

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY  
DAVID J. KEARS, Agency Director



01-11-02

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

RO0000407

01/10/02

Mr. Alex Gaeta  
1415 Morton St., Apt A  
Alameda, CA 94501

Mr. Gardner Kent  
Green Tortoise  
494 Broadway  
San Francisco, CA 94133

**RE: Well Decommission at 2021 Brush Street, Oakland, CA**

Dear Messrs. Gaeta and Kent:

This office and the San Francisco RWQCB have reviewed the case closure summary for the above referenced site and concur that no further action related to the underground tank release is required at this time. Before a remedial action completion letter is sent, the onsite monitoring wells (MW-1 through MW-4) should be decommissioned, if they will no longer be monitored. Please notify this office upon completion of well destruction so a closure letter can be issued.

Well destruction permits may be obtained from Alameda County Public Works. They can be reached at (510) 670-5554.

If you have any questions, I can be reached at (510) 567-6762.

Sincerely,

eva chu  
Hazardous Materials Specialist

email: Robert Kitay, Aqua Science

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY  
DAVID J. KEARS, Agency Director



8-27-01

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

✓ RO0000407

August 23, 2001

Mr. Alex Gaeta  
2943 Southwood Drive  
Alameda, CA 94501

**RE: MTBE and Other Ether Oxygenates Analysis at 2021 Brush St, Oakland, CA**

Dear Mr. Gaeta:

I reviewed the case file for the above referenced site to determine if closure is warranted at this time. Lacking is groundwater data confirming the presence of MTBE and other ether oxygenates using EPA Method 8260. For the next groundwater monitoring event, please analyze groundwater from well MW-2 for ether oxygenates using Method 8260.

If you have any questions, I can be reached at (510) 567-6762.

eva chu  
Hazardous Materials Specialist

c: Gardner Kent, Green Tortoise, 494 Broadway, San Francisco, CA 94133  
email: Robert Kitay ([rkitay@aquascienceengineers.com](mailto:rkitay@aquascienceengineers.com))

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY  
DAVID J. KEARS, Agency Director



07-31-01

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

RO0000407 ✓

July 27, 2001

Mr. Alex Gaeta  
1415 Morton St. Apt A  
Alameda, CA 94501

Mr. Gardner Kent  
Green Tortoise  
494 Broadway  
San Francisco, CA 94133

**SUBJECT: INTENT TO MAKE A DETERMINATION THAT NO FURTHER ACTION IS REQUIRED  
OR ISSUE A CLOSURE LETTER FOR 2021 BRUSH STREET, OAKLAND, CA**

Dear Messrs. Gaeta and Kent:

This letter is to inform you that Alameda County Environmental Protection (LOP) intends to make a determination that no further action is required at the above site or to issue a closure letter. Please notify this agency of any input and recommendations you may have on these proposed actions within 20 days of the date of this letter.

In accordance with section 25297.15 of Ch. 6.7 of the Health & Safety Code, you must provide certification to the local agency that all of the current record fee title owners have been informed of the proposed action. Please provide this certification to this office within 20 days of the date of this letter.

If you have any questions about these proposed actions, please contact me at (510) 567-6762.

Sincerely,

eva chu  
Hazardous Materials Specialist

c: Chuck Headlee, RWQCB

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY  
DAVID J. KEARS, Agency Director



06-28-07

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

✓ R00000407

June 27, 2001

Mr. Alex Gaeta  
2040 Castro Street  
Oakland, CA 94612

**RE: Semi-Annual Monitoring at 2021 Brush Street, Oakland, CA**

Dear Mr. Gaeta:

I have completed review of Aqua Science Engineers Inc's June 2001 *Quarterly Groundwater Monitoring and Additional Soil Borings Report* prepared for the above referenced site. MTBE concentrations continue to decrease as measured from the onsite wells. The recent soil borings advanced along West Avenue confirmed that the MTBE plume is limited in extent.

At this time, you may reduce the groundwater monitoring frequency to a semi-annual basis. Groundwater should be sampled in May and November of each year until further notice. I will also review the case file to determine if closure can be recommended.

If you have any questions, I can be reached at (510) 567-6762.

eva chu  
Hazardous Materials Specialist

c: Gardner Kent, Green Tortoise, 494 Broadway, San Francisco, CA 94133  
Robert Kitay, Aqua Science, 208 West El Pintado, Danville, CA 94526

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY  
DAVID J. KEARS, Agency Director



04-09-01

20407

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

StID 495

April 6, 2001

Mr. Alex Gaeta  
2040 Castro Street  
Oakland, CA 94612

**RE: Work Plan Approval for Peerless Stages at 2021 Brush Street, Oakland, CA**

Dear Mr. Gaeta:

I have completed review of Aqua Science Inc's April 2001 *Workplan for Soil and Groundwater Assessment* prepared for the above referenced site. The proposal to advance two soil borings using direct-push technology on West Street to delineate the extent of the contaminant plume is acceptable.

Efforts should be made to coordinate the next round of groundwater monitoring well sampling with the advancement of the soil borings. Groundwater samples from the temporary boreholes and from the permanent wells (specifically Well MW-2) should be confirmed for MTBE and other ether oxygenates using EPA Method 8260 as well as analysis for TPHg and TPHd. Previous analysis using Method 8260 did quantify for MTBE and other ether oxygenates. Please make sure the laboratory is aware of the analysis required.

If you have any questions, I can be reached at (510) 567-6762.

eva chu  
Hazardous Materials Specialist

c: Gardner Kent, Green Tortoise, 494 Broadway, San Francisco, CA 94133  
David Allen, Aqua Science, 208 West El Pintado, Danville, CA 94526

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY  
DAVID J. KEARS, Agency Director



01-03-01

20407

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

StID 495

January 2, 2001

Mr. Alex Gaeta  
2040 Castro Street  
Oakland, CA 94612

**RE: Work Plan for Offsite Investigation at 2021 Brush Street, Oakland, CA**

Dear Mr. Gaeta:

I have completed review of Aqua Science Inc.'s December 2000 *Quarterly Groundwater Monitoring Report-November 2000 Groundwater Sampling* prepared for the above referenced site. Groundwater from Well MW-2 continues to contain elevated concentrations of MTBE. Aqua Science recommended that two additional borings be drilled downgradient of Well MW-2, along the parking lane of West Street, to delineate the extent of the MTBE plume.

This Agency concurs with Aqua Science's recommendation. A workplan for the installation of additional borings downgradient of Well MW-2 is due within 60 days of the date of this letter, or by **March 5, 2001**.

In May 2000, this Agency requested that a well and conduit study be conducted for the site. As of the date of this letter, we have not received the requested water/conduit survey. The survey is also due by March 5, 2001. If you have any questions, I can be reached at (510) 567-6762.

A handwritten signature in black ink, appearing to read 'eva chu', written in a cursive style.

eva chu  
Hazardous Materials Specialist

c: Gardner Kent, Greet Tortoise, 494 Broadway, San Francisco, CA 94133  
Robert Kitay, ASE, 208 West El Pintado Rd, Danville, CA 94526

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY  
DAVID J. KEARS, Agency Director



G SENT 5-8-00  
including cc's

R0407

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

StID 495

May 8, 2000

Mr. Alex Gaeta  
2040 Castro Street  
Oakland, CA 94612

**RE: Water Well and Conduit Study at 2021 Brush Street, Oakland, CA**

Dear Mr. Gaeta:

I have completed review of Aqua Science Engineers, Inc.'s March 2000 *Quarterly Groundwater Monitoring Report* prepared for the above referenced site. Petroleum hydrocarbon concentrations appear to be decreasing or have stabilized. For the next sampling event (May 2000), in addition to the analyses for TPHg, TPHd, BTEX, and MTBE, please analyzed groundwater from Well MW-2 for MTBE and other oxygenates using Method 8260.

Be advised, that the State Water Resources Control Board has come out with a final draft of *Guidelines for Investigation and Cleanup of MTBE and Other Ether-Based Oxygenates* for prioritizing MTBE-impacted site. This document can be retrieved from the internet at: [www.swrcb.ca.gov](http://www.swrcb.ca.gov), under the NEWS heading. With this in mind, you should have a water well survey and conduit study prepared to determine if the hydrocarbon plume could potentially impact any sensitive receptors and if further investigations are required downgradient of your site. This information should be included in you next quarterly monitoring report.

If you have any questions, I can be reached at (510) 567-6762.

eva chu

c: Gardner Kent, Green Tortoise, 494 Broadway, San Francisco, CA 94133  
Ian Reed, ASE, 208 West El Pintado Road, Danville, CA 94526

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY  
DAVID J. KEARS, Agency Director



Sent 11-17-99  
Including ec's

R0407

StID 495

November 17, 1999

Mr. Alex Gaeta  
2040 Castro Street  
Oakland, CA 94612

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

**RE: QMR for 2021 Brush Street, Oakland, CA**

Dear Mr. Gaeta:

I have completed review of Aqua Science Engineers, Inc.'s October 1999 report titled *Report of Soil and Groundwater Assessment* prepared for the above referenced site. That report summarized activities during the installation of four groundwater monitoring wells (MW-1 through MW-4) at the site. Soil and groundwater samples were collected from each borehole. Of interest was the identification of 14,000 parts per billion MTBE in groundwater from Well MW-2.

At this time, a quarterly groundwater monitoring should be implemented for the site. The next sampling event should be in November 1999. Groundwater should be analyzed for TPHg, TPHd, BTEX and MTBE. In addition, for the next sampling event, groundwater from Well MW-2 should be analyzed for MTBE and other oxygenates using Method 8260.

If MTBE concentrations continue to be elevated in subsequent sampling events, an offsite investigation to delineate the extent of the contaminant plume will be required.

If you have any questions, I can be reached at (510) 567-6762.

eva chu  
Hazardous Materials Specialist

c: Gardner Kent, Green Tortoise, 494 Broadway, San Francisco, CA 94133  
Robert Chambers, Alameda Co. District Attorney's Office, QIC Code 21001  
Robert Kitay, ASE, 208 West El Pintado Road, Danville, CA 94526



ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY  
DAVID J. KEARS, Agency Director



Roto1

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

StID 495

July 8, 1999

Mr. Alex Gaeta  
2040 Castro Street  
Oakland, CA 94612

RE: Work Plan Approval for 2021 Brush Street, Oakland, CA

Dear Mr. Gaeta:

I have completed review of Aqua Science Engineers, Inc.'s June 1999 *Workplan for a Soil and Groundwater Assessment* prepared for the above referenced site. The proposal to install three groundwater monitoring wells at the site is acceptable with the following additions/changes:

- A fourth boring/piezometer is necessary to allow for gradient and groundwater flow direction determination. This piezometer should be installed approximately 40 feet northeast of the former tank excavation.

Field work should commence within 60 days of the date of this letter, or by **September 10, 1999**. A report must be submitted within 45 days after the completion of this phase of work at the site. Subsequent groundwater monitoring reports are to be submitted quarterly until this site qualifies for RWQCB "sign off."

If you have any questions, I can be reached at (510) 567-6762.

eva chu  
Hazardous Materials Specialist

c: Robert Kitay, Aqua Science, 208 West El Pintado Road, Danville, CA 94526  
Robert Chambers, Alameda Co. District Attorney's Office, QIC Code 21001

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY  
DAVID J. KEARS, Agency Director



R0407

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

StID 495

June 14, 1999

Mr. Alex Gaeta  
2040 Castro Street  
Oakland, CA 94612

**RE: Groundwater Monitoring Wells for 2021 Brush Street, Oakland, CA**

Dear Mr. Gaeta:

I have completed review of Aqua Science Engineers, Inc's May 1999 *Work Plan for a Soil and Groundwater Assessment* prepared for the above referenced site. This workplan proposed to evaluate the severity and possible extent of soil and groundwater contamination at the site by advancing three direct push borings. Soil and groundwater samples would be collected from each boring. This rapid assessment approach was originally proposed because of an impending property transaction. Since the property transaction has been completed, it would be more economically feasible that permanent groundwater monitoring wells be installed at this time. Permanent wells help to evaluate groundwater flow direction, plume stability, provide reproducible results, enable remediation if deemed necessary, etc. Data collected from the wells will eventually provide a basis for the recommendation of closure for the site.

Please provide a workplan for the installation of permanent groundwater monitoring wells within 30 days of the date of this letter, or **by July 19, 1999**. If you have any questions, I can be reached at (510) 567-6762.

eva chu  
Hazardous Materials Specialist

c: Dave Allen, aqua science, 208 W. El Pintado Road, Danville, CA 94526  
Robert Chambers, Alameda County DA's Office, QIC Code 21001

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY  
DAVID J. KEARS, Agency Director



R0407

ENVIRONMENTAL HEALTH SERVICES

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

StID 495

June 14, 1999

Mr. Alex Gaeta  
2040 Castro Street  
Oakland, CA 94612

**SUBJECT: NEW LANDOWNER NOTIFICATION AND PARTICIPATION REQUIREMENTS  
FOR 2021 BRUSH STREET, OAKLAND, CA**

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

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

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

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

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

Alex Gaeta  
re: 2021 Brush Street, Oakland CA  
June 14, 1999  
Page 2 of 2

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

If you have any questions, I can be reached at (510) 567-6762.



eva chu  
Hazardous Materials Specialist

Attachments

c: Chuck Headlee, RWQCB

ALAMEDA COUNTY  
HEALTH CARE SERVICES



AGENCY  
DAVID J. KEARS, Agency Director

RO#407

StID 495

January 26, 1999

Mr. Alex Gaeta  
2040 Castro Street  
Oakland, CA 94612

ENVIRONMENTAL HEALTH SERVICES

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

**RE: PSA for 2021 Brush Street, Oakland, CA**

Dear Mr. Gaeta:

I have complete review of Cambria's October 1997 *Subsurface Investigation Report*, and Aqua Science Engineers' June 1998 and January 1999 *Underground Storage Tank Removal* reports prepared for the above referenced site. These reports documented the activities related to the removal of two underground storage tanks, collection of soil samples (from the tank excavation, beneath the dispensers, and from two soil borings) and collection of groundwater samples. Laboratory analytical results identified elevated hydrocarbon concentrations in soil from beneath the dispensers and in groundwater in the vicinity of boring SB-4.

At this time, additional investigations are necessary to delineate the extent of soil contamination by the dispensers and to delineate the extent of the groundwater contaminant plume. This investigation should be in the form of a Preliminary Site Assessment, or PSA. The information gathered by the PSA will be used to determine an appropriate course of action to remediate the site, if deemed necessary. The PSA must be conducted in accordance with the RWQCB Staff Recommendations for the Initial Evaluation and Investigation of Underground Tanks, and Article 11 of Title 23, California Code of Regulations. The major elements of such an investigation are summarized in the attached Appendix A.

The PSA proposal is due **within 60 days** of the date of this letter. Once the proposal is approved, field work should commence within 60 days. A report must be submitted within 45 days after the completion of this phase of work at the site. All reports and proposals must be submitted under seal of a California Registered Geologist, Certified Engineering Geologist, or Registered Civil Engineer.

If you have any questions, I can be reached at (510) 567-6762.

eva chu  
Hazardous Materials Specialist

attachment

c: Bob Chambers, AC District Attorney's Office, QIC Code 21001

peerless-1

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY  
DAVID J. KEARS, Agency Director



RO#407

January 29, 1998

Alex Gaeta, President  
Peerless Stages, Inc.  
2040 Castro St.  
Oakland CA 94612

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

**Re: Tank Removal Requirement, 2021 Brush St., Oakland 94612** (our site # 495)

Dear Mr. Gaeta:

This letter is a follow up to today's meeting with Aqua Science Engineers and Oakland Fire Department. As discussed, the gasoline tank is not being monitored, thus is not being operated in compliance with underground tank laws and regulation. **The gasoline tank must be properly closed within the next three months, or no later than April 30, 1998.** To stay within this timeframe, you will need to **submit a closure plan to this Office no later than March 13, 1998.** A closure packet is enclosed. Please submit the completed packet to **my attention** so that I can track your compliance actions. Please refer to my letter of January 15, 1998 describing investigation requirements for tank closures (copy enclosed).

As you know, evidence exists from a recent soil and groundwater investigation that the diesel tank system has leaked. Due to this evidence and to cost considerations, I **strongly** suggest that you close the diesel tank when the gasoline tank is closed.

You may contact me with any questions at 567-6770.

Sincerely,

Pamela J. Evans  
Senior Hazardous Materials Specialist  
*enclosures*

c: Dick Pantages, Alameda County Environmental Protection Division  
Bob Chambers, Alameda County District Attorney  
Steve Craford, Oakland Fire Department  
Dave Allen, Aqua Science Engineers  
Charlie Rous, ASE

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



RO#407

January 15, 1998

Alex Gaeta  
Peerless Stages, Inc.  
2021 Brush St.  
Oakland CA 94612

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

**RE: Groundwater Contamination Findings, 2021 Brush St., Oakland CA 94612**  
(Our site # 495)

Dear Mr. Gaeta:

I have reviewed the Subsurface Investigation Report prepared by Cambria Environmental Technology. The analysis reports show that gasoline and diesel constituents were present in groundwater samples from your site. The presence of these contaminants is evidence that a release from your tank system has occurred. **You are required to complete and submit an Unauthorized Release Report to this Office by February 15, 1998.** A blank form is enclosed.

You have stated that you intend to remove the tanks this spring. Pursuant to California Health & Safety Code, Section 25298, the responsible party must characterize and remediate contamination resulting from a release from an underground tank. At the time of your tank removal, additional investigation must be carried out to define the extent and severity of the release. At a minimum, your soil and groundwater analysis should include the following:

- Total petroleum hydrocarbons as gasoline
- Total petroleum hydrocarbons as diesel
- Benzene, toluene, ethyl benzene and xylene
- Methyl tertiary butyl ether
- Total oil and grease
- Poly nucleated aromatic hydrocarbons
- Chlorinated hydrocarbons
- Heavy metals

In order to proceed with this site investigation, you should obtain the professional services of a reputable environmental consultant. Your responsibility is to have the consultant submit for review a proposal outlining planned activities for the tank removal and investigation.

The investigation shall be in the form of a Soil and Water Investigation, or SWI. The information gathered through the SWI will be used to choose an appropriate course of action to **remediate the site, if deemed necessary.** The SWI must be done in accordance with the Regional Water Quality Control Board (RWQCB) Staff Recommendations for the Initial Evaluation and

Alex Gaeta  
Peerless Stages, Inc.  
January 15, 1998  
Page 2 of 2

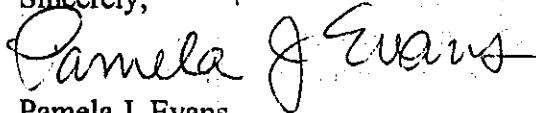
Investigation of Underground Tanks, and Article 11 of Title 23, California Code of Regulations. The major elements of the SWI are summarized in the enclosed Appendix A. A health and safety plan also must be for the exposure to, and/or proper disposal of, residual hydrocarbon contamination in soil and other site safety hazards.

The SWI proposal must be submitted with the tank closure plan. **If you are not planning to close the tanks, the SWI is required within 45 days of the date of this letter (by March 2, 1998).** Once the proposal is approved, field work should commence within 60 days. A report must be submitted within 45 days after the completion of this phase of work at the site. All reports and proposals must be submitted under seal of a California Registered Geologist, Certified Engineering Geologist, or Registered Civil Engineer.

**Please be advised that this is a formal request for technical reports pursuant to Title 23, CCR, Section 2722(c). Any extensions of the stated deadlines, or modifications of the required tasks, must be confirmed in writing by this agency.**

Please contact me at (510) 567-6770 with any questions.

Sincerely,



Pamela J. Evans  
Senior Hazardous Materials Specialist

Enclosures  
ULR  
Appendix A

c: Bob Chambers, District Attorney  
Stephen Craford, Oakland Fire Department



ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



RO#407

January 15, 1998

Alex Gaeta  
Peerless Stages, Inc.  
2021 Brush St.  
Oakland CA 94612

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

**RE: Groundwater Contamination Findings, 2021 Brush St., Oakland CA 94612**  
(Our site # 495)

Dear Mr. Gaeta:

I have reviewed the Subsurface Investigation Report prepared by Cambria Environmental Technology. The analysis reports show that gasoline and diesel constituents were present in groundwater samples from your site. The presence of these contaminants is evidence that a release from your tank system has occurred. **You are required to complete and submit an Unauthorized Release Report to this Office by February 15, 1998.** A blank form is enclosed.

You have stated that you intend to remove the tanks this spring. Pursuant to California Health & Safety Code, Section 25298, the responsible party must characterize and remediate contamination resulting from a release from an underground tank. At the time of your tank removal, additional investigation must be carried out to define the extent and severity of the release. At a minimum, your soil and groundwater analysis should include the following:

- Total petroleum hydrocarbons as gasoline
- Total petroleum hydrocarbons as diesel
- Benzene, toluene, ethyl benzene and xylene
- Methyl tertiary butyl ether
- Total oil and grease
- Poly nucleated aromatic hydrocarbons
- Chlorinated hydrocarbons
- Heavy metals

In order to proceed with this site investigation, you should obtain the professional services of a reputable environmental consultant. Your responsibility is to have the consultant submit for review a proposal outlining planned activities for the tank removal and investigation.

The investigation shall be in the form of a Soil and Water Investigation, or SWI. The information gathered through the SWI will be used to choose an appropriate course of action to remediate the site, if deemed necessary. The SWI must be done in accordance with the Regional Water Quality Control Board (RWQCB) Staff Recommendations for the Initial Evaluation and

Alex Gaeta  
Peerless Stages, Inc.  
January 15, 1998  
Page 2 of 2

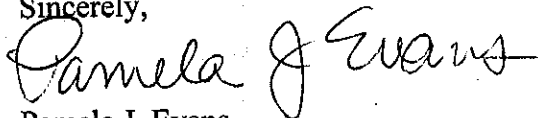
Investigation of Underground Tanks, and Article 11 of Title 23, California Code of Regulations. The major elements of the SWI are summarized in the enclosed Appendix A. A health and safety plan also must be for the exposure to, and/or proper disposal of, residual hydrocarbon contamination in soil and other site safety hazards.

The SWI proposal must be submitted with the tank closure plan. **If you are not planning to close the tanks, the SWI is required within 45 days of the date of this letter (by March 2, 1998).** Once the proposal is approved, field work should commence within 60 days. A report must be submitted within 45 days after the completion of this phase of work at the site. All reports and proposals must be submitted under seal of a California Registered Geologist, Certified Engineering Geologist, or Registered Civil Engineer.

**Please be advised that this is a formal request for technical reports pursuant to Title 23, CCR, Section 2722(c). Any extensions of the stated deadlines, or modifications of the required tasks, must be confirmed in writing by this agency.**

Please contact me at (510) 567-6770 with any questions.

Sincerely,



Pamela J. Evans  
Senior Hazardous Materials Specialist

Enclosures  
ULR  
Appendix A

c: Bob Chambers, District Attorney  
Stephen Craford, Oakland Fire Department

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



RO#407

December 12, 1997

Alex Gaeta, President  
Peerless Stages, Inc.  
2040 Castro St.  
Oakland CA 94612

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

**RE: Contamination of Groundwater at 2021 Brush St., Oakland 94612**

Dear Mr. Gaeta:

It has come to my attention that an environmental investigation was done by Cambria Environmental at the above referenced property where underground fuel tanks are operated by Peerless Stages. Soil borings were advanced and groundwater samples taken. These samples show significant petroleum hydrocarbon contamination. It is also my understanding that Peerless Stages has been sent a copy of the investigation report and has been advised to notify appropriate agencies of the findings.

This Office has not received a copy of the investigation report. Please forward a copy of the report to my attention by January 12, 1998. **This is a formal request for technical reports pursuant to Title 23, California Code of Regulations, Section 2721.**

You may contact me at (510) 567-6770 with any questions.

Sincerely,

Pamela J. Evans  
Senior Hazardous Materials Specialist

- c: Dick Pantages, Alameda County Environmental Health Services  
Bob Chambers, Alameda County District Attorney's Office  
Leroy Griffin, Oakland Hazardous Materials Program

ALAMEDA COUNTY  
HEALTH CARE SERVICES  
AGENCY

DAVID J. KEARS, Agency Director



R0407

RAFAT A. SHAHID, Director

DEPARTMENT OF ENVIRONMENTAL HEALTH  
Environmental Protection Division  
1131 Harbor Bay Parkway, #250  
Alameda, CA 94502-6577  
(510) 567-6700

August 29, 1995

Ron Curtis  
Peerless Stages, Inc.  
2040 Castro St.  
Oakland CA 94612

**RE: Bus Maintenance Facility at 2021 Brush St., Oakland 94612**

Dear Mr. Curtis:

Today we met to discuss unresolved noncompliances in the following environmental programs:

- Underground Storage Tanks
- Stormwater Pollution Prevention
- Hazardous Waste Generator

You informed me that the Notice of Violation (NOV) issued by my office had been referred to you by Alex Gaeta for resolution. Today we discussed the noncompliances outlined in the NOV, and how Peerless Stages will correct them. We discussed both long-term and intermediate compliance steps. Below is a summary of the issues and the agreements we came to today. I will list the items so that they correspond to item numbers found in the NOV.

- 1) **Engine parts leaking onto the ground outside the shop:** It appears your staff has made progress in moving excess parts from the yard and in cleaning up leaks and spills as they occur.

**Discharge of contaminated dirt and water into the storm drain:**  
The current practice of washing the bus under-carriage with a high pressure water stream causes oily sludge to fall onto the ground. The ground is sloped toward a storm drain, located within about 20 feet of where buses are washed. Employees scoop up some of the debris and water, but some of it ends up in the storm drain. Employees later scoop this sludge out of the storm drain.

Hazardous wastes, such as waste oil from parts and sludge from the bus under-carriage, need to be controlled and contained. Allowing these substances to reach the storm drain is a violation of hazardous waste statutes and the City of

Oakland's stormwater discharge ordinance. Within the next 30 days, Peerless Stages needs to change management practices so that these discharges do not reach the storm drain.

**Management of sludge from bus under-carriages:** Your current practice is to mix this sludge with your waste oil and have it hauled by a recycler. When waste oil is mixed with a hazardous waste such as your sludge, it has to be hauled away under full hazardous waste manifest. As we discussed, your company will immediately begin storing and disposing of these two wastes separately. This sludge also needs to be kept in a container that will not allow water to leak out.

- 2 and 4) **Improper hazardous waste containers:** Some consolidation and elimination of unnecessary hazardous waste containers has apparently occurred. Peerless Stages still has more work to do on its hazardous waste containers. Few containers are labelled. All hazardous waste containers, including those for waste oils, greases and lubes, waste antifreeze, sludge and floor sweep must be fully labelled for on-site storage as we discussed today. All such containers have to be labelled by **September 1, 1995.**

Many drums are in poor condition. You must eliminate drums that leak or which are missing tops or bung closures. Drums that have been used in the past to contain hazardous waste, but which are no longer used, must be properly disposed of or recycled.

**Hazardous waste stored too long:** It wasn't clear that all hazardous wastes are being hauled away at proper intervals. Not all the disposal records were available for review at the shop. For wastes accumulated in large volumes, like the waste oil, you must have pick-ups every 90 days at minimum. Depending on the volume of other hazardous wastes you produce, longer intervals may be allowed.

- 3) **Spill control equipment:** Today Franco Maramonte showed us the equipment you have on hand to deal with spills. Your supplies appear adequate. As we discussed, it would make sense to consolidate these items (brooms, shovels, absorbent, container) and place them near the hazardous waste storage areas for easy access. Spill response equipment should also be available in areas where new engine fluids are stored.
- 5) **Emergency/Release planning documents:** You stated that a Hazardous Materials Business Plan has been submitted to the City of Oakland and that you have a written spill prevention plan as an element of your stormwater permit.
- 6) **Employee training:** It wasn't clear that your employee training program is effective in teaching the maintenance shop staff all the items required for employees who handle hazardous waste. The hazardous waste handling practices

Ron Curtis  
Peerless Stages, Inc.  
August 29, 1995  
Page 3 of 4

indicate that further training is needed. OSHA and the stormwater program require comprehensive employee training for those who deal with hazardous substances. The requirements that my agency enforces are tied closely with these other programs and include the following:

- Employees must be familiar with your facility's plan for dealing with spills or other releases of hazardous waste. Employees who may need to respond to a spill must know the proper way to respond.
- Employees must know the hazardous waste container labelling requirements.
- Employees must know how to properly handle and store hazardous wastes and empty hazardous waste containers.
- Employees who are responsible for arranging hazardous waste disposal must know what type of manifesting, shipping and disposal is proper for particular wastes and which records must be kept.

**Peerless must carry out and document any needed training that has not been done or documented by October 20, 1995.**

7, 8 and 9) **Operation of Underground Storage Tanks:** You stated that Peerless Stages is considering removing both underground tanks and installing an above ground tank. Meanwhile, the gasoline tank is not being monitored. The diesel tank is being used and monitored, but not in accordance with current requirements. Both tanks must be managed properly until such time as they are removed. **Peerless Stages must take the following steps in the next 30 days:**

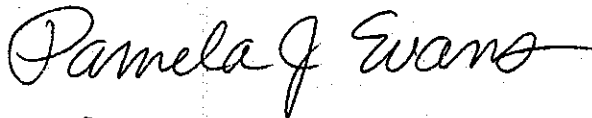
- **Begin monitoring or temporarily close your underground tanks.** The appropriate monitoring method for the diesel tank, if depth to groundwater at your site is 20 feet or less, is Statistical Inventory Reconciliation or SIR. You stated that the gasoline tank has approximately 1100 gallons in it and that you will not be using it. This tank should be monitored as long as it is being drawn from. Once you quit using it, you can temporarily close it according to the requirements found in Title 23, California Code of Regulations. A copy of the temporary closure requirements is attached.
- **Send me a written timetable for long-term compliance with the underground tank requirements.** If it is your plan to remove the tanks, state your projected date for removal. If you intend to continue operation of either or both tanks, state your plan for monitoring the tanks in compliance with the law.

Ron Curtis  
Peerless Stages, Inc.  
August 29, 1995  
Page 4 of 4

- If you plan to continue operation of either or both tanks beyond the next 30 days, submit a complete written monitoring plan. A consolidated tank management plan is attached.

Please contact me with any questions or concerns regarding this letter at 567-6770.

Sincerely,



Pamela J. Evans  
Senior Hazardous Materials Specialist

c: Alex Gaeta, Peerless Stages, Inc.  
Steve Craford, City of Oakland Hazardous Materials Program



**Alameda County Urban Runoff Clean Water Program**

A Consortium of Local Agencies

Municipality: Oakland

Agency Conducting Inspection: Ala Co Env. Health

Inspector: Tam Evans

Date of inspection: 8-29-95

Date of last inspection: 7-14-94

**Standard Industrial and Commercial Business Follow-up Inspection Report** This form should only be used after a Standard Inspection Report has been completed and a follow-up inspection was required.

1. Name of Facility: Peerless Stages, Inc

2. Site Address: 2021 Brush St. Oakland 94612

3. Name of Contact: \_\_\_\_\_ 4. Phone No. of Contact: \_\_\_\_\_

5. Has the facility been issued a notice or violation during or subsequent to a previous visit?  yes  no  
 If yes, describe notice or violation. Addressed uncontrolled spills + leaks from engines + parts  
 If no, describe reason for follow-up. \_\_\_\_\_

6. Indicate type of follow-up inspection being conducted.  
 first follow-up inspection  second follow-up inspection

7. Time to Perform Inspection: \_\_\_\_\_

8. Type of Potential Discharge	Potential Discharge Eliminated	Comments
Illicit Connection	<input type="checkbox"/> yes <input type="checkbox"/> no	Not applicable
Discharge Location of Drain Unknown	<input type="checkbox"/> yes <input type="checkbox"/> no	Not applicable
Illegal Discharge to Storm Drain	<input type="checkbox"/> yes <input checked="" type="checkbox"/> no	See below: Unresolved stormwater issues will be dealt with after this visit by the City of Oakland.
Activity Area and/or Material Exposure to Storm Water	<input type="checkbox"/> yes <input checked="" type="checkbox"/> no	
Other (please specify) _____	<input type="checkbox"/> yes <input type="checkbox"/> no	
_____	<input type="checkbox"/> yes <input type="checkbox"/> no	
_____	<input type="checkbox"/> yes <input type="checkbox"/> no	

9. Is additional follow-up required?  
 no further follow-up inspection necessary  
 date of next follow-up inspection is scheduled for \_\_\_\_\_  
 further follow-up inspection to be scheduled at a later date  
 case referred to City of Oakland for enforcement action (describe why below under "Comments")  
 enforcement action is taken: (Circle one) warning notice informal violation formal violation  
 case referred to City Attorney or County District Attorney

10. Comments (via steamcleaning)

① Greasy debris from underside of buses is being removed in an open area that drains to a storm drain within 20 feet. Peerless stages is cleaning up the debris as it comes off, but alot of it still gets into a trap in the drain + has to be scooped out.

② Bus engine parts are still being stored uncovered outside. It appears a greater effort is being put into cleaning up leaks from parts as they occur.

③ Hazardous waste containers are still in open areas + there is still contamination outside of containers.

Facility Representative Signature: [Signature]

Date: 8-29-95

Print Facility Rep. Name: Ronald I. Curtis

Inspector's Signature: Pamela J. Evans



ALAMEDA COUNTY  
HEALTH CARE SERVICES  
AGENCY

DAVID J. KEARS, Agency Director



R0407

RAFAT A. SHAHID, Director

DEPARTMENT OF ENVIRONMENTAL HEALTH  
Environmental Protection Division  
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August 29, 1995

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August 29, 1995  
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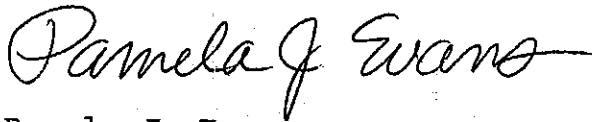
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Pamela J. Evans  
Senior Hazardous Materials Specialist

c: Alex Gaeta, Peerless Stages, Inc.  
Steve Craford, City of Oakland Hazardous Materials Program

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY

DAVID J. HEARNS, Agency Director



R0407

RAFAT A. SHAHID, Assistant Agency Director

December 28, 1993

CERTIFIED MAILER #: P 386 338 254

Peerless Stages, Inc.  
2021 Brush St.  
Oakland, 94612

UGTID: 495

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

**Re: FIVE-YEAR PERMITS FOR OPERATION OF UNDERGROUND STORAGE TANK(S)  
2021 Brush St. Oakland, 94612**

Dear Owner/Operator:

According to our records your facility referenced above has not received a five-year permit to operate UST's. In order to obtain a permit you must complete the following items marked below and return them within 30 DAYS. The necessary forms are enclosed. You may complete a "Consolidated Underground Tank Management Plan" which will assist you in preparing a monitoring plan, site plot plan and spill response plan for your tank(s). If supplemental information or forms are required, please submit it to this office with the completed questionnaire and application forms:

- \_\_\_ 1. An accurate and complete plot plan.
- \_\_\_ 2. A written spill response plan. (enclosed)
- \_\_\_ 3. A written tank monitoring plan. (enclosed)
- \_\_\_ 4. Results of precision tank test(s), (initial and annual).
- \_\_\_ 5. Results of precision pipeline leak detector tests (initial and annual).
- \_\_\_ 6. Complete UST PERMIT FORM A-one per facility. (enclosed)
- \_\_\_ 7. Complete UST PERMIT FORM B-one per tank. (enclosed)
- \_\_\_ 8. Complete UST PERMIT FORM C-one per tank if information is available. (enclosed)
- \_\_\_ 9. Letter stating how the tank is to be maintained during one year closure.

Be advised that Title 23 of the California Code of Regulation prohibits the operation of "ANY" UST without a permit. If our records are in error, you must contact this office immediately TO AVOID POSSIBLE ENFORCEMENT ACTION. Please feel free to contact this office at (510) 271-4320; to answer any questions which may arise in completing the mandatory five-year permit process. Be prepared to provide your zip code to speak with the Hazmat Specialist handling your case.

Sincerely,

*Brian M. Oliva for*

Brian Oliva  
HazMat Specialist

c: Edgar Howell, Chief, Hazardous Materials Div. (files)