

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



SENT 9-27-00

20128

September 27, 2000

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

Brian Tulloch
Tulloch Construction, Inc.
3428 Ettie St.
Oakland, CA 94608

Dear Mr. Tulloch:

Subject: Tulloch Construction, Inc., 3428 Ettie St., Oakland, CA 94608,
StId 3699

This office and the California Regional Water Quality Control Board, San Francisco Bay Region, have reviewed the case closure summary for the above referenced site and concur that no further action related to the underground tank release is required at this time. Before a remedial action completion letter is sent, the onsite monitoring well, MW-1, must be decommissioned. Please submit a copy of the well destruction permit and a report of the well destruction so a closure letter can be issued. (Well destruction permits may be obtained from James Yoo, Alameda County Public Works Agency, at 510/670-6633.)

If you have any questions, I can be reached at (510) 567-6746.

Sincerely,

Don Hwang
Hazardous Materials Specialist

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C: Craig Hiatt, Ceres Associates, 5040 Commercial Circle, Suite F, Concord, CA 94520

file

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



R0128

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

September 15, 1999

Brian Tulloch
Tulloch Construction, Inc.
3428 Ettie St.
Oakland, CA 94608

Re: Tulloch Construction, Inc., 3428 Ettie St., Oakland, CA 94608,
Stid 3699

Dear Mr. Tulloch:

As mentioned in previous letters of April 28, 1999 and March 12, 1999, the soil and/or groundwater at the site must be tested for Methyl Tertiary-Butyl Ether (MTBE). If there are chromatograms for the Total Petroleum Hydrocarbon-Gasoline analyses which were made when the tanks were removed, then their review may help determine whether MTBE was present or not. A confirmation analysis is recommended if the chromatograms are positive for MTBE.

Please contact me regarding your intentions, prior to sampling. If you have any questions, please call me at (510) 567-6746.

Sincerely,

Don Hwang
Hazardous Materials Specialist

C:file

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



R0128

ENVIRONMENTAL HEALTH SERVICES

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

May 20, 1999

John F. Tulloch
Tulloch Construction, Inc.
3428 Ettie St.
Oakland, CA 94608

Re: Tulloch Construction, Inc., 3428 Ettie St., Oakland, CA 94608,
Stid 3699

LANDOWNER NOTIFICATION AND PARTICIPATION REQUIREMENTS

Dear Mr. Tulloch:

This letter is to inform you of new legislative requirements pertaining to cleanup and closure of sites where an unauthorized release of hazardous substance, including petroleum, has occurred from an underground storage tank (UST). Section 25297.15(a) of Ch. 6.7 of the Health & Safety Code requires the primary or active responsible party to notify all current record owners of fee title to the site of: 1) a site cleanup proposal, 2) a site closure proposal, 3) a local agency intention to make a determination that no further action is required, and 4) a local agency intention to issue a closure letter. Section 25297.15(b) requires the local agency to take all reasonable steps to accommodate responsible landowners' participation in the cleanup or site closure process and to consider their input and recommendations.

For purposes of implementing these sections, you have been identified as the primary or active responsible party. Please provide to this agency, within twenty (20) calendar days of receipt of this notice, a complete mailing list of all current record owners of fee title to the site. You may use the enclosed "list of landowners" form (sample letter 2) as a template to comply with this requirement. If the list of current record owners of fee title to the site changes, you must notify the local agency of the change within 20 calendar days from when you are notified of the change.

If you are the sole landowner, please indicate that on the landowner list form. The following notice requirements do not apply to responsible parties who are the sole landowner for the site.

Mr. Tulloch
Page 2 of 2
May 20, 1999

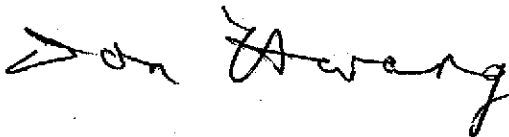
In accordance with Section 25297.15(a) of Ch. 6.7 of the Health & Safety Code, you must certify to the local agency that all current record owners of fee title to the site have been informed of the proposed action before the local agency may do any of the following:

- 1) consider a cleanup proposal (corrective action plan)
- 2) consider a site closure proposal
- 3) make a determination that no further action is required
- 4) issue a closure letter

You may use the enclosed "notice of proposed action" form (sample letter 3) as a template to comply with this requirement. Before approving a cleanup proposal or site closure proposal, determining that no further action is required, or issuing a closure letter, the local agency will take all reasonable steps necessary to accommodate responsible landowner participation in the cleanup and site closure process and will consider all input and recommendations from any responsible landowner.

Please call me at (510) 567-6746 should you have any questions about the content of this letter.

Sincerely,



Don Hwang
Hazardous Materials Specialist

Enclosures

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



Ro# 128

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

March 12, 1999

John F. Tulloch
Tulloch Construction, Inc.
3428 Ettie St.
Oakland, CA 94608

Re: Tulloch Construction, Inc., 3428 Ettie St., Oakland,
CA 94608,
Stid 3699

Dear Mr. Tulloch:

A review of your "Leaking Underground Storage Tank
Oversite Program" file for the subject site found your case
near closure.

- 1) Two 550 gal. Gasoline underground tanks were removed in
May 1990. These underground tanks were later taken to H
& H Ship Service, San Francisco, CA, for disposal.
However, there wasn't a copy of the manifest in the file.
Please submit a copy of the manifest.
- 2) The soil and/or groundwater at the site must be tested
for Methyl Tertiary-Butyl Ether (MTBE). (SWRCB, Office of
Chief Counsel, Jan. 15, 1999). If there are
chromatograms for the Total Petroleum Hydrocarbon-
Gasoline analyses which were made when the tanks were
removed, then their review may help determine whether
MTBE was present or not. A confirmation analysis is
recommended if the chromatograms are positive for MTBE.

If you have any questions, please call me at (510) 567-
6746.

Sincerely,

Don Hwang
Hazardous Materials Specialist

C:file

ALAMEDA COUNTY
HEALTH CARE SERVICES



AGENCY
DAVID J. KEARS, Agency Director

RO#128

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

April 28, 1999

John F. Tulloch
Tulloch Construction, Inc.
3428 Ettie St.
Oakland, CA 94608

Re: Tulloch Construction, Inc., 3428 Ettie St., Oakland,
CA 94608,
Stid 3699

Dear Mr. Tulloch:

Thank you for your letter of April 21, 1999, which included the manifests for the two 550 gal. gasoline underground tanks taken to H & H Ship Service, San Francisco, CA, for disposal.

However, as stated in my letter of March 12, 1999: The soil and/or groundwater at the site must be tested for Methyl Tertiary-Butyl Ether (MTBE). If there are chromatograms for the Total Petroleum Hydrocarbon-Gasoline analyses which were made when the tanks were removed, then their review may help determine whether MTBE was present or not. A confirmation analysis is recommended if the chromatograms are positive for MTBE.

If you have any questions, please call me at (510) 567-6746.

Sincerely,

Don Hwang
Hazardous Materials Specialist

C:file

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



R0#128

RAFAT A. SHAHID, DIRECTOR

February 6, 1996

DEPARTMENT OF ENVIRONMENTAL HEALTH
1131 Harbor Bay Parkway
Alameda, CA 94502-6577
(510) 567-6777

William Wendland
General Superintendent
Tulloch Construction Co.,
3428 Ettie Street,
Oakland, CA 94608

**Subject: Underground Petroleum Storage Tanks (USTs) Located at
3428 Ettie Street, Oakland, CA 94608**

Dear Mr. Wendland:

Our records indicate that there is an underground storage tank at the above facility. In accordance with the California Code of Regulations (CCR), Title 23, Division 3, Chapter 16, Underground Storage Tank Regulations, you are required to perform one of the following actions:

1. Submit a tank closure plan to this department as required by Article 7, Section 2670, or
2. Apply for a permit as required by Article 10, Section 2710.

Please notify this Department within 10 days of your intentions.

Please note that California Health and Safety Code Section 25299(a) states that the operator or owner of an underground storage tank is liable for a civil penalty of not less than five hundred dollars or more than five thousand dollars per day per violation for failure to obtain a permit, or failing to properly close an underground storage tank, as required by section 25298.

To obtain the necessary instructions or forms, contact this office at (510) 567-6737.

Sincerely,

Brian P. Oliva, REHS REA
Senior Hazardous Materials Specialist

cc: Gordon Colman, Acting Chief, Department of Env. Health
Ariu Levi, Manager, North Area
Gil Jensen, Deputy District Attorney's Office

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



R0128

RAFAT A. SHAMID, Assistant Agency Director

May 19, 1992

Michael Tietze
Lowney Assoc.
405 Clyde Ave.
Mountain View, CA 94043

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

RE: Tulloch Construction
3428 Ettie St.
Oakland CA 94608

Dear Mr. Tietze,

We are in receipt of your Work Plan for Ground Water Quality Reconnaissance and Quarterly Sampling, dated May 18, 1992, for the above referenced facility. Although we agree with your approach, we must bring your attention to two points:

- 1) Laboratory analysis of soil samples collected during tank removal did detect contamination. The laboratory, Vapor Sciences Corp., reported up to 1,300 ppm TPH-g, 14 ppm benzene, 170 ppm toluene, 310 ppm xylenes, and 47 ppm ethylbenzene, in a letter to Tulloch Construction dated June 8, 1990. These significant levels of contamination are the basis of our requirement for a subsurface investigation.
- 2) Groundwater monitoring wells are required to be sampled quarterly for a minimum period of one year. The Regional Water Quality Control Board (RWQCB) requires four consecutive quarters of nondetectable concentrations of contaminants as a basis for closure of the site. Therefore, if you detect contaminants in the monitoring well, you may need to sample for more than one year.

If you have any questions about the contents of this letter, please phone Jennifer Eberle, Hazardous Materials Specialist, at 510-271-4320.

Sincerely,

Susan Hugo
Senior Hazardous Materials Specialist

cc: Bill Wendland, Tulloch Construction, 3428 Ettie St., Oakland
CA 94608
Rich Nlett, RWQCB
File

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STD #3699

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



R0128

RAFAT A. SHAHID, Assistant Agency Director

March 31, 1992

STID #3699

Tulloch Construction
Attn: William Wendland
3428 Ettie St.
Oakland CA 94608

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

Dear Mr. Wendland,

The case file for your site has recently been reviewed by our staff. The case has been reassigned to Jennifer Eberle, Hazardous Materials Specialist. Dennis Byrne has briefed Ms. Eberle on this case. Please contact her in future correspondence.

In order to close the site, you will need to construct a downgradient groundwater monitoring well and sample it for at least 4 quarters. The following contaminants shall be tested: total petroleum hydrocarbons as gasoline (TPH-G), benzene, toluene, ethylbenzene, and xylenes.

Mr. Byrne indicated that your neighbor, Henry Shirek Estate, located at 3425 Ettie St., had installed groundwater monitoring wells. The groundwater elevation results from these wells are sufficient to characterize the groundwater gradient in the vicinity of your site. The file for this case has been reviewed. The gradient consistently appeared to be to the east on 9/24/90, 1/19/91, and also on 10/14/91, according to work performed by Hart Crowser Inc.

Therefore, your well should be placed within 10 feet to the east of the tank pit. Please respond to us within 30 days with a workplan for construction and sampling of the monitoring well.

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

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ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



R0128

DEPARTMENT OF ENVIRONMENTAL HEALTH
470 - 27th Street, Third Floor
Oakland, California 94612
(415) 271-4320

April 27, 1988

Tulloch Construction
3428 Ettie St.
Oakland, CA 94611
Attention: Brian Tulloch

SUBJECT: UNDERGROUND STORAGE TANKS, 3428 ETTIE ST., OAKLAND 94608

Dear Mr. Tulloch:

The proposed plans which were submitted for the removal of two (2) underground storage tanks and the installation of a new underground storage tank at your facility have been reviewed and accepted.

Before placing the new tank in service the following must be completed:

1. Complete the enclosed Underground Storage Tank Permit Application form,
2. Inspection of the tank and piping prior to covering,
2. Precision testing of tank and piping,
4. Provide a written monitoring plan.

Should you have any questions, please contact Lizabeth Rose, Hazardous Materials Specialist at 271-4320.

Sincerely,

Rfat A. Shahid

Rafat A. Shahid, Chief
Hazardous Materials Division

RAS:LR:mam

Enclosure

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



R0128

August 16, 1990

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

Nancy J. Nadel
3228 Helen St.
Oakland, CA 94608

RE: 3428 Ettie St., Oakland, CA 94608

Dear Ms. Nadel:

After discussion with Mr. Peacock and Mr. Byrne, the following is presented in response to your letter of August 8, 1990, concerning the above address.

There is nothing in our files authorizing removal of soil from the tank excavation. Soil was removed and placed at its present location without this Department's knowledge or approval. This Department is pursuing the completion of the removal process and remediation of the site within the limitations of post-removal discovery.

The following should answer the questions you raised in the second to last paragraph of your letter. This Department uses the California Underground Storage Tank Regulations and related documents, dated April, 1990 and the Tri-Regional Recommendations for Initial Evaluation and Investigation of Underground Tanks, dated 2 June 1988 (revised 9 November 1989). As stated above, this removal was done without approval. The contents of the tanks was gasoline, although it is not known what type, as there was not a permit application made prior to removal.

I refer you to Frank Mycroft, toxicologist with the Department of Health Services, for information on the hazards of gasoline. He can be reached at 540-3012 and can provide consultation on this type of situation. This situation was handled "after the fact" in a manner so as to protect the health of the community and the environment. This Department continually reviews and updates policies as needed. The soil will be resampled and disposed of in the appropriate Class 1 or 3 landfill, depending on results of the final lab analysis. The responsible party is being asked to fence the lot, and/or remove the soil as soon as possible. This Department will be managing this case closely through its conclusion.

Nancy J. Nadel
3228 Helen St.
Oakland, CA 94608
August 16, 1990
Page 2 of 2

Thank you for your interest and concern in this matter. If you have any other questions concerning this matter, please contact Dennis Byrne, Hazardous Material Specialist, or Thomas Peacock, Acting Supervising Hazardous Material Specialist, at 271-4320.

Sincerely,



Edgar B. Howell, III, Chief
Hazardous Materials Division

EBH:TFP:mnc

cc: Dr. Carl Smith, Alameda County Health Care Services
Supervisor Warren Widener
Oakland Tribune
Terry Brazel, SWRCB
Patricia Eklund, EPA Region IX, UST
Rafat Shahid, Assistant Agency Director, Environmental Health
Thomas Peacock, Acting Supervising Hazardous Materials Spec.
Dennis Byrne, Hazardous Materials Specialist
Files

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



R0128

18 May 1990

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

William Wendland
Tulloch Construction Incorporated
3428 Ettie Street
Oakland, CA 94608

Subject: Removal of two 550 gallon Underground Storage Tanks at 3428
Ettie Street, Oakland.

Dear Mr. Wendland:

This letter is to reiterate the discussion which we held on the 16th of May 1990, concerning the actions which need to be taken in regards to the two underground gasoline storage tanks removed in May of 1990 from your facility, at the location listed above. No permits regarding this operation had been issued by either this office or the Oakland Fire Prevention Bureau. This letter is to inform you of specific steps which you must now take to rectify the situation.

The two tanks are currently located in the yard of your facility. They should be kept inerted with a sufficient quantity of dry ice while a permit is obtained from the Oakland Fire Prevention Bureau. These tanks will require disposal as hazardous wastes, and a Fire Marshal will have to be on-site to declare that the tanks are sufficiently inerted for safe transport. Please coordinate with the Oakland Fire Prevention Bureau at 273-3851 to effect this task.

The tanks will have to be hauled off-site by a registered hazardous waste hauler and be transported, under hazardous waste manifest, to a licensed treatment, storage and disposal facility. A copy of the hazardous waste manifest will have to be submitted to this office for review and inclusion into our records.

A completed underground storage tank closure/modification form will have to be submitted in triplicate to this office. Please ensure that all of the requested information is provided. Once approved, this form will constitute a permit to proceed with the removal project. A copy of this form is included with this letter for your use.


A check for \$498.00, made payable to the County of Alameda, should accompany these documents. This deposit, authorized by Section 3-141.6 of the Ordinance Code of the County of Alameda, is used to offset the expenses incurred by County employees in the exercise of their oversight responsibilities. Records are maintained of the time County personnel commit to a given project and the account is charged at an hourly rate. The balance of the account will be returned to you upon the completion of the project.

William Wendland
Tulloch Construction, Inc.
3428 Ettie St.
Oakland, CA 94608
18 May 1990
Page 2 of 2

When the soil analysis returns from Olfacto-Labs, please contact me. The proper disposal method for the excavated soil and what if any follow-up remedial actions may be required at your site will be based upon this data.

If you have any questions concerning this matter, please contact Larry Seto or myself at (415) 271-4320.

Sincerely,



Dennis J. Byrne
Hazardous Materials Specialist

enclosure

cc: Gil Jensen, Alameda County District Attorney's Office, Consumer
and Environmental Protection Division
Doug Krause, DOHS
Lester Feldman, SFBRWQCB
Rafat Shahid, Assistant Director, Alameda County Department of
Environmental Health
Jerry Blueford, Fire Marshal, Oakland Fire Prevention Bureau

ALAMEDA COUNTY
HEALTH CARE SERVICES

DAVID J. KEARS AGENCY

~~XXXXXXXXXX~~ MICHAEL LEAHY, Agency Director



R0128

470-27th Street, Third Floor
Oakland, California 94612
(415) 874-7237

January 27, 1988

Brian Tulloch
Tulloch Construction, Inc.
3428 Ettie Street
Oakland, CA 94608

Subject: Underground Storage Tanks, 3428 Ettie St., Oakland

Dear Mr. Tulloch:

We are in receipt of your permit applications for the the three underground storage tanks at your facility. You noted on the permit applications that you intend to remove the regular and the unleaded tanks.

Please be advised that a closure plan must be submitted and approved by this office prior to commencement of any on site work. An application form for tank closure is enclosed. A deposit fee of \$450.00 is required for review of the closure plan. Health Agency costs are deducted at \$53.00 per hour plus 25% overhead.

Should you have any questions regarding this matter, please contact Lizabeth Rose, Hazardous Materials Specialist, at (415) 874-7237.

Sincerely,

Rafat A. Shahid, Chief,
Hazardous Materials Division

RAS:LR:lar

Enclosure

cc: File