

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY  
DAVID J. KEARS, Agency Director



12-5-00

RO98

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

December 4, 2000  
StID # 2162

Mr. Myron Zimmerman c/o  
Mr. Robert Frates  
1330 Broadway, Suite 1050

Mr. Ronald Silberman  
5743 Landregan St.  
Emeryville, CA 94608

Safeway Inc. c/o  
Ms. Melita Elmore  
4<sup>th</sup> and Jackson St.  
Oakland CA 94608

**Re: Closure of Monitoring Wells at 5725 E. 14<sup>th</sup> St., Oakland CA 94621**

Dear Ms. Elmore, Messrs. Zimmerman and Silberman:

Our office has received concurrence from the Regional Water Quality Control Board on our recommendation for site closure of the above referenced location. Prior to issuing the closure letter, our office requests the proper closure of the four (4) existing monitoring wells installed on this site.

You may contact Alameda County Public Works Water Resources Section at (510) 670-5554 for specific requirements of well closure.

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

Sincerely,

Barney M. Chan  
Hazardous Materials Specialist

C: B. Chan, files  
Mr. J. Hess, ITSI, 2855 Mitchell Dr., Suite 111, Walnut Creek, CA 94598

Wlclrq5725E14

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY  
DAVID J. KEARS, Agency Director



SENT 9-25-2000

2098

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

August 19, 2000  
StID # 2162

Mr. Myron Zimmerman c/o  
Mr. Robert Frates  
1330 Broadway, Suite 1050  
Oakland CA 94612

**SUBJECT: INTENT TO MAKE A DETERMINATION THAT NO FURTHER ACTION IS REQUIRED  
OR ISSUE A CLOSURE LETTER FOR 5725 E. 14<sup>TH</sup> ST., OAKLAND CA 94621**

Dear Mr. Zimmerman:

This letter is to inform you that Alameda County Environmental Protection (LOP) intends to make a determination that no further action is required at the above site or to issue a closure letter. Please notify this agency of any input and recommendations you may have on these proposed actions within 20 days of the date of this letter.

In accordance with section 25297.15 of Ch. 6.7 of the Health & Safety Code, you must provide certification to the local agency that all of the current record fee title owners have been informed of the proposed action. You may use the enclosed Example letter #3 as a guide. Please provide this certification to this office within 20 days of the date of this letter.

If you have any questions about this, please contact me at (510) 567-6765.

Sincerely,

Barney M. Chan  
Hazardous Materials Specialist

Enclosure (sample letter #3)

c: B.Chan,files

**SAMPLE LETTER 3: NOTICE OF PROPOSED ACTION SUBMITTED TO LOCAL AGENCY**

Alameda County Environmental Health  
1131 Harbor Bay Parkway  
Alameda, CA 94502-6577

**SUBJECT: NOTICE OF PROPOSED ACTION SUBMITTED TO LOCAL AGENCY (FOR NAME AND ADDRESS OF SUBJECT SITE)**

In accordance with section 25297,15(a) of Chapter 6.7 of the Health & Safety Code, I, *(name of primary responsible party)*, certify that I have notified all responsible landowners of the enclosed proposed action. Check space for applicable proposed action(s):

cleanup proposal (corrective action plan)

site closure proposal

local agency intention to make a determination that no further action is required

local agency intention to issue a closure letter

Sincerely,

\_\_\_\_\_  
Signature of primary responsible party

\_\_\_\_\_  
Name of primary responsible party

cc: Names and addresses of all record fee title owners

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



SENT 6-27-2000

RO98

June 27, 2000  
StID # 2162

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

Mr. Robert Frates c/o  
Myron Zimmerman Investments  
1330 Broadway, Suite 1050  
Oakland CA 94612

**Re: Subsurface Investigation at 5725 E. 14<sup>th</sup> St., Oakland CA 94621**

Dear Mr. Frates:

Our office has received and reviewed the June 26, 2000 letter report for the above referenced site sent by Mr. Jeff Hess of Innovative Technical Solutions, Inc., (ITSI). It appears this report is intended to respond to my May 10, 2000 letter. The report details some additional work done since July 1996, the date of our office's last technical report for the site. Unfortunately, this work was done without the County's knowledge or oversight. In addition, no recommendations have been made for future work by your consultant.

In order for our office to evaluate the submitted letter report, we request you submit the following additional technical information:

- Please describe the amount, method of addition and frequency of addition of the ORC added to monitoring well MW-4.
- Please provide copies of the Phase II Site Investigation Report mentioned in this letter report. It is assumed that this report will include copies of all analytical results signed by a certified lab. It should also contain boring logs for the additional borings advanced at the site.
- Please submit groundwater gradient contours for the series of groundwater elevation measurements shown in Table 1 of the letter report.
- Please provide a work plan for future site investigation/monitoring. Your work plan should evaluate clean up levels based on a human health risk based evaluation. Minimally, MW-4 should be sampled and analyzed again to see if concentrations remain low after the cessation of ORC addition. Further delineation of the petroleum plume near SB1 will also be needed.

**Please submit a technical report responding to the above items, to our office within 30 days or no later than July 31, 2000.**

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. Hess, ITSI, 2855 Mitchell Dr., Suite 111, Walnut Creek, CA 94598

Reps5725E14th

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



SENT 5-11-2000  
incl. cc's

2098

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

May 10, 2000  
StID # 2162

Mr. Robert Frates c/o  
Myron Zimmerman Investments  
1330 Broadway, Suite 1050  
Oakland CA 94612

**Re: Request for Technical Reports for 5725 E. 14<sup>th</sup> St., Oakland CA 94621**

Dear Mr. Frates:

In 1997, the Legislature added a provision to chapter 6.75 of division 20 of the Health and Safety Code requiring the testing for MTBE before the Regional Board or local agency can issue a closure letter. On March 26, 1999 Governor Gray Davis signed Executive Order D-5-99 requiring the SWRCB to prioritize MTBE impacted sites to maximize the effort toward resource protection and cleanup. Our office has been requested to classify all MTBE sites and insure that all sites be monitored for MTBE.

Therefore, our office requests that monitoring well MW-4 at the above site be monitored for MTBE and any detectable concentrations be verified by EPA Method 8260 or an equivalent GC/MS method. You should also analyze this well for total petroleum hydrocarbons as gasoline and BTEX (benzene, toluene, ethyl benzene and xylenes).

In addition, I am aware that additional work has occurred at this site, particularly in treating MW-4 with chemicals. Please provide all technical reports for this site since July 1996, the date our last technical report. **Your groundwater sampling and historical technical reports should be provided to our office within 45 days or no later than June 26, 2000.**

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. Hess, ITSI, 2855 Mitchell Dr., Suite 111, Walnut Creek, CA 94598

Mbte&rep5725

ALAMEDA COUNTY  
HEALTH CARE SERVICES



AGENCY  
DAVID J. KEARS, Agency Director

RO#98

May 19, 1998  
StID # 2162

Mr. Micheal Kloberdanz  
P.O. Box 576981  
Modesto, CA 95357-6981

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

Re: Myron Zimmerman Property at 5725 E. 14<sup>th</sup> St., Oakland CA 94621

Dear Mr. Kloberdanz:

This letter responds to your request for information regarding our office's involvement in overseeing the investigation and excavation of soil which occurred at the above referenced site. I understand this information may be necessary to justify the remediation and excavation which has occurred.

Subsequent to the removal of three underground tanks (1-7500 gallon fuel oil, 1-1000 gallon gasoline and 1-5000 gallon diesel) at the above site in **November 1990** and after review of sample results, Ms. Cynthia Chapman of our office requested a work plan for additional subsurface investigation. During the tank removal, the stockpiled soils were returned to the tank pit. On **3/4/91** a work plan was submitted by RGA, Robert Gils Associates, to advance seven borings and convert three of the borings into monitoring wells. On **3/21/91**, the work plan was approved by Ms. Chapman. On **August 14 and 15, 1991**, the monitoring wells and borings were installed. On **November 4, 1992** our office received a work plan for the over-excavation of the former tank pit of the gasoline and diesel tanks from Sequoia Environmental. In my **November 13, 1992** letter, I conditionally approved this work plan which also called for the destruction of monitoring well MW-1 and the collection of 5-6 soil confirmatory samples after excavation was complete. In **November 1993**, Sequoia Environmental initiated the tank pit over-excavation. Approximately 600 cubic yards of soil was generated. The soils were piled against the north onsite building on the south side of 57<sup>th</sup> Ave. Since Sequoia Environmental had not reached the extent of contamination, no sampling was performed.

At this same time, the property owner, Mr. Silberman had filed Chapter 11 bankruptcy. Mr. Zimmerman, who held the note on the property, then committed to complete the excavation and investigation. On **October 20, 1994** our office received a draft copy of **Work Plan for Closure of Underground Tank Excavation** from Innovative Technical Solutions, Inc. (ITSI). My **October 21, 1994** letter approved this work plan with the following conditions:

Mr. M. Kloberdanz  
StID # 2162  
5725 E. 14<sup>th</sup> St.  
May 19, 1998  
Page 2.

- Submit a final copy of the work plan;
- Initiate quarterly groundwater monitoring;
- Provide a proposal for the installation of a replacement monitoring well for the one destroyed;
- The proposed soil cleanup levels of 100 ppm for TPHg, 1000 ppm for TPHd, and total BTEX of 1 ppm were accepted;
- Any reuse of collected tank pit water must receive Water Board approval; and
- A report should be submitted to our office within 45 days of the conclusion of field activities.

It appears our office never received a final signed copy of this work plan, however, in ITSI's **April 1995 Soil Removal Completion Report**, they state that a Revised Site Workplan dated November 1994 was prepared. Tank pit over-excavation activities occurred on **November 22, 1994**. Visibly stained soils and soils exhibiting organic vapors were removed totaling 1,100 additional tons. The soil was added to the approximate 1000 tons of soil from the initial over-excavation. I was present on **November 22, 1994** to witness soil sampling after soil over-excavation. Some of the samples exhibited a fuel odor and elevated readings when screened using an organic vapor analyzer (OVA). Soil samples were run on a quick turnaround. It appears that over-excavation was continued based upon both analytical data and OVA readings. I returned to the site on **November 30, 1994** to witness additional confirmation sampling. Using the cleanup levels stated in the initial work plan, there does not appear to have been excessive over-excavation. In the April 1995 report, a proposed location for a replacement well was indicated on Figure 2. Enclosed, please find a copy of my inspection report and notes taken during my site visits.

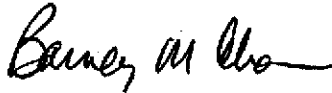
I hope this information provides some clarification regarding soil over-excavation at this site.

In regards to the July 1996 ITSI request for site closure, our office requests that an additional groundwater sampling event be performed. In this event, you may omit the sampling of monitoring wells MW-2 and MW-3, however, please take groundwater elevation readings in all wells. Please run the water sample from MW-4 for TPHg, BTEX and MTBE. This request is based upon the inconsistent groundwater gradient reported in the February 96 event and the elevated gasoline and benzene concentrations. Our office will re-evaluate the site for closure after receiving this next monitoring report.

Mr. M. Kloberdanz  
StID # 2162  
5725 E. 14<sup>th</sup> St.  
May 19, 1998  
Page 3.

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

Sincerely,



Barney M. Chan  
Hazardous Materials Specialist

Enclosures (M. Kloberdanz)

C: B. Chan, files  
Mr. M. Zimmerman, 1330 Broadway, Suite 1426, Oakland CA 94612

Resp5725



ALAMEDA COUNTY  
HEALTH CARE SERVICES  
AGENCY

DAVID J. KEARS, Agency Director



R098

RAFAT A. SHAHID, DIRECTOR

DEPARTMENT OF ENVIRONMENTAL HEALTH  
State Water Resources Control Board  
Division of Clean Water Programs  
UST Local Oversight Program  
1131 Harbor Bay Parkway  
Alameda, CA 94502-6577  
(510) 567-6700

September 25, 1995  
StID # 2162

Mr. Myron Zimmerman  
Myron Zimmerman Investments, Inc.  
1330 Broadway, Suite 1426  
Oakland CA 94612

**Re: Comment on Monitoring Well Installation Report for 5725 E.  
14th St., Oakland CA 94601**

Dear Mr. Zimmerman:

Thank you for the submission of the September 19, 1995 monitoring well installation report as prepared by your consultant, ITSI. I have reviewed this report and have the following comments/recommendations:

Because of the inconsistent groundwater elevation detected in the newly installed well, our office suggests monthly depth to water readings and possibly the redevelopment of this well.

Please note that the concentration of TPH as gasoline reported in monitoring well MW-4 was actually 2 mg/l not < 2mg/l.

Our office wonders why a soil sample from the 9.5-11' or 14.5-16' depth range from MW-4 wasn't run since the boring log stated a strong hydrocarbon odor was noticed in these samples.

You should continue to monitor the wells on a quarterly basis and attempt to explain the anomalous groundwater elevation data.

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

Sincerely,

Barney M. Chan  
Hazardous Materials Specialist

cc: Mr. R. Silberman, Fordham Properties, 5743 Landregan St.,  
Emeryville, CA 94608  
Ms. M. Elmore, Safeway, Inc., 4th & Jackson, Oakland 94660  
Mr. D.K. Shukla, ITSI, 1330 Broadway, Suite 1625, Oakland,  
CA 94612  
G. Young, files  
qmon5725

ALAMEDA COUNTY  
HEALTH CARE SERVICES  
AGENCY

DAVID J. KEARS, Agency Director



R098

RAFAT A. SHAHID, DIRECTOR

DEPARTMENT OF ENVIRONMENTAL HEALTH  
State Water Resources Control Board  
Division of Clean Water Programs  
UST Local Oversight Program  
1131 Harbor Bay Parkway  
Alameda, CA 94502-6577  
(510) 567-6700

May 8, 1995  
StID # 2162

Mr. Myron Zimmerman  
Myron Zimmerman Investments, Inc.  
1330 Broadway, Suite 1426  
Oakland CA 94612

**Re: Comment on April 1995 Soil Removal Completion Report for  
5725 E. 14th St., Oakland CA 94601**

Dear Mr. Zimmerman:

Our office has received and reviewed the above referenced report as prepared by your consultant, ITSI. Recall, this report summarizes the overexcavation and sampling of the former underground fuel tanks and the proper disposal of generated plus previously generated soils.

To a large extent, the majority of the petroleum contaminated soil has been removed. In order to evaluate the success of this action and its affect on the groundwater beneath the site, your consultant proposes the installation of a monitoring well to replace the one destroyed during the overexcavation activities. This proposal is acceptable with the following conditions:

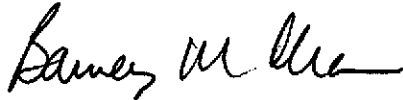
Soil samples from the monitoring well boring must be taken at at a rate of at least one per every five feet interval and field screened using an organic vapor analyzer. Those borings detecting "significant" screening values should be run in the certified laboratory. If no soil samples detect any organic vapors, the soil sample from just above the first encountered groundwater should be analyzed for the proposed parameters, TPHg, TPHd and BTEX. In addition, this well as the other two existing wells must be surveyed to mean sea level for groundwater elevation readings.

Contrary to the proposed installation date of 45 days after proposal approval, our office requests that this monitoring well be installed **within 30 days or by June 9, 1995.** This date is reasonable given the date of the completion of excavation activities and the lack of monitoring of the existing two wells at this site.

Mr. Myron Zimmerman  
StID # 2162  
5725 E. 14th St.  
May 8, 1995  
Page 2.

Please contact our office within two working days of your installation. I may be reached at (510) 567-6765.

Sincerely,



Barney M. Chan  
Hazardous Materials Specialist

cc: G. Jensen, Alameda County District Attorney Office  
Mr. R. Silberman, Fordham Properties, 5743 Landregan St.,  
Emeryville, CA 94608  
Ms. M. Elmore, Safeway, Inc., 4th and Jackson, Oakland 94660  
Mr. D.K. Shukla, ITSI, 1330 Broadway, Suite 1625, Oakland,  
CA 94612  
B. Raynolds, files

5-5725E14

ALAMEDA COUNTY  
HEALTH CARE SERVICES  
AGENCY



DAVID J. KEARS, Agency Director

RAFAT A. SHAHID, ASST. AGENCY DIRECTOR

R098

December 5, 1994  
StID # 2162

DEPARTMENT OF ENVIRONMENTAL HEALTH  
ALAMEDA COUNTY CC4580  
DEPT. OF ENVIRONMENTAL HEALTH  
ENVIRONMENTAL PROTECTION DIVISION  
1131 HARBOR BAY PKWY., #250  
ALAMEDA CA 94502-6577

Mr. Myron Zimmerman  
1330 Broadway, Suite 1426  
Oakland CA 94612

**Re: Status of Subsurface Investigation at 5725 E. 14th St.,  
Oakland CA 94621**

Dear Mr. Zimmerman:

This letter serves to acknowledge receipt of a faxed table of laboratory results for confirmatory soil samples after the overexcavation of contaminated soils from the above site. This table was compiled by your consultant, ITSI. Based on these results being accurate, these results indicate that the remediation goals initially established for the site have been met. Our office, therefore, will not require any further excavation within this excavation pit.

We would like to reiterate, however, items in my October 21, 1994 letter which still need addressing:

1. You must initiate quarterly monitoring of the two existing wells. If your additional well(s) cannot be installed **within 30 days** you must monitor the two existing wells immediately thereafter. Quarterly monitoring reports are due **within 45 days of the monitoring event.**
2. Please provide a written report of findings detailing the excavation activities just performed **within 45 days or by January 23, 1995.** Please include copies of the soil disposal receipts. You should also include a work plan for the installation of at least one monitoring well to replace the well destroyed in the overexcavation activity.

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

Sincerely,

Barney M. Chan  
Hazardous Materials Specialist

cc: Mr. R. Silberman, Fordham Properties, 5743 Landregan St.,  
Emeryville, CA 94608  
Ms. M. Elmore, Safeway Inc., 4th and Jackson, Oakland 94660  
Mr. D.K. Shukla, ITSI, 1330 Broadway, Suite 1625, Oakland,  
CA 94612  
E. Howell, files 4-5725E14

ALAMEDA COUNTY  
HEALTH CARE SERVICES  
AGENCY



R098

DAVID J. KEARS, Agency Director

RAFAT A. SHAHID, ASST. AGENCY DIRECTOR

October 21, 1994  
StID # 2162

DEPARTMENT OF ENVIRONMENTAL HEALTH

Mr. Myron Zimmerman  
1330 Broadway Suite 1426  
Oakland CA 94612

Alameda County  
Health Care Services Agency  
Dept. Of Environmental Health  
1131 Harbor Bay Pkwy 2nd Flr.  
Alameda Ca 94502-6577

**Re: Comment on Draft Work Plan for Closure of Underground Tank  
Excavation at 5725 E. 14th St., Oakland 94621**

Dear Mr. Zimmerman:

Our office has received and reviewed the October 1994 draft of the above referenced work plan as prepared by your consultant, D.K. Shukla of ITS, Inc. This work plan incorporated my comments on their first work plan draft dated September 1994. Our office accepts in theory the proposal to complete the tank excavation, take confirmatory sampling and dispose of all stockpiled soils. Work should commence as soon as possible. Please note, however, County approval is subject to the following conditions:

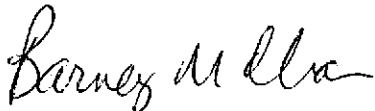
1. You must submit a final copy of the work plan (not a draft) signed by the lead professional;
2. You must initiate quarterly monitoring of the existing wells as part of this work plan. Quarterly monitoring and reporting should continue indefinitely until site closure is approved by the Regional Water Quality Control Board (RWQCB).
3. As part of your report summarizing the proposed work, please submit a map depicting the location of at least one monitoring well to replace the destroyed well.
4. Confirmation soil sampling should be taken at an approximate depth of 10' BGS. An additional wall sample and a floor sample should also be taken for field screening with an OVA instrument, not the PID instrument stated in the work plan draft.
5. The proposed excavation concentrations of TPHg @ 100 ppm, TPHd @ 1000 ppm and total BTEX @ 1ppm may be used as a guide but be aware that either a qualitative or quantitative risk assessment may be required based on the concentrations of contaminant left in place.
6. Please note that any reuse of water removed from the excavation pit must be approved by the RWQCB.
7. The report summarizing field activities should also include a copy of the "Certificate of Remediation" given to you by the disposal facility. The report should be submitted **within 45 days of conclusion of field activities.**

Mr. Myron Zimmerman  
StID # 2162  
5725 E. 14th St.  
October 21, 1994  
Page 2

With the above conditions, you should proceed with proposed work immediately. Any extended delay in implementation of said work may cause this case to be referred to the District Attorney's office for enforcement.

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

Sincerely,



Barney M. Chan  
Hazardous Materials Specialist

cc: M. O'Conner, Alameda County District Attorney Office  
Mr. R. Silberman, Fordham Properties, 5743 Landregan St.,  
Emeryville, CA 94608  
Ms. Melita Elmore, Safeway, Inc., 4th and Jackson, Oakland  
CA 94660  
Mr. D. K. Shukla, ITS Inc., 1330 Broadway, Suite 1625,  
Oakland CA 94612  
E. Howell, files

3wp5725

ALAMEDA COUNTY  
HEALTH CARE SERVICES  
AGENCY

DAVID J. KEARS, Agency Director



R098

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 11, 1994  
StID # 2162

Mr. Myron Zimmerman  
Zimmeran Investments  
1330 Broadway, Suite 1426  
Oakland CA 94612

**Re: Resumption of Subsurface Investigation at 5725 E. 14th St.,  
Oakland CA 94621**

Dear Mr. Zimmerman:

Our office has recently been contacted by Mr. Paul LaFontaine who stated he represented your interest in the above referenced property. As you are aware, Mr. Ron Silberman, who bought this property from you, has filed for bankruptcy. He has also stopped in the middle of the investigation of the fuel release from the former underground tanks at this site. Mr. LaFontaine stated that you are interested in continuing this work and will likely initiate this work after getting an estimate of the future cost. I have spoken with Mr. Silberman's consultant, Mr. Chris 'Wabuzoh of Sequoia Environmental who has also spoken with Mr. LaFontaine and he reconfirmed this belief.

Because of the current inactivity at this site, our office is considering referring this site to the District Attorney Office for enforcement. However, if you are willing to continue the investigation, please inform our office in writing as well as providing a revised work plan for completing the investigation. This work plan should include a time schedule for the disposal of contaminated soils, the installation of monitoring well(s) and the initiation of quarterly groundwater monitoring. Please provide your written response within 30 days or by May 12, 1994. If our office does not receive a written reply by this date, we will assume you will not be continuing with this investigation.

Mr. Myron Zimmerman  
StID # 2162  
5725 E. 14th St.  
April 11, 1994  
Page 2.

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

Sincerely,



Barney M. Chan  
Hazardous Materials Specialist

cc: L. Blazer, Alameda County District Attorney Office  
R. Hiett, RWQCB  
Mr. Ron Silberman, Fordham Properties, 5743 Landregan St.,  
Emeryville, CA 94608  
Ms. Melita Elmore, Safeway, Inc., 4th and Jackson, Oakland  
CA 94660  
C. 'Wabuzoh, Sequoia Environmental, 1111 Alladin Ave.,  
Suite B, San Leandro, CA 94577  
E. Howell, files

1wp5725



ALAMEDA COUNTY  
HEALTH CARE SERVICES  
AGENCY

DAVID J. KEARS, Agency Director



R098

RAFAT A. SHAHID, ASST. AGENCY DIRECTOR

March 3, 1994  
StID # 2162

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

Fordham Properties  
Mr. Ronald Silberman  
5743 Landregan St.  
Emeryville, CA 94608

**Re: Request for Resumption of Subsurface Investigation at 5725  
E. 14th St., Oakland CA 94621**

Dear Mr. Silberman:

In regards to the the investigation of the above site where three underground tanks were removed in November of 1990, our office received and approved the November 4, 1992 work plan of Sequoia Environmental. In November of 1993, Mr. Chris Nwabuzoh initiated the overexcavation of the common tank pit area of the former diesel and gasoline tanks. Obvious soil contamination was encountered during this excavation and nearly 600 cubic yards of contaminated soil was excavated and stockpiled along 57th Ave. where it is still currently lying. Since this time, our office has been informed, through Mr. Nwabuzoh, that you have filed some form of bankruptcy and therefore the completion of the work is on hold.

Our office has not received any formal notification of these facts. Absent of this information, you are required to resume and complete the investigation and remediation of the above site. **Within the next 30 days or by April 4, 1994**, you are requested to resume remedial action and/or provide copies of all papers filed regarding your bankruptcy including but not limited to your action number and your bankruptcy petition. Be aware that the District Attorney's Office will be reviewing all submitted documents and advising our office whether they will pursue any enforcement actions.

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

Sincerely,

Barney M. Chan  
Hazardous Materials Specialist

cc: Ms. Melita Elmore, Safeway, 4th & Jackson, Oakland CA 94660  
C. 'Wabuzoh, Sequoia Environmental, 1111 Alladin Ave., Suite  
B, San Leandro, CA 94578  
G. Jensen, Alameda County District Attorney Office  
E. Howell, files Pre5725

Site Summary for 5725 E. 14th St., Oakland 94621 , Fordham Park  
STID #2162

This site is located at the former Safeway Plant on E. 14th St. Safeway owned the property at one time, then sold the property to a Mr. Myron Zimmerman who later sold the property to Fordham Properties, the current owner. Mr. Ronald Silberman is a partner or owner of Fordham Properties. Fordham Properties apparently owns a number of sites in Alameda County including some in Emeryville. Mr. Silberman is thus very familiar with the investigation and cleanup of fuel contaminated sites. Fordham Properties and Safeway have reached some kind of settlement regarding responsibility and Safeway remains on the RP list, however, it appears that Mr. Silberman is assuming the active role of remediating the site.

11/12/90 Three underground tanks, 1-1000 gallon gasoline, 1-5000 gallon diesel and 1-7500 gallon fuel oil were removed from this site. Significant gasoline and diesel contamination observed and documented in soil samples around the gasoline and diesel tanks which were side by side. Soil samples beneath the fuel oil tank did not detect any contamination. Groundwater was present in the gasoline/diesel tank pit, however, it was not sampled due to the obvious soil contamination observed.

1/29/91 A request for a work plan by Cynthia Chapman was written.

2/4/91 An ULR was filed by Mr. Silberman

3/4/91 Work plan for Subsurface Investigation was submitted by RGA, Robert Gils Associates. The plan proposed to drill 7 borings and install 3 wells w/i these borings.

3/12/91 Safeway wrote County to request to add Fordham Properties, the current operator, and Mr. Myron Zimmerman, the current owner, as additional RPs.

3/21/91 Work plan approved by Cynthia Chapman.

8/91 On August 14 and 15, 1991 three monitoring wells and four borings drilled by HEW Drilling Co. The one well installed next to the gasoline/diesel tank pit detected dissolved diesel, gasoline, benzene and xylene.

11/4/92 Work plan for soil excavation from Sequoia Environmental submitted. It proposes the excavation of the former tank pit area and installation of a new monitoring well.

11/13/92 Approval letter written from B. Chan.

Site Summary, STID #2162

9/24/93 Request for the implementation of the 11/4/92 work plan, after over nine months of inactivity.

11/93 Overexcavation initiated by Sequoia Environmental. Approximately 600 cubic yards of stockpiled soil generated and piled on the street next to a building. The soils are likely still on the Fordham Park property but are very close to the street, 57th Ave. Tenants within the adjacent building have complained of gasoline odors and some of the windows in this building have been tapes shut.

11/6/93 Our office was informed by C. Nwabuzoh that Mr. Silberman had filed Chapter 11 Bankruptcy and work was on hold.

3/3/94 Letter requesting the resumption of site investigation and the submittal of bankruptcy documents.

ALAMEDA COUNTY  
HEALTH CARE SERVICES  
AGENCY

DAVID J. KEARS, Agency Director



R098

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

September 24, 1993  
StID # 2162

Fordham Properties  
Mr. Ronald Silberman  
5743 Landregan St.  
Emeryville, CA 94608

Re: Implementation of November 4, 1992 Work Plan for 5725  
E. 14th St., Oakland CA 94621

Dear Mr. Silberman:

Our office has spoken today with Mr. Chris 'Wabuzoh of Sequoia Environmental and he stated that he was scheduling the overexcavation and monitoring well installation for the above site for the last week of September. This is timely, since it has been nearly ten months since you received my conditional approval letter. In accordance with my November 13, 1992 letter, Sequoia Environmental should provide a Health and Safety plan to our office and contact our office at least **48 working hours** prior to initiating this work. Because of the extensive delay already experienced on this project, you should initiate this work within **30 days, or by October 25, 1993.**

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

Sincerely,

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

Barney M. Chan  
Hazardous Materials Specialist

cc: C. 'Wabuzoh, Sequoia Environmental, 1111 Alladin Ave., Suite  
B, San Leandro CA 94578  
Mr. G. Jones, Safeway, 4th and Jackson, Oakland 94660  
E. Howell, files

2-wp5725

ALAMEDA COUNTY  
HEALTH CARE SERVICES  
AGENCY



R098

DAVID J. KEARS, Agency Director

RAFAT A. SHAHID, ASST. AGENCY DIRECTOR

November 13, 1992  
STID #2162

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

Fordham Properties  
Mr. Ronald Silberman  
5743 Landregan St.  
Emeryville, CA 94608

Re: Work Plan for Excavation of Soil at 5725 E. 14th St.,  
Oakland CA 94621

Dear Mr. Silberman:

I have received and reviewed the work plan for the excavation of contaminated soils around the former 1000 gallon and 5000 gallon fuel tank. During this excavation, monitoring well 1 (MW-1) will be destroyed and another well will be installed and be incorporated into quarterly monitoring events. This work plan is acceptable with the following conditions:

1. In accordance to the previously submitted Health and Safety Plan from RGA Associated, all workers at this site must have the appropriate health and safety training in accordance with 29CFR 1910.120.
2. The proposed five to six soil borings to be taken after overexcavation is appropriate for an estimated excavation of 20 feet by 30 feet and must be increased should the excavation pit be enlarged beyond the area expected.
3. Prior to installation of your replacement monitoring well please provide our office with a site map of its new location.
4. Please contact our office within 48 working hours prior to performing this work so that I may be present to witness this activity.

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

Sincerely,

Barney M. Chan  
Hazardous Materials Specialist

cc: R. Hiatt, RWQCB  
C. 'Wabuzoh, Sequoia Environmental, 4200 Christie Ave.  
# 3402, Emeryville, CA 94608  
Mr. G. Jones, Safeway Inc., 4th & Jackson, Oakland 94660  
E. Howell, files WP-5725

ALAMEDA COUNTY  
HEALTH CARE SERVICES  
AGENCY

DAVID J. KEARS, Agency Director



R098

RAFAT A. SHAHID, ASST. AGENCY DIRECTOR

October 2, 1992  
STID # 2162

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. Ronald Silberman  
Fordham Park  
5743 Landregan St.  
Emeryville, CA 94608

Re: Further Requirements for Subsurface Investigation at  
5725 E. 14th St., Oakland CA 94621

Dear Mr. Silberman:

As you are aware, the Local Oversight Program, LOP, has taken over the oversight of the remediation of petroleum contaminated sites originating from underground fuel tanks within Oakland.

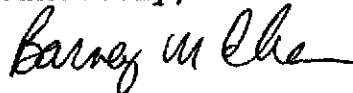
This letter is in response to your inquiry as to what additional work would be required to further this site towards recommendation for case closure. I have received and reviewed the site assessment for this site as prepared by RGA Inc. In order to best advise you, I would also need to have a copy of the tank closure report for the removal of the three tanks. This is available from the contractor who removed the tanks. There is uncertainty as to whether the initial contamination around the 1000 gallon and 5000 gallon was excavated to lower levels. The tank closure report should clarify this issue. The borings which were performed along with the monitoring well installations identified an area of additional contamination, boring 5. RGA recommended excavation of this area.

Generally, contaminated soils in excess of 100 parts per million of Total Petroleum Hydrocarbons gasoline or diesel (TPHg or d) must be remediated. Soil excavation is one method to quickly remove such contamination. The initial groundwater sampling should be resumed, minimally, on a quarterly basis. At the quarterly samplings groundwater elevations should also be taken to verify gradient. Monitoring well 1 initially had very high concentrations of benzene. In fact, the reported concentration of 11,000 parts per billion (ppb) is questionable given that the TPHg concentration was only 3200 ppb. High concentrations of benzene will usually drive a remediation involving groundwater treatment but additional quarterly groundwater sampling is needed to determine the actual hydrocarbon concentrations. You should therefore initiate groundwater sampling immediately and provide our office with copies of the sampling report. You should also send copies of all reports, workplans and analytical results to the Regional Water Quality Control Board (RWQCB) to the attention of Mr. Rich Hiatt. Their address is 2101 Webster St., Suite 500 Oakland CA 94612.

Mr. Ron Silberman  
5725 E. 14th St.  
STID #2162  
October 2, 1992  
Page 2.

You may contact me at (510) 271-4350 should you have any questions.

Sincerely,



Barney M. Chan  
Hazardous Materials Specialist

cc: M. Thomson, Alameda County District Attorney Office  
R. Hiatt, RWQCB  
G. Jones, Safeway Inc., 4th & Jackson, Oakland CA 94660  
E. Howell, files  
1-5725E14th

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY  
DAVID J. KEARS, Agency Director



R098

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

March 21, 1991

Mr. Ron Silberman  
Fordham Park  
General Contractors  
5743 Landregan Street  
Emeryville, CA 94608

RE: Subsurface Investigation Workplan Submittal for 5725 East  
14th Street, Oakland

Dear Mr. Silberman:

I have reviewed the workplan prepared by Robert Gils & Associates for the subsurface investigation at the above referenced address. I spoke to Mr. Chris Nwabuzoh of RGA today to tell him that the workplan is accepted, and to proceed with the investigation. I requested that I be notified prior to any drilling at the site so that I can make arrangements to be present at some time during the investigation activities.

If you have any questions, please call me at 415/271-4320.

Sincerely,

Cynthia Chapman  
Hazardous Materials Specialist

c: Chris Nwabuzoh, RGA



ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY  
DAVID J. KEARS, Agency Director



R098

January 29, 1991

Mr. Ron Silberman  
Fordham Park  
General Contractors  
5743 Landregan Street  
Emeryville, CA 94608

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

Dear Mr. Silberman:

The Alameda County Hazardous Materials Division has reviewed the Robert Gils Associates, Inc. report dated January 17, 1991, for the removal of three underground storage tanks at [REDACTED] in Oakland. A 1,000-gallon gasoline, 5,000-gallon diesel, and 7,500-gallon fuel oil underground storage tanks were removed from this address on November 12, 1990. At the time of tank removal, strong petroleum odors emanated from the excavated pit of the 5,000 gallon tank and water was present in the pit. I waived a water sample because it was apparent that TPH levels would be high enough to warrant further investigation of the soil and groundwater.

The laboratory results included in the report indicate that for the 1,000 gallon tank, values for total petroleum hydrocarbons (TPH) as gasoline were 400 ppm, and values for TPH as diesel were 2,600 ppm; the laboratory results for the 5,000-gallon diesel tank show TPH as gasoline at 1,000 ppm, and 330 ppm, and TPH as diesel at 140 ppm and 420 ppm. Non-detectable levels were reported for the 7,500-gallon tank.

The level of contamination found in the soil samples for the 1,000-gallon and 5,000-gallon tank and the presence of water in the bottom of the pit require that a soil and groundwater investigation be performed to determine the extent of the contamination associated with these two underground storage tanks.

You are required to complete a workplan that provides information on how the subsurface investigation will proceed. Please submit this workplan to our office within 45 days of the date of this letter. Our office will be the lead agency overseeing the soil and groundwater investigation at this site. The San Francisco Bay Regional Water Quality Control Board (RWQCB) has delegated the oversight of this case to our Division. We will be in contact with the RWQCB in order to provide you with guidance concerning the RWQCB's investigation requirements. However, please be aware that you are responsible for diligent actions to protect the waters of the State.

A format for the workplan and items to address is outlined below. This format should be referred to in context with the Tri-Regional Board Staff Recommendations for Initial Evaluation and Investigation of Underground Tanks, 10 August 1990, and the Leaking Underground

Fuel Tank Field Manual (also known as the LUFT manual). Copies of these documents can be obtained by calling the RWQCB data management group at 415/464-1269. Please note the LUFT manual as a whole has not been adopted by the RWQCB.

### PROPOSAL FORMAT

#### I. INTRODUCTION

- A. Statement of Scope of Work
- B. Site location
- C. Background
- D. Site History

Provide a brief description of the historic site use and ownership information, type of businesses and associated activities that have occurred at the site. For the underground tanks, provide dates of installation, dates of use, a discussion of inventory reconciliation methods and results for the previous three years, and any previous tank testing results and dates.

#### II. SITE DESCRIPTION

- A. Provide a map which shows streets, site buildings, underground tank locations and associated piping, subsurface conduits and utilities, on-site and nearby wells, and nearby streams or water bodies.
- B. Provide a description of the hydrogeologic setting of the site and surrounding area. Include a description of any subsurface work previously done at the site.

#### III. PLAN FOR DETERMINING EXTENT OF SOIL CONTAMINATION ON SITE

- A. Describe how the extent of soil contamination associated with the former underground tank will be determined.
- B. Describe the sampling methods and procedures to be used. If soil samples are to be collected for contamination delineation, consult the RWQCB guidelines for soil sampling protocols. During drilling of all boreholes and monitoring wells, undisturbed soil samples are to be collected at a minimum of every five feet in the unsaturated zone and at any changes in lithology for logging and analytical purposes. Borings and wells are to be permitted through Alameda County Flood Control and Water Conservation District, Zone 7. Their number is 415/484-2600. Borings and wells are to be logged from undisturbed soil samples.

Logs shall include observed soil odors; blow counts shall be expressed in blows per 6 inches of drive. If a soil gas survey is planned, the location of survey points must be identified along with the analytical methods and techniques to be used. A quality assurance plan for field analyses must be submitted.

- C. Soil samples are to be analyzed by a California State Certified Laboratory for the appropriate constituents. No sample compositing is to be done in the field. Should composite analysis be desired, discrete samples are to be collected and composited in the laboratory.
- D. Any stockpiled soil must be sampled and either disposed of or remediated. The number of samples collected from the stockpile(s) must be adequate to characterize the soil for the soil handling method. Reference all required permits and agency contacts for stockpile soil remediation, and/or provide the location of the disposal site for the stockpiled soil.

#### IV. DETERMINATION OF GROUNDWATER QUALITY

- A. Construction and placement of wells are to be consistent with the RWQCB guidelines. A minimum of three monitoring wells must be installed to determine the groundwater gradient. If the verified down-gradient location has been established, then a complete description of the rationale must be provided, and one monitoring well will be required in the down-gradient direction.
- B. The workplan is to describe the drilling method for construction of monitoring wells and to include the following: expected depth and diameter of monitoring wells; method and location of soil sampling of borings; casing type; diameter, screen interval, and pack and slot sizing technique; depth and type of seal; construction diagram for wells; development method and criteria for determination of adequacy of development; and plans for disposal of cuttings and development water. Wells are to be surveyed to an established benchmark to 0.01 foot.
- C. The workplan is to include groundwater sampling plans. This should include water level measurement procedures, methods for free product measurement, observation of sheen and odor; well purging procedures; sample collection procedures; sample analyses to be used; quality assurance plan, and chain of custody procedures. Groundwater samples are to be analyzed by a California State Certified Laboratory for the appropriate constituents
- D. A groundwater gradient map shall be developed for every water level data set. If the gradient fluctuates, water

level measurements must continue to be made monthly until a gradient pattern is established.

- E. Sample monitoring wells monthly for three consecutive months. Monitoring wells must be sampled for dissolved and floating constituents. Any free product is to be measured with an optical probe or by another method shown to have equivalent accuracy. Free product thicknesses and water levels shall be measured in all wells for each sampling event before any purging or sampling activities are begun. After three consecutive months of sampling, all monitoring wells must be sampled at least quarterly for one year. Groundwater levels and quality must be monitored quarterly for a minimum of one year, even if no contamination is identified. Water level contour maps showing groundwater gradient direction, and free and dissolved product plume definition maps of each contaminant constituent should be prepared routinely and submitted with other sampling results in a technical report.

#### V. SITE SAFETY PLAN

#### VI. REPORTING

- A. A technical report must be submitted, within three months of the date of this letter, which presents and interprets the information generated during the initial subsurface site investigation. At a minimum, the report must include the following items: Site history information, boring and well construction logs, records of field observations and data, chain-of-custody forms, water level data, water level contour map showing groundwater gradient direction, contaminant plume maps, interpretation of pollution migration patterns, tabulations of soil and groundwater contaminant concentrations, status of soil contamination characterization, description of any remedial work performed, laboratory-originated analytical results for all soil and groundwater samples analyzed, copies of TSDF-to-Generator manifests for any hazardous wastes hauled off-site, a description on where non-hazardous contaminated soils went, and any recommendations for additional investigative or remedial work.
- B. All reports and proposals which require geologic or engineering evaluations and judgments must be signed by an appropriately registered or certified professional (see page 2, RWQCB guidelines). A statement of qualifications for each lead professional is to be included in all workplans and reports.
- C. The technical report must be submitted with a cover letter from Fordham Park General Contractors and received in this office by the established due date. The letter must be

signed by a principal executive officer or by an authorized representative of the company.

Enclosed is an "Underground Storage Tank Unauthorized Release (Leak)/Contamination Site Report" form which must be completed and returned within five working days. Please send the entire completed form to our office.

All proposals, reports and analytical results pertaining to this investigation and remediation must be sent to our office and to:

Lester Feldman  
Regional Water Quality Control Board, San Francisco Bay Region  
1800 Harrison Street, Suite 700  
Oakland, California 94612

You should be aware that this Division is working in conjunction with the RWQCB and that this is a formal request for technical reports pursuant to California Water Code Section 13267 (b).

Failure to respond or a late response will result in referral of this case to the RWQCB for enforcement and could result in civil liabilities to be imposed by the RWQCB to a maximum amount of \$1,000 per day.

Any extensions of agreed-upon time deadlines must be confirmed in writing by this Division.

We are currently charging against the deposit for the tank removal to cover our oversight costs. When this fund reaches a \$100.00 balance, this office will request additional funds for oversight of this case. All monies not used during the oversight process will be refunded.

Should you have any questions concerning this letter, please contact me at (415) 271-4320.

Sincerely,

*Cynthia Chapman*

Cynthia Chapman  
Hazardous Materials Specialist

c: Lester Feldman, RWQCB  
Chris Nwabuzoh, Robert Gils Associates, Inc.