks.
2. Since the tanks are buried below concrete and hardly any soil is expected from the excavation, the client will not store any soil from the excavation at the site.
3. One soil sample per tank site will be taken for testing. If the soil is found to be contaminated additional testing, etc. may be required.
4. The owner will be permitted to "cold cut" the tanks and keep them as "scrap" storage bins.
5. The owner will be able to close the openings in the ground immediately so that he can continue his operations.
6. The results of soil tests will be submitted to you for approval.

Work will take place on a Saturday or Sunday. Please notify my client directly if you need additional information.

Thank you for your assistance.

Sincerely,

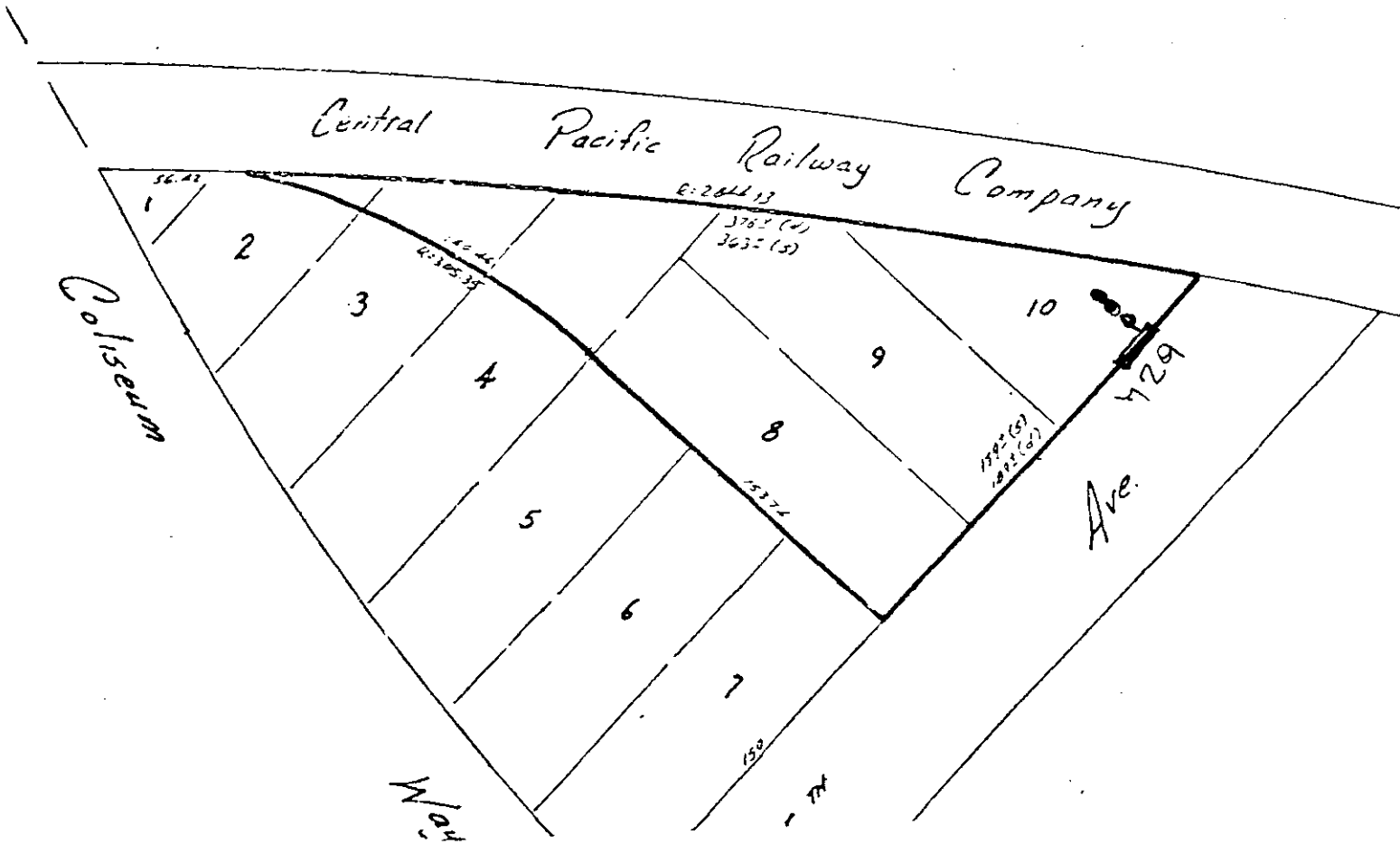

A. K. Sabhlok

91 JUL 31 PM 3:37

EQUIPMENT FABRICATING CORP.
729 - 45th AVENUE
AKLAND, CALIFORNIA 94601
(415) 261-0343



Property is shown
with dark outline!



ALAMEDA COUNTY HEALTH CARE SERVICES AGENCY
DEPARTMENT OF ENVIRONMENTAL HEALTH
HAZARDOUS MATERIALS DIVISION
80 SWAN WAY, ROOM 200
OAKLAND, CA 94621
PHONE NO. 415/271-4320

Project Specialist (print)

UNDERGROUND TANK CLOSURE PLAN

* * * Complete according to attached instructions * * *

1. Business Name Equipment Fabricating Corp.
Business Owner Myron Kochan
 2. Site Address 729 - 45th Ave.
City Oakland Zip 94601 Phone (415) 261-0343
 3. Mailing Address 729 - 45th Ave.
City Oakland Zip 94601 Phone (415) 261-0343
 4. Land Owner Myron and Stephanie Kochan
Address 729 - 45th Ave. City, State Oakland Zip 94601
 5. Generator name under which tank will be manifested _____
N/A
- EPA I.D. No. under which tank will be manifested N/A

UG12025
#855
7/31/91

6. Contractor MacKenzie Concrete
Address 740 - 45th Ave.
City Oakland Phone _____
License Type _____ ID# 430765

7. Consultant Environmental Consultants
Address 769 Cragmont Ave.
City Berkeley Phone 524-5083

8. Contact Person for Investigation
Name Andrew Sabhlok Title Consultant
Phone 524-5083

9. Number of tanks being closed under this plan three
Length of piping being removed under this plan none
Total number of tanks at facility three

* 10. State Registered Hazardous Waste Transporters/Facilities (see instructions).

**** Underground tanks are hazardous waste and must be handled **
as hazardous waste**

a) Product/Residual Sludge/Rinsate Transporter

Name N/A EPA I.D. No. _____
Hauler License No. _____ License Exp. Date _____
Address _____
City _____ State _____ Zip _____

b) Product/Residual Sludge/Rinsate Disposal Site

Name N/A EPA I.D. No. _____
Address _____
City _____ State _____ Zip _____

* Variance from Health Department - tanks will be cold cut and kept as storage bins for scrap metal.

14. Describe methods to be used for rendering tank inert

Measure LEL levels. Below 10% tanks are considered inert. Tanks are empty.

Accessible piping was removed several years ago.

Before tanks are pumped out and inerted, all associated piping must be flushed out into the tanks. All accessible associated piping must then be removed. Inaccessible piping must be plugged.

The Bay Area Air Quality Management District (771-6000), along with local Fire and Building Departments, must also be contacted for tank removal permits. Fire departments typically require the use of explosion proof combustible gas meters to verify tank inertness. It is the contractor's responsibility to bring a working combustible gas meter on site to verify tank inertness.

15. Tank History and Sampling Information

Tank		Material to be sampled (tank contents, soil, ground-water, etc.)	Location and Depth of Samples
Capacity	Use History (see instructions)		
3 tanks each less than 500 gallons	Installed on or about Dec. 5, 1974. Used for storage of unleaded gasoline only. Tanks are empty and have been empty at least since 1979.	Tanks are empty. Soil to be sampled for TPHG and BTX&E.	One soil sample per tank. Sample beneath bottom of tank at a depth not to exceed two feet.

One soil sample must be collected for every 20 feet of piping that is removed. A ground water sample must be collected should any ground water be present in the excavation.

Excavated/Stockpiled Soil	
Stockpiled Soil Volume (Estimated) N/A	Sampling Plan We expect no need of stockpiling since tanks are buried extremely shallow (less than one foot).

Stockpiled soil must be placed on bermed plastic and must be completely covered by plastic sheeting.

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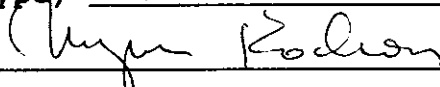
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Signature 

Date 5/29/91

Signature of Site Owner or Operator

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Signature 

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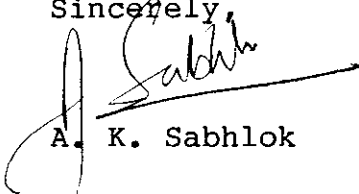
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