

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



7

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

December 7, 2005

J.W. Silveira  
C/o Virginia Tracy  
J.W. Silveira Realty  
499 Embarcadero  
Oakland, CA 94606

Subject: Fuel Leak Case No. [REDACTED] Harley Davidson, 744 East 12<sup>th</sup> Street, Oakland, CA

Dear Mr. Silveira:

Alameda County Environmental Health (ACEH) and California Regional Water Quality Control Board staff have reviewed the fuel leak case file and case closure summary for the above-referenced site and concur that no further action related to the underground storage tank fuel release is required at this time. This fuel leak case will be closed with the following site management requirement:

*"Case closure for the fuel leak site is granted for commercial land use. If a change in land use to residential or other conservative scenario occurs at this property, Alameda County Environmental Health must be notified and the case needs to be re-evaluated. This site is to be entered into the City of Oakland Permit Tracking System due to the residual contamination posing a nuisance for subsurface utility work."*

Prior to issuance of a remedial action completion certificate, the monitoring wells at the site are to be properly destroyed, should the monitoring wells have no further use at the site. Please decommission the monitoring wells and provide documentation of the well decommissioning to this office. A remedial action completion certificate will be issued following receipt of the documentation.

Well destruction permits may be obtained from the Alameda County Public Works Agency (<http://www.acgov.org/pwa/wells/index.shtml>). If you have any questions, please call me at (510) 567-6791.

Sincerely,

A handwritten signature in black ink that reads "Jerry Wickham". The signature is written in a cursive, slightly slanted style.

Jerry Wickham  
Hazardous Materials Specialist

Enclosure: ACEH Electronic Report Upload (ftp) Instructions

cc: Penny Wilson, Tetra Tech EMI, 135 Main Street, Suite 1800, San Francisco, CA 94105  
Donna Drogos, ACEH  
Jerry Wickham, ACEH, File

R03ff

October 11, 2005

Jerry Wickham  
Alameda County Health Care Services  
Environmental Health Services  
1131 Harbor Bay Parkway, Suite 250  
Alameda, CA 94502

Alameda County  
OCT 13 2005  
Environmental Health

**Subject: Field Work Plan for 1200 20th Street, Oakland, California**

Dear Mr. Wickham:

Enclosed please find a field work plan intended to address the comments outlined in your letter from Alameda County Environmental Health, to J.W. Silveira Realty, dated July 19, 2005.

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. Please let me know if you have any questions or concerns regarding this submittal.

Sincerely,

J.W. Silveira  
J.W. Silveira Realty

See attachments  
cc: File

RD 388

**J. W. SILVEIRA CO.**

499 Embarcadero  
Oakland, CA 94606

Tel: (510) 834-9810 Fax: (510) 763-9996  
jw\_silveira@hotmail.com

Real Estate

**Alameda County  
Environmental Health  
JUL 06 2005**

June 30<sup>th</sup>, 2005

Attention: Mr. Jerry Wickham  
Hazardous Materials Specialist  
Alameda County Environmental Health  
1131 Harbor Bay Parkway, Suite 250  
Alameda, CA 94502-6577

Subject: Request for Site Closure for 744 East 12<sup>th</sup> Street Oakland, CA

Dear Mr. Wickham,

As the legally authorized representative for J.W. Silveira Company, I am requesting closure for the following site:

744 East 12<sup>th</sup> Street, Oakland, CA (Site Closure Report dated November 26, 2003)

I declare, under penalty of perjury, that the information and/or recommendations contained in the site closure report is true and correct to the best of my knowledge.

Thank you for working to help us close out this UST site. If you have any questions regarding the site, please contact me at (510) 834-9810 or Penny Wilson at Tetra Tech EM Inc. at (415) 222-8203.

Sincerely,  
*Virginia Tracy*

Virginia Tracy  
J.W. Silveira Company

cc: File  
Shapiro, Buchman, Provine & Patton LLP, Attorneys at Law  
Penny Wilson, Tetra Tech EM Inc.

**Alameda County  
Environmental Health  
JUL 06 2005**



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April 28, 2005

Mr. J.W. Silveira c/o  
Ms. Virginia Tracey  
499 Embarcadero  
Oakland CA 94606

**Re: Fuel Leak Case No. RO0000388 Environmental Investigation at 744  
E.12<sup>th</sup> St., Oakland CA 94606**

Dear Mr. Silveira:

It has come to our attention that you and/or your consultant have requested the review of the above subject site for closure. Please be advised that the following State Water Board "low risk" criteria must be met prior to your case being considered for closure. If you feel that your site meets the following state requirements for a "low risk" site, then submit a stand-alone document specified below for our office review.

LOW RISK requirements:

1. Leak stopped, on-going source, including free product removed
2. Site adequately characterized
3. Plume not migrating
4. No sensitive receptors impacted
5. No significant risk to human health
6. No significant risk to environment
7. Water quality objectives to be achieved within a reasonable time frame

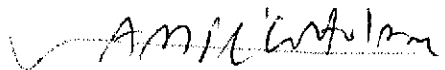
Please be advised that a **stand-alone document** must include a site conceptual model (SCM), which incorporates the following items:

- Summary Figures
  - Site vicinity map showing the site location and identification of any nearby sensitive receptors.
  - Plot plan showing all historical sampling locations. Differentiation between sample types (i.e. excavation soil samples, soil boring locations, monitoring wells, soil vapor sampling points, etc.) is required. This figure also needs to include any former and existing UST system components, delineation of excavation areas, areas targeted by active remediation, building locations, potential preferential pathways such as utilities, property boundaries and public right-of-way locations.

- Depth specific contaminant isoconcentration maps for soil and groundwater. If active remediation was performed, separate pre-remediation and post-remediation isoconcentration maps are required.
- Summary Tables
  - Table of all historical soil data. Sample ID, date, depth, and results for all analytes are required. Please refer to the Tri-Regional Guidelines to confirm that chemical analysis was performed for all relevant contaminants of concern (CoCs). Pre- and post-remediation concentrations should be clearly identified or presented in separate tables.
  - Table of all historical groundwater data. Chemical concentrations in monitoring well(s) concentrations along with depth to water should be tabulated.
  - The tables need to compare the detected CoC concentrations with the Regional Board's ESLs or other appropriate cleanup levels and to the water quality objectives identified in the Regional Board's Basin Plan.
- Complete set of all boring logs generated during site investigation.
- Geologic cross-sections showing soil borings, monitoring wells with screened intervals, UST locations, any preferential pathways, excavation boundaries, water table elevations (historical and current) and extent of residual contamination.

The above stand-alone document will help to expedite the review of your case. Please contact Amir K. Gholami at 510-567-6876 or [amir.gholami@acgov.org](mailto:amir.gholami@acgov.org) to receive document samples to help you prepare the stand-alone document, if you are requesting a closure review.

Sincerely,



Amir K. Gholami, REHS

Hazardous Materials Specialist

C: D. Drogos, A. Gholami

Mr. H. Dawson, Tetra Tech EMI, 135 Main St., Suite 1800, San Francisco, CA  
94105

ALAMEDA COUNTY  
HEALTH CARE SERVICES

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April 14, 2000  
StID # 2957

Mr. J.W. Silveira c/o  
Ms. Virginia Tracey  
499 Embarcadero  
Oakland CA 94606

**Re: Former Underground Tank Site, 744 E. 12<sup>th</sup> St., Oakland CA 94606**

Dear Mr. Silveira:

Our office has received and reviewed the recently submitted Tetra Tech EM Inc. (TTEMI) report for the above site. This report includes the results of soil and groundwater sampling from off-site borings and three monitoring wells done in June 1999. Based upon the results of these investigations, your consultant recommends and our office concurs with quarterly groundwater monitoring. **Please institute quarterly monitoring immediately and provide our office with your monitoring report within 30 days or no later than May 31, 2000. Reports should then follow every three months.**

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

Sincerely,

Barney M. Chan  
Hazardous Materials Specialist

C: B. Chan, files

Mr. H. Dawson, Tetra Tech EMI, 135 Main St., Suite 1800, San Francisco, CA 94105

Mon744E12

**Chan, Barney, Public Health, EH**

**From:** Dawson, Hal [SMTP:DAWSONH@ttemi.com]  
**Sent:** Wednesday, January 26, 2000 12:03 PM  
**To:** 'bchan@co.alameda.ca.us'  
**Subject:** Silveira Sites

Hi Barney,

Well, based on our conversation Friday regarding the 3 J. W. Silveira sites in Oakland, I drafted up a letter to them sort of trying to show that the sites can get to closure...but it'll take some more effort and \$.

I pretty much said:

744 East 12<sup>th</sup> Street will require quarterly sampling. With luck, if 3 or 4 quarters of data show that MTBEs not a problem, the site should be ready for closure. ✓

1200 20<sup>th</sup> Ave. will need the additional boring in the building and that it would be worth trying the ORC sock in MW-1. If quarterly sampling after insertion of the ORC sock shows improvement in contaminant concentrations, and the boring in the building is clean, and if we can show that bio-remediation is occurring, the site should be ready for closure. : make sure sampling is done after purging

2301 East 12<sup>th</sup> Street contamination is pretty high and needs to be addressed since 7 years of quarterly sampling shows pretty much no change. I included the fact that you were amenable to reducing the groundwater sampling frequency if they're willing to commit to trying to remediate the contamination. I threw rough costs at them for soil removal, soil/vapor extraction, and the peroxide in-situ treatment. Cost-wise, the peroxide treatment actually may be the best course of action. : need to propose ✓

Mr. Silveira's reviewing the letter today. I presume, based on a conversation with Virginia, that he'll opt to do the recommended actions so the darn sites can move on toward closure. We should get his approval and be able to quarterly sample next week. For the moment, I'm taking into account the fact that he'll go for trying to do some remedial work at 2301 East 12<sup>th</sup> Street, so I'd just sample the other 2 sites. For 1200 20<sup>th</sup> Avenue, I guess one more quarter of data might be nice immediately prior to insertion of the ORC sock...then we can see if the contamination has continued to raise in concentration or not.

Anyway, that's where the sites sit at the moment. Based on Mr. Silveira's decisions, I'll insert the respective recommendations into the reports for the three sites and can then deliver them to you as final documents (with your comments addressed as well).

Okay Barney, I'll let you know how things shake out!

Thanks,

Hal

**Chan, Barney, Public Health, EH**

**From:** Dawson, Hal [SMTP:DAWSONH@ttemi.com]  
**Sent:** Thursday, January 06, 2000 4:02 PM  
**To:** 'bchan@co.alameda.ca.us'  
**Subject:** J.W. Silveira Sites - Oakland

Hello Barney,

Firstly, Happy New Year! I hope your holidays were relaxing and fun.

For the 3 J. W. Silveira sites (744 East 12<sup>th</sup> Street, 1200 East 20<sup>th</sup> Avenue, and 2301 East 12<sup>th</sup> Street), I have not issued you a full-blown final report for the three sites because I believe we need to discuss some of your comments on the 3-part draft version of the report which I gave you on November 10, 1999.

TtEMI has conducted a reasonably detailed review of the 3 sites. The first thing that pops into mind when reviewing these 3 sites is, what's taking so long to close these sites out? They're just 3 UST sites. However, it becomes more clear when reviewing the sites. Each of the 3 sites has it's own quirk that makes a cut-and-dry closure a bit difficult.

After you read over the draft information for each of the three sites, you emailed me your comments on November 18, 1999. Below, I've provided a bullet list of concerns/questions TtEMI came up with during the detailed review of the 3 sites and taking into consideration your comments. If you could refer to your email in conjunction with this email, I believe you'll have a good feel for what our concerns/questions are.

For 744 East 12<sup>th</sup> Street

OK

- No drastic concerns/questions - groundwater quarterly monitoring will commence this month.

will start splens

For 1200 East 20<sup>th</sup> Avenue

- The text/table/figure comments you provided are being addressed.
- Additional data point within the building - all agree.
- We have reservations regarding installing an ORC sock into MW-1.

Installation of the sock into the well would render the well useless for groundwater monitoring in the future. Reviewing the previous soil data from the site, we agree with you that contamination appears to be localized around MW-1. We'd like to discuss with you the possibility of perhaps installing a peizometer immediately upgradient (within a few feet) from MW-1 and installing the ORC sock within the peizometer so groundwater can still be monitored from MW-1.

need to discuss merits of this

- Puzzling issues at the site include (1) groundwater flowing uphill (uncommon, but not unheard of), contamination migrating cross-gradient (uncommon, but not unheard of), and contaminant concentrations increasing over time. You indicate in your email that there must be an indication that natural bio-remediation is occurring and that hydrocarbon concentrations have equilibrated prior to site closure. Hydrocarbon concentrations will be easily monitored through quarterly monitoring, but we'd appreciate any suggestions you may have regarding how we can prove that natural attenuation is occurring?

monitor bio-parameters indicators  
or) Plot conc vs time & conc vs distance

For 2301 East 12<sup>th</sup> Street

- As with 1200 East 20<sup>th</sup> Avenue, the text/table/figure comments you provided are being addressed.
- TtEMI agrees with your suggestion that we reduce the groundwater monitoring frequency at this site because there are no seasonal variations in the bountiful existing data, and because there is no long-term trend (either positive or negative) of the existing data. What would you



need for a proposal - a simple letter explaining the site and the reasoning for the request, or something more?

- Chlorinated solvents - we'll evaluate them against the Oakland RBCA and see if groundwater's potable.
- Speaking with Roy Glenn, who physically removed the development water and sample water from MW-2, the free product mentioned in the draft report for this site is essentially a sheen rather than something that could be physically be removed from the water table. With an oil/water interface probe, the product was only just measurable at 0.01" thick. Removal of the sheen would prove a tough proposition. We'll adjust the text to show the product is a sheen rather than a sizeable layer of oil on the water surface.
- TtEMI believes that soil vapor extraction would not be an effective means of reducing the source at the site because of the soil lithology. We'd like to discuss this with you and see if it may need to come down to soil excavation, or some other means of reducing (or removing) the source.
- We did not, in our initial collection of site information, get the soil data for MW-2, MW-3, MW-4, and MW-5 at the site. Is it something easy for you to dig up, or should we set up an appointment with the librarian to come try to dig it up? If it's something easy for you to dig up, we'd like to review it with you to see if the soil data from MW-2 and MW-3 supports additional soil removal. Was soil from these 2 borings clean, or dirty?
- The soil data from MW-2, MW-3, MW-4, and MW-5 will also tell us something about whether or not there might be an off-site (although downgradient) source across 23<sup>rd</sup> Avenue (northwest) in the park...perhaps an old gas station or something. If soil from MW-2, MW-3, MW-4, and MW-5 was clean, then our site source shouldn't be responsible for the contamination discovered in SB-5. Mostly we'd like to review the soil data from these 4 well boring for the previous bullet...but it would also be interesting to see if all the soil samples out there in 23<sup>rd</sup> Avenue were clean. That would make SB-5 be something of an enigma.

) This is your problem.

These aren't horribly extensive issues - but we'd definitely like to discuss them with you Barney. Our goal, as the consultant to J. W. Silveira, is to see if we can't get you to tell us exactly what you'll need to have done so you can comfortably recommend closure of these 3 sites. I plan make relatively definitive recommendations in the final reports for the 3 sites. Our discussion of the issues above with you, and your thoughts on what you'll need to have done so you can comfortably recommend closure of the 3 sites will help me make those recommendations.

Heck, we (TtEMI) only just jumped in on these sites - there's some loooong history at them. I presume you'd like to cross them off of your UST site list as badly as J. W. Silveira would like it! So that's our goal - we'd like to work with you to figure out how to do that the quickest, and cheapest, way possible.

Thanks Barney. I'll speak with you shortly.

Hal Dawson  
TtEMI

**Chan, Barney, Public Health, EH**

**From:** Chan, Barney, Public Health, EH  
**Sent:** Thursday, November 18, 1999 11:42 AM  
**To:** 'DawsonH@ttemi.com'  
**Subject:** JW Silveira sites

Dear Mr. Dawson:

I have reviewed the three draft reports you provided me last week. I have the following observations and comments. Please give me a call to discuss the sites when you have a chance to review this letter. Sincerely, Barney Chan, (510) 567-6765

744 E. 12<sup>th</sup> St., Oakland 94606 Former Harley Davidson site, #2957

My concerns were stated in my November 2, 1999 letter to Ms. Tracey. I copied Roy Glenn of your office. Let me know if you need a copy of this letter. Basically, I'm recommending continuing groundwater monitoring and a closer evaluation of the fate of the MTBE. This evaluation can wait until you get the additional quarterly monitoring results.

1200 E. 20<sup>th</sup> Ave., Oakland 94606 , site # 4868

An additional figure should be provided indicating the benzene soil concentrations. The chain of custody documents as well as the analytical reports should be in an easier to read format. The lab number, Tetra Tech's corresponding identification numbers and the sample description should be provided in an easier to follow format. I also noticed that the chain of custody and analytical reports included data from the other Silveira site (2301 E. 12<sup>th</sup> St.) site 1. I agree that an additional data point is necessary within the existing building. Both soil and groundwater samples should be taken for chemical analysis. I would further recommend remediation of groundwater from MW-1. ORC socks may be appropriate since there appears to be localized contamination. Before closure, there must be an indication that natural bio-remediation is occurring and hydrocarbon concentrations have equilibrated. Therefore, remediation should be done as soon as possible. Please submit the report under the signature of your registered professional.

2301 E. 12<sup>th</sup> St., Oakland 94601, site # 71

The analytical data has the same "problems" as the other site. The data is hard to follow without an easy correlation from lab #, to TetraTech #, and to the sample description. It appears that the report is missing a table for the results of the grab groundwater samples from SB1-6.

Should also have a figure illustrating the concentration profile for benzene.

Table 1 (VOC and TPH in GW) , I believe has errors in the results for SB-6 and the TPH value under SB-6 doesn't exist. It's SB-5 results duplicated.

The chlorinated solvents must also be addressed. These can be evaluated against Oakland RBCA numbers assuming that groundwater is not potable and MCLs are not appropriate.

Free product (noted in MW-2) must be removed.

Appears that no off-site sources have been identified. The next step is the evaluation of remediation options. Groundwater and soil vapor extraction tests would be reasonable. The proposed groundwater extraction test from EW-1 has never been done.

Groundwater monitoring must continue. If you would like to change the frequency of monitoring, please provide a proposal. Until the source has been reduced, risk assessment should not be done. Please include these items in your recommendation section and send under the signature of your registered professional.

**Chan, Barney, Public Health, EH**

**From:** Chan, Barney, Public Health, EH  
**Sent:** Thursday, November 18, 1999 11:42 AM  
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**Subject:** JW Silveira sites

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2301 E. 12<sup>th</sup> St., Oakland 94601, site # 71

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Appears that no off-site sources have been identified. The next step is the evaluation of remediation options. Groundwater and soil vapor extraction tests would be reasonable. The proposed groundwater extraction test from EW-1 has never been done.

Groundwater monitoring must continue. If you would like to change the frequency of monitoring, please provide a proposal. Until the source has been reduced, risk assessment should not be done. Please include these items in your recommendation section and send under the signature of your registered professional.

# 2957: 744 E 12<sup>th</sup> St.

No questions: GW monitoring to continue, be sure to check ContAmi MTBE w/ 8260.

33 mg/L MTBE in SB-2 (8021)

250 mg/L MTBE in MW3 (8021B)

# 4868: 1200 E 20<sup>th</sup> Ave

• <sup>they</sup> agree w/ an additional boring w/ bld. - need to provide a wp  
need soil + GW data - soil data s/B shallow

• what is source of TPHs, BTEX in MW-1?

• Remediation choices a) ORC suck b) ORC injection

c) H<sub>2</sub>O<sub>2</sub> injection into well d) GW extraction from MW-1

• Evidence of nat attenuation: - 1) historical GW and/or soil data plots.

2) measure for by products eg., CO<sub>2</sub>, bio indicators - P.O., Redox, nitrate, sulfate, Fe<sup>++</sup> (Fe<sup>+++</sup> + e<sup>-</sup> → Fe<sup>++</sup>)

# 71: 2301 E 12<sup>th</sup> St.

• <sup>regardless</sup> gw monitoring must continue.

• any change in monitoring require new schedule & rationale for change

• Can check TDS to verify GW is not potable (>3000 ppm)

• Chlorinated solvents (as well as TPH) must be shown to have stabilized (or decrease) before any risk evaluation (via RFA <sup>oakland</sup> or ASTM RFA)

• Need to ~~do~~ provide rationale for chose remediation - have not received a true feasibility study. Site seems amenable to ORC/H<sub>2</sub>O<sub>2</sub> injection.

- MW 2, 3, 4 & 5 soil data:

~~The~~ Consultant should access files to include this data in their feasibility study.

- Re: SB-5 there is a concentration gradient of TPH<sub>3</sub>, TPH<sub>4</sub> from former UTS towards SB-5. Need to examine the core gradient of HVO C's & their breakdown products.

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ENVIRONMENTAL HEALTH SERVICES

1131 Harbor Bay Parkway, Suite 250  
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(510) 337-9335 (FAX)

November 2, 1999  
StID # 2957

Ms. Virginia Tracey c/o  
J.W. Silveira Co.  
499 Embarcadero  
Oakland CA 94606

Re: **Subsurface Investigation at 744 E. 12<sup>th</sup> St., Oakland CA 94606, Former Harley Davidson**

Dear Ms. Tracey:

Our office has received a preliminary report for the above site prepared by your consultant, Tetra Tech EM Inc. (Tetra Tech). The cover letter accompanying this report, written by Mr. Roy Glenn of Tetra Tech, states that they are unable to meet my deadline for the submittal of reports of the recent work at Mr. Silveira's three sites; 744 E. 12<sup>th</sup> St., 2301 E. 12<sup>th</sup> St. and 1200 20<sup>th</sup> Ave., while not offering a schedule as to when the reports will be provided. It would appear that there has been ample time to prepare these reports, therefore, please provide your schedule for delivery of the previously requested reports.

In regards to the report provided for 744 E. 12<sup>th</sup> St., our office has the following comments:

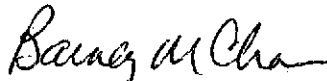
- Our office will require a signed and stamped copy of a **complete** report by an appropriate registered professional. It was noticed that the entire analytical data package was absent from this report.
- When our office was provided these preliminary analytical results from Tetra Tech, in August 1999, I recommended that quarterly monitoring be started. This was based on the need to verify groundwater concentrations (even if they are low) over a complete hydro-geologic cycle, typically one year. This requirement still remains. Please continue groundwater monitoring and **provide a monitoring report within 45 days or no later than December 16, 1999.**
- The presence of methyl tertiary butyl ether (MTBE) requires a greater understanding of the site geology. The Water Board requires that all MTBE impacted sites have a site conceptual model (SCM). Your site conceptual model should include, at a minimum, the following:  
Local and regional plan view maps with location of sources, extent of contamination, direction and rate of groundwater flow and location of receptors,  
Geologic cross-section maps with subsurface geologic features and man made conduits,  
Plots of chemical concentration vs. time,  
Plots of chemical concentration vs. distance from source,  
Summary tables of chemical concentrations in different media,  
Well logs, boring logs, well survey map, and  
Prioritizing of site based on water usage and groundwater concentration.

Ms. Virginia Tracey  
Silveira Properties  
StID # 2957  
744 E. 12<sup>th</sup> St.  
November 2, 1999  
Page 2.

- The Tetra Tech report also uses the City of Oakland Risk Based Corrective Action (RBCA) to evaluate the human health risk at this site. Please be aware that all soil data and historical groundwater data should be evaluated in the RBCA evaluation. In addition, please provide evidence that the site is eligible to use the Oakland RBCA using their check sheet. If actual site conditions are different from that assumed for the Oakland RBCA, you must provide a print out of the new SSTLs.

You may provide comment to this letter in your forthcoming groundwater monitoring report. Please contact me at (510) 567-6765 if you have any questions.

Sincerely,



Barney M. Chan  
Hazardous Materials Specialist

C: B. Chan, files  
Mr. Roy Glenn, Tetra Tech EM Inc., 135 Main St., Suite 1800, San Francisco, CA 94105  
Ms. J. Duerig, Alameda County District Attorney Office  
744E12th

ENVIRONMENTAL  
PROTECTION

99 NOV -1 AM 8:53

MR. BARNEY CHAN

SUITE 250  
EXT. 6765

#2957

BARNEY,

I WAS UNABLE TO COMPLETE THE 3 REPORTS, FOR THE SILVEIRA JOBS AT 744 EAST 12<sup>TH</sup> ST, 1200 20<sup>TH</sup> AVE, AND 2301 EAST 12<sup>TH</sup> ST, BY THE DEADLINE THAT YOU MADE. I AM SORRY THAT I HAVE DELAYED THE COMPLETION OF THIS REPORTS IN A TIMELY MATTER.

THIS REPORT HERE IS FOR 744 EAST 12<sup>TH</sup> ST. I ~~USED THE OAKLAND~~ USED THE OAKLAND RBSLs TO ASSESS THE RISK THAT THE SITE PRESENTS. I AM NOT SURE IF I PROPERLY USED THE CORRECT VALUES TO ASSESS THE SITE. IF YOU HAVE ~~SOME~~ SOME TIME, CAN YOU PLEASE SEE IF I AM USING THE RBSLs CORRECTLY. ALSO, PLEASE FEEL FREE TO CONTACT ME AT 415-222-8283 OR PAGE ME AT 916-720-4775 WITH ANY COMMENT OR QUESTION.

AGAIN, I AM SORRY FOR DELAYING THE PROJECT.

Roy Glenn



HAZARDOUS WASTE GENERATOR INSPECTION REPORT

STID #: 2957 FACILITY NAME: Former Harley Davidson site PG.      OF     

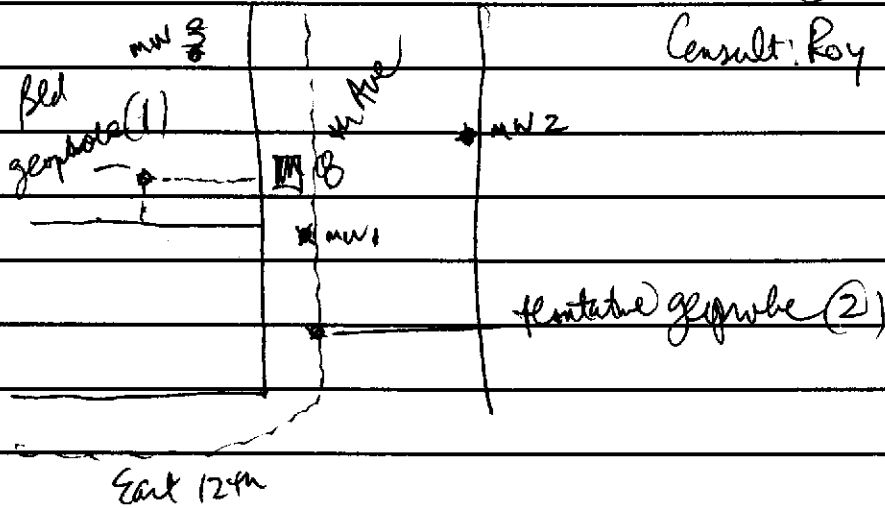
SUPPLEMENTAL FORM

Observe the installations of 3 MWs & 2 geoprobe borings  
 Exploration Services - MW

↑ N

Contractors: Fast Tek Eng - Geoprobe

Consult: Roy Glenn Tetra Tech Env. Inc



No qualitative petroleum contamination observed in soil borings from MW 2 & MW 3, however, soil contamination observed in MW-1. Used a limited access rig & installed a 2" well in MW-1. 1st Geoprobe boring done @ the elbow of the pipeline as detected w/ a line detector. Because contamination found in MW-1, I recommended moving the 2nd Geoprobe south of MW-1 to attempt to delineate the contamination. I requested soil & GW samples from the Geoprobe moved south on 8th Ave (#2)

PRINT NAME: B. CHAN

INSPECTED BY: B. CHAN

SIGNATURE: B. Chan

DATE: 6/2/99

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY  
DAVID J. KEARS, Agency Director



ENVIRONMENTAL HEALTH SERVICES

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

May 28, 1999  
StID # 2957

Ms. Virginia Tracey c/o  
J.W. Silveira Co.  
499 Embarcadero  
Oakland CA 94606

**Re: Work Plan for 744 E. 12<sup>th</sup> St., Oakland CA 94606, Former Harley Davidson**

Dear Ms. Tracey:

This letter responds to the recent message received from Mr. Harold Dawson of Tetra Tech EM Inc. whereby he explained why the proposed well down-gradient of the former underground tank could not be a conventional two-inch type because of the overhead power lines. Because this location is important, our office, with consultation with the Water Board approves of the installation of a small diameter pre-packed well, to be installed by direct push technology. Because of this technology, I understand that the location of this well may be nearer the former tank than previously proposed. This work plan modification is approved. I understand this work will occur on June 2, 1999.

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

Sincerely,

Barney M. Chan  
Hazardous Materials Specialist

C: B. Chan, files

Mr. H. Dawson, Tetra Tech EM Inc., 135 Main St., Suite 1800, San Francisco, CA 94105

2Wpmod744E12

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



ENVIRONMENTAL HEALTH SERVICES

ENVIRONMENTAL PROTECTION (LOP)

1131 Harbor Bay Parkway, Suite 250

Alameda, CA 94502-6577

(510) 567-6700

FAX (510) 337-9335

April 26, 1999

StID # 2957

Ms. Virginia Tracey c/o  
J.W. Silveira Co.  
499 Embarcadero  
Oakland CA 94606

**Re: Work Plan for 744 E. 12<sup>th</sup> St., Oakland CA 94606, Former Harley Davidson**

Dear Ms. Tracey:

This letter confirms the receipt and approval of the proposed sampling locations according to the 4/23/99 fax from Tetra Tech EM. After my site inspection on March 25, 1999, the original work plan had to be modified due to the anticipated difficulty of locating a monitoring well on the City sidewalk. A new location within the north curb of 8<sup>th</sup> Ave. was proposed. In addition, the location of the borings along the former piping run within the former building will have to be located by "best guess" due to the absence of evidence of the piping run and the former dispenser.

Please contact me prior to the proposed work. I may be reached at (510) 567-6765.

Sincerely,

Barney M. Chan  
Hazardous Materials Specialist

C: B. Chan, files

Mr. H. Dawson, Tetra Tech EM Inc., 135 Main St., Suite 1800, San Francisco, CA 94105

Wpmed744E12

white -env. health  
yellow -facility  
pink -files

# ALAMEDA COUNTY, DEPARTMENT OF ENVIRONMENTAL HEALTH

1131 Harbor Bay Pkwy  
Alameda CA 94502  
510/567-6700

## Hazardous Materials Inspection Form

II, III

Site ID # 2957 Site Name Former Harley Davidson Today's Date 3/25/99

Site Address 744 E 12th St

City Oak Zip 94606 Phone \_\_\_\_\_

\_\_\_\_ MAX AMT stored > 500 lbs, 55 gal., 200 cft.?

**Inspection Categories:**

- \_\_\_\_ I. Haz. Mat/Waste GENERATOR/TRANSPORTER
- \_\_\_\_ II. Hazardous Materials Business Plan, Acutely Hazardous Materials
- \_\_\_\_ III. Under ground Storage Tanks

\* Calif. Administration Code (CAC) or the Health & Safety Code (HS&C)

**Comments:**

Met w/ Michael Dawson + Roy of Tetra Tech at site of former Harley Davidson site. A new building was under construction where former piping was located. No evidence of former dispenser pad. City of Oakland discourages the location of MWS in the sidewalk. Tetra Tech will attempt to obtain blueprints of building to better locate former dispenser.

Worse case: Put 2 boungs along assumed piping line, 1 MW in North side of 8th Ave & 1 MW South side. The other well would be best located w/i building, if possible

The other proposed locations of boungs do not seem to be a problem.

Contact \_\_\_\_\_  
Title \_\_\_\_\_  
Signature \_\_\_\_\_

Inspector B. CHAN  
Signature \_\_\_\_\_

II, III

Chan, Barney, Public Health, EH

To: dawsonh@ttemi.com

71

2957

4868

Subject: Review of work plans for 2301 E. 12th St., 744 E. 12th St. and 1200 20th Ave.  
Oakland, Mr. Silveira properties

March 11, 1999

Dear Mr. Dawson,

I have received and reviewed the work plans submitted along with your March 10, 1999 cover letter. I have the following comments:

- The work plan for 1200 20<sup>th</sup> Ave. is acceptable. Please be aware that the high TPHg and BTEX concentrations in MW-1 (Mar and July 1998) will need to be addressed in a risk evaluation regardless of the results of the hydropunches. Groundwater monitoring should also continue.
- The work plan for 2301 E. 12<sup>th</sup> St. is acceptable. Note that the parameters; dissolved oxygen, pH and oxidation-reduction potential should be done in the field, not in the laboratory.
- The work plan for 744 E. 12<sup>th</sup> St. is acceptable.
- Please inform our office at least 72 working hours prior to your field work so I may arrange to be present during some part of the work.
- Please make a formal written request c/o file review clerk to review the files for each of these sites. You may fax this to us at (510) 337-9335. Your future groundwater monitoring reports should include a cumulative table of all prior results. I assume you will not be able to get a copy of the prior Epigene reports.
- A statement regarding their oversight of this work plan and all future reports must be attached along with the signature and stamp of the overseeing registered professional.

Please contact me at (510) 567-6765 if you have any questions or email me at [bchan@co.alameda.ca.us](mailto:bchan@co.alameda.ca.us)

Sincerely,

Barney Chan,  
Alameda County Environmental Health

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY  
DAVID J. KEARS, Agency Director



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

October 27, 1998  
StID # 2957

Mr. J. W. Silveira c/o  
Ms. Virginia Tracey  
499 Embarcadero  
Oakland CA 94606

**Re: Work Plan for Additional Site Assessment for 744 E. 12<sup>th</sup> St., Oakland CA 94606,  
Former Harley Davidson Site**

Dear Mr. Silveira:

Thank you for the submission of the October 16, 1998 work plan for additional site assessment at the above site, as prepared by Mr. J. Alt, of Epigene International. Our office received a fax copy of this report on October 26, 1998. This work plan follows the October 14, 1998 meeting at the County offices which included myself, Mr. Alt, Ms. Tracey and Mr. R. Shapiro. Through our discussion, the initial approach discussed earlier with Mr. Alt was changed to include the installation of three permanent monitoring wells.

Upon review of the submitted work plan, I have the following comments/recommendations:

- The hydropunch beneath the former pump location may not be necessary. I recommend taking a soil sample approximately 1-2' below this location and only taking a water sample if soil contamination is detected near the anticipated groundwater level.
- I recommend making the proposed location of MW-2 a hydropunch sample instead and making the proposed hydropunch sample just southwest of the former underground tank a monitoring well. It is often desirable to have a monitoring well immediately down-gradient of the contaminant source.
- If the above changes are made, I would then recommend that monitoring well MW-3 be moved to the south within the curb on the south side of 8<sup>th</sup> Ave.

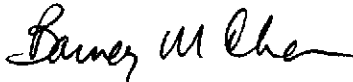
All soil and groundwater samples should be analyzed for **Total Petroleum Hydrocarbons as gasoline, BTEX and MTBE**. Should MTBE be detected in soil or groundwater, it should be verified using EPA Method 8240 or 8260. Assuming the above items are agreeable and the appropriate permits obtained, this investigation will be completed in November of 1998 and the report completed and submitted to our office by the end of December 1998.

Please contact me at least 72 working hours prior to this field work.

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

Mr. J. W. Silveira  
744 E. 12<sup>th</sup> St., Oakland CA  
StID # 2957  
October 27, 1998  
Page 2.

Sincerely,



Barney M. Chan  
Hazardous Materials Specialist

C: **B. Chan**, files

Mr. J. Alt, Epigene International, 347161 Niles Blvd., Suite B. Fremont CA 94536  
Mr. R. Shapiro, Esq., Shapiro Buchman LLP, 1331 North California Blvd., Suite 320  
Walnut Creek, CA 94596

Wpap744

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY  
DAVID J. KEARS, Agency Director



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

February 14, 1997  
StID # 2957

Mr. J.W. Silveira  
J.W.Silveira Company  
499 Embarcadero  
Oakland CA 94606

**Re: Tank Closure Report and Recommendations for Further Work at  
744 E. 12th St., Oakland CA 94606, former Harley Davidson**

Dear Mr. Silveira:

Our office recently met with Mr. John Alt of Epigene International on February 3, 1997 and we discussed several of your properties where underground tanks have been removed. For the above referenced site, our office received and has reviewed the **August 15, 1996 Tank Closure Report** which details the removal of one 500 gallon gasoline tank, soil sampling and analysis, soil disposal and recommends performing two hydropunch samples to delineate the extent of soil and groundwater contamination. My July 17, 1996 letter requested this report by August 19, 1996 and it appears that it was completed by this date but not delivered until nearly six months later after several Notices of Violation.

This tank closure report fails to address verification testing or sampling along the former piping run which lead to a dispenser located within the building. Please provide documentation as to the proper closure of the piping run.

Based upon the soil sample results, further investigation is required. Epigene International has proposed two hydropunch borings for soil and groundwater sampling. Our office recommends that a minimum of four borings be advanced around the tank, due to the uncertainty of groundwater gradient at the site. The borings should be advanced to groundwater where a grab sample can be taken. At least one soil sample should be taken from each boring for chemical analysis and the boring should be field screened for hydrocarbons every five feet, change in lithology or sign of contamination. Because of the overhead power line, you should use the boring technique which will allow for clearance of this utility. Please analyze all samples for TPHg and BTEX and analyze one obviously impacted sample for MTBE.

Please provide a work plan to perform this additional investigation and clarify the piping closure. Please submit your work plan within 30 days or by March 14, 1997.



Mr. J. W. Silveira  
StID # 2957  
744 E. 12th St.  
February 14, 1997  
Page 2.

Our office has not received the Unauthorized Release (Leak) Report for this site as requested in my July 17, 1996 letter. Please complete or have your consultant complete this form and submit to our office **within 10 days or by February 28, 1997.**

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

Sincerely,



Barney M. Chan  
Hazardous Materials Specialist

c: Mr. J. Alt, Epigene International, 38750 Paseo Padre Parkway,  
Suite A-11, Fremont, CA 94536

B. Chan, files  
2wp744

ALAMEDA COUNTY  
HEALTH CARE SERVICES  
AGENCY

DAVID J. KEARS, Agency Director



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

July 17, 1996  
StID # 2957

Mr. J. W. Silveira  
J. W. Silveira Co.  
499 Embarcadero  
Oakland, CA 94606

**Re: Former Harley Davidson, 744 E. 12th St., Oakland 94606**

Dear Mr. Silveira:

Our office has received verbal analytical results of soil samples taken after the removal of the 500 gallon underground gasoline tank at the above referenced site. These results were transmitted to our office by Mr. John Alt of Epigene International. Recall, the tank was removed from the site on April 3, 1996. The results showed elevated concentrations of Total Petroleum Hydrocarbons as gasoline (TPHg) as well as elevated levels of BTEX (benzene, toluene, ethylbenzene and xylenes). The results support my field observations that an obvious release of petroleum fuel had occurred. As you are aware, the extent of such contamination must be determined and potentially remediated.

Your site has, therefore, been transferred to the Local Oversight Program (LOP), within Alameda County Environmental Health, Hazardous Materials Division. Our office has been delegated by the Regional Water Quality Control Board (RWQCB), to be the local agency which will oversee such releases to soil and/or groundwater. A Notice of Requirement to Reimburse (NORR) letter has been sent to your attention informing you of this administrative action.

Please provide your tank closure report along with a work plan to determine the extent of the petroleum contamination in both soil and groundwater. Your reports are due to our office **within 30 days or by August 19, 1996**. Please note, a condition of your approved permit to remove this underground tank is to provide a tank closure plan within 60 days of the tank removal, therefore, you are already over 30 days delinquent in providing this report.

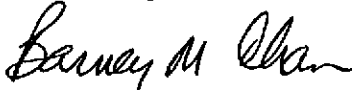
Enclosed, please find an Unauthorized Release (Leak) Report (ULR). Please fill out this form and return to our office **within 10 days of receipt**.

Mr. J. W. Silveira  
744 E. 12th St.  
Former Harley Davidson  
July 17, 1996  
Page 2.

This is a formal request for technical reports pursuant to both the Water Code Section 13267 (b) and the California Health and Safety Code Section 25299 and 25299.76. Failure to submit the requested reports may subject you to civil liability up to \$10,000 per day.

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

Sincerely,



Barney M. Chan  
Hazardous Materials Specialist

enclosure

c: Mr. J. Alt, Epigene International, 38750 Paseo Padre Parkway,  
Fremont, CA 94536  
G. Coleman, files

wprq744

# Transfer of Eligible Local Oversight Case

8006619 (gas)  
J. W. Silveira  
499 Embarcadero  
Oak 94606

STID 2957 Date of input/By: 4/19/96 (NO)

Date: 4/19/96 From: B Chan

Site Name: Former Harley Davidson

Address: 744 E 12th St City: Oak Zip: 94606

### To be eligible for LOP, case must meet 3 qualifications:

1.  Y  N Tanks Removed? # of removed? 1 Date removed: 4/3/96

2.  Y  N Samples received? Contamination level: 1300 ppm gasoline  
16 ppm benzene  
Type of test \_\_\_\_\_  
Contamination should be over 100 ppm TPH to qualify for LOP

3.  Y  N Petroleum? Circle Type(s): • Avgas • leaded • unleaded • fuel oil • jet  
• diesel • waste oil • kerosene • solvents

### Procedure to follow should your site meet all the above qualifications:

1. a.  Close the deposit refund case.
- b.  Account for **ALL** time you have spent on the case.
- c.  Turn in account sheet to Leslie.  
If there are funds still remaining it is still better to transfer the case to LOP as the rate for LOP allows more overhead. **DO NOT** attempt to continue to oversee the site simply because there are funds remaining!

Remaining DepRef \$'s: 0  
DepRef Case Closed with Candyce/Leslie?  Y  N (If no, explain why below.)

2. Submit the completed **A** and **B** permit application forms to **NORMA**. done
3. Give the entire case to the proper LOP staff.

Press [ESC] for the menu

UNDERGROUND STORAGE TANK CLEANUP SITE

-LOP:A-TRemov:I-SLIC:-

SITE ID: 2957 SOURCE OF FUNDS: F SUBSTANCE :8006619  
SITE NAME: Former Harley Davidson DATE REPORTED :04/18/1996  
SITE ADDRESS: 744 E 12th St DATE CONFIRMED:04/18/1996  
CITY: Oakland ZIP CODE: 94606 MULTIPLE RPs : N

CASE TYPE: U CONTRACT STAT: 4 PRIORITY: 2B5 DATE ER:-0-

RP SEARCH : S DATE END: 04/19/1996  
PRELIM ASSESSMENT : - DATE BEGIN: -0- DATE END: -0-  
REMEDIAL INVEST : - DATE BEGIN: -0- DATE END: -0-  
REMEDIAL ACTION : - DATE BEGIN: -0- DATE END: -0-  
POST REMED MONITOR: - DATE BEGIN: -0- DATE END: -0-

ENFORCEMENT TYPE: 1 DATE ENFORCEMENT ACTION TAKEN: 04/19/1996  
LUFT CATEGORY: 2H CASE CLOSED: - DATE CASE CLOSED: -0-  
DT EXC START : 04/03/1996 REMEDIAL ACTIONS TAKEN: NT

PgDn for Screen #2

[ESC] Done [F2] Clear field [Shift-F2] Clear to end [Shift-F10] More  
Form: SITE Table: SITE Field: Source Page: 1

STID: 2957

UNDERGROUND STORAGE TANK CLEANUP SITE - SCREEN #2

IN-HOUSE MANAGEMENT:

RISK ASSESSMENT :-0- LOC-CleanUp Fund? -0-  
DATE LAST CORSP :05/28/1999 INSPECTOR INIT: BC

CONTACT/RESPONSIBLE PARTY INFORMATION:

RP #1: CONTACT: Mr. J. W. Silveira RP COST: \$0.00  
RP COMPANY NAME: J. W. Silveria Co. Ph: -0-  
ADDRESS: 499 Embarcadero  
CITY/ST/ZIP: Oakland C A 94606

COMMENT: MTBE= 250 ppb within 10' of former UST, 40' downgradient MTBE  
is 33ppb in a grab groundwater sample. Probably a class C site  
, since receptor, the estuary is > 1000' away

PgUp For Screen #1;PgDn For More RP'S

[ESC] Done [F2] Clear field [Shift-F2] Clear to end [Shift-F10] More  
Form: SITE Table: SITE Field: FlagDate Page: 2

white -env.health  
yellow -facility  
pink -files

# ALAMEDA COUNTY, DEPARTMENT OF ENVIRONMENTAL HEALTH

1131 Harbor Bay Pkwy  
Alameda CA 94502  
510/567-6700

## Hazardous Materials Inspection Form

II, III

Site ID # \_\_\_\_\_ Site Name Former Harley Davidson Today's Date 4/3/96  
Site Address 744 E 12th St  
City Oak Zip 94606 Phone \_\_\_\_\_

\_\_\_\_ MAX AMT stored > 500 lbs, 55 gal., 200 cft.?

### Inspection Categories:

- \_\_\_\_ I. Haz. Mat/Waste GENERATOR/TRANSPORTER
- \_\_\_\_ II. Hazardous Materials Business Plan, Acutely Hazardous Materials
- to III. Under ground Storage Tanks

Removal

\* Calif. Administration Code (CAC) or the Health & Safety Code (HS&C)

### Comments:

Witness removal of 1-500gal gasoline tank located on sidewalk of N side of 8th Ave + E 12th St

J. Bunker of B+B contractor

J. Alt - EpiGene consultant/sampler

OFD present - Leroy Pupini, Haz Mat inspector

Tank is single walled, rusted steel - holes observed on top of tank

#P LEL, 1% O<sub>2</sub>

Tank hauler: Ericson

Pit is ~ 3.5 x 8 x 8'

N  
and on glass - one hole ~ 1/2" on filled bottom

S3 @ 8' (east wall) slight 'acet' gas odor

(S1) Soil sample taken from ~ 8', blue gray clay w/ slight gas odor

fld ?

(S1)  
(S2)

As you excavate below floor encountered blueish sitty soil w/ significant gas odor

Dist to piping run

Approx 5-10cy spoils generated

(S2) soil spile @ ~ 9 3/4', mild gas odor

E 12th

• Please test the piping run while applying ~ 45PSI + notify our office to witness pressure test

• Run spiles for TPH<sub>9</sub>, BTEX + total lead.

Contact John H. Act

Title Geologist

Signature [Signature]

Inspector B. Chan

Signature [Signature]

II, III

• All spoils should be disposed of & not reused unless remediated

ALAMEDA COUNTY HEALTH CARE SERVICES AGENCY  
DEPARTMENT OF ENVIRONMENTAL HEALTH  
HAZARDOUS MATERIALS DIVISION  
80 SWAN WAY, ROOM 200  
OAKLAND, CA 94621  
PHONE NO. 415/271-4320

Project Specialist (print) BARNEY CHAN

*Need: plot plan } Rec'd  
At-B forms } 7/20/97  
Renewed again  
OK. 3/1/98*

**ACCEPTED**  
Underground Storage Tank Closure Permit Application  
Alameda County Division of Hazardous Materials  
80 Swan Way, Suite 200,  
Oakland, CA 94621  
Telephone: (510) 271-4320

These closure/removal plans have been received and found to be acceptable and essentially meet the requirements of State and Local Health Laws. Charges to your closure plans indicated by this Department are to assure compliance with State and local laws. The permit proposed herein is now released for issuance of any required building permits for construction/destruction. One copy of the accepted plans must be on the job and available to all contractors and craftsmen involved with the removal. Any changes or alterations of these plans and specifications must be submitted to this Department and to the Fire and Building Inspections Department to determine if such changes meet the requirements of State and local laws.

Notify this Department at least 72 hours prior to the following required inspections: \*  
\_\_\_\_ Removal of Tank(s) and Piping  
\_\_\_\_ Sampling  
\_\_\_\_ Final Inspection

Issuance of a) permit to operate, b) permanent site closure is dependant on compliance with accepted plans and all applicable laws and regulations.

**\*THERE IS A FINANCIAL PENALTY FOR NOT OBTAINING THESE INSPECTIONS\***

Contact Specialist:

**UNDERGROUND TANK CLOSURE PLAN**

**\* \* \* Complete according to attached instructions \* \* \***

- Business Name FORMER HARLEY DAVIDSON  
Business Owner NA
- Site Address 744 East 12th Street  
City Oakland Zip CA. 94606 Phone \_\_\_\_\_
- Mailing Address 499 Embarcadero Way  
City Oakland Zip 94606 Phone 510-834-9810
- Land Owner J.W.Silveira Company  
Address 499 Embarcadero, Oakland City, State CA Zip 94606
- Generator name under which tank will be manifested \_\_\_\_\_  
J.W.Silveira Company
- EPA I.D. No. under which tank will be manifested \_\_\_\_\_

6. Contractor BERNARD AND BRINKER, INC.  
Address ~~1281 30th Street~~ 2240 WOOD ST.  
City Oakland, CA. ~~94608~~ 94607. Phone 510-451-3482  
License Type\* A-HAZ ID# 610617

\*Effective January 1, 1992, Business and Professional Code Section 7058.7 requires prime contractors to also hold Hazardous Waste Certification issued by the State Contractors License Board. Indicate that the certificate has been received, in addition, to holding the appropriate contractors license type.

7. Consultant JAMES BRINKER  
Address ~~1281 30th Street~~ 2240 WOOD ST.  
City Oakland CA. ~~94608~~ 94607 Phone 510-451-3482

8. Contact Person for Investigation  
Name JAMES BRINKER Title Consultant  
Phone 510-451-3482

9. Number of tanks being closed under this plan 1 (one)  
Length of piping being removed under this plan 10 feet  
Total number of tanks at facility 1 (one)

10. State Registered Hazardous Waste Transporters/Facilities (see instructions).

\*\* Underground tanks are hazardous waste and must be handled \*\*  
as hazardous waste

a) Product/Residual Sludge/Rinsate Transporter

Name Waste Oil Recovery Systems EPA I.D. No. CAD000626515  
Hauler License No. 843 License Exp. Date July 31, 1994  
Address 6401 Leona Street  
City Oakland, State CA Zip 94605

b) Product/Residual Sludge/Rinsate Disposal Site

Name Demunno-Kerdoon EPA I.D. No. CAT080013352  
Address 2000 North Alameda  
City Compton State CA Zip 90222



c) Tank and Piping Transporter

Name Erickson INC. EPA I.D. No. CAD009466392  
Hauler License No. 0019 License Exp. Date 5-31-95  
Address 55 Parr Blvd  
City Richmond State CA Zip 94801

d) Tank and Piping Disposal Site

Name Erickson INC. EPA I.D. No. CAT009466392  
Address 55 Parr Blvd.  
City Richmond State CA Zip 94801

11. Experienced Sample Collector

Name John Alt  
Company Epigene International  
Address 38750 Paseo Padre Parkway  
City Fremont State CA Zip 94536 Phone 510-791-1986

12. Laboratory

Name McCampbell Analytical  
Address 110-2nd Avenue South # D7  
City Pacheco State CA Zip 94533  
State Certification No. 1644

13. Have tanks or pipes leaked in the past? Yes [ ] No [ x]

If yes, describe. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

14. Describe methods to be used for rendering tank inert

CO2, Dry Ice

Before tanks are pumped out and inerted, all associated piping must be flushed out into the tanks. All accessible associated piping must then be removed. Inaccessible piping must be plugged.

The Bay Area Air Quality Management District (771-6000), along with local Fire and Building Departments, must also be contacted for tank removal permits. Fire departments typically require the use of explosion proof combustible gas meters to verify tank inertness. It is the contractor's responsibility to bring a working combustible gas meter on site to verify tank inertness.

15. Tank History and Sampling Information

Tank		Material to be sampled (tank contents, soil, groundwater, etc.)	Location and Depth of Samples
Capacity	Use History (see instructions)		
250 gallon	Leaded gasoline Empty for ten years	soil  groundwater	2 feet below the bottom of the tank if possible

One soil sample must be collected for every 20 feet of piping that is removed. A ground water sample must be collected should any ground water be present in the excavation.

Excavated/Stockpiled Soil	
Stockpiled Soil Volume (Estimated)	Sampling Plan
20 yards	Composite three soil samples

Stockpiled soil must be placed on bermed plastic and must be completely covered by plastic sheeting.

16. Chemical methods and associated detection limits to be used for analyzing samples

The Tri-Regional Board recommended minimum verification analyses and practical quantitation reporting limits should be followed. See attached Table 2.

Contaminant Sought	EPA, DHS, or Other Sample Preparation Method Number	EPA, DHS, or Other Analysis Method Number	Method Detection Limit
<i>either</i> TPH Gasoline BTX&E Total Lead TPH AND BTX&E <i>or</i> <del>TPH AND BTX&amp;E</del>	GCFID (5030) 8020 or 8240 AA 8260 <del>TPH AND BTX&amp;E</del>		1ppm Gas 5ppb BTX&E

17. Submit Site Health and Safety Plan (See Instructions)

18. Submit Worker's Compensation Certificate copy

Name of Insurer STATE WORKMENS COMPENSATION

19. Submit Plot Plan (See Instructions)

20. Enclose Deposit (See Instructions)

21. Report any leaks or contamination to this office within 5 days of discovery. The report shall be made on an Underground Storage Tank Unauthorized Leak/Contamination Site Report form. (see Instructions)

22. Submit a closure report to this office within 60 days of the tank removal. This report must contain all the information listed in item 22 of the instructions.

I declare that to the best of my knowledge and belief the statements and information provided above are correct and true.

I understand that information in addition to that provided above may be needed in order to obtain an approval from the Department of Environmental Health and that no work is to begin on this project until this plan is approved.

I understand that any changes in design, materials or equipment will void this plan if prior approval is not obtained.

I understand that all work performed during this project will be done in compliance with all applicable OSHA (Occupational Safety and Health Administration) requirements concerning personnel health and safety. I understand that site and worker safety are solely the responsibility of the property owner or his agent and that this responsibility is not shared nor assumed by the County of Alameda.

Once I have received my stamped, accepted closure plan, I will contact the project Hazardous Materials Specialist at least three working days in advance of site work to schedule the required inspections.

Signature of Contractor

Name (please type) ERNESTO F. BERNABE JR

Signature 

Date JUNE 10, 1994

X Signature of Site Owner or Operator

Name (please type) J.W. Silveira

Signature 

Date May 31, 1994

## INSTRUCTIONS

### General Instructions

- \* Three (3) copies of this plan plus attachments and deposit must be submitted to this Department.
- \* Any cutting into tanks requires local fire department approval.
- \* One complete copy of your approved plan must be at the construction site at all times; a copy of your approved plan must also be sent to the landowner.
- \* State of California Permit Application Forms A and B are to be submitted to this office. One Form A per site, one Form B for each removed tank.

### Item Specific Instructions

2. SITE ADDRESS  
Address at which closure is taking place.
5. EPA I.D. NO. under which the tanks will be manifested  
EPA I.D. numbers may be obtained from the State Department of Health Services, 916/324-1781.
6. CONTRACTOR  
Prime contractor for the project.
10. STATE REGISTERED HAZARDOUS WASTE TRANSPORTERS/FACILITIES
  - a) All residual liquids and sludges are to be removed from tanks before tanks are inerted.
  - c) Tanks must be hauled as hazardous waste.
  - d) This is the place where tanks will be taken for cleaning.
15. TANK HISTORY AND SAMPLING INFORMATION

Use History - This information is essential and must be accurate. Include tank installation date, products stored in the tank, and the date when the tank was last used.

Material to be sampled - e.g. water, oil, sludge, soil, etc.

Location and depth of samples - e.g. beneath the tank a maximum of two feet below the native soil/backfill interface, side wall at the high water mark, etc.

16. CHEMICAL METHODS AND ASSOCIATED DETECTION LIMITS

See attached Table 2.

17. SITE HEALTH AND SAFETY PLAN

A site specific Health and Safety plan must be submitted. We advocate the site health and safety plan include the following items, at a minimum:

- a) The name and responsibilities of the site health and safety officer;
- b) An outline of briefings to be held before work each day to appraise employees of site health and safety hazards;
- c) Identification of health and safety hazards of each work task. Include potential fire, explosion, physical, and chemical hazards;
- d) For each hazard, identify the action levels (contaminant concentrations in air) or physical conditions which will trigger changes in work habits to ensure workers are not exposed to unsafe chemical levels or physical conditions;
- e) Description of the work habit changes triggered by the above action levels or physical conditions;
- f) Frequency and types of air and personnel monitoring - along with the environmental sampling techniques and instrumentation - to be used to detect the above action levels. Include instrumentation maintenance and calibration methods and frequencies;
- g) Confined space entry procedures (if applicable);
- h) Decontamination procedures;
- i) Measures to be taken to secure the site, excavation and stockpiled soil during and after work hours (e.g. barricades, caution tape, fencing, trench plates, plastic sheeting, security guards, etc.);
- j) Spill containment/emergency/contingency plan. Be sure to include emergency phone numbers, the location of the phone nearest the site, and directions to the hospital nearest the site;
- k) Documentation that all site workers have received the appropriate OSHA approved trainings and participate in appropriate medical surveillance per 29 CFR 1910.120; and
- l) Page for employees to sign indicating they have read and will comply with the site health and safety plan.

The safety plan must be distributed to all employees and contractors working in hazardous waste operations on site. A complete copy of the site health and safety plan along with any standard operating procedures shall be on site and accessible at all times.

NOTE: These requirements are excerpts from 29 CFR Part 1910.120(b)(4), Hazardous Waste Operations and Emergency Response; Final Rule, March 6, 1989. Safety plans of certain underground tank sites may need to meet the complete requirements of this Rule.

19. PLOT PLAN

The plan should consist of a scaled view of the facility at which the tank(s) are located and should include the following information:

- a) Scale;
- b) North Arrow;
- c) Property Lines;
- d) Location of all Structures;
- e) Location of all relevant existing equipment including tanks and piping to be removed and dispensers;
- f) Streets;
- g) Underground conduits, sewers, water lines, utilities;
- h) Existing wells (drinking, monitoring, etc.);
- i) Depth to ground water; and
- j) All existing tanks and piping in addition to the ones being pulled.

20. DEPOSIT

A deposit, payable to Alameda County for the amount indicated on the Alameda County Underground Storage Tank Fee Schedule, must accompany the plans.

21. Blank Unauthorized Leak/Contamination Site Report forms may be obtained in limited quantities from our office and from the San Francisco Bay Regional Water Quality Control Board (415/464-1255). Larger quantities may be obtained directly from the State Water Resources Control Board at (916) 739-2421.

22. TANK CLOSURE REPORT

The tank closure report should contain the following information:

- a) General description of the closure activities;
- b) Description of tank, fittings and piping conditions. Indicate tank size and former contents; note any corrosion, pitting, holes, etc.;

- c) Description of the excavation itself. Include the tank and excavation depth, a log of the stratigraphic units encountered within the excavation, a description of root holes or other potential contaminant pathways, the depth to any observed ground water, descriptions and locations of stained or odor-bearing soil, and descriptions of any observed free product or sheen;
- d) Description of sampling methods;
- e) Description of any remedial measures conducted at the time of tank removal;
- f) To-scale figures showing the excavation size and depth, nearby buildings, sample locations and depths, and tank and piping locations. Include a copy of the plot plan prepared for the Tank Closure Plan under item 19;
- g) Chain of custody records;
- h) Copies of signed laboratory reports;
- i) Copies of "TSDF to Generator" Manifests for all hazardous wastes hauled offsite (sludge, rinsate, tanks and piping, contaminated soil, etc.); and
- j) Tabulation of the volume and final destination of all non-manifested contaminated soil hauled offsite.



**EXPLANATION FOR TABLE #2: MINIMUM VERIFICATION ANALYSIS**

1. OTHER METHODOLOGIES are continually being developed and as methods are accepted by EPA or DHS, they also can be used.
2. For DRINKING WATER SOURCES, EPA recommends that the 500 series for volatile organics be used in preference to the 600 series because the detection limits are lower and the QA/QC is better.
3. APPROPRIATE STANDARDS for the materials stored in the tank are to be used for all analyses on Table #2. For instance, seasonally, there may be five different jet fuel mixtures to be considered.
4. To AVOID FALSE POSITIVE detection of benzene, benzene-free solvents are to be used.
5. TOTAL PETROLEUM HYDROCARBONS (TPH) as gasoline (G) and diesel (D) ranges (volatile and extractable, respectively) are to be analyzed and characterized by GCFID with a fused capillary column and prepared by EPA method 5030 (purge and trap) for volatile hydrocarbons, or extracted by sonication using 3550 methodology for extractable hydrocarbons. Fused capillary columns are preferred to packed columns; a packed column may be used as a "first cut" with "dirty" samples or once the hydrocarbons have been characterized and proper QA/QC is followed.
6. TETRAETHYL LEAD (TEL) analysis may be required if total lead is detected unless the determination is made that the total lead concentration is geogenic (naturally occurring).
7. CHLORINATED HYDROCARBONS (CL HC) AND BENZENE, TOLUENE, XYLENE AND ETHYLBENZENE (BTX&E) are analyzed in soil by EPA methods 8010 and 8020 respectively, (or 8240) and in water, 601 and 602, respectively (or 624).
8. OIL AND GREASE (O & G) may be used when heavy, straight chain hydrocarbons may be present. Infrared analysis by method 418.1 may also be acceptable for O & G if proper standards are used. **Standard Methods** 17th Edition, 1989, has changed the 503 series to 5520.
9. PRACTICAL QUANTITATION REPORTING LIMITS are influenced by matrix problems and laboratory QA/QC procedures. Following are the Practical Quantitation Reporting Limits:

	<u>SOIL PPM</u>	<u>WATER PPB</u>
TPH G	1.0	50.0
TPH D	1.0	50.0
BTX&E	0.005	0.5
O & G	50.0	5,000.0

Based upon a Regional Board survey of Department of Health Services Certified Laboratories, the Practical Quantitation Reporting Limits are attainable by a majority of laboratories with the exception of diesel fuel in soils. The Diesel Practical Quantitation Reporting Limits, shown by the survey, are:

ROUTINE	MODIFIED PROTOCOL
≤ 10 ppm (42%)	≤ 10 ppm (10%)
≤ 5 ppm (19%)	≤ 5 ppm (21%)
≤ 1 ppm (35%)	≤ 1 ppm (60%)

When the Practical Quantitation Reporting Limits are not achievable, an explanation of the problem is to be submitted on the laboratory data sheets.

- LABORATORY DATA SHEETS are to be signed and submitted and include the laboratory's assessment of the condition of the samples on receipt including temperature, suitable container type, air bubbles present/absent in VOA bottles, proper preservation, etc. The sheets are to include the dates sampled, submitted, prepared for analysis, and analyzed.
- IF PEAKS ARE FOUND, when running samples, that do not conform to the standard, laboratories are to report the peaks, including any unknown complex mixtures that elute at times varying from the standards. Recognizing that these mixtures may be contrary to the standard, they may not be readily identified; however, they are to be reported. At the discretion of the LIA or Regional Board the following information is to be contained in the laboratory report:

The relative retention time for the unknown peak(s) relative to the reference peak in the standard, copies of the chromatogram(s), the type of column used, initial temperature, temperature program is C/minute, and the final temperature.

- REPORTING LIMITS FOR TPH are: gasoline standard ≤ 20 carbon atoms, diesel and jet fuel (kerosene) standard ≤ 50 carbon atoms. It is not necessary to continue the chromatography beyond the limit, standard, or EPA/DHS method protocol (whichever time is greater).

#### EPILOGUE

ADDITIVES: Major oil companies are being encouraged or required by the federal government to reformulate gasoline as cleaner burning fuels to reduce air emissions. MTBE (Methyl-tertiary butyl ether), ETHANOL (ethyl alcohol), and other chemicals may be added to reformulate gasolines to increase the oxygen content in the fuel and thereby decrease undesirable emissions (about four percent with MTBE). MTBE and ethanol are, for practical purposes, soluble in water. The removal from the water column will be difficult. Other compounds are being added by the oil companies for various purposes. The refinements for detection and analysis for all of these additives are still being worked out. If you have any questions about the methodology, please call your Regional Board representative.



ALAMEDA COUNTY HAZARDOUS MATERIALS DIVISION  
Acknowledgement of Refund Recipient for Site Account

DEPOSITOR FILLS OUT PER SITE

-- REQUIRED --

The depositor will use this form to acknowledge that the property owner or his or her designee will receive any refund due at the completion of all deposit/refund projects at the site listed below.

SITE NUMBER/ADDRESS:

REFUND RECIPIENT-PROPERTY OWNER

Site Number

Former Harley Davidson

Company Name

744 East 12th Street

Street Address

Oakland, CA.

94606

City

Zip Code

X J.W. & Barbara Silveira

Owner's Name

X 6839 Colton Blvd.

Owner's Address

X Oakland, Ca 94611

Owner's City

State

Zip

I have read the description of the project Deposit/Refund Procedure, and have had an opportunity to ask questions about it. I understand that regardless of who deposits money into the site account, any deposit money remaining at the completion of all projects being conducted at this site will be refunded solely to the property owner or his or her designee.

X  Signature of Depositor

5/31/94  
Date

X J.W. & Barbara Silveira  
Depositor Name

X d.w. silveira company  
Company Name

X 499 Embarcadero  
Street Address

X Oakland, Ca 94606  
City / Zip

ALAMEDA COUNTY HAZARDOUS MATERIALS DIVISION  
Declaration of Site Account Refund Recipient

SITE OWNER FILLS OUT PER SITE  
-- OPTIONAL --

The property owner will use this form to designate someone other than him- or her- self to receive any refund due at the completion of all deposit/refund projects at the site listed below. In the absence of this form, the property owner will receive any refund. Only one person at any one time may be designated to receive any refund.

SITE NUMBER/ADDRESS:

PROPERTY OWNER

_____ Site Number	X _____
_____ Company Name	Owner's Name
_____ Street Address	X _____
	Owner's Address
_____ City	X _____
_____ Zip Code	Owner's City
	State
	Zip

I designate the following person to receive any refund due at the completion of all deposit/refund projects:

X  
\_\_\_\_\_  
Name

X  
\_\_\_\_\_  
Street Address

X  
\_\_\_\_\_  
City / Zip

X  
\_\_\_\_\_  
Property Owner Signature

\_\_\_\_\_  
Date

X  
\_\_\_\_\_  
Property Owner Name

RETURN FORM TO: Alameda County, Hazardous Materials Div.  
80 Swan Way, Rm 200  
Oakland, CA 94621-1439  
Phone: (510) 271-4320



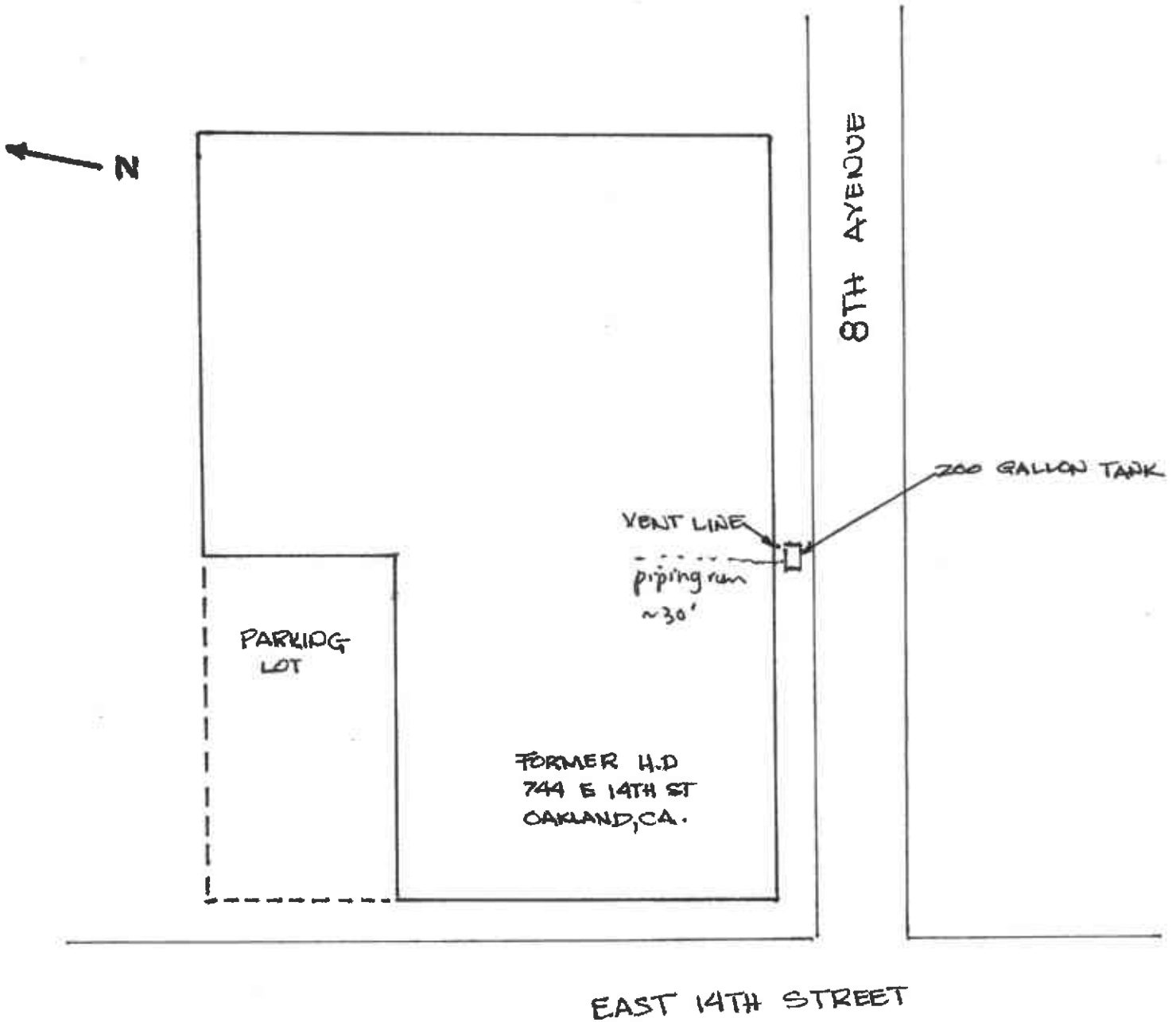


# BERNABE AND BRINKER INC.

General Engineering Contractor • Hazardous Substances Removal • License #610617

1281 - 30th Street  
Oakland, California 94608

TEL: 510 • 451 • 3482  
FAX: 510 • 836 • 2635





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1281 - 30th Street  
Oakland, California 94608

94 JUL 25 1994  
TEL: 510 • 451 • 3482  
FAX: 510 • 836 • 2635

July 21, 1994

Mr. Barney Chan  
Alameda County Health Care Services Agency  
Department of Environmental Health  
80 Swan Way Room 200  
Oakland, CA 94621

Dear Mr. Chan:

Re: J.W. Silveira property located at 844 E-12th Street Oakland, California  
formerly Harley Davidson Dealership.

We are requesting the owner Mr. J.W. Silveira that the suction line which runs into the inner part of the building not be removed. The cost would be in excess of the tank pull costs.

We would ask that you allow us to cap off each end of the pipe.

If this meets with your approval, please let us know.

Sincerely,

James E. Brinker