

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



12-7-00

RO131

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

December 6, 2000

Ken Tran
358 El Camino Del Mar
San Francisco, CA 94121

Dear Mr. Tran:

Subject: F. G. Gasoline, 3314 San Pablo Ave., Oakland, CA 94608;
Stid 810

"Workplan to Conduct Soil and Groundwater Investigation" dated June 27, 2000 by GRIBI Associates was reviewed. The workplan is acceptable with the following changes:

- 1) Drill soil borings under each dispenser island. A review of the file did not indicate that soil samples had been collected under the dispenser islands.
- 2) Drill soil borings until groundwater is reached. The workplan states that the soil borings will be drilled to about a depth of 15 feet below surface grade. The depth to groundwater may be deeper than 15 feet below surface grade.

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

Sincerely,

Don Hwang
Hazardous Materials Specialist

C: James Gribi, GRIBI Associates, 1350 Hayes St., Suite C-14, Benicia, CA 94510

Files

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



Sent 12/14/99
Including cc's

20131

Certified Mail # Z 330 741 297

ENVIRONMENTAL HEALTH SERVICES
ENVIRONMENTAL PROTECTION
1131 Harbor Bay Parkway
Alameda, CA 94502-6577
(510) 567-6700
(510) 337-9432

December 10, 1999

Ken Tran
358 El Camino Del Mar
San Francisco, CA 94121

Re: F. G. Gasoline, 3314 San Pablo Ave., Oakland, CA 94608;
Stid 810

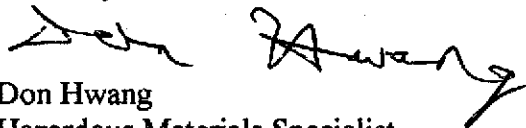
Dear Mr. Tran:

A letter sent to you dated November 22, 1999 stated that although a workplan to delineate the extent of soil and groundwater contamination at the site is required from you, we were willing in the interim to accept a workplan to do just the soil excavation and disposal (source removal). The workplan for soil excavation and disposal only was to have been submitted within two weeks. Since we have not received such a workplan from you, nor heard from you, a workplan to delineate the extent of soil and groundwater contamination at the site as well soil excavation and disposal is required from you within 30 days.

If a workplan is not submitted, then your case will be referred to the Alameda County District Attorney's Office. This letter constitutes a formal request for technical reports pursuant to California Water Code Section 13267(b) and Health and Safety Code Section 25299.37 and 25299.7. You are further advised that failure to comply may subject you to penalties of up to \$5000 per day.

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

Sincerely,


Don Hwang
Hazardous Materials Specialist

C: Tracy Powell, Subsurface Environmental Corp., 1796-18th St., Suite C,
San Francisco, CA 94107
LH
Files

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



*Sent 11-23-99
Including cc's*

PO131

ENVIRONMENTAL HEALTH SERVICES
ENVIRONMENTAL PROTECTION
1131 Harbor Bay Parkway
Alameda, CA 94502-6577
(510) 567-6700
(510) 337-9432

November 22, 1999

Ken Tran
358 El Camino Del Mar
San Francisco, CA 94121

Re: F. G. Gasoline, 3314 San Pablo Ave., Oakland, CA 94608;
Stid 810

Dear Mr. Tran:

Your facsimile of October 19, 1999 which included a proposal by Subsurface Environmental Corp. for soil excavation and disposal, does not satisfy the requirement for a workplan to delineate the extent of soil and groundwater contamination at the site.

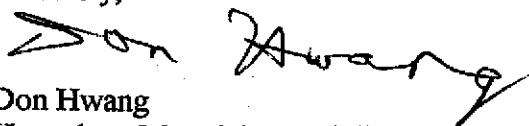
- 1) The document submitted is not a workplan but a proposal. A copy of "Tri-Regional Board Staff Recommendations for Preliminary Evaluation and Investigation of Underground Tank Sites, Appendix A" was sent to you with the correspondence dated February 19, 1999 to be used as a guide for producing a workplan. You were also previously notified in my correspondence of April 22, 1999, that your submittal of April 20, 1999 was a proposal and not a workplan. The proposal lacks detailed descriptions of the procedures that will be used.
 - a) Scope of Work: item 9: Lacks details of soil sampling procedures, soil types and strata encountered, locations of the confirmatory samples, analyses for lead.
 - b) Scope of Work: item 10: Lacks estimate of amount of soil to be excavated (one sample may not be sufficient).
- 2) The document omitted a plan for determining the extent of groundwater contamination at the site. Only a proposal for the removal of contaminated soil and confirmatory sampling was provided.

Although a workplan to delineate the extent of soil and groundwater contamination at the site is required from you, we can accept a workplan to do just the soil excavation and disposal initially (source removal). A workplan for soil excavation and disposal only would be required within two weeks. Upon completion of the soil excavation, a workplan to delineate the extent of soil and groundwater contamination at the site (soil and groundwater investigation) will be due 30 days later.

If a workplan is not submitted, then your case will be referred to the Alameda County District Attorney's Office. This letter constitutes a formal request for technical reports pursuant to California Water Code Section 13267(b) and Health and Safety Code Section 25299.37 and 25299.7. You are further advised that failure to comply may subject you to penalties of up to \$5000 per day.

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

Sincerely,



Don Hwang
Hazardous Materials Specialist

u
C: Tracy Powell, Subsurface Environmental Corp., 1796-18th St., Suite C,
San Francisco, CA 94107

Files

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



SENT 10-4-99
(1) K. TRAN (CERTIFIED)
(2) ROXANNE HARRIS

20131

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

October 1, 1999

Ken Tran
358 El Camino Del Mar
San Francisco, CA 94121

FINAL NOTICE OF VIOLATION

Re: F. G. Gasoline, 3314 San Pablo Ave., Oakland, CA 94608;
Stid 810

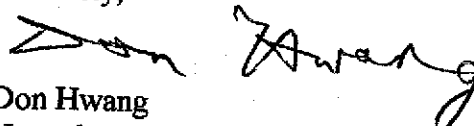
Dear Mr. Tran:

As of this date, our office still has not received a workplan from you. We have received a copy of your fax to Subsurface Environmental Corp. We will wait another 30 days for a workplan to delineate the extent of soil and groundwater contamination at the site from you. After that, your case will be referred to the Alameda County District Attorney's Office.

This letter constitutes a formal request for technical reports pursuant to California Water Code Section 13267(b) and Health and Safety Code Section 25299.37 and 25299.7. You are further advised that failure to comply may subject you to penalties of up to \$5000 per day.

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

Sincerely,


Don Hwang
Hazardous Materials Specialist

C: Roxanne Harris, Subsurface Environmental Corp., 1796 18th St., Suite C,
San Francisco, CA 94107

files

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



RO131

CERTIFIED MAILER # P 368 729 458

ENVIRONMENTAL HEALTH SERVICES

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

September 1, 1999

Ken Tran
358 El Camino Del Mar
San Francisco, CA 94121

2 nd NOTICE OF VIOLATION

Re: F. G. Gasoline, 3314 San Pablo Ave., Oakland, CA 94608;
Stid 810

Dear Mr. Tran:

As mentioned in our telephone conversation today, I still have not received a workplan from you. You stated that you had authorized your consultant, "Subsurface" to prepare the workplan for you. However, when I last spoke to Tracy Powell of "Subsurface Environmental" on August 20, 1999, he indicated that a proposal for a workplan had been submitted to you but they have not received a reply from you. A workplan to delineate the extent of soil and groundwater contamination at the site is expected within 30 days from you.

This letter constitutes a formal request for technical reports pursuant to California Water Code Section 13267(b) and Health and Safety Code Section 25299.37 and 25299.7. Failure to comply with the request will result in referral of this case to the Alameda County District Attorney's Office. You are further advised that failure to comply may subject you to penalties of up to \$5000 per day.

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

Sincerely,

Don Hwang
Hazardous Materials Specialist

C: The City of Oakland Fire Services, 1603 Martin Luther King, Fire Station 1,
Oakland CA 94612

L.S.
files

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



2071

Certified Mail # P 368 729 430

ENVIRONMENTAL HEALTH SERVICES

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

NOTICE OF VIOLATION

June 11, 1999

Ken Tran
5700 - 3rd St. #100
San Francisco, CA 94124

Dear Mr. Tran:

Re: F. G. Gasoline, 3314 San Pablo Ave., Oakland, CA 94608;
Stid 810

I'm writing you because when I dialed your telephone number, I was notified that your telephone number had changed. When I dialed your new telephone number, I received a message that the call couldn't be answered at this time. The last few conversations, which I had with you, you indicated that you had received a proposal for a workplan and that you were awaiting additional proposals. You also mentioned that the other consulting companies wanted copies of the tank closure report to review in order to write up a proposal for a workplan. You said that you would try to obtain the report from the contractor who was involved with the removal of the tank. To date, I still have not received a workplan from you. A workplan to delineate the extent of soil and groundwater contamination at the site is expected within 30 days from you.

This letter constitutes a formal request for technical reports pursuant to California Water Code Section 13267(b) and Health and Safety Code Section 25299.37 and 25299.7. Failure to comply with the request will result in referral of this case to the Alameda County District Attorney's Office. You are further advised that failure to comply may subject you to penalties of up to \$5000 per tank per day.

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

Sincerely,

Don Hwang
Hazardous Materials Specialist

C: files

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



R0131

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

May 21, 1999

Ken Tran
5700 - 3rd St. #100
San Francisco, CA 94124

Re: F. G. Gasoline, 3314 San Pablo Ave., Oakland, CA 94608;
Stid 810

Dear Mr. Tran:

LANDOWNER NOTIFICATION AND PARTICIPATION REQUIREMENTS

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. Tran
Page 2 of 2
May 21, 1999

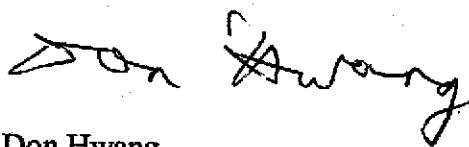
In accordance with Section 25297.15(a) of Ch. 6.7 of the Health & Safety Code, you must certify to the local agency that all current record owners of fee title to the site have been informed of the proposed action before the local agency may do any of the following:

- 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# 131

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

April 22, 1999

Ken Tran
5700 - 3rd St. #100
San Francisco, CA 94124

Dear Mr. Tran:

Re: F. G. Gasoline, 3314 San Pablo Ave., Oakland, CA 94608;
Stid 810

Your letter of April 20, 1999 which included the proposal for subsurface investigation work was reviewed. The procedure is to submit a workplan for approval. Please note that what you included with your letter was a proposal and not a workplan. Acceptance of the proposal will allow a workplan to be written.

Items for consideration regarding this proposal:

- 1) The proposal was dated May 16, 1996 which may make it invalid.
- 2) Soil and groundwater samples also need to be analyzed for methyl- tert-butyl ether (MTBE).
- 3) Rationale for the number and locations of the borings.
- 4) The site safety plan need not be submitted.

I am looking forward to receiving your workplan for review within 30 days of the date of this letter.

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

Sincerely,

Don Hwang
Hazardous Materials Specialist

C: Stanley Klemetson, SEMCO/HK2, Inc., 1751 Leslie St., San Mateo, CA 94402
files

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



Ro#131

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

February 19, 1999

Nguyen Nam
c/o Ken Tran
5700 - 3rd St.
San Francisco, CA 94124

Dear Mr. Nam:

Re: F. G. Gasoline, 3314 San Pablo Ave., Oakland, CA 94608;
Stid 810

The "Leaking Underground Storage Tank Oversight Program" file for the subject site was reviewed. A soil and water investigation is required due to the contaminants found in the grab water sample collected from the excavation where the underground storage tanks were removed on March 1, 1996. Total Petroleum Hydrocarbons as Gasoline (TPH-G), benzene, toluene, ethyl benzene, and xylene (BTEX) were detected at 46 mg/L, 440 ug/L, 500 ug/L, 260 ug/L, and 650 ug/L, respectively.

Please provide a workplan for the additional work required to delineate the extent of soil and groundwater contamination at the site. The workplan is due within 60 days of the date of this letter. Enclosed is a copy of "Tri-Regional Board Staff Recommendations for Preliminary Evaluation and Investigation of Underground Tank Sites, Appendix A" to be used as a guide for producing the workplan. Additionally, soil and groundwater samples need to be analyzed for methyl- tert-butyl ether (MTBE). Please be advised that this is a formal request for technical reports pursuant to Title 23, CCR, Section 2722(c). Any extensions of the stated deadlines, or modifications of the required tasks, must be confirmed in writing by this agency.

For your information, the brochure, "Underground Storage Tank Cleanup Fund", is enclosed.

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

Sincerely,

Don Hwang
Hazardous Materials Specialist

C: files
Enclosure

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



R0#131

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

May 22, 1996

Mr. Nguyen Nam & Mr. Ken Tran
5700 Third Street
San Francisco, California 94124

RE: Work Plan for Subsurface Investigation (STID# 810)
F.G. Gasline - 3314 San Pablo Avenue, Oakland, CA 94608

Dear Mr. Nam & Mr. Tran:

This office has completed the review of the Work Plan for Subsurface Investigation, dated May 13, 1996, prepared and submitted by SEMCO/HK2, Inc. for the above referenced site.

The work plan which includes advancement of eight borings to determine the vertical and lateral extent of petroleum hydrocarbon contamination at the site is acceptable provided the following items are addressed:

- 1) At a minimum, one soil sample from the boring must be collected at the soil / water for laboratory analyses.
- 2) Methyl tertiary butyl ether (MTBE) must be included as target analyte for both soil and groundwater samples in addition to TPH gasoline, TPH diesel and BTEX.
- 3) Polynuclear aromatic hydrocarbons (PNAs) must be analyzed in both soil and groundwater samples if TPH diesel is present.
- 4) Grab water samples must be collected from the borings.

Please notify me at least 72 hours in advance of any field work at the site.

If you have any questions concerning this letter, please call me at (510) 567-6780.

Sincerely,

Susan L. Hugo

Susan L. Hugo
Senior Hazardous Materials Specialist

c: Mee Ling Tung, Director, Environmental Health
Gordon Coleman, acting Chief, Environmental Protection / files
Kevin Graves, San Francisco Bay RWQCB
Stanley Klemetson, SEMCO/HK2, Inc., 1741 Leslie Street
San Mateo, California 94402

ALAMEDA COUNTY
HEALTH CARE SERVICES



AGENCY
DAVID J. KEARS, Agency Director

R0131

RAFAT A. SHAHID, Assistant Agency Director

CERTIFIED MAILER #P 418 724 620

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

July 22, 1993

Nam Nguyen
5700 Third St.,
San Francisco, CA 94124

NOTICE OF LEGAL OBLIGATION

**Re: Underground Storage Tanks at 3314 San Pablo Ave.,
Oakland, CA 94608**

Dear Mr. Nguyen:

Our records indicate that there are four underground tanks at the above facility. In accordance with the California Code of Regulations (CCR), Title 23, Division 3, Chapter 16 Underground 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 the 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 and/or any forms, contact this office at (510) 271-4320.

Sincerely,

Brian P. Oliva, REHS, REA
Hazardous Materials Specialist

c: Gil Jensen, Alameda County District Attorney, Consumer and
Environmental Protection Division
Oakland Fire Dept.

(NOV)

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



R0131

RAFAT A. SHAHID, Assistant Agency Director

February 25, 1993

Nam Nguen
5700 Third St.
San Francisco, CA 94124

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

Re: **FIVE-YEAR PERMITS FOR OPERATION OF FOUR
UNDERGROUND STORAGE TANKS (UST's) AT
3314 San Pablo Ave., Oakland CA, 94608**

According to our records the above mentioned facility has not received a five-year permit to operate UST's. Please complete the following items marked below and return them to me within 30 days. The example plans enclosed should be used only as guidelines and may not meet your requirements under Title 23.

- ✓ 1. Complete UST PERMIT FORM A - one per facility. (enclosed)
- ✓ 2. Complete UST PERMIT FORM B - one per tank. (enclosed)
- 3. Complete UST PERMIT FORM C - one per tank if information is available. (enclosed)
- ✓ 4. A written tank monitoring plan. (enclosed)
- ✓ 5. Results of precision tank test(s) (initial and annual).
- ✓ 6. Results of precision pipeline leak detector tests (initial and annual).
- ✓ 7. An accurate and complete plot plan. (enclosed)
- ✓ 8. A written spill response plan. (enclosed)

Title 23 of the California Code of Regulation prohibits the operation of ANY UST without a permit. Please feel free to contact Brian P. Oliva at 510/271-4320 if you have any questions which may arise in completing the mandatory five year permit process.

Sincerely,

Brian P. Oliva, REHS, REA
Hazardous Materials Specialist

cc: Ed Howell/files

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



R0131

RAFAT A. SHAHID, Assistant Agency Director

December 28, 1992

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

Nam Nguyen
3314 San Pablo Ave.,
Oakland, CA 94608

Re: FIVE-YEAR PERMITS FOR OPERATION OF FOUR
UNDERGROUND STORAGE TANKS (UST's) AT
3314 San Pablo, CA 94608

According to our records the above mentioned facility has not received a five-year permit to operate UST's. Please complete the following items marked below and return them to me within 30 days. The example plans enclosed should be used only as guidelines and may not meet your requirements under Title 23.

- ✓ 1. Complete UST PERMIT FORM A - one per facility. (enclosed)
- ✓ 2. Complete UST PERMIT FORM B - one per tank. (enclosed)
- 3. Complete UST PERMIT FORM C - one per tank if information is available. (enclosed)
- ✓ 4. A written tank monitoring plan. (enclosed)
- ✓ 5. Results of precision tank test(s) (initial and annual).
- ✓ 6. Results of precision pipeline leak detector tests (initial and annual).
- ✓ 7. An accurate and complete plot plan. (enclosed)
- ✓ 8. A written spill response plan. (enclosed)

Title 23 of the California Code of Regulation prohibits the operation of ANY UST without a permit. Please feel free to contact Brian P. Oliva at 510/271-4320 if you have any questions which may arise in completing the mandatory five year permit process.

Sincerely,

Brian P. Oliva
Hazardous Materials Specialist

cc: Gil Jensen, Alameda County District Attorney
Rafat Shahid, Assistant Agency Director, Alameda County
Department of Environmental Health
Ed Howell/files

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



107251

January 9, 1991

Nam Nguyen
5700 - 3rd St.
San Francisco, CA 94124

DEPARTMENT OF ENVIRONMENTAL HEALTH
Hazardous Materials Program
80 Swan Way, Rm 200
Oakland, CA 94612
(415)

Re: 3314 San Pablo Ave., Oakland, 94608

FINAL NOTICE OF VIOLATION

Dear Nam Nguyen:

Our records indicate that there are underground tank(s) at your site at the above facility. You have not responded to two previous notices regarding these tanks.

In accordance with the California Code of Regulations, Title 23, Chapter 3, Subchapter 16 Underground Tank Regulations you must perform one of the following actions:

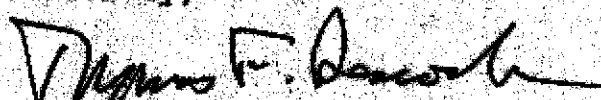
1. Submit a tank closure plan to this Department as required by Article 7, 2670, or
2. Apply for a permit as required by Article 10, 2710.

You are directed to notify this Department within 10 days of your intentions and to obtain the necessary instructions and forms.

Please note that section 25299 of the California Health and Safety Code states that any 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 for failure to obtain a permit, or failing to properly close an underground storage tank as required by section 25298.

If you have any questions concerning this matter, please contact this office at 271-4320.

Sincerely,


Thomas F. Peacock, Senior HNS
Hazardous Materials Division

TFP:tfp

cc: Gil Jensen, Alameda County District Attorney, Consumer and
Environmental Protection Agency
Lester Feldman, RWQCB

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



R0131

August 30, 1990

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

Nam Nguyen
5700 - 3rd St.
San Francisco, CA 94124

Re: 3314 San Pablo Ave., Oakland

NOTICE OF VIOLATION

Dear Mr. Nguyen:

Our records indicate that there are underground tank(s) at your site at the above facility. You have not responded to two previous notices regarding these tanks.

In accordance with the California Code of Regulations, Title 23, Chapter 3, Subchapter 16 Underground Tank Regulations you must perform one of the following actions:

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

You are directed to notify this Department within 10 days of your intentions and to obtain the necessary instructions and forms.

Please note that section 25299 of the California Health and Safety Code states that any 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 for failure to obtain a permit, or failing to properly close an underground storage tank, as required by section 25298.

If you have any questions concerning this matter, please contact this office at 271-4320.

Sincerely,

Thomas F. Peacock, Senior HMS
Hazardous Materials Division

TFP:tfp

cc: Gil Jensen, Alameda County District Attorney, Consumer and
Environmental Protection Agency
Lester Feldman, RWQCB