

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



SENT
04-06-06

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

April 6, 2006

Gregory Kelisky
2627 Lombard Street
San Francisco, CA 94123

Patrick Swasey
806 Main Street
Pineville, LA 73160-6406

Chrisman Kearn
12470 Fiori Lane
Sebastopol, CA 95472

Young Shin
dba Meader's Dry Cleaning
800 West Grand Avenue
Oakland, CA 94607

Subject: Fuel Leak Case No. RO0000112, Meader's Dry Cleaning, 800 West Grand Avenue, Oakland, CA – Work Plan Approval

Dear Gregory Kelisky, Chrisman Kearn, Patrick Swasey, and Young Shin:

Alameda County Environmental Health (ACEH) staff has reviewed the fuel leak case file for the subject site and the document entitled, "Work Plan for Soil Removal," dated March 23, 2006. The Work Plan proposes excavation in the area of three former underground storage tanks (USTs) to remove contaminated soil. ACEH generally concurs with the proposed scope of work provided that the technical comments below are addressed during soil excavation. Please note that additional investigation or cleanup beyond soil excavation may be required to close this case. Recommendations for future actions are to be included in the Soil Excavation Report requested below based on the results of the excavation.

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

TECHNICAL COMMENTS

- 1. Excavation Confirmation Soil Samples.** ACEH concurs with the proposed excavation of contaminated soil. A minimum of one confirmation sample is to be collected from each of the excavation sidewalls and the bottom of the excavation. Please present the results of the excavation, soil screening, and soil confirmation samples in the Soil Excavation Report requested below.
- 2. Depth of Excavation.** The Work Plan indicates that the depth of the excavation will be limited by the depth to groundwater. The excavation should be extended to a depth sufficient to remove contaminated soil that may act as a long-term source for groundwater contamination. Excavation during a period of high water levels may limit the depth of the excavation and the ability to remove contaminated soil that has migrated downward during periods of low water levels. Review of data from a former fuel leak case located at 850 West Grand Avenue indicates that the depth to groundwater ranged from approximately 8 to 16 feet below ground surface during site investigation and long-term groundwater monitoring activities. Please consider these factors when planning the excavation.

3. **Laboratory Analyses.** In addition to the proposed analytes, analysis of soil and groundwater samples for chlorinated solvents, ethylene dibromide, and 1,2-dichloroethane is required. Please present the results in the Soil Excavation Report requested below.

TECHNICAL REPORT REQUEST

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

- **August 31, 2006** – Soil Excavation Report

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

ELECTRONIC SUBMITTAL OF REPORTS

Effective **January 31, 2006**, the Alameda County Environmental Cleanup Oversight Programs (LOP and SLIC) require submission of all reports in electronic form to the county's ftp site. Paper copies of reports will no longer be accepted. The electronic copy replaces the paper copy and will be used for all public information requests, regulatory review, and compliance/enforcement activities. Instructions for submission of electronic documents to the Alameda County Environmental Cleanup Oversight Program ftp site are provided on the attached "Electronic Report Upload (ftp) Instructions." Please do not submit reports as attachments to electronic mail.

Submission of reports to the Alameda County ftp site is an addition to existing requirements for electronic submittal of information to the State Water Resources Control Board (SWRCB) Geotracker website. Submission of reports to the Geotracker website does not fulfill the requirement to submit documents to the Alameda County ftp site. In September 2004, the SWRCB adopted regulations that require electronic submittal of information for groundwater cleanup programs. For several years, responsible parties for cleanup of leaks from underground storage tanks (USTs) have been required to submit groundwater analytical data, surveyed locations of monitor wells, and other data to the Geotracker database over the Internet. Beginning July 1, 2005, electronic submittal of a complete copy of all necessary reports was required in Geotracker (in PDF format). Please visit the SWRCB website for more information on these requirements (http://www.swrcb.ca.gov/ust/cleanup/electronic_reporting).

In order to facilitate electronic correspondence, we request that you provide up to date electronic mail addresses for all responsible and interested parties. Please provide current electronic mail addresses and notify us of future changes to electronic mail addresses by sending an electronic mail message to me at jerry.wickham@acgov.org.

PERJURY STATEMENT

All work plans, technical reports, or technical documents submitted to ACEH must be accompanied by a cover letter from the responsible party that states, at a minimum, the following:

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

PROFESSIONAL CERTIFICATION & CONCLUSIONS/RECOMMENDATIONS

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

UNDERGROUND STORAGE TANK CLEANUP FUND

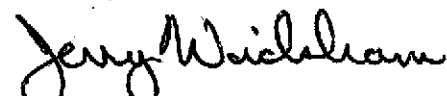
Please note that delays in investigation, later reports, or enforcement actions may result in your becoming ineligible to receive grant money from the state's Underground Storage Tank Cleanup Fund (Senate Bill 2004) to reimburse you for the cost of cleanup.

AGENCY OVERSIGHT

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

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

Sincerely,



Jerry Wickham, P.G.
Hazardous Materials Specialist

Enclosure: ACEH Electronic Report Upload (ftp) Instructions

cc: John Carver
John Carver Consulting
670 Vernon Street #401
Oakland, CA 94610

Donna Drogos, ACEH
Jerry Wickham, ACEH
File

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



04-18-01

20112

April 16, 2001
StID # 917

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

Mr. Micheal O'Conner
Alameda County District Attorney's Office
7677 Oakport, Suite 400
Oakland CA 94621

Re: Disposition of Investigation of 800 W. Grand Ave., Oakland CA 94607, former Meaders Drapes

Dear Mr. O'Conner:

This letter is meant to bring your attention to the above referenced site that remains dormant since the 1989 removal of three underground tanks (300 and 500 gallon capacity), which historically contained perchloroethylene (PCE), stoddard solvent and gasoline. Because the tanks were believed to have contained gasoline at the time of the removal, total petroleum hydrocarbons as gasoline and BTEX were tested in the soil samples from the removal. Up to 9000 parts per million TPH as gasoline and 14, 28, 9.9 and 4.7 ppm BTEX, respectively was found in the soil samples from beneath the tank at depths ranging from 11 1/2 to 13' below ground surface. Numerous holes in the tanks were noted at the time of the removal. No further work since this time has occurred. Hopefully, your office has a lengthy file on this site.

Because the property owner, Mr. Patrick Swasey, filed for Chapter 7 bankruptcy, no other individuals or entities have been identified as responsible parties. A pre-enforcement hearing with your office and the Water Board and a number of individuals proved unproductive in February 1995. An attempt to access the EAR (Emergency, Abandoned, Recalcitrant) Account also proved unsuccessful as they questioned why other previous owners had not been named as potential responsible parties.

Notes to the file also indicate that Ms. Lori Casias of the Local Oversight Program (LOP) had requested that our office remove the site from the program. It is believed this request was done because the former property owner failed to pay their LOP oversight bills. Since LOP no longer bills the responsible parties for their oversight, this may not be a current issue. Nevertheless, I would like to refer this site to the District Attorney Office and the Water Board for their enforcement. Please advise whether the County should remain involved with this case.

I have enclosed a few pertinent letters for your information. Please contact me at (510) 567-6765 should want to discuss this site in detail.

Sincerely,

Barney M. Chan
Hazardous Materials Specialist

C: B. Chan, files
Mr. C. Headlee, SFRWQQB

DArefer800WGrand

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



ENVISION

- ① Meaders Dry Cleaning
800 W. Grand Ave.
Oakland (R0112)
- ② Everidge Service Comp.
1211 7th St. Oakland
(R0235)

April 21, 1997

Steve Morse, Chief
Toxics Cleanup Division
California Regional Water Quality Control Board
2101 Webster St., Suite 500
Oakland, CA 94612

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

Dear Steve Morse:

This letter is transmitted as a request for Emergency, Abandoned, and Recalcitrant (EAR) Account funds for the attached two sites.

The first attached site was also requested in 1996, but was not forwarded to the State Water Resources Control Board. No responsible party can be identified for Meader's Cleaners. This site is important and should be considered as an abandoned site.

The second attached site is the Everidge Service Station. The site has been given numerous extensions to comply to no avail. Several extensions have even been given by the Clean-Up Fund to no avail as the RP has not spent any money for him to be reimbursed. This site should be considered as a recalcitrant site.

Please submit these two cases for inclusion in this years list of EAR sites. If you have any questions concerning this matter please contact me.

Sincerely,

Tom Peacock, Manager
Division of Environmental Health

c: Gordon Coleman, Acting Chief
2 attachments

RB3:TP

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



Roll 2

April 23, 1992

STID #917

Meaders Dry Cleaning
800 W. Grand Av.
✓ Oakland CA 94607
Attn: Patrick Swasey

RAFAT A. SHAHID, Assistant Agency Director

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

Dear Mr. Swasey,

The case file for your site has recently been reviewed by our staff. The case has been reassigned to Jennifer Eberle, Hazardous Materials Specialist. Please mail future correspondence to her attention.

The most recent document which we have in our file submitted on your behalf are the laboratory results from soils sampled subsequent to the removal of three underground gasoline storage tanks on 12/20/89. The laboratory results, dated 2/21/90, indicate as much as 9,000 ppm Total Petroleum Hydrocarbons (TPH) as gasoline, and as much as 14 ppm benzene in soils.

According to the Tri-Regional Water Quality Control Board guidelines, when contamination to soil of either TPH or Oil and Grease (O & G) exceeding 1,000 ppm is encountered, the soil is considered hazardous waste and must be over-excavated and subsequently disposed of as hazardous waste. Confirmatory soil samples must be taken to ensure that all heavily contaminated soil has been removed. Likewise, when contamination to soil of either TPH or Oil and Grease (O & G) exceeding 100 ppm is encountered, a groundwater investigation is required. Therefore, you are required to a) over-excavate the soil contaminated with TPH or O & G exceeding 1000 ppm, b) dispose this soil properly and provide our office with the disposal records, c) take confirmatory soil samples, and d) install monitoring wells in order to determine the impact to groundwater and also in order to determine the hydraulic gradient.

Therefore, we request that you submit a proposal within 45 days from the date of this letter, or by June 8th, for a groundwater and soil investigation.

All work must be performed according to the Leaking Underground Fuel Tank Field Manual, (LUFT Manual), revised 10/89, and the Tri-Regional Board Staff Recommendations for Preliminary Evaluation and Investigation of Underground Storage Tank Sites, revised 8/10/86, as summarized in Appendix A.

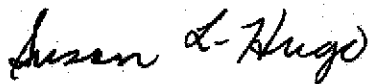
Copies of these documents can be obtained by calling the SRWQIS data management group at 510-464-1269.

Patrick Swasey
STID #917
Page 2 of 2
April 23, 1992

All reports and proposals must be submitted under seal of a California-Registered Geologist, -Certified Engineering Geologist, or -Registered Civil Engineer.

If you have any questions, please phone Jennifer Eberle at 510-271-4320.

Sincerely,



Susan Hugo
Senior Hazardous Materials Specialist

cc: Rich Hiatt, RWQCB
File

je

Alameda County Health Care Services Agency
Department of Environmental Health
Division of Environmental Protection

In Re The Property Known As :)
800 West Grand Avenue)
Oakland CA 94607)

Notice of
Pre-Enforcement
Review Panel

Notice is hereby given that upon the motion of the Alameda County Environmental Protection Division and the San Francisco Bay Regional Water Quality Control Board, a Pre-Enforcement Review Panel will convene on Tuesday, February 28, 1995 at 9:00 am in the offices of the Alameda County Hazardous Materials Division located at 1131 Harbor Bay Parkway, Room 200, Alameda CA 94502. This Pre-Enforcement Review Panel will convene for the purpose of determining responsible parties as well as appropriate closure, site assessment, clean-up and mitigation of contamination at the above location.

You are required to present information and supporting documents which substantially illustrate the contractual relationship between Patrick Swasey and other tank operators/owners, as well as documents which clearly identify the current corporate and financial status of Meader's Drapery and Carpet Cleaners, Meader's Dry Cleaning, and successor corporations, to the Panel.

The Alameda County Environmental Protection Division, and the San Francisco Bay Regional Water Quality Control Board have named and served notice of this Pre-Enforcement Review Panel on the following persons or entities as having proposed responsibility for closure, site assessment, clean-up and mitigation of contamination at the above location, and by this notice all parties named herein are informed of the right to appear and show cause, if any they have, for the exclusion or inclusion of any of the parties served herein from said responsibility or obligations:

1. Patrick Swasey
dba Meader's Drapery and Carpet Cleaners
and dba Meaders Dry Cleaning
806 Main St.
Pineville LA 71360-6406
2. Patrick Swasey
806 Main St.
Pineville LA 71360-6406
3. Chrisman Kearns
12470 Fiori Lane
Sebastopol CA 95472

4. Chrisman Kearn
dba Meader's Drapery and Carpet Cleaners
and dba Meaders Dry Cleaning
12470 Fiori Lane
Sebastopol CA 95472

5. Meader's Drapery and Carpet Cleaners
c/o Broach Williams, Esq.
Trustee in Bankruptcy
PO Box 9
Lafayette CA 94549-0009

6. Coit Cleaners
897 Hinckley Rd.
Burlingame CA 94010

7. Young Shin
dba Meader's Dry Cleaning
800 West Grand Ave.
Oakland CA 94607

Dated: 1-17-95



Jennifer Eberle
Hazardous Materials Specialist

cc: Attn: Miekle Gledhill, Sumitomo Bank, 320 California St., 7th
Floor, San Francisco CA 94104
Gil Jensen, Alameda County District Attorney's Office
Kevin Graves, RWQCB