

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



SENT
01-06-04

January 5, 2006

Mr. Monty Upshaw
Fidelity Roof Company
1075 40th St.
Oakland, CA, 94608

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

Dear Mr. Upshaw:

Subject: Fuel Leak Case RO0000186, Fidelity Roof Company, 1075 40th St.,
Oakland, CA, 946008

Alameda County Environmental Health (ACEH) staff has recently reviewed the case file for the subject site including the October 24, 2005 Interim Corrective Action report by AEI Consultants. This report proposes to perform a pilot test consisting of dual phase extraction (DPE) from monitoring well MW-3. This action would pre-empt the combined bio-sparge and SVE (Soil Vapor Extraction) system proposed in AEI's August 6, 2004 Soil Vapor Extraction and Air Sparge Pilot Test Report. Our office concurs with this interim corrective action proposal. We have the following technical comments and request you submit the technical report below.

TECHNICAL COMMENTS

1. We concur that this pilot test has a significant upside and could possibly be used instead or in compliment with the previously proposed bio-sparge and SVE system. Because free product has consistently been present in MW-3, at a minimum, free product and petroleum mass will be removed from and around this well. The pilot test is also attractive since the initial results indicate that neither air sparge or vapor extraction alone would be successful for remediation.
2. We concur with the pilot test report contents and additionally request that you provide figures indicating the lateral and vertical iso-concentration maps for TPHg, benzene and MTBE in soil and groundwater at the site and an estimation of the mass of residual contamination remaining after performing the test. Please provide in the report requested below.

TECHNICAL REPORT REQUEST

Please submit the following requested technical report.

- April 6, 2006- DPE Pilot Test report

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](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 barney.chan@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.

Mr. Monty Upshaw
January 5, 2006
Page 3 of 3

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) 567-6765.

Sincerely,



Barney M. Chan
Hazardous Materials Specialist

Enclosure: ACEH Electronic Report Upload (ftp) Instructions

cc: file, D. Drogos

Mr. Robert Flory, AEI Consultants, 2500 Camino Diablo, Suite 100, Walnut Creek,
CA, 94597

1_4_06 1075 40th St

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



11-10-03

November 10, 2003

Mr. Monte Upshaw
Fidelity Roof Company
1075 40th St.
Oakland, CA 94608

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

Dear Mr. Upshaw:

Subject: Fuel Leak Case RO0000186, Fidelity Roof Company, 1075 40th St., Oakland, 94608
Response to Technical Comments (to Corrective Action Plan)

Alameda County Environmental Health, Local Oversight Program (LOP) staff has reviewed the case file for the referenced site including the August 25, 2003 Response to Technical Comments from AEI Consultants. This report responds to the County's May 15, 2003 letter, which commented on your July 31, 2001 Corrective Action Plan. In general, our office concurs with the proposal to perform an air sparge/vapor extraction pilot test. We request that you address the following technical comments when performing the proposed work.

TECHNICAL COMMENTS

1. Two SVE, two AS and six drive point wells are proposed to be used to monitor the pilot test. The AS and SVE wells include locations within and outside the former tank excavation area. In the event that one location is not effective in generating a response, the other location within the former excavation will be used. The air sparge and drive point wells are proposed to be installed to a depth of 37'. Typically these wells are installed 5-15' below the depth of water (10-12'); therefore it appears that these wells need only be installed to a maximum depth of ~27'. Please explain the need for the proposed screen length.
2. The AS and drive point wells can also be used to sample groundwater. They can be used to delineate the plume and monitor the effect of remediation. The drive point wells DP-1, DP-2, DP-3 and DP-4 should be considered for groundwater sampling. The samples should be tested for TPHd, TPHg, BTEX, MTBE and ether oxygenates and the lead scavengers, EDB and EDC. EPA Method 8260 should be used for volatile organic compound (VOC) analyses on these samples, as well as in all future groundwater monitoring samplings. Although soil samples are not proposed for collection and analyses from the drive points, soil samples should be screened every five feet to allow for an estimate of the thickness of the contaminant plume.
3. We concur with the proposal to collect soil samples for sieve analyses to determine the soil type. Soil samples should be collected from at least three locations at depths corresponding to the detected VOC for each soil type within a potential soil gas investigation.
4. MW-5 is proposed as a down-gradient compliance well. Our office requests additional well(s) be considered for compliance wells. This is requested because of the significant MTBE reported in MW-2. Please provide an addendum for additional well(s) prior to installing MW-5.

Mr. Monte Upshaw
Fuel Leak Case RO0000186
Fidelity Roof Company, 1075 40th St., Oakland, 94608
November 10, 2003
Page 2 of 2

5. The Response to Technical Comments proposes to sample soil and groundwater and test these for various bio-indicator parameters. Specific additions of deficient constituents would be recommended based upon these analyses. Our office believes that AS/SVE should be evaluated initially. Should the pilot test prove unsuccessful, enhanced bioremediation may be investigated. Therefore, the proposed sampling for bio-indicator parameters should be put on hold.
6. The revised Proposed Soil and Groundwater Cleanup Levels in Table B-3 were chosen from the SFRWQCB (Water Board) RBSLs (Risk-Based Screening Levels) and is acceptable. Please note the Water Board has updated their RBSLs in their July 2003-Interim Final version of their ESLs (Environmental Screening Levels).

Please submit your response to these comments by December 12, 2003.

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

Sincerely,



Barney M. Chan
Hazardous Materials Specialist

C: B. Chan, D. Drogos

Ms. Lorraine Sawyer, AEI Consultants, 2500 Camino Diablo, Ste. 200, Walnut Creek,
CA, 94597

Ms. S. Knieriem, SWRCB, 1001 I St., 17th Floor, Sacramento, CA 95814-2828

1075 40th St

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



5-16-03

May 15, 2003

Mr. Monte Upshaw
Fidelity Roof Company
1075 40th St.
Oakland CA 94608

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

Re: Fuel Leak Case RO0000186, Request for Technical Reports for Fidelity Roof Company,
1395 7th St., Oakland CA 94608
Cleanup Fund Claim # 13833

Dear Mr. Upshaw:

Alameda County Environmental Health, Local Oversight Program (LOP) staff has recently reviewed the case file for the referenced site. We have also spoke with the State Water Resources Control Board Cleanup Fund staff. It appears that our office's last correspondence to you was a December 11, 2001 letter sent by Mr. Don Hwang. I have enclosed a copy of this letter for your reference. As you can see, this letter conditionally approved the proposed remediation approach using vapor extraction and air sparging pending the results of a pilot test. In addition, you were requested to resolve the discrepancies between the proposed cleanup levels and those levels protective of human health and the environment. I have re-examined the Corrective Action Plan and request that you address the following additional technical comments.

Technical Comments

A large portion of the impacted soil has already been removed during the tank removal and over-excavation activities. Excavation was performed to a depth of approximately 9' bgs (below ground surface). Since groundwater appears at approximately 10' bgs depth, the petroleum contamination resides just slightly above and within groundwater ie the saturated zone. Groundwater contamination remains elevated in MW-3 but has not been detected in down-gradient borings. It appears then that remediation should concentrate on groundwater, as it is the main source of contamination. Indications are that the soil type (silts and clays), which is typically fairly impermeable and not be amenable to groundwater or vapor extraction. Your consultant has suggested the soil type might explain the limited length of the petroleum plume.

1. Our office requests that you provide a more detailed description of the air sparge/vapor extraction test. It appears that additional vapor extraction test points will be needed in the event the monitoring wells do not show any influence. The expected radius of influence of 50' appears to be very optimistic. Please explain how the existing wells can be used as vapor extraction monitoring points. As noted, it is expected that vapor extraction would be enhanced in the excavated and backfilled areas, however, no air sparge wells are proposed within this area. Your pilot test should show the viability and effectiveness of this type of remediation. Beyond the former excavation, the effectiveness of vapor extraction is expected to be less. Therefore, the pilot test should extend to outside the excavation to confirm the radius of influence in this area.
2. The location of the proposed monitoring well (MW5) is too far down-gradient to determine the effectiveness of the remediation. No groundwater contamination was identified in the prior grab groundwater sample from this area.

Mr. Monte Upshaw
RO0000186
Fidelity Roof Company, 1075 40th St., Oakland CA 94608
May 15, 2003
Page 2

3. As a reminder, the previous December 11, 2001 letter requested that you revise the proposed cleanup levels to reflect the protection of human health and the environment. You are encouraged to use both the City of Oakland URL guideline and the SFRWQCB RBSL guideline. All analytes detected must be evaluated including TPHg, TPHd, BTEX, and MTBE. Please provide both cleanup levels (risk-based) and clean-up goals, those which are long term objectives that take into account potential use as drinking water unless shown to be otherwise.

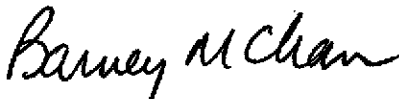
To date, our office has not received any response to the December 11, 2001 letter. Our office has been contacted by the State Water Resources Control Board (SWRCB) Clean-up Fund who are reviewing your application for reimbursement. They have recommended that you be given 90 days to comply with our office's request for reports, otherwise they will deny your application and you will lose your chance for reimbursement.

Technical Report Request

- August 15, 2003-Please submit a technical report responding to the above comments and proceed with an approved vapor extraction/air sparge pilot test.
- June 15, 2003- Groundwater Monitoring Report for second quarter 2003
- September 15, 2003-Groundwater Monitoring Report for third quarter 2003
- December 15, 2003- Groundwater Monitoring Report for fourth quarter 2003.

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

Sincerely,



Barney M. Chan
Hazardous Materials Specialist

Enclosure (Mr. Upshaw only)

✓ C: B. Chan, D. Drogos

Mr. P. McIntyre, AEI Consultants, 3210 Old Tunnel Rd., Suite B, Lafayette, CA 94549-4157
Ms. S. Knieriem, SWRCB, 1001 I St., 17th Floor, Sacramento, CA 95814-2828

90dayletter1075 40th St

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



12-12-01

December 11, 2001

Monte Upshaw
Fidelity Roof Co.
1075-40th St.
Oakland, CA 94608

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

Dear Mr. Upshaw:

Subject: Fidelity Roof Co., 1075-40th St., Oakland, CA 94608
RO0000186

"Corrective Action Plan" dated July 31, 2001 prepared by AEI Consultants was reviewed. Consultation with Chuck Headlee, Regional Water Quality Control Board (RWQCB), determined that the recommendation for vapor extraction and air sparging would be acceptable provided the results of the pilot tests prove favorable. The proposed target cleanup levels were allegedly based on USEPA Region 9 guidance for preliminary remediation goals (PRGs) for industrial scenarios. However, PRGs are not adequately comprehensive. PRGs are protective of humans but do not consider impact to groundwater or address ecological concerns. Additionally, the target cleanup levels were based on industrial scenarios but instead, should be based on residential scenarios if a deed restriction is not desired. Also, the proposed target cleanup levels for industrial soil did not match PRGs listed on the USEPA Region 9 web site. Additionally, the proposed target cleanup levels for groundwater did not match the USEPA Region 9 web site's list of PRGs for tap water. Resolve the discrepancies between the proposed target cleanup levels and the USEPA Region 9 PRGs. Also, provide target cleanup levels, which consider impact to groundwater and address ecological concerns. Target cleanup levels are also needed for Total Petroleum Hydrocarbons (TPH) and Methyl Tertiary-Butyl Ether (MTBE).

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

Sincerely,

Don Hwang
Hazardous Materials Specialist

C: Chuck Headlee, RWQCB

Peter McIntyre, AEI Consultants, 3210 Old Tunnel Rd., Suite B, Lafayette, CA 94549-4157

File

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



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

December 11, 2001

Monte Upshaw
Fidelity Roof Co.
1075-40th St.
Oakland, CA 94608

Dear Mr. Upshaw:

Subject: Fidelity Roof Co., 1075-40th St., Oakland, CA 94608
RO0000186

"Corrective Action Plan" dated July 31, 2001 prepared by AEI Consultants was reviewed. Consultation with Chuck Headlee, Regional Water Quality Control Board (RWQCB), determined that the recommendation for vapor extraction and air sparging would be acceptable provided the results of the pilot tests prove favorable. The proposed target cleanup levels were allegedly based on USEPA Region 9 guidance for preliminary remediation goals (PRGs) for industrial scenarios. However, PRGs are not adequately comprehensive. PRGs are protective of humans but do not consider impact to groundwater or address ecological concerns. Additionally, the target cleanup levels were based on industrial scenarios but instead, should be based on residential scenarios if a deed restriction is not desired. Also, the proposed target cleanup levels for industrial soil did not match PRGs listed on the USEPA Region 9 web site. Additionally, the proposed target cleanup levels for groundwater did not match the USEPA Region 9 web site's list of PRGs for tap water. Resolve the discrepancies between the proposed target cleanup levels and the USEPA Region 9 PRGs. Also, provide target cleanup levels, which consider impact to groundwater and address ecological concerns. Target cleanup levels are also needed for Total Petroleum Hydrocarbons (TPH) and Methyl Tertiary-Butyl Ether (MTBE).

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

Sincerely,

Don Hwang
Hazardous Materials Specialist

C: Chuck Headlee, RWQCB

Peter McIntyre, AEI Consultants, 3210 Old Tunnel Rd., Suite B, Lafayette, CA 94549-4157

✓File

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



07-19-01

July 18, 2001

Monte Upshaw
Fidelity Roof Co.
1075-40th St.
Oakland, CA 94608

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

Dear Mr. Upshaw:

Subject: Fidelity Roof Co., 1075-40th St., Oakland, CA 94608
RO0000186

"Quarterly Groundwater Monitoring Report, 1st Quarter 2001" dated May 8, 2001 was reviewed. Groundwater samples were collected on April 18, 2001. Monitoring well MW-3 again had the highest concentrations by far in groundwater for Total Petroleum Hydrocarbons-Gasoline (TPH-G), TPH-Diesel (TPH-D), Benzene, Toluene, Ethylbenzene, and Xylene (BTEX). These concentrations were 75,000 ug/l, 13,000 ug/l, 9,200 ug/l, 1,200 ug/l, 2,500 ug/l, and 12,000 ug/l. The concentration of Methyl Tertiary-Butyl Ether (MTBE) was Not Detected (ND) < 500 ug/l which is consistent with concentrations found since October 8, 1997. The concentration of MTBE continued to be much higher in monitoring well MW-2 compared to the other monitoring wells. The concentration of MTBE was 2,800 ug/l. Also, during this monitoring event, all the other constituent concentrations from MW-2 reverted to less than the detectable limits. MW-1 and MW-4 results were within the ranges of previous monitoring events. None of the concentrations for MW-1 or MW-4 were significant. In MW-4, Toluene, Ethylbenzene, and Xylene were greater than the detectable limits for the first time but the concentrations were very low.

Continue quarterly groundwater monitoring. Delineation of the plume downgradient of MW-3 is required. Submit a workplan. A Corrective Action Plan, which includes an assessment of impacts, a feasibility study, and applicable cleanup levels should also be considered. If you have any questions, please call me at (510) 567-6746.

Sincerely,

Don Hwang
Hazardous Materials Specialist

C: Orion Alcalay, AEI Consultants, 3210 Old Tunnel Rd., Suite B, Lafayette, CA 94549-4157

file

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



05-08-01

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

May 2, 2001

Monte Upshaw
Fidelity Roof Co.
1075-40th St.
Oakland, CA 94608

Dear Mr. Upshaw:

Subject: Fidelity Roof Co., 1075-40th St., Oakland, CA 94608
RO0000186

"Quarterly Groundwater Monitoring Report, Fourth Quarter 2000" dated January 29, 2001 was reviewed. Groundwater samples were collected on January 12, 2001. Monitoring well MW-3 continued to have the highest concentrations by far in groundwater for Total Petroleum Hydrocarbons-Gasoline (TPH-G), TPH-Diesel (TPH-D), Benzene, Toluene, Ethylbenzene, and Xylene (BTEX). These concentrations were 69,000 ug/l, 21,000 ug/l, 8,600 ug/l, 980 ug/l, 2,600 ug/l, and 11,000 ug/l. The concentrations of Methyl Tertiary-Butyl Ether (MTBE) continued to be much higher in monitoring well MW-2 compared to the other monitoring wells. The concentration of MTBE was 2,000 ug/l. Also, during this monitoring event, all constituents from MW-2 were greater than the detectable limits for the first time but none of the concentrations were significant. MW-1 and MW-4 results were within the ranges of previous monitoring events. None of the concentrations for MW-1 or MW-4 were significant.

Continued quarterly groundwater monitoring. However, a Corrective Action Plan, which includes an assessment of impacts, a feasibility study, and applicable cleanup levels should be considered. If you have any questions, please call me at (510) 567-6746.

Sincerely,

Don Hwang
Hazardous Materials Specialist

C: Orion Alcalay, AEI Consultants, 3210 Old Tunnel Rd., Suite B, Lafayette, CA 94549-4157

file

SENT 11-2-99
including cc's

ALAMEDA COUNTY
HEALTH CARE SERVICES



AGENCY
DAVID J. KEARS, Agency Director

PO186

ENVIRONMENTAL HEALTH SERVICES

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

November 1, 1999

STID 3341

Mr. Monte Upshaw
Fidelity Roof Company
1075-40th Street
Oakland, CA 94608

RE: Fidelity Roof Company, 1075-40th Street, Oakland

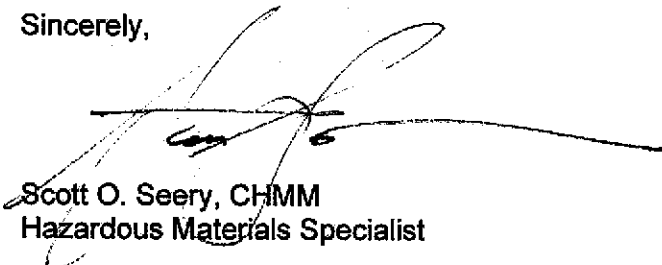
Dear Mr. Upshaw:

Thank you for the recent submittal of the September 3, 1999 All Environmental, Inc. (AEI) report. This report documents the installation of monitoring well MW-4 and presents, in addition, the sampling and monitoring results for the remaining wells at the site.

At this time, please continue adhering to a quarterly schedule (i.e., every 3 months) of well sampling and monitoring. Technical reports documenting this work are also to be provided quarterly. A copy of each report is to be submitted to this office within 60 days following each sampling and monitoring event.

Please call me at (510) 567-6783 when fieldwork has been scheduled.

Sincerely,



Scott O. Seery, CHMM
Hazardous Materials Specialist

cc: Chuck Headlee, RWQCB
Leroy Griffin, Oakland Fire Department
Peter McIntyre, All Environmental, Inc.
901 Moraga Rd., Ste. C, Lafayette, CA 94549-4567

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



RO# 186

February 25, 1999

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

STID 3341

Mr. Monte Upshaw
Fidelity Roof Company
1075-40th Street
Oakland, CA 94608

RE: Fidelity Roof Company, 1075-40th Street, Oakland

Dear Mr. Upshaw:

I appreciate your prompt submittal of the February 22, 1999 All Environmental, Inc. (AEI) work plan for the next phase of the investigation at the subject site. AEI proposes the installation of an additional monitoring well just south of the former underground storage tank (UST) and dispenser area. The ongoing monitoring and sampling of the resulting 4-well network will assist in determining the appropriate corrective action for the UST release at this site.

The cited AEI work plan has been accepted with the following clarification:

- Of the minimum two (2) soil samples proposed for submittal to the laboratory for chemical analyses, at least one of the samples shall be collected from the apparent capillary zone.

Please call me at (510) 567-6783 when fieldwork has been scheduled.

Sincerely,

Scott C. Seery, CHMM
Hazardous Materials Specialist

cc: Chuck Headlee, RWQCB
Leroy Griffin, Oakland Fire Department
Peter McIntyre, All Environmental, Inc.
901 Moraga Rd., Ste. C, Lafayette, CA 94549-4567

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



Ro#186

January 6, 1999

STID 3341

Mr. Monte Upshaw
Fidelity Roof Company
1075 - 40th Street
Oakland, CA 94608

ENVIRONMENTAL HEALTH SERVICES

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

RE: Fidelity Roof Company, 1075 - 40th Street, Oakland

Dear Mr. Upshaw:

Thank you for our receipt of the December 9, 1998 All Environmental, Inc. (AEI) report documenting the recent phase of the investigation at the subject site. This report, as well as supplemental laboratory data submitted under AEI cover dated December 23, 1998, has been reviewed. The cited AEI report documents the installation of and sampling from six (6) "Geoprobe" soil borings advanced both within and outside the site compound. Although both soil and groundwater samples were collected, only groundwater samples were analyzed. Two laboratories were contracted to perform the analyses.

Based on the results of and supplemental information associated with the recent investigation, we have concluded that, at this time, an additional "permanent" monitoring well shall be installed within 10' west of Geoprobe boring SB-1. This well will be used in concert with the entire well network to confirm groundwater flow, corroborate the recent sampling results, and assist in the eventual preparation of an appropriate corrective action plan (CAP). Please be informed, however, that additional assessment may become necessary should new information demonstrate a compelling need to do so.

Please have your consultant present a brief work plan outlining their plans for installing the requested monitoring well. This work plan is due within 45 days of the date of this letter.

Please call me at (510) 567-6783 should have any questions.

Sincerely,



Scott O. Seery, CHMM
Hazardous Materials Specialist

cc: Mee Ling Tung, Director, Environmental Health
Chuck Headlee, RWQCB
Leroy Griffin, Oakland Fire Department
Dave Deaner, SWRCB UST Fund
Peter McIntyre, All Environmental, Inc.

ALAMEDA COUNTY
HEALTH CARE SERVICES



AGENCY
DAVID J. KEARS, Agency Director

RO# 186

October 9, 1998

STID 3341

Mr. Monte Upshaw
Fidelity Roof Company
1075 - 40th Street
Oakland, CA 94608

ENVIRONMENTAL HEALTH SERVICES

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

RE: Fidelity Roof Company, 1075 - 40th Street, Oakland

Dear Mr. Upshaw:

Thank you for our receipt of the September 28, 1998 All Environmental, Inc. (AEI) work plan for the next phase of the investigation at the subject site. AEI proposes the installation of six (6) "Geoprobe" soil borings in locations within and just south of the site, along Yerba Buena Avenue. The results of this phase of work will help guide any additional work required to adequately assess the extent of the impact and prepare an appropriate corrective action plan (CAP).

The cited AEI work plan has been accepted with the following changes:

1. Groundwater samples are to be collected from the completed boreholes using a device that will minimize the potential for the agitation of formation water and loss of volatile constituents in collected samples. For example, a "mini" bailer is such a device, while a peristaltic pump is not.
2. An additional borehole shall be emplaced immediately east of the driveway leading into the site, along a similar alignment as SB-1 and SB-6, about 50' or so east of SB-1. You may substitute this location for that of proposed boreholes SB-3 or SB-4.

Please call me at (510) 567-6783 when fieldwork has been scheduled.

Sincerely,


Scott O. Seery, CHMM
Hazardous Materials Specialist

cc: Mee Ling Tung, Director, Environmental Health
Chuck Headlee, RWQCB
Leroy Griffin, Oakland Fire Department
Dave Deaner, SWRCB UST Fund
Jennifer Pucci, All Environmental, Inc.
901 Moraga Rd., Lafayette, CA 94549-4567

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



RO# 186

CERTIFIED MAILER # P 143 589 267

September 24, 1998

STID 3341

ENVIRONMENTAL HEALTH SERVICES

1131 Harbor Bay Parkway, Suite 250

Alameda, CA 94502-6577

(510) 567-6700

(510) 337-9335 (FAX)

Mr. Monte Upshaw
Fidelity Roof Company
1075 - 40th Street
Oakland, CA 94608

FINAL NOTICE OF VIOLATION

RE: Fidelity Roof Company, 1075 - 40th Street, Oakland

Dear Mr. Upshaw:

In correspondence from this office dated July 9, 1998, you were issued a Notice of Violation for your failure to submit a work plan for the continued assessment of the underground storage tank (UST) release at your site. This work plan was requested in previous correspondence dated March 18, 1998. You were initially given 60, and then 15, days to submit this work plan. To date, no work plan has been received by this office.

Please be advised that you continue to be in violation of Article 11, Section 2720 et seq., Title 23, California Code of Regulations (CCR). California Health & Safety Code Section 25299 provides for penalties of up to \$5000 per day per violation upon conviction.

This case will be referred to the Alameda County District Attorney's Office for enforcement action should the requested work plan not be received by the close of business on Monday, October 5, 1998.

Please call me at (510) 567-6783 should you have any questions or if I can be of assistance to you in meeting this submittal deadline.

Sincerely,


Scott O. Seery, CHMM
Hazardous Materials Specialist

cc: Mee Ling Tung, Director, Environmental Health
Larry Blazer, Alameda County District Attorney's Office
Chuck Headlee, RWQCB
Leroy Griffin, Oakland Fire Department
Dave Deaner, SWRCB UST Fund

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



R0# 186

CERTIFIED MAILER # P 368 729 381

ENVIRONMENTAL HEALTH SERVICES

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

July 9, 1998

STID 3341

Mr. Monte Upshaw
Fidelity Roof Company
1075 - 40th Street
Oakland, CA 94608

NOTICE OF VIOLATION

RE: Fidelity Roof Company, 1075 - 40th Street, Oakland

Dear Mr. Upshaw:

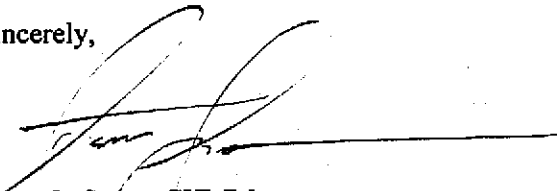
In correspondence from this office dated March 18, 1998, you were directed to submit a work plan for the continued assessment of the underground storage tank (UST) release at the subject Oakland site. You were given 60 days to submit this work plan. To date, no work plan has been received by this office.

Please be advised that you are currently in violation of provisions of Article 11, Section 2720 et seq., Title 23, California Code of Regulations (CCR). Please be further advised that California Health & Safety Code Section 25299 provides for penalties of up to \$5000 per day per violation upon conviction.

You are directed to submit the subject workplan within 15 days of the date of this letter. Failure to do so may result in the referral of this case to the appropriate enforcement agency. Additionally, such noncompliance will preclude you from eligibility for reimbursement from the State UST Fund.

Please call me at (510) 567-6783 should you have any questions.

Sincerely,


Scott O. Seery, CHMM
Hazardous Materials Specialist

cc: Mee Ling Tung, Director, Environmental Health
Larry Blazer, Alameda County District Attorney's Office
Chuck Headlee, RWQCB
Leroy Griffin, Oakland Fire Department
Dave Deaner, SWRCB UST Fund

ALAMEDA COUNTY
HEALTH CARE SERVICES



AGENCY
DAVID J. KEARS, Agency Director

RO# 186

March 18, 1998

STID 3341

re: 1075 - 40th St., Oakland, CA 94608

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

Monte Upshaw
Fidelity Roof Company
1075 - 40th St.
Oakland, CA 94608

Dear Mr. Upshaw:

This office has received and reviewed a Quarterly Groundwater Monitoring Report for the Fourth Quarter 1997, dated January 16, 1998 by All Environmental, Inc. for the above site. The following are comments concerning this report and your site:

1. There is still significant contamination of TPHg as high as 5,500 ppb and benzene as high as 340 ppb in MW-3, the down-gradient well. Therefore, the extent of contamination is not defined.
2. This office has looked at other sites in the area and the nearest site down-gradient is in Emeryville and over 2 blocks away. Therefore, you are required to conduct further investigation to define the lateral extent of contamination.
3. You are directed to submit a workplan, within 60 days, to define the extent of contamination from petroleum in the down-gradient direction from MW-3.

If you have any questions please call me at (510) 567-6782.

Sincerely,

Thomas F. Peacock, Manager
Division of Environmental Protection

c: Jennifer Pucci, All Environmental, 3364 Mt. Diablo Blvd.,
Lafayette, CA 94583
Dick Pantages, Chief - files
LeRoy Griffin, City of Oakland Hazardous Materials

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



RO #186

StId 3341/lop
June 12, 1997

Monte Upshaw
Fidelity Roof Company
1075 - 40th St
Oakland CA 94608

ENVIRONMENTAL HEALTH SERVICES

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

Subject: Investigations at 1075 - 40th St., Oakland CA 94608

Dear Mr. Upshaw:

This office has reviewed All Environmental, Inc.'s *Monitoring Well Installation and Quarterly Groundwater Monitoring Report (First Quarter, 1997)* dated May 30, 1997. This report describes the installation and sampling of three groundwater monitoring wells (MW-1, MW-2, and MW-3) at the subject site.

Please begin quarterly monitoring of all on-site monitoring wells. Ground water elevations and corresponding gradient determinations are to be conducted monthly for 12 consecutive months and then quarterly thereafter until this site qualifies for closure. Gradient maps for each event are to be presented in commensurate quarterly reports. A report of each quarterly monitoring event is due to this office the first day of the second month of each subsequent quarter until this site qualifies for final RWQCB "sign-off". The next quarterly report is due to this office no later than August 1, 1997.

Based on the results of the initial groundwater samples, it appears that the extent of groundwater contamination has *not* been defined at this site. One or two additional rounds of quarterly monitoring data and monthly gradient determinations should be collected to assist in determining the extent and severity of ground water contamination. After this data is collected, you may be directed to submit a work plan to this office proposing to further delineate the extent of groundwater contamination and/or submit an evaluation of risk to human health and the environment associated with the potential exposures to gasoline contaminated soil and groundwater at this site. The ASTM ES 1739-95 Standard Guide for Risk-Based Corrective Action Applied at Petroleum Release Sites (RBCA) can be used to assist in completing this type of evaluation. For more information, please see the attached interim guidance document issued by the San Francisco Bay Area Regional Water Quality Control Board regarding required cleanup at underground storage tank fuel sites.

If you have any questions or comments, please contact me at (510) 567-6755.

Sincerely,

Amy Leech
Hazardous Materials Specialist

Attachment (1)

c: Attn: Jennifer Anderson, All Environmental Inc., 3364 Mt. Diablo Blvd, Lafayette, CA 94549
w/attachment
ALL-file

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



RO#186

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

StId 3341

February 28, 1997

Monte Upshaw
Fidelity Roof Company
1075 - 40th St
Oakland CA 94608

Subject: Investigations at 1075 - 40th St., Oakland CA 94608

Dear Mr. Upshaw:

This office has reviewed the All Environmental, Inc.'s work plan dated February 24, 1997. This work plan proposes to install three groundwater monitoring wells at the subject site and to perform groundwater monitoring and sampling activities. This work plan is acceptable to this office with the following comments/additions:

- During the installation of the monitoring wells, soil samples are to be collected at five-foot-depth intervals, at any signs of contamination, any significant changes in lithology, and at the soil-groundwater interface. At least one soil sample must be analyzed per soil boring, including samples where contamination was observed and the soil sample collected from the capillary fringe.

Field work should commence within 30 days. A report must be submitted within 45 days after the completion of this phase of work at the site. Subsequent reports are to be submitted quarterly until this site qualifies for final RWQCB "sign-off". Such quarterly reports are due the first day of the second month of each subsequent quarter.

Please notify me at least 72 hour before field work is to commence. Thank you for your prompt attention to this matter. If you have any questions or comments, please contact me at (510) 567-6755.

Sincerely,

Amy Leech
Hazardous Materials Specialist

c: Attn: Jennifer Anderson, All Environmental Inc., 3364 Mt. Diablo Blvd, Lafayette, CA 94549
ALL-file

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



R0#186

StId 3341

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

February 18, 1997

Monte Upshaw
Fidelity Roof Company
1075 - 40th St
Oakland CA 94608

Subject: Investigations at 1075 - 40th St., Oakland CA 94608

Dear Mr. Upshaw:

This office has reviewed the following reports submitted by All Environmental, Inc.:

- *Phase II Soil and Groundwater Investigation Report*, dated October 7, 1996
- *Excavation and Disposal of Contaminated Soil Report*, dated January 7, 1997

These reports describe investigations completed at the subject site to assess the extent and severity of soil and groundwater contamination as a result of past release(s) from the two former underground storage tanks that were removed in December 1995.

The extent of soil contamination was identified during the excavation of contaminated soil in October 25, 1996. Approximately 235 tons of contaminated soil was reportedly excavated and removed in the vicinity of the former tank pit and associated fuel dispenser island. Up to 150 ppm TPH as gasoline, 300 ppm TPH as diesel, and 16 ppm benzene were identified in confirmatory soil sample SWW at 9 feet below ground surface at the perimeter of the excavation. However because low levels of benzene were detected directly west of sample SWW at boring S-4, the "hot spot" identified by the sample collected from SWW appears to be localized.

Elevated levels of petroleum hydrocarbons (up to 5,500 ppb TPH as gasoline, 2,100 ppb TPH as diesel, and 340 ppb benzene, 350 ppb toluene, 250 ppb, ethylbenzene, and 1,200 ppb xylenes) were identified in "grab" groundwater samples collected from borings SB-2 and SB-4 in October 7, 1996. The extent of groundwater contamination was not identified during these investigations.

Please submit a work plan to investigate the extent and severity of groundwater contamination at this site. The following elements should be incorporated into the work plan proposal.

- o At least one permanent ground water monitoring well must be installed within 10 feet of the observed soil contamination, oriented in the confirmed downgradient direction relative to groundwater flow. In the absence of neighboring monitoring wells located within 100 feet of the site, or any other data identifying the confirmed downgradient direction, a minimum of three wells will be required to verify gradient direction. During the installation of these wells, soil samples are to be collected at five-foot-depth intervals and any significant changes in lithology.
- o Subsequent to the installation of the monitoring wells, these wells must be surveyed to an established benchmark, (i.e., Mean Sea Level) with an accuracy of 0.01 foot. Ground water

Upshaw
Re: 1075 - 40th St
February 18, 1997
Page 2 of 3

samples are to be collected and analyzed quarterly, and water level measurements are to be collected monthly for the first three months, and then quarterly thereafter. If the initial ground water elevation contours indicate that ground water flow directions vary greatly then you will be required to continue monthly water level measurements until the ground water gradient behavior is known. **Both soil and ground water samples must be analyzed for TPHg, TPHd, BTEX, and MTBE.**

This Department will continue to oversee the assessment and remediation of your site. Our oversight will include the review of and comment on work proposals and technical guidance on appropriate investigative approaches and monitoring schedules. The issuance of well drilling permits, however, will be through the Alameda County Flood Control and Water Conservation District, Zone 7, in Pleasanton.

In order to properly conduct a site investigation, you are required to obtain professional services of a reputable environmental consultant. **All reports and proposals must be submitted under seal of a California-Registered Geologist, -Certified Engineering Geologist, or -Registered Civil Engineer.**

The requested work plan proposal is due to this office by April 21, 1997. Once the proposal is approved, field work should commence within 30 days. A report must be submitted within 45 days after the completion of this phase of work at the site. Subsequent reports are to be submitted quarterly until this site qualifies for final RWQCB "sign-off". Such quarterly reports are due the first day of the second month of each subsequent quarter.

The referenced initial and quarterly reports must describe the status of the investigation and must include, among others, the following elements:

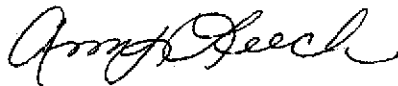
- o Details and results of all work performed during the designated period of time: records of field observations and data, boring and well construction logs, water level data, chain-of-custody forms, laboratory results for all samples collected and analyzed, tabulations of free product thicknesses and dissolved fractions, etc.
- o Status of ground water contamination characterization.
- o Interpretations of results: water level contour maps showing gradients, free and dissolved product plume definition maps for each target component, geologic cross sections, etc.
- o Recommendations or plans for additional investigative work or remediation.
- o In light of the San Francisco Bay Regional Water Quality Control Board's (RWQCB) *Interim Guidance on Required Cleanup at Low Risk Fuel Sites* (see copy attached), dated January 5, 1996, we request that the American Society for Testing and Materials (ASTM) guidance document entitled *Standard Guide for Risk-Based Corrective Action (RBCA) Applied at Petroleum Release Sites* (Designation: E 1739-95) be used as part of the site management strategy for this site.

Upshaw
Re: 1075 - 40th St
February 18, 1997
Page 3 of 3

Please be advised that this is a formal request for a work plan pursuant to **Section 2722 (c)(d) of Title 23 California Code of Regulations**. Any extensions of the stated deadlines, or modifications of the required tasks, must be confirmed in writing by either this agency or RWQCB.

The review of environmental assessment/investigations for the subject site has been transferred from Susan Hugo to the undersigned of this office. If you have any questions or comments, please contact me at (510) 567-6755.

Sincerely,



Amy Leech
Hazardous Materials Specialist

ATTACHMENT

c: Attn: Jennifer Anderson, All Environmental Inc., 3364 Mt. Diablo Blvd, Lafayette, CA 94549
w/attachment
ALL-file

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



Ro# 186

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. Monte Upshaw
Fidelity Roof Company
1075 40th Street
Oakland, CA 94608

RE: Underground Storage Tank Removals at Fidelity Roof Company
1075 40th Street, Oakland, CA 94608 (STID# 3341)

Dear Mr. Upshaw:

This office has recently reviewed the case file concerning the removal of two gasoline underground storage tanks (550 gallon and 1000 gallon in capacity) on December 1995 at the above referenced property.

The results of the soil samples collected during the tank removal activities (submitted via facsimile on January 1996) showed petroleum hydrocarbon contamination up to 580 ppm TPH gasoline, 120 ppm TPH diesel, 2.3 ppm benzene, 11 ppm toluene, 6.8 ppm ethyl benzene, 47 ppm xylene and 28 ppm MTBE. Both tanks showed obvious signs of leakage (holes and corrosion on all sides, soil staining and strong hydrocarbon odor).

Clearly, the former tanks had leaked and an Underground Storage Tank Unauthorized Release (Leak) / Contamination Site Report (ULR) must be filed for the subject site. Enclosed is a copy of the ULR which must be completed and submitted to this office within five working days upon receipt of this letter.

In addition, the following items must be addressed concerning the petroleum hydrocarbon contamination at the subject site:

- 1) A work plan must be submitted to characterize the lateral and vertical extent of the petroleum hydrocarbon plume in soil and/or groundwater.
- 2) A tank closure report should be submitted which includes copies of the tank manifests, records of stockpiled soil disposal, chain of custody, analytical results, etc.

Items 1 and 2 must be submitted to this office **within 45 days** from the date of this letter.

All reports and proposals must be submitted under seal of a California Registered Geologist or Registered Civil Engineer with a statement of qualifications for each lead professionals involved with the project.

Mr. Monte Upshaw
RE: 1075 40th Street, Oakland, CA 94608
May 22, 1996
Page 2 of 2

Please contact me at (510) 567-6780 if you have any questions concerning this letter.

Sincerely,



Susan L. Hugo
Senior Hazardous Materials Specialist

enclosure

c: Mee Ling Tung, Director, Environmental Health
Gordon Coleman, Acting Chief, Environmental Protection / file
Kevin Graves, San Francisco Bay RWQCB

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



R0186

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

July 22, 1991

Mr. Micheal Katz
Environmental Specialist
Blymer Engineers, Inc.
1829 Clement Street
Alameda, CA 94501

Re: Site Search on the vicinity of 4050 Adeline Street,
Emeryville, CA 94608.

Dear Mr. Katz:

I have researched our files, for information pertinent to the 4050 Adeline site. You requested this in your letter dated May 15, 1991 drafted by Man-Li Lin. The inquiry was for information regarding hazardous materials storage and/or hazardous materials releases at the subject site and in adjacent areas. The following is a summary of my findings.

(R0337) (1) California Linen Supply
989-41st. Street
Oakland, CA 94608

Two underground storage tanks, chemicals on site: Ecolo-Fluor, sodium thiosulfate, alkaline cleaner.

(2) Rockridge Antiques
1010-41st. Street
Emeryville, CA 94608

No underground tanks on site, chemicals on site: oxalic acid, paint varnish remover, oil stains, lacquers & thinners. 50 gallon total.

(R073) (3) Frank Dunne Company
1007-41st. Street
Oakland, CA 94608

Four underground storage tanks removed July 17-19, 1988
Chemicals on site: wash solvent, acetone, tints, ester
alcohol, propylene, glycol & thinners. A September 12,
1989 report revealed chemical spill on sidewalk, our
office responded.

(4) National Upholstering
4000 Adeline Street
Emeryville, CA 94608

No underground storage tanks. Chemicals on site:
Lacquer, thinners, sanding sealers, acetone & gasoline
(for fuel).

(5) Carlos Body Shop
3969 Adeline Street
Emeryville, CA 94608

No underground storage tanks. Chemicals on site: paint
& thinners.

(6) MAZ Repair Shop
3906 Adeline Street
Emeryville, CA 94608

No hazardous materials stored or generated.

(7) All Weather Aluminum
4055 Linden Street
Oakland, CA 94608

No tanks on site. Chemicals on site: TEK

(R0186) (8) Fidelity Roofing
1075-40th Street
Oakland, CA 94608

Two underground storage tanks. Chemicals on site:
propane, acetylene, argon, transmission oil, thinners,
cleaning solvents & paints.

(R0171) (9) San Francisco French Bread
4070 San Pablo Avenue
Emeryville, CA 94608

Two underground tanks removed in 1989. Chemicals on site: cleaning solvent, zep alkaline cleaner. Both soil and groundwater contamination found. Remediation proceedings still pending.

(R0453) (10) Tony Celis Exxon
4000 San Pablo Avenue
Emeryville, CA 94608

Six underground tanks, chemicals on site: gasoline, diesel, waste oil, cleaning solvents.

(11) Emergency Response
41st and San Pablo Avenue
Emeryville, CA 94608

June 18, 1990, Paul Smith of our office visited this site when a P.G. & E. excavation pit showed signs of soil contamination containing heavy oil & tar compounds. City of Emeryville Public Works Department is addressing remediation of site.

This letter is limited to information currently available to this department and does not reflect any other information which may be accessible from other local agencies involved with this business.

You will be billed for the provision of this service. Please find enclosed a copy of the invoice sent to our billing unit.

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

Very truly yours



F. Young Fong
Environmental Health Specialist

FYF:sms

65

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



R0186

October 26, 1990

Owner/Operator
534 - 2nd St.
Oakland, CA 94607

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

FINAL NOTICE OF VIOLATION

Dear Owner/Operator:

Our records indicate that there are underground tank(s) at your site at the above facility. You were notified of this situation months ago and have not taken the appropriate action as described below.

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, forms available from this office, or
2. Apply for a permit as required by Article 10, 2710. Permit applications Part A and B are available from this office.

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

ALAMEDA COUNTY
HEALTH CARE SERVICES
DAVID J. KEARS, AGENCY
Director



Department of Environmental Health
Hazardous Materials Division
80 Swan Way, Room 200
Oakland, CA 94621

R0186

13 March, 1989

XXXXXXXXXXXXXXXXXXXX
AGENCY HEADQUARTERS
400 40th Street
XXXXXXXXXXXXXXXXXXXX
Oakland, California 94607
(415) 271-4320

John Upshaw
Fidelity Roofing Company
1075 40th Street
Oakland, Ca. 94608

Subject: Business Plan Reporting Deadline.

Dear Mr. Upshaw:

As per your telephone request of 10 March, 1989, the deadline for the submittal of your Business Plan is extended to the 15th of April, 1989. If you have any questions concerning this matter, please contact, Dennis Byrne, Hazardous Materials Specialist, at (415) 271-4320.

Sincerely,

Rafat A. Shahid, Chief,
Hazardous Materials Division