

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



RAFAT A. SHAHID, Assistant Agency Director

R0376

December 12, 1994  
STID# 2586

ALAMEDA COUNTY CC4580  
DEPT. OF ENVIRONMENTAL HEALTH  
ENVIRONMENTAL PROTECTION DIVISION  
1131 HARBOR BAY PKWY., #250  
ALAMEDA CA 94502-6577

Mr. Ronald Silberman  
Fordham Properties  
5743 Landregan Street  
Emeryville, California 94608

**RE: Underground Storage Tank Removal  
Fordham Property - 5515 Doyle St., Emeryville, CA 94608**

Dear Mr. Silberman:

The Alameda County Department of Environmental Health, Environmental Protection Division has recently reviewed the case file concerning the removal of one 1,000 gallon underground fuel storage tank on October 20, 1994 at the referenced site. We are in receipt of the Underground Tank Removal Report (November, 1994) prepared and submitted by Cottle Engineering for the subject site.

Soil samples collected from the bottom of the excavation at 8 feet below ground surface (bgs) exhibited petroleum hydrocarbon contamination as high as 4,200 ppm TPH gasoline, 0.22 ppm benzene, 87 ppm toluene, 540 ppm xylene and 90 ppm ethyl benzene. The former tank appeared to have visible sign of corrosion and several holes were found near the bottom. Groundwater was not present in the excavation during the removal of the former tank.

Because of the degree of contamination found at the site further environmental assessment is required. A preliminary assessment should be conducted to determine the extent of soil and/or groundwater contamination that has resulted from the former leaking tank. The information gathered by this investigation will be used to assess the need for additional actions at the site.

Groundwater flow direction must be established at the site. At a minimum, one monitoring well should be installed within 10 feet in the verified downgradient location of the former tank excavation. Quarterly groundwater monitoring must be performed to determine extent of the petroleum hydrocarbon contamination. Groundwater monitoring wells must be sampled and analyzed for the following target compounds: TPH gasoline, TPH diesel, benzene, toluene, ethyl benzene, xylene and lead. Groundwater elevation readings must be incorporated in the quarterly sampling.

Until cleanup is complete, you will need to submit reports to this office every three months (or at a more frequent interval, if specified at any time). This reports must include information

Mr. Ronald Silberman  
RE: 5515 Doyle Street, Emeryville, CA 94608  
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pertaining to further investigative results; the methods of cleanup actions implemented to date; and the method and disposal of any contaminated material. Copies of manifests for such disposal must be sent to this office. Stockpiled soil from the pit may not be used to backfill these holes without authorization from this office. Only clean fill can be used to backfill the excavation pit. Please provide our office with documentation of the disposal of the stockpiled soil.

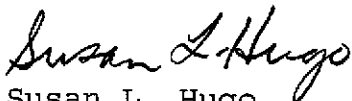
Your work plan must be submitted to this office no later than **February 1, 1995**. All reports and proposals must be submitted under seal of a California Registered Geologist or Registered Civil Engineer with a statement of qualifications for each lead professionals involved with the project.

This letter constitutes a formal requests for technical reports pursuant to California Water Code Section 13267(b). Any extensions of stated deadlines or changes in the workplan must be confirmed in writing and approved by this agency.

Enclosed is a copy of the Underground Storage Tank Unauthorized Release (Leak)/Contamination Site Report which must be completed and submitted to this office **within five working days** upon receipt of this letter.

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

Sincerely,



Susan L. Hugo  
Senior Hazardous Materials Specialist

Enclosure

cc: Rafat A. Shahid, Director, Environmental Health  
Gil Jensen, Alameda County District Attorney's Office  
Kevin Graves, San Francisco Bay RWQCB  
Edgar B. Howell, Chief, Environmental Protection Div. / file

ALAMEDA COUNTY  
HEALTH CARE SERVICES



AGENCY

DAVID J. KEARS, Agency Director

R0376

RAFAT A. SHAHID, Assistant Agency Director

Certified Mailer # P 029 244 619

March 21, 1994

Mr. Ron Silverman  
Fordham Construction Inc.,  
5743 Landregan,  
Emeryville, CA 94608

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

Subject: Underground Storage Tank located at 5515 Doyle St.,  
Emeryville, CA 94608

**Notice of Violation**

Dear Mr. Silverman:

On February 17, 1994, this office conducted an underground storage tank (UST) inspection of the aforementioned facility. This inspection was initiated at the request of the Alameda County District Attorney's Consumer and Environmental Division. Upon inspection of the facility, an underground storage tank was observed at the rear of the site under a concrete pad. Several photographs were also taken indicating the existence of the subject tank.

This tank is subject to permanent closure requirements as stated in Title 23 of the California Code of Regulations Section 2670 (c). An underground storage tank, in which the storage of hazardous substances has ceased, and will not be used, nor is it intended to be used within the next twelve consecutive months, must be removed. The tank must be properly closed as required by Chapter 6.7 of the California Health and Safety Code.

You are therefore directed to obtain a closure permit application from this office and submit this permit application to this office **within** thirty days.

If you have any questions, please call this office. The telephone number is (510) 271-4320.

Sincerely,

Brian P. Oliva, REHS, REA  
Hazardous Materials Specialist

cc: Edgar Howell, Chief, Division of Hazardous Materials  
Gil Jensen, Alameda County Deputy District Attorney

enclosures: UST Closure Application, Letter

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY  
DAVID J. KEARS, Director



R0376

12 January 1990

Telephone Number: (415)

Elaine Pieri  
Fordham Properties  
5743 Landregan Street  
Emeryville, CA 94608

Subject: Quarantined Drums Located at 5515 Doyle Street,  
Emeryville.

Dear Ms. Pieri:

The drums at the address listed above and marked with certificates numbered 052689-DB-4, 052689-DB-5 and 071989-DB-3 are hereby removed from quarantine.

Please be aware that the quarantine remains in effect on the container labeled with certificate numbered 052689-DB-1. This agency has identified Vincent Gammil of Oakland Research and Laboratory Supplies as the responsible party for this material.

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

Sincerely,

Dennis J. Byrne  
Hazardous Materials Specialist

cc: Gil Jensen, Alameda County District Attorney's Office  
Consumer and Environmental Protection Agency.

Doug Krause, DOHS

Rafat Shahid, Assistant Director, Alameda County Dept.  
Environmental Health.

Frank Alhino, Assistant Chief Fire Marshal, Emeryville F.D.

Jack Quarle, J. Quarle and Associates

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



R0376

23 October 1989

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

Elaine Pieri  
Fordham Properties  
5743 Landregan Street  
Emeryville, CA 94608

Subject: Quarantined Drums Located at 5515 Doyle Street,  
Emeryville.

Dear Ms. Pieri:

The drums at the address listed above and marked with certificates numbered 071989-DB-1, 071989-DB-2, 071989-DB-4 and 071989-DB-5 are hereby removed from quarantine.

Please be aware that the quarantine remains in effect upon the drums labeled with certificates numbered 052689-DB-1, 052689-DB-4, 052689-DB-5 and 071989-DB-3. If you have any questions regarding this matter, please contact me at (415) 271-4320.

Sincerely,

  
Dennis J. Byrne  
Hazardous Materials Specialist

cc: Gil Jensen, Alameda County District Attorney's Office,  
Consumer and Environmental Protection Agency.  
Doug Krause, DOHS  
Rafat Shahid, Assistant Director, Alameda County Department of  
Environmental Health.  
Frank Alhino, Assistant Chief Fire Marshal, Emeryville Fire  
Department.  
Jack Quarle, J. Quarle and Associates  
88 Kearny Street Suite 1802  
San Francisco, CA 94108

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



R0376

Certified Mailer # P 062 128 051

17 August 1989

DEPARTMENT OF ENVIRONMENTAL HEALTH  
Hazardous Materials Program  
80 Swan Way, Rm. 200  
Oakland, CA 94621  
(415) 271-4320

Vincent Gammel  
Oakland Research Laboratories  
1070 40th Street  
Oakland, CA 94608

\*\*\*\*NOTICE OF VIOLATION\*\*\*\*

Subject: Quarantined Drum of Phosphorous Trichloride Abandoned at  
5515 Doyle Street, Emeryville.

Dear Mr. Gammel:

On the 26th of May, 1989, this department conducted an inspection of the address listed above. In a metal shed located behind the building, a yellow overpack container labeled as Phosphorous Trichloride was discovered. As none of the tenants at this facility assumed responsibility for this material and as Phosphorous Trichloride is identified in Section 66680 (d) of the California Code of Regulations, Title 22 as an extremely hazardous waste, this container was quarantined with certificate number 052689-DB-1, in accordance with Section 25187.6 of the California Health and Safety Code.

During a telephone conversation with Dennis Byrne of our office, conducted on the 14th of August, 1989, you admitted ownership of this container and confirmed that it did contain Phosphorous Trichloride. You expressed your desire to remove the container to your Oakland address for inclusion into your business inventory. Such an action on your part will not be possible until the quarantine on this container is lifted.

As you are no longer a tenant at this address and as this container has been located at this site for at least ninety days, this situation could constitute the abandonment of an extremely hazardous waste. Section 25189.5 of the California Health and Safety Code forbids the disposal of a hazardous waste at any location other than a licensed hazardous waste treatment, storage and disposal facility.

Vincent Gammel  
Oakland Research Laboratories  
1070 40th Street  
Oakland, CA 94608  
Notice of Violation  
17 August 1989  
Page 2 of 2

We request that you submit to this office a written Plan of Action regarding this material at 5515 Doyle Street, Emeryville. We ask that this Plan be submitted on or before the 20th of September, 1989. Following a review of your Plan, this office will send you a letter releasing this container from quarantine, or inform you of what further actions may be required on your part before such a measure may be taken.

Please give this matter your immediate attention. Sections 25188, 25189, 25190 and 25191 of the California Health and Safety Code provide for civil and criminal penalties of up to \$25,000.00 per day, per violation.

Please direct all further correspondence and questions you may have regarding this matter to Dennis Byrne, Hazardous Materials Specialist, at (415) 271-4320.

Sincerely,



*Jim* Rafat A. Shahid, Chief,  
Hazardous Materials Division

RAS:DB

cc: Gil Jensen, Alameda County District Attorney's Office,  
Consumer and Environmental Protection Agency.  
Don Harris, Alameda County Consumer and Environmental  
Protection Agency.  
Doug Krause, DOHS  
Jim Eversole, Assistant Fire Marshal, Emeryville Fire  
Department.  
Elaine Pieri, Fordham Properties, 5743 Landregan St.  
Emeryville.

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



R0376

Certified Mailer # P 062 128 050

17 August 1989

DEPARTMENT OF ENVIRONMENTAL HEALTH  
Hazardous Materials Program  
80 Swan Way, Rm. 200  
Oakland, CA 94621  
(415) 271-4320

Elaine Pieri  
Fordham Properties  
5743 Landregan Street  
Emeryville, CA 94608

\*\*\*\*NOTICE OF VIOLATION\*\*\*\*

Subject: Quarantined Drums at 5515 Doyle Street, Emeryville.

Dear Ms. Pieri:

On the 26th of May, 1989, your property listed above was inspected by our department. Numerous drums of what may be hazardous materials were observed throughout the small paved area at the rear of the building. These drums were quarantined in accordance with Section 25187.6 of the California Health and Safety Code, which forbids the transport, disposal of or tampering with these containers without the expressed approval of this agency.

The tenants in your building were contacted to determine which of the quarantined materials they were willing to assume responsibility for. Letters removing the quarantine from three of the drums at this site were issued on the 2nd of August, 1989.

A number of items quarantined at this site remain unclaimed. As the owner of this property, you are legally required to assume responsibility for the proper disposal of these materials.

An inventory of quarantined containers remaining at this site include:

- 052689-DB-4, A fifty-five gallon drum labeled as "Secondary Butanol".
- 052689-DB-5, A sixteen gallon drum labeled as "Cleaning Solvent".
- 071989-DB-1, An unlabeled fifty-five gallon drum.



Elaine Pieri  
Fordham Properties  
5743 Landregan Street  
Emeryville, CA 94608  
Notice of Violation  
17 August 1989  
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071989-DB-2, A fifty-five gallon, unlabeled drum.

071989-DB-3, A black thirty gallon drum labeled with the word "Flammable".

071989-DB-4, A fifty-five gallon, lidless drum, partially full of what appears to be paint or roofing waste.

071989-DB-5, A fifty-five gallon, unlabeled drum.

Vincent Gammel, of Oakland Research Laboratories, has been contacted in regards to the yellow overpack container quarantined with certificate number 052689-DB-1. Mr. Gammel has expressed a willingness to assume responsibility for the proper removal of this drum containing a corrosive liquid, Phosphorous Trichloride.

It is unlawful for anyone to transport, dispose of, or tamper with these quarantined containers in any manner without the expressed consent of this agency. A removal of the quarantine from any of the effected containers will require the presentation, to this office, of a completed hazardous waste manifest or analytical documentation from a State certified laboratory illustrating that the contained material is nonhazardous.

The following sections of Title 22 of the California Code of Regulations are deemed to be in violation at this site.

- 1) Section 66472 (a) and (d), which forbids the treatment, storage, transportation or offering for transportation a hazardous waste without having received an EPA Identification Number. This Number can be obtained by calling (916) 324-1781.
- 2) Section 66508 (2), which requires that the date upon which waste material was first introduced into a hazardous waste container must be specified on the container.

Elaine Pieri  
Fordham Properties  
5743 Landregan Street  
Emeryville, CA 94608  
Notice of Violation  
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3) Section 66508 (a)(3) and (c)(1)(2)(3), which requires that any container of a hazardous waste must be labeled with the words HAZARDOUS WASTE and include: the composition and physical state of the waste, statements which call attention to the particular hazardous properties of the waste (e.g. flammable, corrosive, etc.) and the name and address of the person producing the waste.

4) Section 66693-66744, which specify the protocols to be followed by the generator of any waste to determine if the material in question constitutes a hazardous waste.

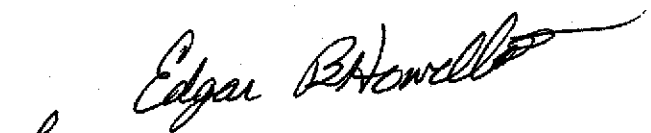
You are requested to submit to this office a Plan of Correction for 5515 Doyle Street, Emeryville, on or before the 20th of September, 1989. This Plan should describe the actions which you propose to take in regards to the specific violations listed in this Notice of Violation. Following a review of the Plan, this office will inform you of any changes or additions required for approval.

Please give this matter your immediate attention. Sections 25188, 25189, 25190 and 25191 of the California Health and Safety Code provide for civil and criminal penalties of up to \$25,000.00 per day, per violation.

Elaine Pieri  
Fordham Properties  
5743 Landregan Street  
Emeryville, CA 94608  
Notice of Violation  
17 August 1989  
Page 4 of 4

Please direct all further correspondence or questions you have regarding this matter to Dennis Byrne, Hazardous Materials Specialist, at (415) 271-4320.

Sincerely,

  
for Rafat A. Shahid, Chief,  
Hazardous Materials Division

RAS:DB

cc: Gil Jensen, Alameda County District Attorney's Office,  
Consumer and Environmental Protection Agency.  
Don Harris, Alameda County Consumer and Environmental  
Protection Agency.  
Doug Krause, DOHS  
Jim Eversole, Assistant Fire Marshal, Emeryville Fire  
Department.

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



R0376

2 August 1989

Kenneth Mayor  
Artype  
5515 Doyle Street  
Suite 12  
Emeryville, CA 94608

DEPARTMENT OF ENVIRONMENTAL HEALTH  
Hazardous Materials Program  
80 Swan Way, Rm. 200  
Oakland, CA 94621  
(415) 271-4320

Subject: Quarantined Drum at 5515 Doyle Street, Emeryville.

Dear Mr. Mayor:

The drum of kerosene quarantined with certificate number 052689-DB-7, is hereby removed from quarantine. You are free to use this material as heating fuel.

If you have any questions concerning this matter, please contact, Dennis Byrne, Hazardous Materials Specialist, at (415) 271-4320.

Sincerely,

*for*  
Rafat A. Shahid, Chief,  
Hazardous Materials Division

RAS:DB

cc: Jim Eversole, Emeryville Fire Department  
Elaine Pieri, Fordham Park  
5743 Landregan Street  
Emeryville, CA 94608

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY  
DAVID J. KEARS, Agency Director



R0376

2 August 1989

John Murray  
Murray Paints  
5515 Doyle Street  
Suite 11  
Emeryville, CA 94608

DEPARTMENT OF ENVIRONMENTAL HEALTH  
Hazardous Materials Program  
80 Swan Way, Rm. 200  
Oakland, CA 94621  
(415) 271-4320

Subject: Quarantined Drum at 5515 Doyle Street, Emeryville.

Dear Mr. Murray:

The drum of paint thinner located at the address listed above and quarantined with the certificate number 052689-DB-2, is hereby removed from quarantine. You are free to use this material in your business operations.

If you have any questions concerning this matter, please contact, Dennis Byrne, Hazardous Materials Specialist, at (415) 271-4320.

Sincerely,

*for* Rafat A. Shahid, Chief,  
Hazardous Materials Division

RAS:DB

cc: Jim Eversole, Emeryville Fire Department  
Elaine Pieri, Fordham Park  
5343 Landregan Street  
Emeryville, CA 94608

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



R0376

2 August 1989

DEPARTMENT OF ENVIRONMENTAL HEALTH  
Hazardous Materials Program  
80 Swan Way, Rm. 200  
Oakland, CA 94621  
(415) 271-4320

Robert Budnitz  
Quantom Optics, Incorporated  
5515 Doyle Street  
Suite 16  
Emeryville, CA 94608

Subject: Quarantined Drum located at 5515 Doyle Street,  
Emeryville.

Dear Mr. Budnitz:

The drum belonging to Quantom Optics and quarantined with the certificate number 052689-DB-6, is hereby removed from quarantine. This material may be disposed of as a nonhazardous waste.

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

RAS:DB

cc: Jim Eversole, Emeryville Fire Department  
Elaine Pieri, Fordham Park  
5743 Landregan Street  
Emeryville, CA 94608