

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



RO#106

February 02, 1998

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

ATTN: Ms Michelle Heffes

Port Of Oakland
530 Water St.
Oakland CA 94607

RE: Project # 2140D - Type A
at 370 8th Ave in Oakland 94606

Dear Property Owner/Designee:

Our records indicate the deposit/refund account for the above project has fallen below the minimum deposit amount. To replenish the account, please submit an additional deposit of \$1,000.00, payable to Alameda County, Environmental Health Services.

It is expected that the amount requested will allow the project to be completed with a zero balance. Otherwise, more money will be requested or any unused monies will be refunded to you or your designee.

The deposit refund mechanism is authorized in Section 6.92.040L of the Alameda County Ordinance Code. Work on this project will be debited at the Ordinance specified rate, currently \$94 per hour.

Please be sure to write the following identifying information on your check:

- project #
- type of project and
- site address

(see RE: line above).

If you have any questions, please contact Barney Chan at (510) 567-6765.

Sincerely,

Barney Chan, HMS
Environmental Protection

c: files

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



RO# 106

December 16, 1997
StID # 3335

Mr. Dale Klettke
Port of Oakland
P.O. Box 2064
Oakland CA 94604-2064

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

**Re: Notice of Responsibility for Keep on Trucking, 370 8th Ave.,
Oakland CA 94606**

Dear Mr. Klettke:

As petitioned and concurred by the State Water Resources Control Board and our office, Western Tube and Conduit has been removed as a responsible party for the petroleum hydrocarbon release attributed to the 1000 gallon underground diesel tank adjacent to Building H-107 at the above referenced location. A Notice of Responsibility letter has been sent to your attention informing you of this action.

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

Sincerely,

Barney M. Chan
Hazardous Materials Specialist

c: B. Chan, files
Ms. L. Casias, SWRCB
Mr. R. Denney, Esq., Denney & Oths, 130 North Brand Blvd., 4th
Floor, Glendale, CA 91203
Mr. J. Redding, Esq., Fitzgerald, Abbott & Beardsley LLP, 1221
Broadway, 21st Floor, Oakland CA 94612-1837

NOR-KOT

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



R02492
R0106

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

March 25, 1997

STID 3335

ATTN: Mr Jeff Rubin

Port Of Oakland
530 Water St.
Oakland CA 94607

RE: Project # 2140D - Type M
at 370 8th Ave in Oakland 94606

Dear Property Owner/Designee:

Our records indicate the deposit/refund account for the above project has fallen below the minimum deposit amount. To replenish the account, please submit an additional deposit of \$2,000.00, payable to Alameda County, Environmental Health Services.

We must receive this deposit so that future regulatory oversight on the subject site can procede in a timely fashion. At the completion of this project, any unused monies will be refunded to you or your designee.

The deposit refund mechanism is authorized in Section 3-140.5 of the Alameda County Ordinance Code. Work on this project will be debited at the Ordinance specified rate, currently \$94 per hour.

Please be sure to write the following on the check to identify your account:

- project #,
- type of project and
- site address

(see RE: line above).

If you have any questions, please contact Barney Chan at (510) 567-6765.

Sincerely,

Tom Peacock, Area Manager
Environmental Protection

c: files/inspector

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



RO#106

February 25, 1997
StID # 3335

Mr. Jeffrey Rubin
Port of Oakland
P.O. Box 2064
Oakland CA 94604-2064

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

**Re: Subsurface Investigation at Keep On Trucking, 370 8th Ave.,
Oakland 94606, Former UST next to Building H-107**

Dear Mr. Rubin:

Our office has received and reviewed the Subsurface Consultant, Inc. (SCI) December 1996 Quarterly Groundwater Sampling Report for the above site. The results are fairly unremarkable and are consistent with the past two years monitoring results. Based upon these results, you may change your monitoring frequency for MW-7 to semi-annually. It is obvious that the fuel release from the former diesel tank is likely commingled with other releases at this site, so it is not possible to recommend closure of this area in regards to the UST. In fact, it appears that the **Eighth Avenue Area/ Ninth Avenue Terminal** investigation includes both this tank area and the investigation of the fuel release from the aboveground diesel tank formerly within building H-213.

It is best to perform concurrent groundwater monitoring for all wells at the 8th/9th Ave. site and to include sampling of MW-7 during the first and third quarters. In addition, it is best to maintain a risk based cleanup standard for the site which is consistent with Water Board policies and not have a site specific standard unless a different exposure pathway exists for one site compared to another.

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

Sincerely,

Barney M. Chan
Hazardous Materials Specialist

- c: Ms. J. Alexander, Subsurface Consultants, Inc., 3736 Mt. Diablo Blvd., Suite 200, Lafayette, CA 94549
Mr. J. Redding, Fitzgerald, Abbott & Beardsley LLP, 1221 Broadway, 21st Floor, P.O. Box 12867, Oakland 94604-2867
Mr. Richard Padovani, Keep on Trucking, 370 8th Ave., Oakland CA, 94606
Mr. Micheal Delehunt, Crosby, Heafy, Roach & May, 1999 Harrison St., Oakland CA 94612
Mr. S. Arigala, RWQCB KOT-H231

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



R0106

January 14, 1997
StID #3335

Ms. Michele Heffes
Port of Oakland Legal Department
530 Water St.
P.O. Box 2064
Oakland CA 94604-2064

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

**Re: Evaluation of Data Gap Study Work Plan for Eighth Ave.
Area, Ninth Ave. Terminal, Port of Oakland -December 1996**

Dear Ms. Heffes:

Our office has received and reviewed the above technical report from Subsurface Consultants, Inc. which proposes additional site investigation to fill data gaps which exist at the referenced property. The work plan and the January 8, 1997 meeting with Mr. J. Redding and Ms. J. Alexander address those items mentioned in my January 2, 1997 letter in regards to:

1. Anomalies encountered during the former electromagnetic survey;
2. The inspection and removal of free product in wells and within manholes;
3. The determination of the effectiveness the soil in limiting petroleum hydrocarbon migration; and
4. The initiation of a monitoring schedule for the existing network of monitoring wells.

Upon review of the work plan, our office concurs with the proposed itemized tasks to clarify those areas of unknown or uncertain subsurface conditions. In addition, we request that a monitoring schedule be proposed for the site which provides for long term monitoring consistent with your sitewide remedial approach if you do not intend to monitor all wells on a quarterly fashion.

All underground tanks discovered during your investigation must be properly permitted or closed pursuant to Title 23, California Code of Regulations and Chapter 6.7 of the Health and Safety Code.

Ms. Michele Heffes
StID #3335
8th Ave., 9th Ave Terminal Area
January 14, 1997
Page 2.

Please initiate your work plan within 30 days of this letter and submit a report of your findings within 45 days of completion of your field work.

Please consider this a request for technical reports, pursuant to the Water Code Section 13267 (b) and the Health and Safety Code Sections 25299.37 and 25299.78. The failure to submit the requested documents may subject the Port to civil liability. Also, the Health and Safety Code, section 25299, states that any owner or operator of an underground tank is liable for civil penalties of not less than \$500 and not more than \$5000 per day, per tank for failure to obtain a permit, or failing to properly close an underground tank.

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

Sincerely,



Barney M. Chan
Hazardous Materials Specialist

c: Mr. Jeff Rubin, Port of Oakland, Environmental Department
Ms. J. Alexander, Subsurface Consultants, Inc., 3736 Mt.
Diablo Blvd., Suite 200, Lafayette, CA
94549
Mr. J. Redding, Fitzgerald, Abbott & Beardsley LLP, 1221
Broadway, 21st Floor, P.O. Box 12867, Oakland
94604-2867
Mr. Richard Padovani, Keep on Trucking, 370 8th Ave., Oakland
CA, 94606
Mr. Micheal Delehunt, Crosby, Heafy, Roach & May, 1999
Harrison St., Oakland CA 94612
Mr. S. Arigala, RWQCB
Bob Chambers, Alameda County District Attorney Office
B. Chan, files

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ALAMEDA COUNTY
HEALTH CARE SERVICES



AGENCY
DAVID J. KEARS, Agency Director

R0106

January 2, 1997
StID #3335

Ms. Michele Heffes
Port of Oakland Legal Department
530 Water St.
P.O. Box 2064
Oakland CA 94604-2064

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

**Re: Evaluation of Interim Report Site Characterization Eight Ave.
Area, Ninth Ave. Terminal Port of Oakland 12/23/96**

Dear Ms. Heffes:

In response to my December 2, 1996 letter, our office has received and reviewed the above technical report which summarizes previous work and gives the results of the second phase of site assessment performed by Subsurface Consultant, Inc. (SCI). The most recent work includes the installation of additional monitoring wells and temporary borings in strategic areas. It is clear that additional investigation will be required since the limits of contamination need to be defined for the specific releases identified and a large number of questions still remain unanswered within this site.

Our office is in receipt of the numerous legal letters of intent to sue in regards to this site. We hope that site investigation, remediation and management can continue in spite of such actions. Until directed otherwise, our office will continue to correspond with the Port for all environmental issues regarding this site. The site includes the areas along 8th, 9th and 10th Ave. with the Embarcadero, Defremery Ave., the Clinton Basin, the Inner Harbor Basin and Brooklyn Basin as boundaries.

In response to the **Recommendations** within the referenced report, our office has the following comments:

Floating product within the manhole located south of the former bulk fuel processing area should not only be periodically checked to measure for free product, but must be removed as accumulated.

We agree that the extent of contamination should be determined in all areas of significant contamination. A comprehensive groundwater monitoring schedule should be adhered to. Please indicate your intended monitoring schedule for the entire network of wells.

Please elaborate on the evaluation of the bulkheads as to their effectiveness in limiting groundwater migration.

Ms. Michele Heffes
StID #3335
8th Ave., 9th Ave Terminal Area
January 2, 1997
Page 2.

Our office welcomes the opportunity to discuss the findings to date and to agree upon the scope of future investigations. Specific cleanup goals and remedial approaches should also be discussed. It may be necessary to consult with representatives from the Water Board to verify the appropriateness of any proposed Corrective Action Plan (CAP) and to agree upon cleanup levels. Please provide a proposed date for a meeting agreeable with our office and that of the RWQCB.

One remedial approach to consider is whether this area is appropriate for **Containment Zone Designation**. To this end, you are encouraged to examine this site relative to the requirements of this designation.

The results of the electromagnetic survey were not conclusive nor complete. Please address the following:

1. The metallic anomaly detected near the south of Building 229;
2. Clarify the existence and closure of underground tanks beneath the KOT offices and the metallic anomaly north of the office;
3. Clarify the existence of a potential underground tank near Building H-204;
4. Verify the removal or closure of the underground tank @ Building H-230 in Area O; and
5. Verify the existence of a 10K underground tank in Area K, northeast of Building 227.

All unpermitted underground fuel storage tanks must be either permitted or properly closed.

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

Sincerely,



Barney M. Chan
Hazardous Materials Specialist

Ms. Michele Heffes
StID #3335
8th Ave., 9th Ave Terminal Area
January 2, 1997
Page 3.

c: Mr. Jeff Rubin, Port of Oakland, Environmental Department
Ms. J. Alexander, Subsurface Consultants, Inc., 3736 Mt.
Diablo Blvd., Suite 200, Lafayette, CA
94549
Mr. J. Redding, Fitzgerald, Abbott & Beardsley LLP, 1221
Broadway, 21st Floor, P.O. Box 12867, Oakland
94604-2867
Mr. Richard Padovani, Keep on Trucking, 370 8th Ave., Oakland
CA, 94606
Mr. Micheal Delehunt, Crosby, Heafy, Roach & May, 1999
Harrison St., Oakland CA 94612
Mr. S. Arigala, RWQCB
Bob Chambers, Alameda County District Attorney Office
B. Chan, files

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ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



RO#106

December 2, 1996
StID #3335

Ms. Michele Heffes
Port of Oakland Legal Department
530 Water St.
P.O. Box 2064
Oakland CA 94604-2064

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

**Re: Request for Technical Reports for 370 8th St., Oakland CA
94606, Keep On Trucking**

Dear Ms. Heffes:

In our last correspondence with you, our office approved the Subsurface Consultants, Inc. (SCI) August 14, 1996 Work Plan for Further Site Characterization for the above site. An earlier site investigation identified a number of sites near Keep On Trucking which may have environmental concerns. Therefore, the work plan called for additional research, free product removal within a manhole near the southern bulkhead, the installation of fourteen (14) monitoring wells and the advancement of additional borings in areas of suspected environmental concern. This information was agreed to be necessary prior to developing and implementing a Corrective Action Plan (CAP) for the entire area. To date, our office has not been informed if all or part of the approved work has been performed.

Our office requests an update on all additional subsurface investigation which has occurred at and around the above referenced site. At this time, our office is referring to the entire 8th, 9th and 10th Ave. areas as "Keep On Trucking". More appropriately, this site should be separated into several sites for the purposes of investigation or a no further action letter. I understand that the Port is investigating other potential responsible parties, however, until further information is provided, the Port remains the sole responsible party.

Along with this report, the Port should be ready to provide specific recommendations for their CAP. Such a CAP may include limited removal of contamination, the closure of any identified underground tanks, free product removal, baseline Tier 1 risk assessment and/or other remedial actions.

Please provide all technical reports including a written update of site investigation to our office within 30 days or by January 3, 1997. This is a formal request for technical reports pursuant to the California Health and Safety Code and the Water Code.

Ms. Michele Heffes
StID #3335
370 8th Ave., Keep on Trucking
December 2, 1996
Page 2.

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

Sincerely,



Barney M. Chan
Hazardous Materials Specialist

c: Mr. Jeff Rubin, Port of Oakland, Environmental Department
Ms. J. Alexander, Subsurface Consultants, Inc., 3736 Mt.
Diablo Blvd., Suite 200, Lafayette, CA
94549
Mr. J. Redding, Fitzgerald, Abbott & Beardsley LLP, 1221
Broadway, 21st Floor, P.O. Box 12867, Oakland
94604-2867
Mr. Richard Padovani, Keep on Trucking, 370 8th Ave., Oakland
CA, 94606
Mr. Micheal Delehunt, Crosby, Heafy, Roach & May, 1999
Harrison St., Oakland CA 94612
Mr. S. Arigala, RWQCB
Bob Chambers, Alameda County District Attorney Office
B. Chan, files

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ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY



DAVID J. KEARS, Agency Director

20106

August 30, 1996
StID # 3335

ENVIRONMENTAL HEALTH SERVICES
ENVIRONMENTAL PROTECTION
1131 Harbor Bay Parkway
Alameda, CA 94502-8577
(510) 587-6700

Ms. Michele Heffes
Port of Oakland Legal Department
530 Water St.
P.O. Box 2064
Oakland CA 94604-2064

**Re: Work Plan Addendum for Further Site Characterization at
370 8th Ave., Oakland CA 94606, Keep On Trucking.**

Dear Ms. Heffes:

Our office has received and reviewed the August 14, 1996 Work Plan Addendum for Further Site Characterization at the Ninth Avenue Terminal as prepared by Subsurface Consultants, Inc., (SCI). This work plan follows the August 2, 1996 meeting with Ms. Jeriann Alexander of Subsurface Consultants, Inc. and Mr. Johnathan Redding of Fitzgerald, Abbott & Beardsley. We have also received and completed cursory review of the two volumes of data in SCI's Interim Site Characterization report.

Based on the review of the August 14, 1996 SCI work plan addendum, review of the Interim Site Characterization report and the contents of the August 2, 1996 meeting our office approves the work plan addendum. The addendum includes:

1. Additional research;
2. Free product removal within the manhole near the southern bulkhead;
3. Installation of fourteen (14) monitoring wells in strategic locations; and
4. Advancement of additional borings in suspected areas of concern. Please keep in mind, additional requirements may result after closer scrutiny of the extensive report.

In addition, during the August 2nd meeting, due to the identification of potential underground tanks, I have notified our inspection staff regarding this information. Future contact with another Hazardous Materials Specialist from our office will occur. Therefore, the verification of tanks and their proper permitting or closure should be pursued by the Port or the tank owner/operator.

Ms. Michele Heffes
StID # 3335
370 8th Ave., Keep on Trucking
August 30, 1996
Page 2.

Our office agrees that prior to developing and implementing a Corrective Action Plan for this site, this additional site investigation is warranted.

Please inform our office of all field activities at this site with 72 working hours prior notice.

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

Sincerely,



Barney M. Chan
Hazardous Materials Specialist

c: Mr. Jeff Rubin, Port of Oakland, Environmental Department
Ms. J. Alexander, Subsurface Consultants, Inc., 3736 Mt.
Diablo Blvd., Suite 200, Lafayette, CA
94549
Mr. J. Redding, Fitzgerald, Abbott & Beardsley LLP, 1221
Broadway, 21st Floor, P.O. Box 12867, Oakland
94604-2867
Mr. Richard Padovani, Keep on Trucking, 370 8th Ave., Oakland
CA, 94606
Mr. Micheal Delehunt, Crosby, Heafy, Roach & May, 1999
Harrison St., Oakland CA 94612
Mr. S. Arigala, RWQCB
G. Jensen, Alameda County District Attorney Office
G. Coleman, files

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ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY



DAVID J. KEARS, Agency Director

20106

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

August 2, 1996
StID # 3335

Ms. Michele Heffes
Port of Oakland Legal Department
530 Water St.
P.O. Box 2064
Oakland CA 94604-2064

**Re: Request for Work Plan for Further Site Characterization at
370 8th Ave., Oakland CA 94606, Keep On Trucking.**

Dear Ms. Heffes:

Our office met with Ms. Jeriann Alexander of Subsurface Consultants, Inc. and Mr. Johnathan Redding of Fitzgerald, Abbott & Beardsley today at the County's offices. At our meeting, draft results from recent subsurface investigations at the above site were shown which provided information regarding the potential sources and pathways of the petroleum contamination being found at this site. Additional non-petroleum contamination was also detected in these subsurface investigations.

Based on the information presented in this meeting, our office agrees that prior to developing and implementing a Corrective Action Plan for this site, additional site investigation is warranted. We agree that this investigation should continue the previously proposed actions ie completing a detailed utility survey, screening those areas where additional underground tanks exist or may have existed, perform additional soil and groundwater sampling in potential source areas, install additional monitoring wells where appropriate and continue quarterly groundwater monitoring. Our office also concurs with the other items discussed in the meeting ie the installation of perimeter monitoring wells and additional investigation of the property just south of this site. Additionally, the County requests that all free product at this site be removed to the greatest extent possible.

I understand that the previously requested reports are near completion and are expected to be submitted to our office shortly.

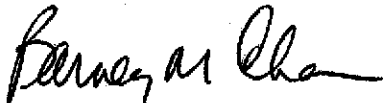
Ms. Michele Heffes
StID # 3335
370 8th Ave., Keep on Trucking
August 2, 1996
Page 2.

Please submit the requested reports and a work plan for all additional site investigation within 30 days or by September 3, 1996. You are reminded that this is a formal request for technical reports pursuant to the Water Code Section 13267 (b) and Chapter 6.7, Section 25299.37 of the Health and Safety Code. The failure to submit the requested reports may subject the Port to civil liability.

Please inform our office of all field activities at this site with 72 working hours prior notice.

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

Sincerely,



Barney M. Chan
Hazardous Materials Specialist

- c: Mr. Jeff Rubin, Port of Oakland, Environmental Department
Ms. J. Alexander, Subsurface Consultants, Inc., 171 12th St.,
Suite 201, Oakland CA 94607
Mr. J. Redding, Fitzgerald, Abbott & Beardsley LLP, 1221
Broadway, 21st Floor, P.O. Box 12867, Oakland
94604-2867
Mr. Richard Padovani, Keep on Trucking, 370 8th Ave., Oakland
CA, 94606
Mr. Micheal Delehunt, Crosby, Heafy, Roach & May, 1999
Harrison St., Oakland CA 94612
Mr. S. Arigala, RWQCB
G. Jensen, Alameda County District Attorney Office
G. Coleman, files

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ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



RO#106

ARNOLD PERKINS, DIRECTOR

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

May 23, 1996
StID # 3335

Ms. Michele Heffes
Port of Oakland Legal Department
530 Water St.
P.O. Box 2064
Oakland CA 94604-2064

**Re: Request for Work Plan for Further Site Characterization at
370 8th Ave., Oakland CA 94606, Keep On Trucking.**

Dear Ms. Heffes:

Our office has recently met with Ms. Jeriann Alexander of Subsurface Consultants, Inc. on May 15, 1996. At our meeting additional information was shown which illustrated the complexity of the above site in regards to determining the exact sources of the petroleum contamination being found at this site. It was clear that the initial belief that only two sources of diesel contamination, the aboveground tank at Building H-213 and the underground tank at Building H-107, is not an accurate description of this site. Many inconsistencies can and have been pointed out which cannot be explained solely by the above two sources.

Ms. Alexander's May 14, 1996 letter to Mr. Jonathan Redding as well as conversation with Ms. Alexander pointed out a number of these inconsistencies. Some of these are:

1. Where the aboveground and underground diesel tanks had formerly been, both gasoline and diesel contamination has been detected.
2. Free product and dissolved product contaminant plumes have been observed **upgradient** of the two identified source areas. Either preferential pathways and/or other sources exist. Significant subsurface utilities have been identified at the site which gives credence to the likelihood of preferential pathways.
3. The actual release point to the estuary during the 1992 diesel release has been reported to be from two areas not solely from the storm drain parallel to Eight Ave. A storm drain with a direct outlet to Clinton Basin reportedly was a discharge point for diesel fuel.
4. A number of underground and aboveground tanks were identified through historic maps of this site. The closure of the underground tanks has not been documented.

Ms. Michele Heffes
StID # 3335
370 8th Ave., Keep on Trucking
May 23, 1996
Page 2.

5. Recently, free product of an oily nature was found in a manhole near the estuary. Considerable amounts of oily water was removed without diminishing the apparent volume of liquid. The source of this liquid is currently unknown.

6. During our meeting, a large map with overlays was presented which indicated that a number of businesses have occupied this site. Potential additional contaminants as well as additional RPs were discussed based on past business usage.

Based on the information presented in this meeting, our office agrees that prior to developing and implementing a Corrective Action Plan for this site, additional site investigation is warranted. We further agree that this investigation should include, at a minimum, a detailed utility survey, screening in those areas where additional underground tanks exist or may have existed, a soil and groundwater sampling plan, additional monitoring wells were appropriate and continued quarterly groundwater monitoring.

Additionally, you are requested to submit all previous investigative reports (Phase I or Phase II) which has not yet been submitted to our office. We are aware that additional monitoring wells have been installed at the site. Please include a map containing similar information as was presented in the May 15th meeting.

Please inform our office of all field activities at this site with 72 working hours prior notice.

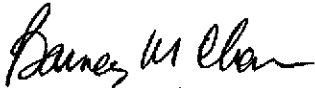
Please submit a work plan for the above referenced additional site investigation within 30 days or by June 24, 1996. Note that this is a formal request for technical reports pursuant to the Water Code Section 13267 (b) and Chapter 6.7, Section 25299.37 of the Health and Safety Code. The failure to submit the requested reports may subject the Port to civil liability.

You are also requested to submit a check for \$1800.00 payable to Alameda County Environmental Health to cover the oversight costs related to this SLIC (Spills, Leaks, Investigation and Cleanup) site. As it is not appropriate to attribute the entire petroleum release at this site to the underground diesel tank, it is no longer possible to oversee this site totally under the LOP (Local Oversight Program). Therefore, the fee requested will be used to provide services related to non-UST related investigation and cleanup oversight.

Ms. Michele Heffes
StID # 3335
370 8th Ave., Keep on Trucking
May 23, 1996
Page 3.

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

Sincerely,



Barney M. Chan
Hazardous Materials Specialist

c: Mr. Jeff Rubin, Port of Oakland, Environmental Department
Ms. J. Alexander, Subsurface Consultants, Inc., 171 12th St.,
Suite 201, Oakland CA 94607
Mr. J. Redding, Fitzgerald, Abbott & Beardsley LLP, 1221
Broadway, 21st Floor, P.O. Box 12867, Oakland
94604-2867
Mr. Richard Padovani, Keep on Trucking, 370 8th Ave., Oakland
CA, 94606
Mr. Micheal Delehunt, Crosby, Heafy, Roach & May, 1999
Harrison St., Oakland CA 94612
Mr. S. Arigala, RWQCB
G. Jensen, Alameda County District Attorney Office
G. Coleman, files

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ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY

DAVID J. KEARS, Agency Director



R0106

RAFAT A. SHAHID, ASST. AGENCY DIRECTOR

DEPARTMENT OF ENVIRONMENTAL HEALTH

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

March 13, 1995
SLIC # 3335

Ms. Susa Gates
Port of Oakland
530 Water St.
P.O. Box 2064
Oakland CA 94604-2064

**Re: Comment on Revised Work Plan for Limited Subsurface
Investigation and Free Product Recovery at Keep On
Trucking, 370-8th Ave., Oakland CA 94606**

Dear Ms. Gates:

Our office has completed our review of the above referenced work plan which modifies and replaces the original December 22, 1994 version. The modifications were discussed with myself and Mr. Dariush Dastmachi of Clayton Environmental Consultants. In essence, the locations of the two additional monitoring wells proposed were moved to better determine the extent of soil and groundwater contamination in the area of monitoring well MW-4. In addition, a free product skimmer is proposed to be installed in monitoring well MW-4.

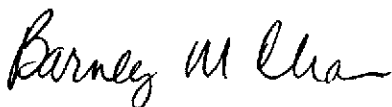
This work plan is acceptable and this field work should be implemented as soon as possible with following additions/modifications:

1. Please contact me at least 48 hours prior to the field work so I may arrange to be present if possible.
2. Please survey the wells at this site relative to mean sea level.
3. Based on the relative high levels of benzene being detected in MW-4, please add the parameter, TPHg, to the analysis of the soil and groundwater samples.
4. The installation of a free product skimmer should be considered a temporary remedial action. A Corrective Action Plan, CAP, per Title 23, Division 3, Chapter 16, Section 2725 should also be in your immediate plans. Please update your attempts to complete a CAP in your future quarterly monitoring reports. As mentioned in my prior letter, perhaps the investigation on the underground diesel tank can be scheduled along with this field work.

Ms. Susa Gates
SLIC # 3335
KOT, 370-8th Ave.
March 13, 1995
Page 2.

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

Sincerely,



Barney M. Chan
Hazardous Materials Specialist

cc: R. Padovani, Terminal Mgr., Keep On Trucking, 370-8th Ave.,
Oakland CA 94606
D. Dastmalchi, Clayton Environmental Consultants, 1252 Quarry
Lane, P.O. Box 9019, Pleasanton, CA 94566
G. Coleman, files

wpsl-370

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY

DAVID J. KEARS, Agency Director



R02492

v R0106

RAFAT A. SHAHID, ASST. AGENCY DIRECTOR

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

March 9, 1995
StID #3335

Ms. Susa Gates
Port of Oakland
530 Water St.
P.O. Box 2064
Oakland CA 94604-2064

Re: Comment on February 21, 1995 Work Plan for Limited Subsurface Investigation at 370 8th St., Oakland CA 94606

Dear Ms. Gates:

Our office has completed its review of the above referenced work plan for limited subsurface investigation at the Keep On Trucking site. This work plan was in response to the petroleum fuel release detected upon the removal of the 1000 gallon fuel tank on October 12, 1994.

This work plan calls for the installation of two borings and one monitoring well in the downgradient direction relative to the former tank. In general, this approach is acceptable however our office has the following additional requirements:

1. From the two proposed borings, our office requests that at least one soil sample (from the capillary fringe) and a groundwater sample be taken for analysis. Chemical analysis should be for the following analytes: TPHg, TPHd and BTEX.
2. This well along with all wells onsite should be surveyed to mean sea level. Please contact me at least 48 working hours prior to field activities.

It is hoped that the other field activities for the investigation of the above ground diesel fuel release may also be scheduled concurrently with this field work. You may contact me at (510) 567-6765 if you have any questions.

Sincerely,

Barney M. Chan
Hazardous Materials Specialist

cc: J. Vargas, Clayton Env. Consultants, 1252 Quarry Lane,
Pleasanton CA 94566
R. Padovani, KOT, 370 8th Ave., Oakland CA 94606
G. Coleman, files 2wpapKOT

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY

DAVID J. KEARS, Agency Director



R0106

RAFAT A. SHAHID, ASST. AGENCY DIRECTOR
DEPARTMENT OF ENVIRONMENTAL HEALTH

December 30, 1994
StID # 3335

Mr. Neil Werner
Port of Oakland
P.O. Box 2064
Oakland CA 94604-2064

ALAMEDA COUNTY
ENVIRONMENTAL PROTECTION DIVISION
1131 HARBOR BAY PKWY., #250
ALAMEDA CA 94502-6577 CC4530

**Re: Subsurface Investigation at 370 8th Ave., Keep On Trucking,
Oakland CA 94606**

Dear Mr. Werner:

Our office has received and reviewed the December 7, 1994 report by ERM-West Inc., which details the removal of the 1000 gallon underground diesel tank on October 12, 1994. In regards to your consultant's recommendation and conclusions, our office has the following comments/concerns:

1. We are aware that the soils generated from the excavation were removed for disposal. Please provide copies of the disposal receipts for this soil.
2. Our office has no objection to including the area of this tank removal along with the current investigation of the above ground tank fuel release. Please include a map of the entire site in your future reports.
3. Please review the accuracy of Figure 1 in this report. There appears to be errors in either compass direction and/or the street designations.
4. The report requests that levels of hydrocarbon in the north and east sidewalls be allowed to remain in place. This is acceptable based on some type of risk assessment assessing the levels which are being left in place.
5. Please provide a work plan for the delineation of the soil and groundwater contamination at this site **within 45 days or by February 15, 1995**. This work plan should include installation of at least one permanent monitoring well. You may contact me at (510) 567-6765 if you have any questions.

Sincerely,

Barney M. Chan, Hazardous Materials Specialist

cc: J. Prall, ERM West Inc., 1777 Botelho Dr., Suite 260, Walnut
Creek, CA 94596
E. Howell, files 1wp-KOT

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY

DAVID J. KEARS, Agency Director



R0 2492(SUC)

✓ R0106 (LOP)

RAFAT A. SHAHID, ASST. AGENCY DIRECTOR

DEPARTMENT OF ENVIRONMENTAL HEALTH

September 6, 1994
ID # 3335

Mr. Jon Amdur
Port of Oakland
530 Water Street
Oakland CA 94607

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

**Re: Request for Work Plan for Further Subsurface Investigation
for 375 8th Ave., Oakland CA 94606, Keep On Trucking.**

370

Dear Mr. Amdur:

As you are aware, I have recently taken over the oversight of this site from Mr. Paul Smith. During our recent conversation, there appeared to be some mix-up in the recent quarterly monitoring reports submitted. Please be aware, our office has received duplicate reports for the April 1994 monitoring event in cover letters dated July 18, 1994 and August 29, 1994. The only difference being that Table 3 in the report dated July 18, 1994 includes sampling analytical data for the 6/2/94 monitoring event. All other items in the reports are identical. This event indicates that monitoring well MW-4 was not sampled for any parameters. I assume this is due to the presence of free product in this well.

I spoke today with Mr. Douglas Sheets of Uribe and Associates and commented on our offices concern in regards to the free product being found in MW-4. It is appropriate at this time to request a supplemental work plan which addresses this situation. Please submit such a work plan within 45 days or by October 21, 1994 which will:

1. Determine the limits of the highly dissolved and floating petroleum hydrocarbon being found in MW4.
2. Describe what actions will be performed to determine the most appropriate remedial approach. This may include the performance of a pump test, additional excavation etc.

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

Sincerely,

Barney M. Chan
Hazardous Materials Specialist

cc: Mr. D. Sheets, Uribe & Associates, 2930 Lakeshore Ave., Suite
200, Oakland CA 94610.

E. Howell, files wpad375

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



R0106

RAFAT A. SHAHID, Assistant Agency Director

February 2, 1993

Mr. Neil Werner
Port Environmental Compliance Supervisor
Port of Oakland
530 Water Street
Oakland, CA 94607

DEPARTMENT OF ENVIRONMENTAL HEALTH
Hazardous Materials Division
80 Swan Way, Rm. 200
Oakland, CA 94621
(510) 271-4320

**Re: Diesel Contamination Associated with Keep on Trucking
Co., Inc, 370 8th Avenue, Oakland, CA 94606**

Dear Neil:

Attached you will find a copy of the correspondence sent to Keep on Trucking Co., Inc. We will be pursuing the investigation and remediation of the above incident with them as the responsible party. However until the required documentation from them is received you will also continue to be listed as a responsible party.

I will keep you informed regarding this matter

Sincerely,

Paul M. Smith
Senior Hazardous Materials Specialist

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



R0106

RAFAT A. SHAHID, Assistant Agency Director

February 2, 1993

Mr. Richard Padovani
Terminal Manager
Keep On Trucking Co., Inc
370 8th Avenue
Oakland, CA 94606

DEPARTMENT OF ENVIRONMENTAL HEALTH
Hazardous Materials Division
80 Swan Way, Rm. 200
Oakland, CA 94621
(510) 271-4320

Re: Contamination associated with a large volume diesel release which entered a storm drain to Oakland estuary from a leaking above ground storage diesel tank located at Keep On Trucking, 370 8th Ave., Oakland, CA 94606

Dear Mr. Padovani:

As you are aware, on or about October 12, 1992 U.S. Coast Guard, Port of Oakland and Alameda County Hazardous Materials became aware of a discharge of a significant amount of petroleum hydrocarbon into Oakland estuary. The material was found to be entering a storm drain flowing into the Ninth Avenue Terminal area. At that time the source of the material was unknown. An investigation was undertaken to determine its source. It was estimated that throughout the course of the following months literally thousands of gallons of diesel fuel leaked into the storm drain which led to the bay. However contractors hired by the Port of Oakland removed much of the diesel contaminated stormwater from the storm drain prior to release into the bay.

Results of an investigation were presented in a report prepared for the Port of Oakland by Uribe and Associates, dated January 20, 1993, which indicates that an above ground diesel storage tank located at Keep On Trucking Co., Inc at the above address is the source of this contamination. A boring performed to the northwest of the tank at Keep On Trucking indicated the presence of Total Recoverable Petroleum Hydrocarbons at 640 ppm at four feet below ground surface.

Based upon the results of this report and also of conclusion cited in a Notice of Designation letter, dated January 8, 1993, from the U.S. Coast Guard you are required to investigate the nature extent of the contamination associated with the diesel release from the above ground tank or piping. **You are required to submit a workplan to this office within 45 days of the receipt of this letter.**

The investigative report prepared for the Port of Oakland outlines proposed measures for future investigative work at the site. With the inclusion of a few modifications this workplan would be acceptable as a second phase attempt at defining the

Mr. Padovani
February 2, 1993
page 2 of 3

problems on and off-site. Please specify your intentions with regard to the implementation of the existing workplan or provide a new one to this Agency within the specified time schedule.

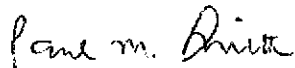
The workplan must address the following items:

- 1) Definition of the lateral and vertical extent of soil contamination.
- 2) A groundwater investigation to determine whether impacts to groundwater have occurred and if so and to define the lateral extent of this contamination.
- 3) Delineation of contamination which may have occurred to the storm drain area, up and down gradient of the source, and to investigate soil contamination in areas adjacent to the storm drain.
- 4) Disposition of contaminated stockpiled soil and groundwater associated with previous and future investigative or remedial measures at the site.
- 5) Delineation of diesel contamination conveyed by conduits such as sewers, electrical conduit and previously abandoned piping which might have carried pollutant away from the site.

Finally, this project is not currently on our files regarding an deposit/refund account. The deposit/refund mechanism is authorized by Alameda County Ordinance Code 3-141.6 which allows fees to be levied for the regulatory oversight of site mitigation projects. You are requested to remit a check for \$1,125.00 made payable to the County of Alameda. This amount will be billed at the a rate of \$75.00 per hour. Any unused portion of these funds will be refunded to you at the end of this project.

Should you have any questions regarding this letter please contact me at (510) 271-4320.

Sincerely,



Paul M. Smith
Senior Hazardous Materials Specialist

Mr. Padovani
February 2, 1993
page 3 of 3

cc:

Mr. Ray Balcom, SFRWQCB, 2101 Webster St., 5th Floor,
Oakland, CA 94612
Mr. Rich Hiatt, SFRWQCB
Mr. Dale Long, CA Dept. of Fish and Game, Office of Oil Spill
Prevention and Response, P. O. Box 944209,
Sacramento, CA 94244
Ensign John Park, MER Division, Building 14, Marine Safety
Office, San Francisco Bay, Coast Guard Island,
Alameda, CA 94501
Mr. Gilbert A. Jensen, Alameda County District Attorneys
Office

Neil Werner
page 2 of 2
January 21, 1993

Should you have any questions regarding this letter please
contact me at (510) 271-4320.

Sincerely,



Paul M. Smith
Senior Hazardous Materials Specialist

cc:

Richard Padovani, Terminal Manager, Keep On Trucking Co.,
Inc, 370 8th Ave., Oakland, CA 94606
Jon Amdur, Port of Oakland, 530 Water St., Oakland, CA 94607
Ray Balcom, SFRWQCB, 2101 Webster St., 5th Floor,
Oakland, CA 94612
Rich Hiatt, SFRWQCB, 2101 Webster St., 5th Floor,
Oakland, CA 94612
Dale Long, CA Dept. of Fish and Game, Office of Oil
Spill Prevention and Response, P.O. Box 944209,
Sacramento, CA 94244
Ensign John Park, MER Div., Building 14, Marine Safety
Office, San Francisco Bay, Coast Guard Island, Alameda,
CA 94501
Gil Jensen, Alameda County District Attorneys Office of
Consumer and Environmental Protection Division, 7677
Oakport Dr., Suite 400, Oakland, CA 94621

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



R0106

RAFAT A. SHAHID, Assistant Agency Director

DEPARTMENT OF ENVIRONMENTAL HEALTH
Hazardous Materials Division
80 Swan Way, Rm. 200
Oakland, CA 94621
(510) 271-4320

January 21, 1992

Mr. Neil Werner
Port Environmental Compliance Supervisor
Port of Oakland
530 Water Street
Oakland, CA 94607

**Re: Diesel spill into storm drain at 9th Avenue
Terminal & Embarcadero St., Oakland, CA 94606**

Dear Neil:

This is a follow up letter to our telephone conversation this afternoon in which you informed me that the above noted contamination is definitively linked to Keep on Trucking Co., Inc. located at 370 8th Ave, Oakland, CA 94606. Also discussed was your request from my Department that required technical reports, unauthorized leak reports and deposit/refund monies to be provided by Keep On Trucking rather than the Port of Oakland.

In the absence of written documentation from you confirming the above concerns outlined in November 23, 1992 and January 4, 1993 letters from this office, at this time, we have no choice but to continue to name you as the responsible party.

Please provide the documentation discussed above to this office as soon as possible including the technical report by your consultant pertaining to the subsurface contamination, the dye test which was performed, the Coast Guard notification of responsibility to Keep on Trucking and any other pertinent support documentation.

Please be aware that Section 25507, Chapter 6.95 of the CA Health and Safety Code states that the handler or any employee, authorized representative, agent, or designee of a handler shall, upon discovery, immediately report any release or threatened release of a hazardous material to the administering agency and to the State Office of Emergency Services.

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



R0106

April 10, 1991

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

Mr. Richard Padovani
Terminal Manager
Keep On Trucking
370 8th Ave.,
Oakland CA 94606

Re: Keep On Trucking, 370 8th Ave., Oakland CA 94606

NOTICE OF VIOLATION

Dear Mr. Padovani:

On February 22, 1991 Barney Chan, Hazardous Materials Specialist, from this office performed an inspection at the above property. During the inspection, a number of violations were noted of the California Code of Regulations, Title 22, Division 4 (22CCR) and of the California Health and Safety Code, Division 20 (CH&SC). The violations of 22CCR are:

1. Section 66508- Many containers at the facility were not properly labeled. There were approximately 7- 55 gallon drums of waste oil, 10- 5 gallon buckets of apparent waste oil and 8- 55 gallon drums of lubricants, possibly antifreeze and waste antifreeze located in the service area on the west side of the property. Containers must be labeled for contents, hazard class, name and address of generator and a start accumulation date.
2. Section 66492- A generator shall keep a copy of each signed manifest or receipt for three years or until he receives a signed copy from the designated facility which received the waste. No copies of waste disposal receipts were available for waste fluids and because of this, waste storage time limits may have been exceeded.
3. Section 67245- Secondary containment should be provided for all containers containing free liquids. As recommended, during the inspection, some type of secondary containment should be provided for the waste and fresh oil and other chemical fluids located in the above mentioned service area.
4. Section 67243- A container holding hazardous waste shall always be closed except when adding to or dispensing from. It was noticed that several of the waste fluid containers did not have their bungs secured and that there were uncovered buckets of waste oil in the prementioned storage area.

Mr. Richard Padovani
Keep On Trucking
April 9, 1991
Page 2.

Violations of the California Health and Safety Code :

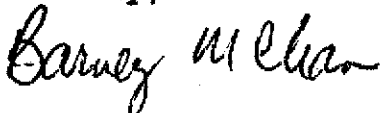
1. Section 25189.5- The disposal of any hazardous waste at an unpermitted facility is subject to civil fines. The waste fluids which were spilled around the waste oil drums, although clearly unintentional, are considered disposal to an unauthorized location. Spills of waste fluids must be handled properly and if any oil soaked material is generated, it must be handle appropriately as potential hazardous waste.

2. Section 25514- Any business that violates Sections 25503.5 to 25505 is liable for civil fines. Section 25503.5(a) states the requirement for businesses which handle a hazardous material at one time during the year in quantities greater than or equal to 55 gallons, 500 pounds or 200 cubic feet at standard temperature and pressure to file a Hazardous Material Management Plan. A HMMP form was given to you for your submission within 30 days and as of this current date, we have not received the completed forms.

In accordance with Section 66328 of CCR, T22 a plan of correction must be submitted to our office within 30 days. The plan should specify the actions Keep On Trucking will take to address the above violations.

If you have any questions concerning this letter, please contact the undersigned, at 271-4320.

Sincerely,



Barney M. Chan
Hazardous Materials Specialist

cc: Gil Jensen, Alameda County District Attorney, Consumer and
Environmental Protection Division
Edgar Howell, Chief Hazardous Materials Division
Howard Hatayama, DOHS
Dan Schoenholtz, Michele Heffes, Port of Oakland