

R027



Alameda County

JUN 07 2013

Environmental Health

PHONE: (951) 808-8585
FAX: (951) 848-9812

Fax

To: Karel Detterman

From: Tim Lane

Fax: 510-337-9335

Pages: 4

Comp: ACEH

Date: 6-6-13

Re: 3884 MLK Way, Oakland

CC: Donna Drogos

- Urgent
- For Review
- Please Comment
- Please Reply
- Please Recycle

● **Comments:**

Good Day-

We are trying to get a status on the agency letter dated 12/5/12 and responses to various phone messages and emails sent to your office.

Tim Lane

From: Tim Lane <tim@ces-grouponline.com>
Sent: Thursday, June 06, 2013 2:03 PM
To: karel.detterman@acgov.com; donna.drogos@acgov.com; lgriffin@oaklandnet.com
Subject: FW: Grove Street Wash Rack 3884 Martin Luther King Jr. way, Oakland LOP R0000027

Good Afternoon:

I am sending this email out regarding the referenced site. We would like to inquire about the review and current regulatory status.

Please feel free to contact me. I have left another voice mail message as a follow up.

Timothy J. Lane

CES Group

CES | Novacom | ERG

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Thank You

From: James Keegan [<mailto:jkeegan@cesgroup.co>]
Sent: Thursday, May 30, 2013 10:16 AM
To: karel.detterman@accgov.org
Cc: 'Tim Lane'
Subject: Grove Street Wash Rack 3884 Martin Luther King Jr. way, Oakland LOP R0000027

Dear Ms. Detterman;

I am sending this email as a follow up to a voicemail I left you a few moments ago as well as a voice mail left by my colleague Mr. Tim Lane.

As I mentioned in my voicemail we are the environmental consultant for Meta/KKG. Meta appears to be the purchaser / developer of the subject property. I am touching base to find out the status of your review and approval of the site investigation work plan submitted by URS Corp in December of 2012.

I have reviewed the Geotracker Site and your Notice to Comply letter dated December 5, 2012 requiring that additional tasks be completed in order for the site to regain compliance. It has been reported to me by URS that at least some of these Tasks have been completed, such as the SCM. Although the Geotracker file does not reflect the SCM being submitted. I also noted that you requested that several tasks be added to the Investigation Work Plan but I have not seen the revised work plan.

Since Meta is anxious to move this project forward as soon as the purchase is complete would you please give me an update as to what tasks/revisions are required to bring the site into compliance and receive approval of the Work Plan for Site Investigation and Pilot Test.

I can be reached at 951-808-8585 ext 802. Thank you.

Jim

P.S. - We will be submitting for a username and password for to the Counties ftp site

Jim Keegan P.E., QSD/QSP
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ENVIRONMENTAL PROTECTION
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December 5, 2012

NOTICE TO COMPLY

Mr. Neil and Ms. Mary Cotter, *et al.*
Cotter & Coyle
2847 Arguello Drive
Burlingame, CA 94010-5817

Lillie V. and Hillary Lockett
4102 Lusk Street
Oakland, CA 94608-3726

Subject: Additional Request for Site Investigation Work Plan, Fuel Leak Case No. RO27 and GeoTracker Global ID T06000102106, Grove Street Wash Rack, 3884 Martin Luther King, Jr. Way, Oakland, CA 94609

Ladies and Gentlemen:

Alameda County Environmental Health (ACEH) staff has reviewed the case file for the above-referenced site including the January 19, 1995 *Tank Removal Report* prepared by Scott Environmental, the September 17, 2004 *Environmental Investigation* prepared by URS Corporation (URS), the March 10, 2006 *Soil and Groundwater Investigation Report* prepared by John Carver Consulting (Carver), the November 12, 2006 *Corrective Action Plan (CAP)* also prepared by Carver, and miscellaneous correspondence. The reports were submitted for the site in preparation for pending residential development. ACEH issued a Directive Letter dated April 2, 2007 requesting a Work Plan and a CAP Addendum to be submitted by May 15, 2007, but the requested reports were not submitted and are late. Up to 220 parts per million (ppm) Total Petroleum Hydrocarbons as gasoline (TPHG) and 3.2 ppm benzene were detected in soil and up to 79,800 parts per billion (ppb) TPHG and 17,600 ppb benzene were detected in grab groundwater samples. The lateral and vertical extent of soil and groundwater contamination was not defined, no monitoring wells were installed, and the status of the product lines is unknown. ACEH understands that residential development is still planned for the site, and a soil and groundwater investigation is necessary to regain compliance with ACEH directives and progress to site closure.

Site characterization and/or cleanup at this site are required to be protective of human health and the environment and to move this case towards closure evaluation. Please note that as Responsible Parties, you are required by California Code of Regulations, Title 23, Division 3, Chapter 16, Article 11, §2720 through §2728 to adequately characterize the site and undertake corrective actions as necessary.

In order to regain compliance, please undertake the tasks requested below and submit the requested reports to GeoTracker and ACEH's FTP server by the dates specified below. Failure to submit the documents may result in referral and possible enforcement action by the RWQCB or the District Attorney. This letter is an attempt to preclude further enforcement actions. Pursuant to Chapter 6.7, California Health and Safety Code, civil penalties up to \$10,000 for each UST for each day of violation may be imposed. Please note that civil penalties for non-compliance are assessed from the original due date (May 15, 2007).