Facsimile Transmission Face Sheet



City of Oakland

FIRE DEPARTMENT OFFICE OF EMERGENCY SERVICES



o: .	Don Albinson-Adams	337 - 9335 FAX: 567 - 6739
	H. Ginez	PHONE: <u>238-725</u> 3
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CITY OF OAKLAND
FIRE DEPARTMENT
OFFICE OF EMERGENCY SERVICES DIVISION
505 14th Street, 7th Floor
Oakland, CA 94612

PHONE (510) 238-3938 FAX (510) 238-7761 PAUL S. ROSENSTEIN*

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ATTORNEY AT LAW

55 SANTA CLARA AVENUE, SUITE 250 OAKLAND, CALIFORNIA 94610-1375

TELEPHONE (510) 465-5782

FAX (510) 452-4881

*MEMBER OF THE BAR IN CALIFORNIA AND NEW YORK

> Alameda County Environmental Health

October 11, 2002

Barney M. Chan, Hazardous Materials Specialist ALAMEDA COUNTY HEALTH CARE SERVICES 1131 Harbor Bay Parkway, Suite 250 Alameda, California 94502-6577

Re: Guy's Diesel, 3820 San Leandro Street, Oakland, CA 94621

Dear Mr. Chan:

If you will recall from my January 16, 2001 letter to Michael O'Connor, Esq., Alameda County District Attorney's Office, I represent Kelly Engineer.

We were finally able to obtain a copy of the tank closure report from ACRC, Inc., the contractor that performed the tank removal, a copy of which report is enclosed herewith.

We apologize for the delay in getting this information to you, but, as indicated in my earlier correspondence, we were having difficulty with ACRC, Inc., which had agreed to provide the tank closure report and then delayed in providing the report.

Sincerely,

Please do not hesitate to call me if you require additional information.

PAUL S. ROSENSTEIN

PSR/m

CC;

Susan M. Torrence, Esq.

Deputy District Attorney

Mr. Kelly Engineer CC:

o No Seepraluse o no soil dispendent

4055/89

ACRC INC.

AMERICAN CONSULTING REMEDIATION AND CONSTRUCTION

Alameda County

OCT 1 6 2002

Environmental Health

TANK CLOSURE REPORT 3820 SAN LEANDRO STREET OAKLAND, CA

Tank Removal Information

Date of removal:

01/20/98

• Personnel involved:

ACRC Inc. - Jeff Orwig site foreman

Ernesto Martinez
John's Excavating - John & Mike

Erickson Inc. - Transport and disposal of tanks

Oakland Fire Department - Hernan Gomez, Hazardous

Materials Inspector

Tanks:

2 - 8000 gallon diesel tanks - single wall, steel 1 - 8000 gallon gasoline tank - single wall, steel 1 - 4000 gallon gasoline tank - single wall, steel

Tank Removal Process

All City of Oakland Fire Department, State of California and California Regional Water Quality Board procedures and regulations were followed during the tank removal and disposal process.

Site excavation and demolition took place on January 19 - 20. All concrete was removed from over the tanks. In addition, the concrete drive slabs were removed in order to complete station upgrades as required. Concrete was hauled to a recycle site. Tank's were pulled of 01/20/98. Hernan Gomez, Hazardous Materials Inspector was present during the tank pull operation and soil sampling. Tanks were loaded on a truck form Erickson Inc. and hauled to their plant for disposal. Soil had been excavated from the pit area using an excavator. Soil was stock piled next to the pit area. Ground water flowed into the pit area from the adjacent ground at a depth of approximately 12'. Soil samples were taken at the direction of Inspector Gomez. One sample was taken from the bottom of the tank pit at approximately 14'6", which was 2' below the bottom of the tanks before they were removed. Samples were taken in the side walls of the pit above the water line. Additional samples were taken from the stock piled dirt for composite analysis. Please refer to site plan for locations of samples. The excavator was used to grab a bucket full of soil from under the ground water that was draining into the pit. Samples were taken using brass tubes. The tubes were labeled and placed into a cooler which had blue ice in it. The cooler was taken to the lab by a courier as soon as the sampling was completed. The tank pit was excavated to a depth of 16' for the new tanks which were installed at a later date. No water samples were taken in the pit. New tanks were installed on 01/23/98. Pea gravel was used for back fill material. All dirt excavated from the tank pit was stockpiled on the After the soil samples have been analyzed and results provided to the Fire Department, soil will be removed in an acceptable manner to the Department.

Laboratory Analysis

See attached lab reports.

525 Del Rey Avenue, Suite E • Sunnyvale, CA 94086 • (408) 735-1550 • Fax (408) 735-1554

ACRC, Inc. 2491 San Ramon Valley Blvd. Suite 1-430 San Ramon, CA 94583

1/21/98
1/20/98
1/20/98
3820
Client

Certified Analytical Report

Soil Sample Analysis:

Test	#1	#2	#3	#4	Units	PQL	EPA Method #
Sample Matrix	Soil	Soil	Soil	Soil			
Sample Date						 	
Sample Time	11:30						
Lab#	E1902	E1903	E1904	E1905			
DF-Diesel	1	50	50	1			
TPH-Diesel	180	3,200	3,700	11 ²	mg/kg	1.0 mg/kg	8015M
DF-Gas/BTEX	10	1,250	1,250	125			
TPH-Gas	34	2,600	1,400	170	mg/kg	1.0 mg/kg	8015M
Benzene	0.11	34	5.0	0.88	mg/kg	0.005 mg/kg	8020
Toluene	ND	5.3	3.5	0.48	mg/kg	0.005 mg/kg	8020
Ethyl Benzene	0.12	47	26	1.5	mg/kg	0.005 mg/kg	8020
Xylenes	0.12	170	6.5	0.71	mg/kg	0.005 mg/kg	8020

1. DLR=DF x PQL

2. TPH-Diesel chromatogram for Lab#E1905, although within the reporting limits, does not match the typical Diesel pattern

3. Analysis performed by Entech Analytical Labs, Inc. (CAELAP #2224)

Michael N. Golden, Lab Director

DF=Dilution Factor **DLR=Detection Reporting Limit** PQL=Practical Quantitation Limit ND=None Detected at or above DLR 525 Del Rey Avenue, Suite E • Sunnyvale, CA 94086 • (408) 735-1550 • Fax (408) 735-1554

ACRC, Inc. 2491 San Ramon Valley Blvd. Suite 1-430 San Ramon, CA 94583

Date:	1/21/98
Date Received:	1/20/98
Date Analyzed:	1/20/98
Project:	3820
Sampled By:	Client

Certified Analytical Report

Soil Sample Analysis:

Test	#5	Composite (A,B,C)	Composite (D,E,F)	Units	PQL	EPA Method #
Sample Matrix	Soil	Soil	Soil)
Sample Date						1
Sample Time						i i
Lab#	E1906	E1907	E1908			!
DF-Diesel	10	20	20			
TPH-Diesel	510	1,700	1,200	mg/kg	1.0 mg/kg	8015M
DF-Gas/BTEX	62	25	25			
TPH-Gas	130	260	750 ²	mg/kg	1.0 mg/kg	8015M
Benzene	0.82	0.16	0.14	mg/kg	0.005 mg/kg	8020
Toluene	0.42	0.40	0.34	mg/kg	0.005 mg/kg	8020
Ethyl Benzene	2,2	1.0	1.5	mg/kg	0.005 mg/kg	8020
Xylenes	8.6	4.2	7.0	mg/kg	0.005 mg/kg	8020

- 1. DLR=DF x PQL
- 2. DF=62
- 3. Analysis performed by Entech Analytical Labs, Inc. (CAELAP #2224)

Michael N. Golden, Lab Director

DF=Dilution Factor DLR=Detection Reporting Limit PQL=Practical Quantitation Limit ND=None Detected at or above DLR

525 Del Rey Avenue, Suite E Sunnyvale, CA 94086

QUALITY CONTROL RESULTS SUMMARY

QC Batch #: DS980105

Matrix: Soil

Date analyzed:

01/16/98

Maula, Son

Date extracted:

01/16/98

Units: mg/Kg

Quality Control Sample:

E1663

		1						anty Contro	n Sample.	El
PARAMETE		MB mg/Kg	SA mg/Kg	SR mg/Kg	SP mg/Kg	SP %R	SPD mg/Kg	SPD %R	RPD	QC LIMITS RPD ! %R
Diesel !	8015M	<1.0	25	ND	19 !	77	20 1	80	3.1	25 50-150

Note: LCS and LCSD results reported for the following Parameter:

None

Acceptable LCS and LCSD results are reported when matrix interferences cause MS and MSD results to fall outside established QC limits.

Definition of Terms:

MB: Method Blank

na: Not Analyzed in QC batch

SA: Spike Added SR: Sample Result

RPD(%): Duplicate Analysis - Relative Percent Difference

SP: Spike Result

SP (%R): Spike % Recovery

· SPD: Spike Duplicate Result

SPD (%R): Spike Duplicate % Recovery

NC: Not Calculated

525 Del Rey Avenue, Suite E Sunnyvale, CA 94086

QUALITY CONTROL RESULTS SUMMARY

METHOD: Gas Chromatography

QC Batch #: GBG2980120

Matrix: Soil

Date Analyzed: 01/20/98 Quality Control Sample: E1848

Units: ug/kg

PARAMETER	Method #	MB ug/kg	SA ug/kg	SR ug/kg	SP ug/kg	SP % R	SPD ug/kg	SPD %R	RPD	, ,	LIMITS VISORY) %R
Benzene	! 8020	! <5.0 !	80	ND	76	95	79	98	3.6	25 1	50-150
Toluene	8020	<5.0	80	ND	76	95	79	98	3.3	25	50-150
Ethyl Benzene	8020	<5.0	80	ND	79	99	78	97	2.0	25	50-150
Xylenes	8020	<5.0	240	ND	236	98	237	99	0.4	25	50-150
Gasoline	8015	<1000.00;	1000	ND	870 ¦	87	1040	104	17.8	25	50-150

Note: LCS and LCSD results reported for the following Parameters:

None

Acceptable LCS and LCSD results are reported when matrix interferences cause MS and MSD results to fall outside established QC limits.

Definition of Terms:

na: Not Analyzed in QC batch

MB: Method Blank SA: Spike Added SR: Sample Result

RPD(%): Duplicate Analysis - Relative Percent Difference

SP: Spike Result
SP (%R): Spike % Recovery
SPD: Spike Duplicate Result
SPD (%R): Spike % Recovery

NC: Not Calculated

525 Del Rey Avenue, Suite E Sunnyvale, CA 94086

QUALITY CONTROL RESULTS SUMMARY

METHOD: Gas Chromatography

QC Batch #: GBG4980120

Matrix: Soil

Date Analyzed: 01/20/98

Quality Control Sample: E1886

Units: ug/kg

PARAMETER	Method #	MB ug/kg	SA ug/kg	SR ug/kg	SP ug/kg	SP % R	SPD ug/kg	SPD %R	RPD	•	LIMITS VISORY) %R
Benzene	8020	<5.0	80	ND I	70	88	70	88	0.1	25	50-150
Toluene	8020	<5.0	80	ND	70	87	71	88	1.2	25	50-150
Ethyl Benzene	8020	<5.0	80	! ND !	72	90	73	91	0.3	25	50-150
Xylenes	8020	<5.0 i	240	ND	229	96	222	92	3. 5	25	50-150
Gasoline	8015	<1000.00	1000	ND	740	74	760	76	2.7	25	50-150

Note: LCS and LCSD results reported for the following Parameters:

None

Acceptable LCS and LCSD results are reported when matrix interferences cause MS and MSD results to fall outside established QC limits.

Definition of Terms:

na: Not Analyzed in QC batch

MB: Method Blank SA: Spike Added SR: Sample Result

RPD(%): Duplicate Analysis - Relative Percent Difference

SP: Spike Result
SP (%R): Spike % Recovery
SPD: Spike Duplicate Result
SPD (%R): Spike % Recovery
NC: Not Calculated

525 Del Rey Avenue, Suite E • Sunnyvale, CA 94086 • Telephone: (408) 735-1550 (800) 287-1799 • Fax: (408) 735-1554

Chain of Custody/Analysis Work Order

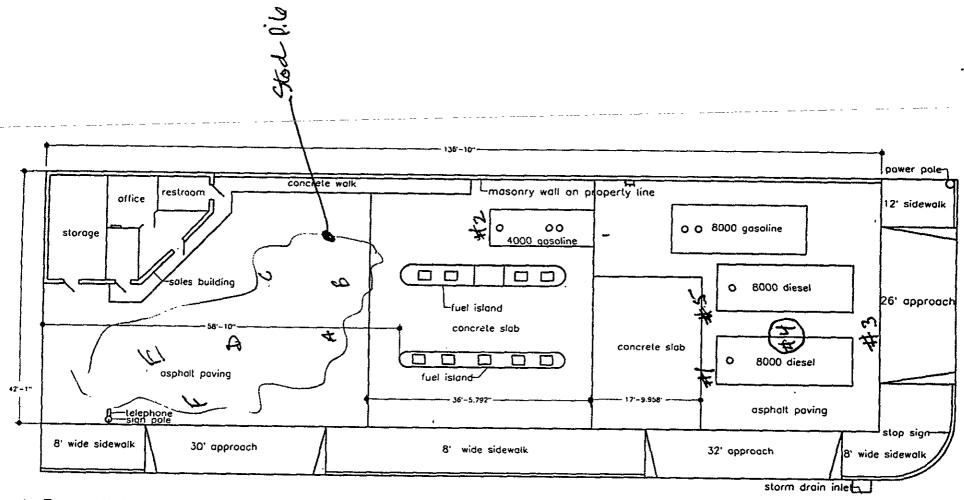
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Address:	2491 SAN PARALLAS	Purchase Order #:	
	Blocksite 1-430	Sampler/Company: Telephone #:	Samples arrived chilled and intact:
Contact:	JEFF CRIVIS		Yes No
Telephone #:	510 837 4032	Special Instructions/Comments	Notes:
Date Received:		12 4 510 831 3124	
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525 Del Rey Avenue, Suite E • Sunnyvale, CA 94086 • Telephone: (408) 735-1550 (800) 287-1799 • Fax: (408) 735-1554

Chain of Custody/Analysis Work Order

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1. The building, sign and pole and telephone will remain.

2. The concrete slab at the west end of the property between the building and the sidewalk will reamin.

3. The underground tanks, pump islands and equipment and all concrete and asphalt paving is to be removed.

4. The fuel piping is to be removed.

5. The concrete walk at the building is to be removed.

6. The island booth is to be removed.

7. The newer of the island light poles and rectangular fixtures are to be salvaged and reused.

717demo

Supporting Reports and Documents

We have included copies of all other reports and chain of custody reports as related to the removal of the two underground tanks.



OAKLAND FIRE SERVICES AGENCY OFFICE OF EMERGENCY SERVICES HAZARDOUS MATERIALS UNIT: 505 - 14th Street, Oakland, CA 94612 (510) 238 3938

TROOUS MATERIALS INSPECTION REPORT

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GENERATOR'S CENTIFICATION! (civil) his makes de Printed Typed Name	st. There above on this manifest are not subject to state or laderal	regulatojni lor reportino proper disposal de l'azzadone più
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Transporter Actinovino operant of pecuality Visionals (17) Printer/Typed Name (2)	South	
Discrepancy indication Space		
Paint Owner of Openior		Market Market Committee Co

DO NOT WRITE BELOW THIS LINE.

20. Facility Owner or Operator Certification of receipt of hazardous materials covered by this manifest except as noted in Item 19

Printed/Typed Name

Day

Month

DO NOT WRITE BELOW THIS LINE.

Printed/Typed Name

Day

Month

Year

of California—Environmental Protection Agency
Approved CMB No. 2050–0039 (Expires 9-30-96)
use print or type. Form designed for use on elite (12-pitch) typewriter. See Instructions on back of page 6. Department of Toxic Substances Sacramento, California 1. Generator's US EPA ID No. 2. Page 1 information in the shaded areas UNIFORM HAZARDOUS is not required by Federal law. ACCOLLECTED ! WASTE MANIFEST 1 of 1 Generator's Marine and Mailing, Address

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1,5 CA11 1-800-852-7550 5. Transporter 1 Company Name 6. US EPA ID Number Tipling To by Line 7. Transporter 2 Company Name いりいいいりのい WITHIN CALIFORNIA, Designated Facility Name and Site Address EXICKSCN, LNC. 10. US EPA ID Number 155 Parr Elwd. Richmond.CA, 94801 ાગુંધુંગ મુખ્ય મુખ્ય 13. Total 11. US DOT Description (including Proper Shipping Name, Hazard Class, and ID Number) "NON-RCRA Hazardous Waste Bolid Waste Empty Storage Tank. THE NATIONAL RESPONSE CENTER 1-800-424-8802; TIP E Ē A 15. Special Handling Instructions and Additional Information Keep away from sources of ignition. Always wear hardhats then working around U.G.S.T.'s 14 Hr. Contact Name Jor JR Jan & Phone 19-17-41 16. GENERATOR'S CERTIFICATION: I hereby declare that the contents of this consignment are fully and accurately described above by proper shipping name and are classified, CALL packed, marked, and labeled, and are in all respects in proper condition for transport by highway according to applicable international and national government regulations. SPILL, If I am a large quantity generator, I certify that I have a program in place to reduce the volume and toxicity of waste generated to the degree I have determined to be economically practicable and that I have selected the practicable method of treatment, storage, or disposal currently available to me which minimizes the present and future threat to human health and the environment; OR, if I am a small quantity generator, I have made a good faith effort to minimize my waste generation and select the best waste management method that is available to me and that I can afford. ð Printed/Typed Name EMERGENCY 17. Transporter 1 Acknowledgement of Receipt of Materials Printed/Typed Nome Month S CASS Somm 210 011 18. Transporter 2 Acknowledgement of Receipt of Materials Printed/Typed Name ď Month CASE 19. Discrepancy Indication Space Z 20. Facility Owner or Operator Certification of receipt of hazardous materials covered by this monifest except as noted in Item 19. Printed/Typed Name Month Day

DO NOT WRITE BELOW THIS LINE.

	UNDERGROUND STORAGE TANK UNAUTHORIZED RELEASE (LEAK) / CONTAMINATION					
	HAS STATE OFFICE OF EMERGENCY SERVICES REPORT BEEN FILED ? YES NO	FOR LOCAL AGENCY USE ONLY	VATON ACCORDING TO THE			
REP	CASE OF THE CASE O	DISTRIBUTION SHOWN ON THE INSTRUCTION SHEET ON TH	IE BACK PAGE OF THIS FORM			
£0 8.4	NAME OF INDIVIDUAL FILING REPORT PHONE JEFF ORUG REPRESENTING OWNER/OPERATOR REGIONAL BOARD	E SIGNATURE	Liefy			
REPORTED	LOCAL AGENCY OTHER	ACRE THE				
BLE	NAME STREET	1 A	74YE 94583			
RESPONSIBI PARTY	ADDRESS UNKNOWN COWERT	1 Kelly Engineer	(510) 674. 9798			
TION	FACILITY NAME (IF APPLICABLE) GCY'S DIESE ADDRESS	OPERATOR Kelly anymous	TATE 210 PHONE (510) 6749790			
SITE LOCATION	3820 STREET SANGULUIC	of St on Oxland .	OUNTY 946/			
MPLEMENTING AGENCIES	city of Galdary - Fire Services A	CONTACT PERSON PACY HERMA GOMEZ	PHONE (5/0)238725			
<u> </u>	SAN FRANCISCO BAR, Region		PHONE ()			
SUBSTANCES INVOLVED	Soil - impacted w/ GASAR 1	1 f	DUANTITY LOST (GALLONS) UNKNOWN			
ATEMENT	DATE DISCOVERED HOW DISCOVERED INVE	ENTORY CONTROL SUBSURFACE MONITORING IK REMOVAL OTHER	NUISANCE CONDITIONS			
DISCOVERY/ABAT	DATE DISCHARGE BEGAN M M D D V UNKNOWN HAS DISCHARGE BEEN STOPPED? YES NO IF YES, DATE M M D D V V	METHOD USED TO STOP DISCHARGE (CHECK ALL THAT A REMOVE CONTENTS CLOSE TANK & REMOVE REPAIR TANK CLOSE TANK & FILL IN PL REPLACE TANK OTHER	REPAIR PIPING			
SOURCE	SOURCE OF DISCHARGE TANK LEAK PIPING LEAK OTHER CAUSE(S) OVI OVI	PRESION UNKNOWN	SPRIL .			
CASE		DRINKING WATER - (CHECK ONLY IF WATER WELLS H	(AVE ACTUALLY BEEN AFFECTED)			
CURRENT STATUS	REMEDIATION PLAN CASE CLOSED (CLEANUP COMPLI	TUNDERWAY POST CLEANUP MO	ONITORING IN PROGRESS			
REMEDIAL ACTION	CHECK APPROPRIATE ACTION(S) EXCAVATE & DISPOSE (ED) CAP SITE (CD) CONTAINMENT BARRIER (CB) VACUUM EXTRACT (VE) CHECK APPROPRIATE & DISPOSE (ED) EXCAVATE & DISPOSE (ED) EXCAVATE & DISPOSE (ED) OTHER (OT) OTHER (OT)	PUMP & TREAT GROUNDWATER (GT) F	ENHANCED BIO DEGRADATION (IT) REPLACE SUPPLY (RS) /ENT SOIL (VS)			
COMMENTS						