

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY  
DAVID J. KEARS, Agency Director



SENT  
05-31-06

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

May 31, 2006

J.W. Silveira  
C/o Virginia Tracy  
J.W. Silveira Realty  
499 Embarcadero  
Oakland, CA 94606

Subject: Fuel Leak Case No. RO0000504, William Wurzbach Company, 1200 20<sup>th</sup> Avenue,  
Oakland, CA

Dear Mr. Silveira:

In correspondence dated November 1, 2005, Alameda County Environmental Health (ACEH) requested that a soil and groundwater investigation be completed at the above-referenced site and the results presented in a Subsurface Investigation Report by March 31, 2006. To date, we have not received a Work Plan or an additional request for time extension. Additional work is needed at the site due to the elevated concentrations of petroleum hydrocarbons and VOCs that remain in soil and groundwater at the site. We reiterate the request made in our November 1, 2005 correspondence to conduct the additional requested work.

Your soil and water investigation Work Plan is late, and your fuel leak site is not in compliance with ACEH directives. In order for your site to return to compliance, please **submit the previously requested Subsurface Investigation Report by July 6, 2006**. This date is not an extension of your due date, reports for this site are late and your site is out of compliance. ACEH makes this request pursuant to California Health & Safety Code Section 25296.10. 23 CCR sections 2652 through 2654, and 2721 through 2728 outline the duties of a responsible party in response to a reportable unauthorized release from a petroleum UST system, and require your compliance with this request.

If it appears as though significant delays are occurring, or reports are not submitted as requested, we will consider referring your case to the County District Attorney or other appropriate agency, for enforcement. California Health and Safety Code, Section 25299.76 authorizes ACEH enforcement including administrative action or monetary penalties of up to \$10,000 per day for each day of violation. Please note that further delays in investigation, late reports, or enforcement actions may result in your becoming ineligible to receive cost reimbursement from the State's Underground Storage Tank Cleanup Fund.

If you have any questions, please call me at (510) 567-6791.

Sincerely,

  
Jerry Wickham  
Hazardous Materials Specialist

J.W. Silveira  
May 31, 2006  
Page 2

Enclosure: ACEH Electronic Report Upload (ftp) Instructions

cc: Shari Knieriem  
SWRCB-USTCF  
P.O. Box 944212  
Sacramento, CA 94244

Penny Wilson  
Tetra Tech EM, Inc.  
135 Main Street, Suite 1800  
San Francisco, CA 94105

Donna Drogos, ACEH  
Jerry Wickham, ACEH  
File



SENT  
11-1-05

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

November 1, 2005

J.W. Silveira  
C/o Virginia Tracy  
J.W. Silveira Realty  
499 Embarcadero  
Oakland, CA 94606

Subject: Fuel Leak Case No. RO0000504, William Wurzbach Company, 1200 20<sup>th</sup> Avenue, Oakland, CA

Dear Mr. Silveira:

Alameda County Environmental Health (ACEH) staff has reviewed the fuel leak case file for the above-referenced site and the "Work Plan," dated October 11, 2005. The Work Plan proposes an investigation to define the extent of soil and groundwater contamination at the fuel leak site. ACEH concurs with the proposed scope of work provided the technical comments included below are addressed.

We request that you address the following technical comments, perform the proposed work, and send us the reports described below. Please provide 72-hour advance written notification to this office (e-mail preferred to [jerry.wickham@acgov.org](mailto:jerry.wickham@acgov.org)) prior to the start of field activities.

#### **TECHNICAL COMMENTS**

- Laboratory Analyses for Soil Samples.** The Work Plan indicates that soil samples collected at approximately 10 feet below ground surface (bgs) and at up to two depth intervals based on PID screening. ACEH concurs with the analysis of a soil sample collected at approximately 10 feet bgs based on previous results. One soil sample collected from the capillary fringe is also to be submitted for laboratory analyses from each soil boring. ACEH also requests that soil samples be submitted for laboratory analyses for all depth intervals where staining, odor, or elevated PID readings are observed. If staining, odor, or elevated PID readings are observed over an interval of several feet, a sufficient number of soil samples from this interval should be submitted for laboratory analyses to characterize the fuel hydrocarbon concentrations within this interval. In addition, soil samples collected approximately two feet above and two feet below the interval of observed staining, odor, or elevated PID readings should be submitted for laboratory analysis. Soil samples are to be analyzed for TPHg, TPHd, BTEX, MTBE, 1,2-dichloroethane, ethylene dibromide, and total lead. Please present the results in the Subsurface Investigation Report requested below.
- Vertical Delineation.** The proposed scope of work does not address the vertical extent of contamination as requested in ACEH's July 19, 2005 correspondence. Please note that vertical delineation may be required in a future phase of investigation.

3. **Groundwater Sampling.** ACEH requests that groundwater samples be collected from existing monitoring wells MW-1 and MW-3 each time that proposed wells MW-2a and MW-4 are sampled. All groundwater samples are to be analyzed for TPHg, TPHd, BTEX, MTBE, 1,2-dichloroethane, and ethylene dibromide.
4. **Analytical Results below Reporting Limits.** The reporting limit must be specified on all tables and figures in future reports for analytical results that are less than reporting limits. The term ND for not detected without listing the reporting limit does not provide sufficient information and is not to be used in future reports.

### **TECHNICAL REPORT REQUEST**

Please submit technical reports to Alameda County Environmental Health (Attention: Jerry Wickham), according to the following schedule:

- **March 31, 2006** – Subsurface Investigation Report

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

### **ELECTRONIC SUBMITTAL OF REPORTS**

ACEH's Environmental Cleanup Oversight Programs (LOP and SLIC) now request submission of reports in electronic form. The electronic copy is intended to replace the need for a paper copy and is expected to be used for all public information requests, regulatory review, and compliance/enforcement activities. Instructions for submission of electronic documents to the Alameda County Environmental Cleanup Oversight Program FTP site are provided on the attached "Electronic Report Upload Instructions." Submission of reports to the Alameda County FTP site is an addition to existing requirements for electronic submittal of information to the State Water Resources Control Board (SWRCB) Geotracker website. In September 2004, the SWRCB adopted regulations that require electronic submittal of information for groundwater cleanup programs. For several years, responsible parties for cleanup of leaks from underground storage tanks (USTs) have been required to submit groundwater analytical data, surveyed locations of monitoring wells, and other data to the Geotracker database over the Internet. Beginning July 1, 2005, electronic submittal of a complete copy of all reports is required in Geotracker (in PDF format). Please visit the State Water Resources Control Board for more information on these requirements ([http://www.swrcb.ca.gov/ust/cleanup/electronic\\_reporting](http://www.swrcb.ca.gov/ust/cleanup/electronic_reporting)).

### **PERJURY STATEMENT**

All work plans, technical reports, or technical documents submitted to ACEH must be accompanied by a cover letter from the responsible party that states, at a minimum, the following: "I declare, under penalty of perjury, that the information and/or recommendations contained in the attached document or report is true and correct to the best of my knowledge." This letter must be signed by an officer or legally authorized representative of your company. Please include a cover

letter satisfying these requirements with all future reports and technical documents submitted for this fuel leak case.

**PROFESSIONAL CERTIFICATION & CONCLUSIONS/RECOMMENDATIONS**

The California Business and Professions Code (Sections 6735, 6835, and 7835.1) requires that work plans and technical or implementation reports containing geologic or engineering evaluations and/or judgments be performed under the direction of an appropriately registered or certified professional. For your submittal to be considered a valid technical report, you are to present site specific data, data interpretations, and recommendations prepared by an appropriately licensed professional and include the professional registration stamp, signature, and statement of professional certification. Please ensure all that all technical reports submitted for this fuel leak case meet this requirement.

**UNDERGROUND STORAGE TANK CLEANUP FUND**

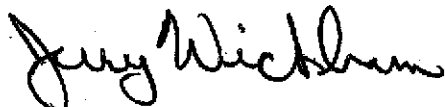
Please note that delays in investigation, later reports, or enforcement actions may result in your becoming ineligible to receive grant money from the state's Underground Storage Tank Cleanup Fund (Senate Bill 2004) to reimburse you for the cost of cleanup.

**AGENCY OVERSIGHT**

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

If you have any questions, please call me at (510) 567-6791.

Sincerely,



Jerry Wickham  
Hazardous Materials Specialist

Enclosure: ACEH Electronic Report Upload (ftp) Instructions

cc: Penny Wilson  
Tetra Tech EM, Inc.  
135 Main Street, Suite 1800  
San Francisco, CA 94105

Donna Drogos, ACEH  
Jerry Wickham, ACEH  
File

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY  
DAVID J. KEARS, Agency Director



out  
7-20-05

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

July 19, 2005

J.W. Silveira  
J.W. Silveira Realty  
499 Embarcadero  
Oakland, CA 94606

Subject: Fuel Leak Case No. RO0000504, William Wurzbach Company, 1200 20<sup>th</sup> Avenue, Oakland, CA

Dear Mr. Silveira:

Alameda County Environmental Health (ACEH) staff has reviewed the fuel leak case file for the subject site and the report entitled, "Site Closure Report," dated December 2003 prepared by Tetra Tech EM Inc. Soil and groundwater contamination are present at the site in the area of the underground storage tank pit and well MW-1. Groundwater monitoring has not been conducted at the site since August 2001. During the August 2001 groundwater monitoring event, total petroleum hydrocarbons as gasoline were detected in well MW-1 at a concentration of 5,400 micrograms per liter ( $\mu\text{g/L}$ ) and benzene was detected at a concentration of 850  $\mu\text{g/L}$ . The December 2003 report recommended site closure based on the apparent localized extent of contamination and lack of downgradient migration. The site cannot be closed at this time because these conclusions are not sufficiently supported to make these determinations. We request that you address the following technical comments, perform the proposed work, and send us the reports described below.

This decision is subject to appeal to the State Water Resources Control Board (SWRCB), pursuant to Section 25299.39(b) of the Health and Safety Code (Thompson-Richter Underground Storage Tank Reform Act - Senate Bill 562). Please contact the SWRCB Underground Storage Tank Program at (916) 341-5851 for information regarding the appeal process.

**TECHNICAL COMMENTS**

1. **Hydraulic Gradient.** The groundwater elevation measured in well MW-2 is more than 4 feet below mean sea level and is consistently approximately 2 feet lower than the groundwater elevations measured in wells MW-1 and MW-3. As a result, the apparent hydraulic gradient from the former USTs is to the north, which is not consistent with the expected regional groundwater flow direction. Land surface in the surrounding area slopes to the south. Well MW-2 was constructed to a depth of 35 feet below grade (bg), approximately 5 feet deeper than wells MW-1 and MW-3, and terminates in a gravel layer. Hydraulic gradients as high as 0.06 feet/feet have been estimated based on comparison of water levels in the three wells. Based on these large water elevation differences, it appears that well MW-2 may not be hydraulically connected with the former UST area. In addition, the apparent hydraulic gradient to the north may be an artifact of differences in well construction and/or soil conditions. Therefore, the apparent hydraulic gradient to the north may be misleading. Additional investigation is to be conducted to demonstrate the actual hydraulic gradient for the site. Please your plans to achieve this objective in the Work Plan requested below.

2. **Lateral Extent of Soil Contamination.** A leak in former gasoline tank #2 was observed near the southeastern end of tank #2, closest to the building. One soil sample collected from the southeastern sidewall of the excavation contained 8.5 mg/kg of TPH as gasoline and 0.08 mg/kg of benzene. ACEH requests that additional samples be collected to confirm that soil contamination does not extend beneath the building. Please present your plan to define the lateral extent of soil contamination in the Work Plan requested below.
3. **Vertical Extent of Contamination.** The vertical extent of soil and groundwater contamination has not been sufficiently defined for this site. Only two soil samples have been collected below a depth of 12.5 feet below grade (bg). No depth-discrete groundwater samples have been collected. Please provide a plan to characterize the vertical extent of soil and groundwater contamination at the site in the Work Plan requested below.
4. **Well Survey.** We request that you locate all wells (monitoring and production wells: active, inactive, standby, decommissioned, abandoned and dewatering, drainage and cathodic protection wells) within 2,000 ft of the subject site. We recommend that you obtain well information from both Alameda County Public Works Agency and the State of California Department of Water Resources, at a minimum. Submittal of maps showing the location of all wells identified in your study, and the use of tables to report the data collected as part of your survey are required. Please present your results in the Work Plan requested below.
5. **Utilities and Other Preferential Pathways.** The potential for utility lines and trenches (including sewers, storm drains, pipelines, and trench backfill within the vicinity of the site to act as preferential pathways for contaminant movement is to be evaluated. The depth of utilities is to be compared to current and potential future groundwater elevations to assess whether utilities are likely or potential preferential pathways for contaminant movement. The locations and depths for utilities located within proximity to the site are to be plotted on a site map. Any sensitive receptors in the vicinity of the site are to be identified and their locations plotted on a map of the site vicinity. Please present these results in the Work Plan requested below.

In addition to utility lines and trenches, boring logs for the monitoring wells indicate that zones of sandy soils several feet thick were encountered during well installation. Boring logs for the two additional soil borings south of the former USTs indicate primarily fine-grained soils within the saturated interval. Sufficient groundwater did not enter borings SB-1 or SB-2 to collect a groundwater sample. Please evaluate the potential for groundwater and contaminants to migrate preferentially through the coarser grained zones in the subsurface. Please present your plans for evaluating preferential pathways in the Work Plan requested below.

6. **GeoTracker EDF Submittals.** Pursuant to CCR Sections 2729 and 2729.1, beginning September 1, 2001, all analytical data, including monitoring well samples, submitted in a report to a regulatory agency as part of the LUFT program, must be transmitted electronically to the SWRCB GeoTracker system via the internet. Additionally, beginning January 1, 2002, all permanent monitoring points utilized to collect groundwater samples (i.e. monitoring wells) and submitted in a report to a regulatory agency, must be surveyed (top of casing) to mean sea level and latitude and longitude to sub-meter accuracy, using NAD 83, and transmitted electronically to the SWRCB GeoTracker system via the internet. Beginning July 1, 2005, electronic submittal of a complete copy of all necessary reports is also required in Geotracker (in PDF format). Please upload all analytical data (collected on or after

September 1, 2001), to the SWRCB's GeoTracker database website in accordance with the above-cited regulation.

#### **TECHNICAL REPORT REQUEST**

Please submit technical reports to Alameda County Environmental Health (Attention: Mr. Jerry Wickham), according to the following schedule:

- **October 11, 2005 – Work Plan for Additional Investigation**
- **120 days following ACEH approval of Work Plan – Soil and Groundwater Investigation Report**

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

#### **PERJURY STATEMENT**

All work plans, technical reports, or technical documents submitted to ACEH must be accompanied by a cover letter from the responsible party that states, at a minimum, the following: "I declare, under penalty of perjury, that the information and/or recommendations contained in the attached document or report is true and correct to the best of my knowledge." This letter must be signed by an officer or legally authorized representative of your company. Please include a cover letter satisfying these requirements with all future reports and technical documents submitted for this fuel leak case.

#### **PROFESSIONAL CERTIFICATION & CONCLUSIONS/RECOMMENDATIONS**

The California Business and Professions Code (Sections 6735, 6835, and 7835.1) requires that work plans and technical or implementation reports containing geologic or engineering evaluations and/or judgments be performed under the direction of an appropriately registered or certified professional. For your submittal to be considered a valid technical report, you are to present site specific data, data interpretations, and recommendations prepared by an appropriately licensed professional and include the professional registration stamp, signature, and statement of professional certification. Please ensure all that all technical reports submitted for this fuel leak case meet this requirement.



J.W. Silveira  
July 19, 2005  
Page 4

**UNDERGROUND STORAGE TANK CLEANUP FUND**

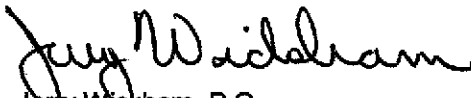
Please note that delays in investigation, later reports, or enforcement actions may result in your becoming ineligible to receive grant money from the state's Underground Storage Tank Cleanup Fund (Senate Bill 2004) to reimburse you for the cost of cleanup.

**AGENCY OVERSIGHT**

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

If you have any questions, please call me at (510) 567-6791.

Sincerely,



Jerry Wickham, P.G.  
Hazardous Materials Specialist

cc: Penny Wilson  
Tetra Tech EM, Inc.  
135 Main Street, Suite 1800  
San Francisco, CA 94105

Donna Drogos, ACEH  
Jerry Wickham, ACEH  
File



Out  
4-29-05 ✓

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

April 28, 2005

Mr. J. W. Silveira c/o  
Ms. Virginia Tracey  
499 Embarcadero  
Oakland CA 94606

**Re: Fuel Leak Case No. RO0000504 Environmental Investigation at 1200 20<sup>th</sup> St.,  
Oakland, CA 94606**

Dear Mr. Silveira:

It has come to our attention that you and/or your consultant have requested the review of the above subject site for closure. Please be advised that the following State Water Board "low risk" criteria must be met prior to your case being considered for closure. If you feel that your site meets the following state requirements for a "low risk" site, then submit a stand-alone document specified below for our office review.

**LOW RISK requirements:**

1. Leak stopped, on-going source, including free product removed
2. Site adequately characterized
3. Plume not migrating
4. No sensitive receptors impacted
5. No significant risk to human health
6. No significant risk to environment
7. Water quality objectives to be achieved within a reasonable time frame

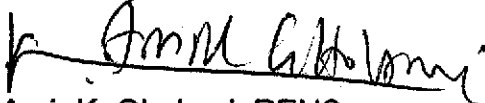
Please be advised that a stand-alone document must include a site conceptual model (SCM), which incorporates the following items:

- Summary Figures
  - Site vicinity map showing the site location and identification of any nearby sensitive receptors.
  - Plot plan showing all historical sampling locations. Differentiation between sample types (i.e. excavation soil samples, soil boring locations, monitoring wells, soil vapor sampling points, etc.) is required. This figure also needs to include any former and existing UST system components, delineation of excavation areas, areas targeted by active remediation, building locations, potential preferential pathways such as utilities, property boundaries and public right-of-way locations.

- Depth-specific contaminant isoconcentration maps for soil and groundwater. If active remediation was performed, separate pre-remediation and post-remediation isoconcentration maps are required.
- Summary Tables
  - Table of all historical soil data. Sample ID, date, depth, and results for all analytes are required. Please refer to the Tri-Regional Guidelines to confirm that chemical analysis was performed for all relevant contaminants of concern (CoCs). Pre- and post-remediation concentrations should be clearly identified or presented in separate tables.
  - Table of all historical groundwater data. Chemical concentrations in monitoring well(s) concentrations along with depth to water should be tabulated.
  - The tables need to compare the detected CoC concentrations with the Regional Board's ESLs or other appropriate cleanup levels and to the water quality objectives identified in the Regional Board's Basin Plan.
- Complete set of all boring logs generated during site investigation.
- Geologic cross-sections showing soil borings, monitoring wells with screened intervals, UST locations, any preferential pathways, excavation boundaries, water table elevations (historical and current) and extent of residual contamination.

The above stand-alone document will help to expedite the review of your case. Please contact Amir K. Gholami at 510-567-6876 or [amir.gholami@acgov.org](mailto:amir.gholami@acgov.org) to receive document samples to help you prepare the stand-alone document, if you are requesting a closure review.

Sincerely,



Amir K. Gholami, REHS

Hazardous Materials Specialist

C: D. Drogos, A. Gholami

Mr. H. Dawson, Tetra Tech EM Inc., 135 Main St., Suite 1800, San Francisco CA 94105

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY  
DAVID J. KEARS, Agency Director



GREEN 9-10-01

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

September 7, 2001  
StID 4848/RO0000504

Mr. J. W. Silveira  
499 Embarcadero  
Oakland CA 94606

**Re: Groundwater Investigation at 1200 20<sup>th</sup> Ave., Oakland CA 94606**

Dear Mr. Silveira:

Our office has received and reviewed the 2000 Groundwater Report for the referenced site. This report includes the groundwater monitoring results for all sampling events in 2000 and proposes a number of modifications in the current monitoring schedule. Among the recommendations are discontinuing the analysis for the compound MTBE due to its absence in detection and reducing the frequency of monitoring in wells MW-2 and MW-3 to once every other year until site closure is granted. These recommendations are approved. Oxygen releasing compound (ORC) socks are currently being placed in MW-1 to enhance bio-remediation of the gasoline and BTEX in this well. Current recommendations were to replace the ORC socks in August 2001, then replace the socks sometime in June 2002. This implies that at least one additional monitoring event would be required after this next ORC addition, likely at the end of 2002 or early 2003. This approach is acceptable, however, our office would like to make a recommendation to expedite site closure.

The groundwater concentration in MW-1 currently poses a problem because other sensitive receptors could be impacted by this release. Please perform a sensitive receptor and utilities survey to determine if this is a potential. In addition, the fluctuating petroleum concentration indicates a residual source of contamination. However, if the plume appears to be confined, our office recommends that you evaluate the current groundwater and highest residual gasoline and BTEX concentrations against the City of Oakland ULR Risk Based Screening Levels. If no risk is indicated, you may request that the site be considered for closure.

You may contact me at (510) 567-6765 if you have any questions.

Sincerely,

Barney M. Chan  
Hazardous Materials Specialist

C: B. Chan, files

Mr. H. Dawson, Tetra Tech EMI, 1325 Airmotive Way, Suite 200, Reno NV 89502

Rec1200 20thAve

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY  
DAVID J. KEARS, Agency Director



01-12-01

RO 388  
RO 387  
RO 504

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

January 12, 2001

Mr. J. W. Silveira c/o  
Ms. Virginia Tracey  
499 Embarcadero  
Oakland CA 94606

**Re: Subsurface Investigations at Silveira Properties, 744 E. 12<sup>th</sup> St., 1200 20<sup>th</sup> Ave., and 2301 E. 12<sup>th</sup> St., Oakland CA**

Dear Mr. Silveira:

This letter serves to update you on the status of three of your properties regarding their on-going investigation of fuel releases from former underground storage tanks. I have also projected their likely future disposition based upon additional requirements from our office.

**744 E. 12<sup>th</sup> St., Oakland 94606, Former Harley Davidson site**

Tetra Tech EMI has just sampled the three wells at this site in December 2000. Assuming that sample results remain as they have in the past, a safe assumption, your consultant can request for site closure. Tetra Tech is asked to include a cumulative table of groundwater monitoring results in their next report.

**1200 20<sup>th</sup> Ave., Oakland 94606, Former W. Wurzbach Co.**

Groundwater contamination appears localized adjacent to the former underground tanks. Oxygen releasing compound (ORC) socks have been added to monitoring well MW-1 in the area of petroleum contamination to promote bio-remediation. Tetra Tech recommends groundwater monitoring be done after six months (to let the action of the ORC socks work). This monitoring change is acceptable. Please remove the socks from MW-1 one month before sampling to allow the groundwater to equilibrate. Should the gasoline and BTEX concentrations remain stable and low our office will proceed with recommending site closure.

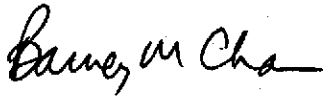
**2301 E. 12<sup>th</sup>, Oakland 94601, Former Senna Auto Parts**

Our office agreed to suspend groundwater sampling in mid 2000 on the condition that active remediation be done at this site. There has been free petroleum product found in wells at this site. An area just down-gradient of the former waste oil tanks has the most elevated Total Petroleum Hydrocarbons (TPH) in the gasoline, diesel and motor oil range. It is believed that if you focus on this area for remediation, the contaminant plume will slowly shrink and site closure can be achieved with either a deed notice or deed restriction. Tetra Tech has been requested to provide a feasibility study to study and choose the most reasonable remedial approach. This has been difficult due to the geology encountered, however, several approaches have been discussed with our office. It is recommended to test the groundwater for total dissolved solids and conductivity to establish whether the water is potable. **Please provide your feasibility study and a schedule for its implementation to our office within 30 days or no later than February 15, 2001.** Note further delay will require to reinstate groundwater monitoring.

Mr. J. W. Silveira c/o  
Ms. Virginia Tracey  
Underground Tank Sites  
January 12, 2001  
Page 2

You may contact me at (510) 567-6765 if you have any questions.

Sincerely,



Barney M. Chan  
Hazardous Materials Specialist

C: B. Chan, files

Mr. H. Dawson, Tetra Tech EMI, 135 Main St., Suite 1800, San Francisco, CA 94105  
Mr. R. Shapiro, Shapiro, Buchman Provine & Patton, 1331 N. California Blvd.,  
Suite 320, Walnut Creek, CA 94596

statSilveirasites

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY  
DAVID J. KEARS, Agency Director



10-26-00

Ro# 504

October 25, 2000  
StID # 4868

Mr. J. W. Silveira c/o  
Ms. Virginia Tracey  
499 Embarcadero  
Oakland CA 94606

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

**Re: Environmental Investigation at 1200 20<sup>th</sup> Ave., Oakland CA 94601**

Dear Mr. Silveira:

Our office has received and reviewed the October 16, 2000 Second Quarter 2000 Monitoring Report for the above referenced site as prepared by Tetra Tech EM Inc. The gasoline and BTEX concentrations in monitoring well MW-1 rebounded to high levels similar to the 1998 and 1999 levels and do not confirm a decreasing trend as might be expected due to natural bio-attenuation. Your consultant, therefore, recommends the introduction of oxygen-releasing socks (ORC) into this well. Our office has no objections to this action and you may proceed with this, however, in an attempt to obtain enough information to determine if closure is warranted, you are requested to provide the following additional information:

- Please provide copies of all of the analytical results for soil borings SB-1 and SB-2. These results were mixed with results from your other site on E. 12<sup>th</sup> St. and their identification and chain of custody documents were not clear.
- Please provide the groundwater sampling data sheets from the aforementioned monitoring report. This information should include groundwater purge volume, pH, electrical conductivity, dissolved oxygen et al. Note this information should be included in all reports for your sites.
- Please include the correct groundwater gradient map for the Second Quarter 2000 monitoring event. The gradient map included in this report was for your 744 E. 12<sup>th</sup> St. site.
- Please perform a sensitive receptor and preferential pathway survey. Any conduits, such as utilities, culverts, channels etc., should be identified and their depths indicated.

You may contact me at (510) 567-6765 if you have any questions.

Sincerely,

Barney M. Chan  
Hazardous Materials Specialist

C: B. Chan, files

Mr. H. Dawson, Tetra Tech EM Inc., 135 Main St., Suite 1800, San Francisco CA 94105

Addinf 1200 20th

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY  
DAVID J. KEARS, Agency Director



Sent 2/10/00  
With cc's

20387  
20388  
20504

February 10, 2000  
StID #71, 2957,4868

Mr. J. W. Silveira c/o  
Ms. Virginia Tracey  
499 Embarcadero  
Oakland CA 94606

ENVIRONMENTAL HEALTH SERVICES  
ENVIRONMENTAL PROTECTION  
1131 Harbor Bay Parkway  
Alameda, CA 94502-6577  
(510) 567-6700  
(510) 337-9432

Re: Former Underground Storage Tank Sites; 2301 E. 12<sup>th</sup> St., 744 E. 12<sup>th</sup> St. and  
1200 20<sup>th</sup> Ave., Oakland, CA

Dear Ms. Tracey:

This letter updates you on the progress and status of the environmental investigations being performed on your behalf by Tetra Tech EM Inc. It further comments on the February 8, 2000 e-mail letter sent to me by Mr. Hal Dawson of Tetra Tech.

Based on past discussions and e-mail messaged from our office and Tetra Tech, it is believed that we have reached an understanding on the requirements and likely future of the three referenced sites. Tetra Tech wanted to discuss their recommendations with our office prior to finalizing the monitoring reports. **Please submit final monitoring reports to our office within 15 days or no later than February 29, 2000.**

In regards to the above sites, our office has the following comments:

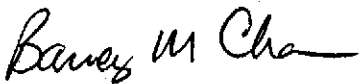
- For 744 E. 12<sup>th</sup> St., it is assumed that this site will be considered for closure after completing four quarters of groundwater monitoring.
- For 1200 20<sup>th</sup> Ave., our office believes that some type of remediation will be required given the elevated gasoline and BTEX concentrations being detected in MW-1. At a minimum, your consultant is considering adding oxygen-releasing compound (ORC) socks into this well in enhance bio-remediation. Long term monitoring will be required to verify the effectiveness of this approach. If groundwater contamination is remediated in this well, the boring within the building may not be required. To hasten the investigation, you may choose to advance the boring prior to the completion of ORC application.
- For 2301 E. 12<sup>th</sup> St., our office has received and reviewed an e-mail letter from Tetra Tech offering several remedial approaches for the site. At this time, the only approach our office is not considering is the assumption that natural attenuation has reduced concentrations to acceptable levels. Our office still believes there is considerable petroleum within soil and groundwater. Please provide an iso-concentration map for residual soils at this site. It is believed that once the highest impacted areas are identified, treatment of these areas would hasten the attenuation of contaminant concentrations. This treatment could include the injection of peroxide solution as discussed by Tetra Tech, however, a pilot study is recommended to verify its feasibility.



Mr. J.W. Silveira  
StID # 71, 2957 & 4868  
February 10, 2000  
Page 2.

I hope this clarifies the status of these sites. Please contact me at (510) 567-6765 if you have any questions.

Sincerely,

A handwritten signature in cursive script that reads "Barney M. Chan".

Barney M. Chan  
Hazardous Materials Specialist

C: B. Chan, files  
Mr. H. Dawson, TetraTech EMI, 135 Main St., Suite 1800, San Francisco, CA 94105

Stat-JWSilveira

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



ROS04

July 6, 1999  
StID # 4868

ENVIRONMENTAL HEALTH SERVICES

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

Ms. Virginia Tracey c/o  
Silveira Property  
499 Embarcadero  
Oakland CA 94606

**Re: Subsurface Investigation at 1200 20<sup>th</sup> Ave., Oakland CA 94606**

Dear Ms. Tracey:

As you may be aware, Tetra Tech EMI attempted to advance two borings at the above site in accordance with their previously approved work plan, a work plan nearly identical to that proposed by Mr. Alt of Epigene. The borings were intended to determine the extent of soil and groundwater contamination from the former gasoline underground tanks at the site. Prior groundwater results indicated relatively high gasoline and BTEX (benzene, toluene, ethyl benzene and xylenes) in monitoring well MW-1, the well closest to the former tanks. Although wells MW-2 and MW-3 had not detected much contamination, the extent of contamination to the south of the underground tanks was unknown. The natural slope of this area would have predicted a southerly groundwater gradient, not northerly as has been measured at the site. Therefore, the two borings to the south and southwest of the former tanks were proposed. Soil and groundwater samples were to be taken for analysis. Unfortunately, the first boring (S1), to the south of the tanks did not encounter any groundwater even at a depth of 34' below ground surface (bgs). Because of these results, the other boring, SB-2, was not attempted.

Tetra Tech, therefore, has proposed the following modifications to their original work plan:

- Boring SB-2 will be advanced approximately 20' southwest of MW-1, as opposed to its original location. A soil sample will be collected from the zone in which contamination is observed qualitatively and if there is no indication of contamination, a soil sample will be collected within 5' below the top of the vadose zone.
- A grab groundwater sample will be collected from SB-2 if possible. An additional boring will be considered further southwest of MW-1 if contamination is detected in SB-2.

I have spoke with Mr. Hal Dawson of Tetra Tech and we have concurred with the following additional requirements:

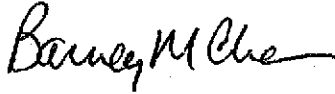
- The location of SB-2 is accepted. Please also add one additional boring as close as possible to the east side of the former underground tank. This is necessary to estimate concentrations of petroleum which workers within the adjacent building might be exposed. It is important that both soil and groundwater samples be collected. Soil samples should be collected in zones of contamination detected during field screening or at depths near the bottom of the tank. The depth of the boring should extend to at least the depth of the former monitoring wells before they are terminated.

Ms. V. Tracey  
1200 20<sup>th</sup> Ave., Oakland CA 94606  
StID # 4868  
July 6, 1999  
Page 2.

In addition, please submit a copy of the monitoring well results for the recent April 1999 sampling event. Please make sure that all detected analytes in this monitoring event are tested for in the soil and groundwater samples from the proposed borings. It is also advisable that you look at the results from the borings and compare them against Tier 1 RBCA values.

Please inform me prior to the field work. I may be reached at (510) 567-6765 if you have any comments or questions.

Sincerely,



Barney M. Chan  
Hazardous Materials Specialist

C: B. Chan, files

Mr. Hal Dawson, Tetra Tech EM Inc., 135 Main St., Suite 1800, San Francisco, CA 94105

Supwpap1200

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



RO# 387 / RO# 504 / RO# 388

February 2, 1999  
StID # 71, 2957 and 4868

Mr. J. W. Silveira c/o  
Ms. Virginia Tracey  
499 Embarcadero  
Oakland CA 94606

ENVIRONMENTAL HEALTH SERVICES

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

**Re: Request for Technical Report for Underground Storage Tank Sites at 2301 E. 12<sup>th</sup> St., Oakland, 94601 and 744 E. 12<sup>th</sup> St. and 1200 20<sup>th</sup> Ave., Oakland CA 94606**

Dear Ms. Tracey:

During our meeting on October 16, 1998 at the County's offices, specific work and report submittal dates were committed to by you, Mr. Alt, your consultant and Mr. Shapiro. Mr. Alt, subsequently faxed our office work plans for the three referenced sites, reiterating the commitments to perform additional site investigation and submit the required reports. After review of these work plans, they were approved with minor changes. It was hoped that this would resolve the on-going problems with Mr. Silveira's sites. Unfortunately, to date, our office has not been notified of any action taken to perform the proposed work plans. We have not received any reports, either.

The following restates your commitments:

**2301 E. 12<sup>th</sup> St., Oakland 94601 (RO# 387) STID # 71**

- Hard copies of all previously non-submitted groundwater monitoring reports were promised for this site and 1200 20<sup>th</sup> Ave. Reportedly, Mr. Alt had these reports in a locked file cabinet and was not able to bring them to the October meeting.
- The next monitoring event, scheduled for October 1998, would include both chemical analysis and the analysis for bio-remediation parameters. Should the results indicate a lack of oxygen, the wells would have oxygen releasing compound added to them.
- Hydropunch borings would be installed up-, down- and cross-gradient of the former underground tanks in order to define the extent of the contamination and identify any other sources of contamination.

The results of the monitoring were to be submitted and the subsurface investigation scheduled for the first quarter 1999.

**1200 20<sup>th</sup> Ave., Oakland 94606 (RO# 504) STID # 4868**

- As previously mentioned, hard copies of all non-submitted monitoring reports were to be delivered as soon as possible.
- Two hydropunch borings, one on Solano Ave. and one on 20<sup>th</sup> Ave. were to be advanced. Soil and groundwater samples were to be collected for analysis. This work was to be performed in November 1998 and a report of findings submitted by December 1998.

It should be noted that given the elevated concentrations of TPHg and BTEX in the report sheets for the July 1998 event, it would be advisable to measure the dissolved oxygen in the wells and consider the addition of oxygen releasing compound, if warranted.

Mr. J.W. Silveira  
LOP sites; #71, #4868, #2957  
February 2, 1999  
Page 2.

744 E. 12<sup>th</sup> St., Oakland 94606 (RO#388) 570 2957

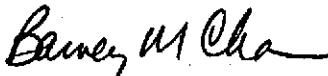
- This site is the least characterized of the three. No work has been reported since the underground tank removal. To characterize this site and complete the tank removal sampling requirement, three monitoring wells and two hydropunch borings were proposed. I recommended minor changes in boring locations and sampling requirements. This investigation was to be completed in November 1998 and the report submitted by the end of December.

Because I requested to be notified prior to any field work, I presume no work has occurred. No reports have been submitted to our office. I recommend that you contact me immediately to update me on the status of these sites and provide all the requested reports.

This is a formal request for technical reports pursuant to Title 23 of the California Code of Regulations. The failure to submit the requested reports may subject Mr. Silveira with civil liability. The Water Board may also impose civil liability for the similar violation of the Water Code. The District Attorney Office is notified of these sites as a follow-up to the past pre-enforcement hearing.

You may contact me at (510) 567-6765 if you have any questions.

Sincerely,



Barney M. Chan  
Hazardous Materials Specialist

C: B. Chan, files

Mr. J. Alt, Epigene International, 37161 Niles Blvd., Fremont, CA 94536

Mr. R. Shapiro, Esq., Shapiro Buchman LLP, 1331 North California Blvd., Suite 320  
Walnut Creek, CA 94596

Mr. Bob Chambers, Alameda County District Attorney Office, 7677 Oakport, Suite 400,  
Oakland CA 94621

2stat-Silveira

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY  
DAVID J. KEARS, Agency Director



RO#504

October 27, 1998  
StID # 4868

Mr. J. W. Silveira c/o  
Ms. Virginia Tracey  
499 Embarcadero  
Oakland CA 94606

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

**Re: Work Plan Approval for Site Characterization at 1200 20<sup>th</sup> Ave., Oakland CA 94606**

Dear Mr. Silveira:

Thank you for the submission of the October 16, 1998 work plan for the above site as prepared by Mr. John Alt of Epigene International. We received the fax copy of the work plan on October 26, 1998. The work plan responds to the County's concern of potential residual soil and groundwater contamination topographically down-gradient to the former underground storage tanks at this site. Two hydropunch soil borings will be advanced near the former underground tank, one on Solano Ave. and one on 20<sup>th</sup> Ave. Beginning at ten feet depth, soil samples will be screened every five feet with an organic vapor meter. Using the highest field measurement, at least one soil sample will be analyzed for TPH as gasoline, BTEX and MTBE. A grab groundwater sample will also be collected for the same analyses. This work plan is approved by our office.

The results of this investigation will be presented in the form of a report. In addition, an additional groundwater monitoring event will be performed at the end of October 1998. Upon receipt and evaluation of these reports, our office will discuss the site with Mr. Alt to determine the next step. As stated in the work plan, this field work should be completed in November 1998 and the reports submitted to our office by the end of December 1998. In addition, please submit the monitoring report for the prior monitoring event performed in July 1998. Only the results of this monitoring was provided during the October 14, 1998 meeting with Ms. Tracey, Mr. Alt and Mr. Shapiro.

Please inform me at least 72 working hours prior to this field work. I may be reached at (510) 567-6765 if you have any comments or questions.

Sincerely,

Barney M. Chan  
Hazardous Materials Specialist

C: B. Chan, files

Mr. J. Alt, Epigene International, 37161 Niles Blvd., Suite B, Fremont CA 94536  
Mr. R. Shapiro, Esq., Shapiro, Buchman LLP, 1331 North California Blvd., Suite 320  
Walnut Creek, CA 94596

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY  
DAVID J. KEARS, Agency Director



R0387  
R0504  
R0388

September 3, 1998  
LOP Sites

Mr. Robert Shapiro  
1331 North California Blvd., Suite 320  
Walnut Creek, CA 94596

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

**Re: Current Status of J. W. Silveira Site in the Local Oversight Program-Alameda County**

Dear Mr. Shapiro:

This letter responds to your September 1, 1998 letter inquiring about our office's response to your June 3, 1998 letter. Your letter, in turn, responded to my May 5, 1998 letter where I attempted to summarize the County's opinion and concerns regarding Mr. Silveira's sites under our jurisdiction. My initial response to your letter was that the work proposed was not in the form of an acceptable work plan and was not signed by a registered professional as required by the Business and Professional Code. I then contacted Mr. John Alt of Epigene who verified that your letter was based upon his work plans. I requested that Mr. Alt submit the original work plans, signed and stamped by him.

I have talked to Mr. Alt several times since then and he has promised several times to submit the original work plans. To date, he has not provided these work plans, apparently because he has not been paid for this work.

At this time, the three LOP sites are considered out of compliance and are subject to the District Attorney's Office decision as whether to enforce or not.

You may contact me at (510) 567-6765 if you have any questions or comments.

Sincerely,

Barney M. Chan  
Hazardous Materials Specialist

C: B. Chan, files  
Mr. John Alt, Epigene, 37161 Niles Blvd., Fremont CA 94536  
Mr. J.W. Silveira, 499 Embarcadero, Oakland CA 94606

statJWSsites

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY  
DAVID J. KEARS, Agency Director



RO# 504

May 5, 1998

Mr. J. W. Silveira  
499 Embarcadero  
Oakland CA 94606

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

**Re: Underground Tank Subsurface Investigations in the Local  
Oversite Program (LOP), Overseen by Alameda County**

Dear Mr. Silveira:

Our office would like to give you a final chance to continue and conclude on-going subsurface investigations on the three Oakland LOP sites which are currently overseeing by our office.

As you are aware, these three sites, which are owned by you, are being overseen by our office;

- 744 E. 12<sup>th</sup> St., Oakland CA , the former Harley Davidson site, StID # 2957
- 1200 20<sup>th</sup> Ave., Oakland CA, the William Wurzbach property, StID # 4968 and
- 2301 E. 12<sup>th</sup> St., Oakland CA 94601, the former Mel Senna Auto

Recall, my November 11, 1996 letter requested technical information on these sites by December 16, 1996. I cautioned you that Alameda County District Attorney's office was considering enforcement activities on you. Be aware that both County District Attorney's office and the Regional Water Quality Control Board have the authority under the Health and Safety Code and the Water Code, respectively, to levy civil fines in addition to requiring the same information and work that Alameda County Environmental Health requests for the proper closure of an underground tank site. Therefore, it is advisable to avoid enforcement and work with our office.

I would like to reiterate the County's current understanding of the status of each site and restate the needs for each site.

1200 20<sup>th</sup> Ave. Ave., Oakland 94606 StID # <sup>4868</sup> ~~4968~~ (RO# 504)

Significant investigation has already occurred at this site. This site has been preliminarily reviewed for closure. Upon internal review, it was determined that additional site characterization is necessary. This would likely consist of the advancement of several borings south of the former tank and the sampling of both soil and groundwater. The results of these borings should then be evaluated for potential risk to human health and the environment. Should no unacceptable risk exist, this site would be recommended for closure.



Mr. J. W. Silveira

LOP Sites

May 5, 1998

Page 2.

It certainly would be a waste if this investigation was not continued to closure. Please submit a work plan for this additional investigation within 30 days or by June 8, 1998.

744 E. 12<sup>th</sup> St., Oakland 94606 StID #2957 (R0#388)

The underground tank closure of the 500 gallon gasoline tank is not complete. Additional soil samples are required along the former underground piping run. In addition, based on the initial elevated benzene and gasoline concentration in initial tank pull samples, further site characterization is required to define the limits of soil and groundwater contamination. Having discussed this previously with Mr. John Alt of Epigene, he proposed the advancement of four borings around the former tank pit to initially assess soil and groundwater conditions. At this time, it is unknown whether additional investigation or remediation is necessary. Please provide a work plan for piping run sampling and the advancement of at least four borings to our office within 30 days or by June 8, 1998.

2301 E. 12<sup>th</sup> St., Oakland CA 94601, StID # 71 (R0#387)

Considerable site investigation has occurred at this site. Significant gasoline and diesel contamination exists beneath and downgradient of this site. Potential risk to human health exists as determined by review of groundwater data and comparing these concentrations to conservative Tier 1 RBSLs (risk-based screening levels). This means potential health risk exists for current operators of the commercial business operating at this site. Low levels of chlorinated solvents also exist, likely the result of disposal of these solvents into the former waste oil tank. Off-site groundwater contamination has been found. The last time I spoke with Mr. Alt, he verbally proposed the advancement of soil borings both up and downgradient to the site. In addition, an extraction well placed near the former waste oil tank was being considered for groundwater extraction. The elevated levels of petroleum hydrocarbons must be remediated. At a minimum, until an active remediation system is initiated, you should have your consultant consider the addition of oxygen releasing compounds and any other supplements which would enhance natural bioremediation. Please provide your work plan for offsite borings and the analysis of natural biodegradation parameters to our office within 30 days or by June 8, 1998. You should continue to monitor groundwater quarterly at the site. Our last monitoring report from you was dated February 7, 1997.

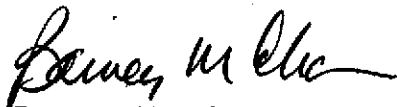
Mr. J. W. Silveira  
LOP Sites  
May 5, 1998  
Page 3.

Again, our office encourages you to complete the investigation and remediation at these sites. Civil liability will be avoided and you will restore property value and site useage.

The failure to respond to this request will result in the referral of these sites to the Water Board and the County District Attorney office for enforcement.

Please contact me at (510) 567-6765 should you have any questions.

Sincerely,



Barney M. Chan  
Hazardous Materials Specialist

C: B. Chan, files  
Mr. B. Chambers, Alameda County District Attorney Office  
Mr. C. Headlee, RWQCB  
Mr. R. Shapiro, 1331 N. California Blvd., Walnut Creek, CA  
94596

2JWSBnf

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY



DAVID J. KEARS, Agency Director  
February 18, 1997  
StID # 4868

RO#504

Mr. J.W. Silveira  
J.W.Silveira Company  
499 Embarcadero  
Oakland CA 94606

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

**Re: Work Plan for Additional Site Characterization at 1200  
20th Ave., Oakland CA 94606**

Dear Mr. Silveira:

Our office recently met with Mr. John Alt of Epigene International on February 3, 1997 and we discussed several of your properties where underground tanks have been removed. For the above referenced site, our office received and has reviewed the July 16, 1996, October 18, 1996 and January 30, 1997 Quarterly Monitoring Reports and the December 10, 1996 Workplan for Additional Site Characterization. The monitoring reports continue to indicate a northerly groundwater gradient with only well MW-1 detecting significant TPHg and BTEX.

In an attempt to determine if this site qualifies as a "low risk groundwater case" as described by the Regional Water Quality Control Board (RWQCB), your consultant has proposed additional site characterization. The December 10, 1996 work plan proposes to advance two additional hydropunch borings south and southwest of the former tank pit. This serves two purposes; to delineate both soil and groundwater contamination and to determine if potential for human health risk exists within nearby buildings. After receiving the results of this investigation a human health risk assessment (HHRA) should be made to evaluate risk based on potential exposure pathways. Our office approves of the work plan. Please expedite this work so it may be accomplished prior to the next quarterly monitoring event in April 1997. Should the results confirm no health risk, you may suspend groundwater monitoring and site closure will be recommended.

Please contact me at least 72 working hours prior to field work. I may be reached at (510) 567-6765 if you have any questions.

Sincerely,

Barney M. Chan  
Hazardous Materials Specialist

c: Mr. J. Alt, Epigene International, 38750 Paseo Padre Parkway,  
Suite A-11, Fremont, CA 94536  
B. Chan, files wpap1200

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



RAFAT A. SHAHID, Assistant Agency Director (4)

RO# 504

January 31, 1996

Mr. J. W. Silveira  
499 Embarcadero  
Oakland CA 94606

Alameda County CC4580  
Environmental Health Services  
1131 Harbor Bay Pkwy., #250  
Alameda CA 94502-6577  
(510)567-6700 FAX(510)337-9335

**Re: Referral of Sites to the Alameda County District Attorney  
Office for Enforcement**

Dear Mr. Silveira:

Our office has been providing both environmental remediation and regulatory oversight for a number of properties owned by you. Among these, the site at 2301 E. 12th St. in Oakland was the focus of a Pre-enforcement Hearing on August 31, 1993.

At this time, based on the lack of action on any of your sites, these cases will be referred to the Alameda County District Attorney Office for enforcement unless immediate action are initiated within 30 days or by March 1, 1996.

Below is a list of sites where you have been identified as the property owner and an ongoing remediation/compliance issue exists.

- (RO#1093) 1. 1832 E. 12th St., Oakland 94606, Christian International Church. StID # 4876. This site has been reviewed and granted closure by our office and the Water Board. You have been requested to properly close the two monitoring wells at this site. This has yet to be done. Please have this done and provide a report to our office documenting this action.
- RO#1120) 2. 923 87th Ave., Oakland 94621, Former Acker and Guerrero Roof Co. StID # 3668. This site has been closed by our office. Like the above site, you must close the existing three wells and provide a report to our office documenting this action.
- (RO#388) 3. 744 E. 12th St., Oakland 94606, Former Harley Davidson, StID # 2957. An application for the removal of the 250 gallon gasoline tank was submitted on June 13, 1994 and approved on July 20, 1994. Over 1.5 years has elapsed without word as to when this tank will be removed. During this time, no tank registration fees have been paid to our office. This tank must be either registered and permitted or properly closed.

Mr. J. W. Silveria  
Referral of Sites  
January 31, 1996  
Page 2.

- (RO#504) 4. 1200 20th Ave., Oakland 94606, William Wurzbach Property, StID # 4968. This site experienced a petroleum release from the two gasoline tanks removed from this site on January 19, 1994. Three monitoring wells were installed at the site on February 13 and 14, 1995. A March 31, 1995 report documented this activity. Since this time, our office has not received any additional monitoring reports. We have been informed, however, that subsequent groundwater monitoring has occurred. Please provide all reports subsequent to the initial report to our office immediately. Further recommendations will be made after review of these reports.
- (RO#387) 5. 2301 E 12th St., Oakland 94601, Former Mel Senna Auto, StID # 71. This site was previously the focus of an August 31, 1993 Pre-enforcement Hearing. A request for technical reports letter was sent to you under the Water Board letterhead. Due to the significant fuel and solvent release, supplemental work plans have been submitted to further characterize and initiate remediation at this site. Our office reviewed and approved the June 9, 1995 Remedial Action Plan provided by your consultant, Epigene International. This work plan called for the installation of three additional wells and the initiation of a groundwater extraction system. This work has yet to be performed. You should initiate this field work immediately unless you provide justification, perhaps a risk assessment, to show that such work is not necessary. Additionally, our office has only received the first quarter 1995 monitoring report for the existing six wells at this site. Please provide all monitoring reports after the first quarter 1995 to our office immediately.

Your immediate written response to all of the above items is necessary to prevent these cases from being referred to the Alameda County District Attorney's Office for enforcement.

Please contact me at (510) 567-6765 should you have any questions.

Sincerely,



Barney M. Chan  
Hazardous Materials Specialist

Mr. J. W. Silveria  
Referral of Sites  
January 31, 1996  
Page 3.

c: G. Jensen, Alameda County District Attorney Office  
J. Alt, Epigene Intl., 38750 Paseo Padre Parkway, Suite B-4  
Fremont, CA 94536  
R. Shapiro, Attorneys-At-Law, 1331 N. California Blvd.,  
Walnut Creek, CA 94596  
P. Evans, ACEH  
G. Coleman, files

JWSENF

*dfp*

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY  
DAVID J. KEARS, Agency Director



STID 4876 : 1832 E. 12th St

RO1093

STID 4868 : 1200 20th Ave

✓ RO 504

RAFAT A. SHAHID, Assistant Agency Director

April 24, 1995  
StID # 4876 and 4868

Mr. J. W. Silveira  
499 Embarcadero  
Oakland CA 94606

ALAMEDA COUNTY-ENV. HEALTH DEPT.  
ENVIRONMENTAL PROTECTION DIV.  
1131 HARBOR BAY PKWY., #250  
ALAMEDA CA 94502-6577  
(510)567-6700

**Re: Comment on the Monitoring Well Installation Reports for 1832  
E. 12th St. and 1200 20th Ave., Oakland 94606**

Dear Mr. Silveira:

Our office has received the monitoring well installation reports for the above sites as prepared by your consultant, Epigene International. This letter serves to comment on these reports and the recommendation of your consultant.

In regards to the 1832 E. 12th St. site, our office concurs that no further work will be required at this time. This site will be reviewed for closure.

In regards to 1200 20th Ave., as recommended by Epigene, quarterly groundwater monitoring should continue at this site until further notice. It appears that the most reasonable approach is to rely on the natural biodegradation of the residual soil and groundwater contamination at this site. After four quarters of monitoring, you should review this site for either closure, modification of the monitoring schedule or propose some type of additional remediation. It was noted that the actual location of monitoring wells at this site differed from the March 21, 1994 work plan, however, no additional assessment is necessary at this time.

You may contact me at (510) 567-6765 if you have any questions.

Sincerely,

Barney M. Chan  
Hazardous Materials Specialist

cc: Mr. J. Alt, Epigene, 38750 Paseo Padre, Suite B-4, Fremont,  
CA 94536  
Mr. J. Brinker, Bernabe & Brinker, 1281 30th Ave., Oakland  
94608  
Mr. R. Shapiro, King, Shapiro, Mittelman & Buchman, 3650 Mt.  
Diablo Blvd., Suite 130, Lafayette 94549  
B. Reynolds, files  
E12&20thstat

ALAMEDA COUNTY  
HEALTH CARE SERVICES  
AGENCY

DAVID J. KEARS, Agency Director



R0504

RAFAT A. SHAHID, ASST. AGENCY DIRECTOR

June 20, 1994  
StID # 4868

DEPARTMENT OF ENVIRONMENTAL HEALTH  
State Water Resources Control Board  
Division of Clean Water Programs  
UST Local Oversight Program  
80 Swan Way, Rm 200  
Oakland, CA 94621  
(510) 271-4530

Mr. J. W. Silveira  
499 Embarcadero  
Oakland CA 94606

**Re : Comment on March 21, 1994 Proposed Workplan for Subsurface  
Investigation at 1200 20th Ave., Oakland CA 94606**

Dear Mr. Silveira:

Our office has recently received and reviewed the above work plan as provided by your consultant, Epigene International. I have discussed its contents with Mr. John Alt. This work plan calls for the installation of three monitoring wells to investigate any soil and/or groundwater contamination. The work plan is acceptable and the installation of these wells may proceed immediately with the following conditions:

1. Please provide as soon as available documentation for the disposition of the stockpiled soils generated from this site. I understand that disposal to an appropriate landfill is being considered.
2. Our office has not yet received an Unauthorized Release (Leak) Report as previously requested in my March 15, 1994 letter. Please submit a completed ULR within 15 days or by July 5, 1994.
3. Please clarify the number of soil samples which will be analyzed from the monitoring well installations. The work plan states that the estimated costs are based on a total of six soil samples. If a soil sample is not going to be analyzed in the laboratory, you should screen this sample with a field instrument.
4. Please survey all wells to mean sea level. This will allow this data to be comparable to neighboring data if this information ever is necessary.

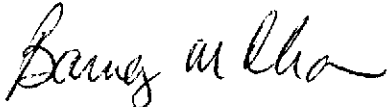
Please contact me 48 working hours in advance of any field work so I may arrange to witness this activity if possible.



Mr. J. W. Silveira  
StID # 4868  
1200 20th Ave.  
June 20, 1994  
Page 2.

You may contact me at (510) 271-4530 if you have any questions.

Sincerely,



Barney M. Chan  
Hazardous Materials Specialist

cc: G. Jensen, Alameda County District Attorney Office  
J. Brinker, Bernabe and Brinker, 1281 30th Ave., Oakland  
94607  
J. Alt, Epigene International, 38750 Paseo Parkway, Suite  
B-4, Fremont, CA 94536  
E. Howell, files

wpap1200

ALAMEDA COUNTY  
HEALTH CARE SERVICES  
AGENCY

DAVID J. KEARS, Agency Director



R0504

RAFAT A. SHAHID, ASST. AGENCY DIRECTOR

DEPARTMENT OF ENVIRONMENTAL HEALTH  
State Water Resources Control Board  
Division of Clean Water Programs  
UST Local Oversight Program  
80 Swan Way, Rm 200  
Oakland, CA 94621  
(510) 271-4530

April 28, 1994  
StID # 4868

Mr. J. W. Silveira  
J. W. Silveira Realty  
499 Embarcadero  
Oakland CA 94606

**NOTICE OF VIOLATION**

**Re: Request for Work Plan for Subsurface Investigation at 1200  
20th Ave., Oakland CA 94606**

Dear Mr. Silveira:

Our last correspondence with you occurred in my March 15, 1994 letter. In this letter I requested the following documents:

1. A completed Unauthorized Leak Report be submitted by April 4, 1994;
2. A work plan for subsurface investigation be submitted by April 18, 1994 and provide assurance for the proper closure of the former underground tanks at the above site. Having spoken recently to Mr. John Alt of Epigene, I am aware that he is prepared to provide you with the appropriate reports. To this date, our office has not received the requested information. Please submit the requested technical documents **within 30 days or by May 30, 1994.**

This is a formal request for technical reports pursuant to the California Water Code Section 13267 (b). Failure to submit the requested report may subject you to civil liabilities and the referral of this case to the District Attorney Office or the Water Board for enforcement.

In addition, be aware that Section 2652 (c) (11d) of Chapter 16, Title 23 California Code of Regulations requires that until the investigation and cleanup are complete, the owner or operator shall submit reports to the local agency or regional board every three months or at more frequent intervals as specified by the implementing agency.

You may contact me at (510) 271-4530 if you have any questions.

Mr. J. W. Silveira  
StID # 4868  
1200 20th Ave.  
April 28, 1994  
Page 2.

Sincerely,



Barney M. Chan  
Hazardous Materials Specialist

cc: G. Jensen, Alameda County District Attorney Office  
J. Alt, Epigene , 38750 Paseo Parkway, Suite B-4, Fremont, CA  
94536  
J. Brinker, Bernabe & Brinker, 1281 30th St., Oakland 94608  
E. Howell, files  
NOV1200-20

**ALAMEDA COUNTY  
HEALTH CARE SERVICES  
AGENCY**

DAVID J. KEARS, Agency Director



R0504

RAFAT A. SHAHID, ASST. AGENCY DIRECTOR

March 15, 1994  
StID # 4868

Mr. J. W. Silveira  
J. W. Silveira Realty  
499 Embarcadero  
Oakland CA 94606

DEPARTMENT OF ENVIRONMENTAL HEALTH  
State Water Resources Control Board  
Division of Clean Water Programs  
UST Local Oversight Program  
80 Swan Way, Rm 200  
Oakland, CA 94621  
(510) 271-4530

**Re: Request for Work Plan for Subsurface Investigation at 1200  
20th Ave., Oakland CA 94606**

Dear Mr. Silveira:

Our office has received and reviewed the February 14, 1994 underground tank closure report as prepared and submitted by your consultant, Epigene International. Recall, you were present when two gasoline tanks were removed at this site on January 19, 1994. There was soil contamination apparent during the tank removal much of which was removed during that day. As stated in this report, residual gasoline contamination in the amount of 2300 ppm remains in the west end of tank #2, the tank closest to Solano Way.

Because of these observations and results, this site is considered to have experienced an Unauthorized Release of petroleum hydrocarbons, the extent of which must be determined and remediated. Enclosed, please find an Unauthorized Leak Report, ULR, to be completed by your consultant or your designee and returned to our office within 15 days or by April 4, 1994.

You are also requested to submit a work plan for additional subsurface investigation which will determine the full extent of soil and groundwater contamination. I know you are familiar with this requirement based on the other sites I oversee which you own. The Epigene report recommends the installation of monitoring wells and through conversation with Mr. John Alt, I am aware that one is in the midst of preparation. Please submit your work plan to our office within 30 days or by April 18, 1994. You are also requested to verify the proper closure of the piping associated with these tanks, provide copies of the manifests for the tanks and describe the final disposition of all stockpiled soils.

You are reminded that this is a formal request for technical reports pursuant to the California Water Code, Section 13267(b). Failure to submit the requested reports may subject you to civil liability.

Mr. J. W. Silveira  
StID # 4868  
1200 20th Ave.  
March 15, 1994  
Page 2.

You may contact me at (510) 271-4530 if you have any questions.

Sincerely,



Barney M. Chan  
Hazardous Materials Specialist

cc: Mr. J. Alt, 38750 Paseo Parkway, Suite B-4, Fremont CA 94536  
Mr. J. Brinker, Bernabe and Brinker, Inc., 1281 30th St.  
Oakland CA 94608

E. Howell, files

wp-1200-20