

Chu, Eva, Env. Health

From: Yoo, James
Sent: Wednesday, March 05, 2003 5:33 PM
To: Chu, Eva, Env. Health
Subject: RE: 4701 MLK Jr Way, Oakland

Eva:

Sorry for the delay. I have found no water supply well within a 2000 ft. of your site. The closest well is approximately at 989 41st st (California Linen Supply Company) which is almost a mile to the West and the State well number is 1S/2W23E-1

Hope that helps.

James

-----Original Message-----

From: Chu, Eva, Env. Health
Sent: Tuesday, March 04, 2003 2:18 PM
To: Yoo, James
Subject: 4701 MLK Jr Way, Oakland

Hi James,

Can you do me a favor and let me know if there are any water supply, irrigation wells within 2000 feet of 4701 Martin Luther King Jr Way, Oakland. Thanks

eva chu
Hazardous Materials Specialist
Alameda County Environmental Health
1131 Harbor Bay Parkway
(510) 567-6762
(510) 337-9335 (fax)

LOP - RECORD CHANGE REQUEST FORM

printed:
01/31/2001

Mark Out What Needs Changing and Hand to LOP Data Entry
(Name/Address changes go to Annual Programs Data Entry)

Insp: EC

AGENCY # : 10000 SOURCE OF FUNDS: F SUBSTANCE: 02
StID : 1489 LOC: 09/20/1997
SITE NAME: Nightingale Property DATE REPORTED : 07/15/1992
ADDRESS : 4629 Martin L King Way DATE CONFIRMED: 07/16/1992
CITY/ZIP : Oakland 94609 MULTIPLE RPs : N

SITE STATUS

CASE TYPE: O CONTRACT STATUS: 4 PRIOR CODE:2A4 EMERGENCY RESP:
RP SEARCH: S DATE COMPLETED: 01/23/1993
PRELIMINARY ASMNT: U DATE UNDERWAY: 01/25/1993 DATE COMPLETED:
REM INVESTIGATION: DATE UNDERWAY: DATE COMPLETED:
REMEDIAL ACTION: DATE UNDERWAY: DATE COMPLETED:
POST REMED ACT MON: DATE UNDERWAY: DATE COMPLETED:

ENFORCEMENT ACTION TYPE: 2 DATE ENFORCEMENT ACTION TAKEN: 07/03/1995
LUFT FIELD MANUAL CONSID: 3
CASE CLOSED: DATE CASE CLOSED:
DATE EXCAVATION STARTED : REMEDIAL ACTIONS TAKEN:

RESPONSIBLE PARTY INFORMATION

RP#1-CONTACT NAME: Augi Chukuma
COMPANY NAME: N A
ADDRESS: 196 C Park Lake Circle
CITY/STATE: Walnut Creek, C A 94598

INSPECTOR VERIFICATION:

NAME _____ SIGNATURE _____ DATE _____

DATA ENTRY INPUT:

Name/Address Changes Only Case Progress Changes

ANNPGMS _____ LOP _____ DATE _____ || LOP _____ DATE _____

LYNN M. NIGHTINGALE
PARALEGAL SERVICES

August 4, 2000

FOX PLAZA
1390 MARKET STREET, SUITE 1204
SAN FRANCISCO, CA 94102-5306

TELEPHONE: (415) 554-0200
FACSIMILE: (415) 522-0513
E-MAIL: LMNPARALEGAL@worldnet.att.net

eva chu
Hazardous Material Specialist
Alameda County Health Care Services Agency
1131 Harbor Bay Parkway, Suite 250
Alameda, CA 94502-6577

RECEIVED
PROBATE
AUG - 7 PM 4:45


Re: 4629 Martin Luther King, Jr. Way, Oakland, CA

Dear Ms. chu:

Enclosed is a copy of my letter to the purchasers of the above-referenced property regarding your letter to me of July 31, 2000. If there is some other form of certification that the owners have been informed of the proposed action that you require, please let me know.

Thank you.

Sincerely yours,



Lynn M. Nightingale
Trustee of the Uncle Sid Trust

**LYNN M. NIGHTINGALE
PARALEGAL SERVICES**

FOX PLAZA
1390 MARKET STREET, SUITE 1204
SAN FRANCISCO, CA 94102-5306

TELEPHONE: (415) 554-0200

FACSIMILE: (415) 522-0513

E-MAIL: LMNPARALEGAL@worldnet.att.net

August 4, 2000

Ibanga Inyang
Bayshore Security, Inc.
2022 San Pablo Avenue
Oakland, CA 94612

Gladys Mpsea-Inyang
Bayshore Security, Inc.
2022 San Pablo Avenue
Oakland, CA 94612

Augustine O. Chukuma
196 C Park Lake Circle
Walnut Creek, CA 94598

Re: 4629 Martin Luther King, Jr. Way, Oakland, CA

Dear IB, Gladys and Auggie:

I am pleased to enclose to each of you a copy of a letter dated July 31, 2000 received by me from Alameda County Health Care Services. Please note that Alameda County Environmental Protection intends to make a determination that no further action is required at the above-referenced site or to issue a closure letter. I will keep you informed.

If you have any questions, please do not hesitate to call me.

Sincerely yours,



Lynn M. Nightingale

Enclosure

cc: eva chu, Alameda County Health Care Services

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



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

StID 1489

July 31, 2000

Ms. Lynn Nightingale
102 Flying Circle Isle
Foster City, CA 94609

SUBJECT: INTENT TO MAKE A DETERMINATION THAT NO FURTHER ACTION IS REQUIRED OR ISSUE A CLOSURE LETTER FOR 4629 MARTIN LUTHER KING JR. WAY, OAKLAND, CA

Dear Ms. Nightingale:

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,

A handwritten signature in black ink, appearing to read 'eva chu', written over a horizontal line.

eva chu
Hazardous Materials Specialist

c: Chuck Headlee, RWQCB
Leroy Griffin, Oakland Fire Department

LYNN M. NIGHTINGALE
PARALEGAL SERVICES

ENVIRONMENTAL
PROTECTION

00 MAY 17 PM 3: 29

May 16, 2000

FOX PLAZA
1390 MARKET STREET, SUITE 1204
SAN FRANCISCO, CA 94102-5306

TELEPHONE: (415) 554-0200
FACSIMILE: (415) 522-0513
E-MAIL: LMNPARALEGAL@worldnet.att.net

eva chu
Hazardous Material Specialist
Alameda County Health Care Services Agency
1131 Harbor Bay Parkway, Suite 250
Alameda, CA 94502-6577

Re: 4629 Martin Luther King, Jr. Way, Oakland, CA

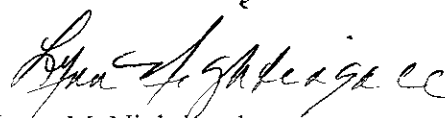
Dear Ms. chu:

As you are aware, the wells were decommissioned at the above-referenced property on April 19, 2000. Purged water from the well development had been stored in three 55-gallon drums on the property as reported. Tridib Guha advised me that he had arranged for disposal of the water and had a trucker at the property to pick up the drums on April 19. However, Tridib advised that the drums were no longer at the property when he arrived on that date. For your information, Tridib advised that the drums were at the property the previous time he was there.

As you know, I sold the property in July, 1999. I had repeatedly advised the new owners in writing and in telephone conversations not to disturb the wells or move the drums and that the drums would be disposed of when the wells were closed. When Tridib advised me that the drums were missing, I called one of the buyers who had been having work done at the property. He told me he did not know anything about the missing drums. He acknowledged that he remembered our conversation regarding not to disturb anything and stated he knew not to do anything with the drums.

Thank you for your consideration of this matter.

Sincerely yours,



Lynn M. Nightingale
Trustee of the Uncle Sid Trust

cc: Tridib Guha

ENVIRONMENTAL
PROTECTION

00 MAY -4 AM 9: 03



**ADVANCED ASSESSMENT AND
REMEDiation SERVICES (AARS)**

2380 SALVIO STREET, SUITE 202
CONCORD, CALIFORNIA 94520-2137
TEL: (925) 363-1999 FAX: (925) 363-1998
e-mail: aars@ccnet.com

April 28, 2000

Mr. Marlan Magallanes
Alameda County Public Works Agency
Water Resources Section
399 Elmhurst Street
Hayward, CA 94544

Subject: Wells Destruction at MLK Property, 4629 Martin Luther King Jr. Way, Oakland, CA
Permit Number W00-144 was issued by the ACPWA Water Resources Section on April 4,
2000.

Dear Mr. Magallanes:

Advanced Assessment and Remediation Services supervised the destruction of four groundwater monitoring wells (MW-1, MW-2, MW-3 and MW-4) on April 19, 2000 at the above referred site. Exploration Geoservices of San Jose destroyed the wells by pressure grouting techniques by using Mobile Drill B-53. This involved:

1. Measuring the depth of the wells, which allowed us to determine that it was clear of all bridged or poorly compacted materials to the bottom of the well. The total depth of the wells measured; MW-1 @ 30.5 feet, MW-2 @ 30.5 feet, MW-3 @ 29.5 feet and MW-4 @ 30 feet.
2. Pressure grouting the casings of each well with a cement and water mixture (one 47 lb sack of Portland cement and 3.5 gallons of water) at an approximate pressure of 30 psi to two feet below the finished grade. This was accomplished by pressure grouting in several stages which allowed for bubble-free grouting. Approximately 30 gallons of cement and water mixture was applied to each well.
3. Remove the well boxes, then sealing with neat cement, allowing sealing material to spill over.
4. After the seal had set, the remaining holes were backfilled with concrete to match the original ground.

Please call at 925-363-1999, if you need additional information.

Sincerely,

Advanced Assessment and Remediation Services

Tridib K. Guha, R.G., R.E.A.
Principal

cc: Ms. Eva Chu, Alameda County Environmental Health, Alameda, CA
Ms. Lynn Nightingale, San Francisco, CA

IGMLNWD RPT



State Water Resources Control Board



Gray Davis
Governor

Division of Clean Water Programs

2014 T Street • Sacramento, California 95814 • (916) 227-
Mailing Address: P.O. Box 944212 • Sacramento, California • 94244-2120
FAX (916) 227-4530 • Internet Address: <http://www.swrcb.ca.gov/~cwphom>

ENVIRONMENTAL
PROTECTION
MAR 30 AM 10:00

Winston H. Hickox
Secretary for
Environmental
Protection

March 27, 2000

cc

Ms. Lynn Nightingale
102 Flying Cloud Isle
Foster City, CA 94404

PRE-APPROVAL OF CORRECTIVE ACTION COSTS, CLAIM NO. 470, SITE ADDRESS: 4629 MARTIN LUTHER KING JR WAY, OAKLAND

I have reviewed your request, received on March 8, 2000, for pre-approval of corrective action costs; I will place these documents in your file for future reference. I have included a copy of the "Cost Pre-Approval Request" form; please use this form in the future for requesting pre-approval of corrective action costs.

- With the following provisions, the **total cost pre-approved** as eligible for reimbursement for the well abandonment, is **\$2,500.00**. The cost proposal for this work by Advanced Assessment & Remediation Services (AARS) is approved for eligible costs as submitted.

In an effort to expedite future reimbursement requests associated with the implementation of these pre-approved tasks, we request that the attached budget tracking form be completed/updated and submitted with the relevant supporting documentation.

Be aware that this pre-approval does not constitute a decision on reimbursement: all reasonable and necessary corrective action costs for work directed and approved by the local regulator will be eligible for reimbursement per the terms of your Letter of Commitment at costs consistent with those pre-approved in this letter.

***All future costs for corrective action must be approved in writing by Fund staff.
Future costs for corrective action must meet the requirements of
Article 11, Chapter 16, Underground Storage Tank Regulations.***

- The actual costs and scope of work performed must be consistent with the pre-approval for it to remain valid.
- The work products must be acceptable to Alameda County Health Care Services (ACHCS)
- If a different scope of work becomes necessary, then you must request pre-approval of costs on the new scope of work.

California Environmental Protection Agency

- Although I have referred to the AARS proposal in my pre-approval above, please be aware that you will be entering into a private contract: the State of California cannot compel you to sign any specific contract.

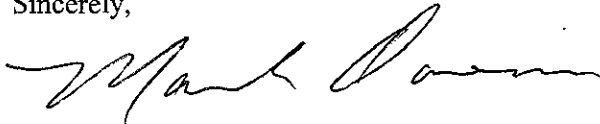
I also want to remind you that the Fund's regulations require that you obtain at least three bids, or a bid waiver from Fund staff, from qualified firms for all future necessary corrective action work.

Please remember that it is still necessary to submit the actual costs of the work as explained in the Reimbursement Request Instructions to confirm that the costs are consistent with this pre-approval before you will be reimbursed. ***Please insure that your consultant prepares their invoices to include the required break down of costs on a time and materials basis, that invoiced tasks are consistent with the original proposal, and that reasonable explanations are provided for any changes made in the scope of work or increases in the costs. When the invoices are submitted you must include copies of all:***

- *subcontractor invoices (includes lab invoices)*
- *technical reports, when available, and*
- *applicable correspondence from ACHCS.*

Please call if you have any questions; I can be reached at (916) 227-7883.

Sincerely,



Mark Owens, Water Resources Control Engineer
Technical Review Unit
Underground Storage Tank Cleanup Fund

cc: Ms. Eva Chu, Alameda County Health Care Services, Alameda



LYNN M. NIGHTINGALE
PARALEGAL SERVICES

CONFIDENTIAL
PROTECTION

00 MAR -8 PM 1:26

FOX PLAZA
1390 MARKET STREET, SUITE 1204
SAN FRANCISCO, CA 94102-5306

March 6, 2000

TELEPHONE: (415) 554-0200
FACSIMILE: (415) 522-0513

Sriram Iyer
Water Resources Control Engineer
Technical Review Unit
UST Cleanup Fund
2014 T Street, Suite 130
Sacramento, CA 95814

Re: 4679 Martin Luther King, Jr. Way, Oakland, CA
Claim No. 470

Dear Mr. Iyer:


I am not sure if Well Abandonment requires the three-bid process and pre-approval of costs. However, in an abundance of caution, enclosed for review for pre-approval of costs are the following documents:

1. Letter dated March 1, 2000 from eva chu, Alameda County Environmental Health Services;
2. Scope and cost estimate from Advanced Assessment & Remediation Services;
3. Cost Pre-Approval Request.

Tridib Guha of Advanced Assessment & Remediation Services has been my consultant throughout the groundwater investigative phase of the project. He installed the wells and he should be the person to close them. I request that this work not be subject to the three-bid requirement.

Please let me know if you need anything further. I look forward to receiving approval and proceeding with the well abandonment. Thank you.

Very truly yours,


Lynn M. Nightingale, Trustee
Uncle Sid Trust

Enclosures

cc: eva chu, Alameda County Health Services Agency
Tridib Guha, Advanced Assessment and Remediation Services

LEAH S. GOLDBERG
ATTORNEY AT LAW
DIRECT DIAL 415 995 5090
REPLY TO SAN FRANCISCO
E-MAIL lgoldberg@hansonbridgett.com

HANSON
BRIDGETT
MARCUS
VLAKOS
RUDY-LLP

March 3, 2000

Eva Chu
Hazardous Materials Specialist
Alameda County Health Care Services
Environmental Health Services
1131 Harbor Bay Parkway, Suite 250
Alameda, CA 94502

Re: ***Public Records Act Request***

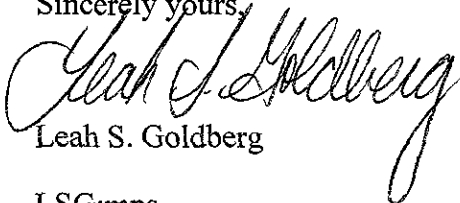
Dear Ms Chu:

Pursuant to the California Public Records Act, California Government Code section 6250, *et seq.*, we hereby request copies of the most recent groundwater monitoring report and corrective action plan for the property located at 4629 Martin Luther King, Jr., Way in Oakland, California.

Under the California Public Records Act, the Public Agency can charge the direct costs of duplication. Please let me know what those costs are for this request, and I will mail you a check immediately.

Many thanks for your assistance. Please do not hesitate to call with any questions or comments you may have.

Sincerely yours,



Leah S. Goldberg

LSG:mps

cc: James Jackson

SAN FRANCISCO

333 MARKET STREET, 23RD FLOOR
SAN FRANCISCO, CA 94 05-2173
TELEPHONE 415 777 3200
FACSIMILE 415 541 9366
e-mail: sf@hansonbridgett.com

MARIN

80 E. SAN FRANCISCO DR. SUITE 3F
LARKSPUR, CA 94939
TELEPHONE 415 925 8400
FACSIMILE 415 925 8409
e-mail: marin@hansonbridgett.com

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

StID 1489

March 1, 2000

Ms. Lynn Nightingale
102 Flying Cloud Isle
Foster City, CA 94404

RE: Well Decommission at 4629 Martin Luther King Jr Way, Oakland, CA

Dear Ms. Nightingale:

I have completed review of Advanced Assessment and Remediation Services' February 2000 *Quarterly Groundwater Monitoring and Sampling Report* prepared for the above referenced site. That report summarized groundwater sampling activities conducted on February 7, 2000. Laboratory analytical results indicate that petroleum hydrocarbon concentrations in groundwater are comparable or less than historic groundwater contaminant concentration data collected since November 1995.

At this time, the onsite groundwater monitoring wells (MW1 through MW4) may be decommissioned. Well destruction permits may be obtained from Alameda County Public Works. They can be reached at (510) 670-5248. A well destruction report is due within 60 days upon completion of field work.

Please be reminded that our review for site closure cannot begin until it has been demonstrated that the upgradient site (at 4701 MLK) is a source for the contaminants noted in Well MW4 (onsite well with the highest hydrocarbon concentrations).

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

eva chu
Hazardous Materials Specialist

email: Tridib Guha (aars@cnet.com)

ALAMEDA COUNTY HAZARDOUS MATERIALS DIVISION

01/14/2000

UNDERGROUND STORAGE TANK CLEANUP SITE

AGENCY#: 10000 SOURCE OF FUNDS: F-FEDERAL INSPECTOR: SH
 StID: 4260 SUBSTANCE: 8006619 -Gasoline
 SITE NAME: Children's Hospital Oakland DATE REPORTED : 12/10/1990
 ADDRESS : 4701 Martin L King Way DATE CONFIRMED: 12/10/1990
 CITY/ZIP : Oakland, CA 94609 MULTIPLE RP's : N

CASE TYPE: S CONTRACT STATUS: 4 PRIOR: EMERGENCY RESPONSE:

RP SEARCH	: S	DATE END:	10/13/1992
PRELIM ASSESSMENT	:	DATE BEGIN:	DATE END:
REMEDIAL INVESTIG	:	DATE BEGIN:	DATE END:
REMEDIAL ACTION	:	DATE BEGIN:	DATE END:
POST REMED MONITOR:	DATE BEGIN:	DATE END:	

TYPE ENFORCEMENT ACTION TAKEN: 1 DATE OF ENFORC. ACTION: 10/13/1992

UNDERGROUND STORAGE TANK CLEANUP SITE - SCREEN #2

LUFT FIELD MANUAL CONSIDERATION: CASE CLOSED: on:

DT EXC START: REMEDIAL ACTIONS TAKEN:

RP #1: CONTACT: P Steven Perls RP COST:
 RP COMPANY NAME: Children Hospital Med. Center Ph:
 ADDRESS: 747 52nd Street
 CITY/STATE: Oakland, Ca 94609

ΔAdMENT:

Listing all LOP DAILY activities since 1991 for StID # 4260
 as of 01/14/2000

Children's Hospital Oakland at as of 01/14/2000 , Oakland CA 94609

Act91_4
 Act92_1

Act92_2

Act93_1

Act93_2

Act94_1

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)

StID 1489

August 30, 1999

Ms. Lynn Nightingale
102 Flying Cloud Isle
Foster City, CA 94404

RE: Next Monitoring Event for 4629 Martin Luther King Jr. Way, Oakland, CA

Dear Ms. Nightingale:

I have completed review of Advanced Assessment and Remediation Services' August 1999 *Quarterly Groundwater Monitoring and Sampling Report* prepared for the above referenced site. Groundwater samples were collected from four onsite monitoring wells. EPA Method 8260 was used to quantify MTBE. Laboratory analysis did not detect MTBE in the water samples.

The next sampling event should be in October 1999. For this event, groundwater should be analyzed for TPHg/BTEX using Method 8015/8020 and TPHd - TPH-mo using a silica gel cleanup prior to analysis with Method 8015. After the next sampling event, I will review the case for possible closure.

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

eva chu
Hazardous Materials Specialist

c: Tridib Guha
AARS
2380 Salvio Street, Suite 202
Concord, CA 94520



State Water Resources Control Board



Winston H. Hickox
Secretary for
Environmental
Protection

Division of Clean Water Programs
2014 T Street • Sacramento, California 95814 • (916) 227-7886
Mailing Address: P.O. Box 944212 • Sacramento, California • 94244-2120
FAX (916) 227-4530 • Internet Address: <http://www.swrcb.ca.gov/~cwphome/ustcf>

Gray Davis
Governor

July 7, 1999

99 JUL 13 AM 9:57

Lynn Nightingale
Uncle Sid Trust
102 Flying Cloud Isle
Foster City, CA 94404

ENVIRONMENTAL
PROTECTION

**PRE-APPROVAL OF CORRECTIVE ACTION COSTS, CLAIM NO. 000470,
SITE ADDRESS: 4629 MARTIN LUTHER KING JR WAY, OAKLAND, CA 94609**

I have reviewed your request, received on July 6, 1999, for pre-approval of corrective action costs; I will place these documents in your file for future reference. I have included a copy of the "Cost Pre-Approval Request" form; please use this form in the future for requesting pre-approval of corrective actions costs.

With the following provisions, the total cost pre-approved as eligible for reimbursement, for completing quarterly groundwater monitoring activities approved by the Alameda County EHD (County) in their June 7, 1999 letter, is **\$6,060**; refer the proposal for a breakdown of costs. The attached budget tracking sheet must be completed and provided at the time of reimbursement.

*Be aware that this pre-approval does not constitute a decision on reimbursement: **all reasonable and necessary corrective action costs for work directed and approved by the County will be eligible for reimbursement per the terms of your Letter of Commitment at costs consistent with those pre-approved in this letter.***

***All future costs for corrective action must be approved in writing by Fund staff.
Future costs for corrective action must meet the requirements of
Article 11, Chapter 16, Underground Storage Tank Regulations.***

- The actual costs and scope of work performed must be consistent with the pre-approval for it to remain valid.
- The work products must be acceptable to the County and the Regional Water Quality Control Board.
- It is my opinion that it is unnecessary to obtain three bids for this scope of work; the Fund's three bid requirement is waived for this scope of work.
- If a different scope of work becomes necessary, then you must request pre-approval of costs on the new scope of work.
- Although I have referred to the Advanced Assessment and Remediation Services proposal in my pre-approval above, please be aware that you will be entering into a private contract. the State of California cannot compel you to sign any specific contract. This letter **pre-approves the costs as**

presented in the proposal dated July 2, 1999 by Advanced Assessment and Remediation Services for conducting the work approved by the County.

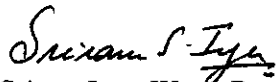
I also want to remind you that the Fund's regulations require that you obtain at least three bids, or a bid waiver from Fund staff, from qualified firms for all necessary corrective action work. The legislation governing the Fund requires that the Fund assist you in procuring contractor and consultant services for corrective action. If you need assistance in contracting for corrective action services, don't hesitate to call me.

Please remember that it is still necessary to submit the actual costs of the work as explained in the Reimbursement Request Instructions to confirm that the costs are consistent with this pre-approval before you will be reimbursed. ***Please insure that your consultant prepares their invoices to include the required break down of costs on a time and materials basis, that invoiced tasks are consistent with the original proposal, and that reasonable explanations are provided for any changes made in the scope of work or increases in the costs. When the invoices are submitted you must include copies of all:***

- subcontractor invoices,
- technical reports, when available, and
- applicable correspondence from the County.

Please call if you have any questions; I can be reached at (916) 227-7886.

Sincerely,



Sriram Iyer, Water Resources Control Engineer
Technical Review Unit
Underground Storage Tank Cleanup Fund

Enclosure

cc:

Ms. Eva Chu
Alameda County EHD
1131 Harbor Bay Pkway, 2nd Fl.
Alameda, CA 94502-6577

LYNN M. NIGHTINGALE
PARALEGAL SERVICES

ENVIRONMENTAL
PROTECTION

99 JUL -7 AM 9: 30
FOX PLAZA
1390 MARKET STREET, SUITE 1204
SAN FRANCISCO, CA 94102-5306

July 2, 1999

TELEPHONE: (415) 554-0200
FACSIMILE: (415) 522-0513

Sriram Iyer
Water Resources Control Engineer
Technical Review Unit
UST Cleanup Fund
2014 T Street, Suite 130
Sacramento, CA 95814

8260
Analysis for MTBE may be discontinued
if low are ND levels after 1 sampling
event. Tell Tridib

Re: 4629 Martin Luther King, Jr. Way, Oakland, CA
Claim No. 470

Dear Mr. Iyer:

I am not sure if the continuation of the groundwater testing requires the three-bid process and pre-approval of costs. However, in an abundance of caution, enclosed for review for pre-approval of cost for further investigation at the above-referenced site are the following documents:

1. Letter dated June 7, 1999 from eva chu, Alameda County Environmental Health Services
2. Estimated Budget for Quarterly Groundwater Monitoring and Sampling submitted by Advanced Assessment & Remediation Services (AARS)
3. Cost Pre-Approval Request.

Because this monitoring and sampling are a continuation of groundwater testing that AARS performed (AARS installed the wells), I request that I not be subject to the three-bid requirement for this phase of the work.

Please let me know if you need anything further. I look forward to receiving approval and proceeding with this continuing phase of the investigation. As you can see by Ms. chu's letter, the next sampling event should occur this month.

Thank you.

Very truly yours,

Lynn M. Nightingale
Lynn M. Nightingale
Trustee of the Uncle Sid Trust

Enclosures

cc: ~~eva chu~~, Alameda County Health Services Agency
Tridib Guha, AARS

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)

StID 1489

June 7, 1999

Ms. Lynn Nightingale
102 Flying Cloud Isle
Foster City, CA 94404

RE: MTBE Confirmation at 4629 Martin Luther King Jr Way, Oakland, CA

Dear Ms. Nightingale:

I have completed review of Advanced Assessment and Remediation Services' June 1999 *Quarterly Groundwater Monitoring and Sampling Report* prepared for the above referenced site. For the April 1999 sampling event, groundwater from Wells MW-3 and MW-4 contained low levels of MTBE. The presence of MTBE in groundwater should be confirmed by using EPA Method 8260 in the next groundwater sampling event, anticipated in July 1999. In addition, groundwater should be prepared with a silica gel cleanup prior to analysis.

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

eva chu
Hazardous Materials Specialist

c: Tridib Guha
AARS
2380 Salvio Street, Suite 202
Concord, CA 94520-2137

ESTIMATED BUDGET**QUARTERLY GROUNDWATER MONITORING AND SAMPLING**

**MLK Property
4629 Martin Luther King Jr. Way
Oakland, California**

Tasks	Estimated Cost
1. Water Level Measurement (includes water level meter)	\$ 80
2. Well purging and sampling (includes equipments - pH, temperature, conductivity, dissolved oxygen meters, bailers & drums)	\$ 480
3. Lab Analysis 4 water Samples TPHd-mo, TPHg with BTEX/MTBE using EPA Method 8260	\$ 960
4. Review Data and Laboratory Results and Prepare Report and submittal Project Administration	\$ 500
Total Estimated Cost Per Quarter	\$2,020
Total Estimated Cost for Three Quarters	\$6,060

Note: Disposal of purged water not included in this estimate. Costs for this disposal can be provided once analytical data is available.

CALIFORNIA UNDERGROUND STORAGE TANK CLEANUP FUND
COST PRE-APPROVAL REQUEST

(Complete form, enclose required items, sign, date & return)

TO: Sriram Iyer Fax: (916) 227-4530

I. CLAIM INFORMATION

A. CLAIM NO. 470 B. CLAIMANT Uncle Sid Trust

C. CLAIM STATUS (complete appropriate section)

i) LOC ISSUED FOR \$ 50,000

ii) ON PRIORITY LIST? YES NO IF YES, PRIORITY CLASS A B C D

iii) NOT YET APPLIED TO THE FUND, EXPECTED APPLICATION DATE:

D. CONTACT PERSON: Lynn Nightingale PHONE: (415) 554-0200
ADDRESS: 1390 Market Street, #1204 FAX: (415) 522-0513
San Francisco, CA 94102

II. TYPE OF REQUEST (check appropriate boxes)

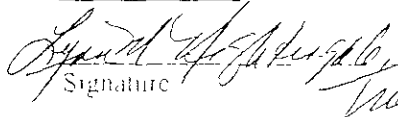
- PRE-APPROVAL \$ 2,020/quarter
\$ 6,060/3 quarters AMOUNT REQUESTED
- 3-BID REVIEW \$ _____ PREFERRED BID (if applicable)

THE FOLLOWING DOCUMENTS ARE REQUIRED FOR THE SPECIFIED REQUEST. ALL DOCUMENTS REQUESTED MUST BE SUBMITTED OR THE REQUEST(S) WILL BE RETURNED UNPROCESSED.

- A. REQUEST FOR PRE-APPROVAL OF PROPOSED COSTS - The following items are required before review and determination will be made by Fund Staff.
- A complete signed copy of the proposed Investigation Workplan or Corrective Action Plan (CAP) (as defined and required by Article 11, Chapter 16, California Underground Storage Tank Regulations). Corrective Action Plans must include the required feasibility study and chosen cost effective alternative.
 - A signed copy of the oversight agency approval letter for the Workplan/CAP
 - A complete copy of the Request for Bids, including all attachments. A list of all firms requested to bid must be included.
 - Complete copies of all bids and other correspondence submitted in response to the Request for Bids.
 - A time schedule, if not part of bid documents, anticipated for project initiation and duration.
 - A detailed project budget, which includes breakdowns of staff/task/hour with associated estimated totals.
- B. THREE-BID REVIEW/EVALUATION/DETERMINATION - Fund staff will assist any claimant requesting an evaluation of bids upon request. The following information must be submitted - 1,2,3 AND 4 as described in Item A above.

III. CERTIFICATION

I certify under penalty of perjury that all information submitted with this request is complete and accurate and in accordance with all applicable laws and regulations. Must be signed by claimant or person designated on the Authorized Representative Designation form


Signature

Lynn M. Nightingale, Trustee

July 2, 1999

Print Name

Date

- IV. Authorization for the Fund to give out your name and phone number to other claimants in your region as a reference for consultants and contractors. YES NO

Signature

Date

SAMPLE LETTER (2): LIST OF LANDOWNERS FORM

Alameda County Environmental Health
1131 Harbor Bay Parkway
Alameda, CA 94502-6577

SUBJECT: CERTIFIED LIST OF RECORD FEE TITLE OWNERS FOR (SITE NAME AND ADDRESS)

Fill out item 1 if there are multiple site landowners. If you are the sole site landowner, skip item 1 and fill out item 2.

1. In accordance with section 25297.15(a) of Chapter 6.7 of the Health & Safety Code, I, name of primary responsible party, certify that the following is a complete list of current record fee title owners and their mailing addresses for the above site:

2. In accordance with section 25297.15(a) of Chapter 6.7 of the Health & Safety Code, I, name of primary responsible party, certify that I am the sole landowner for the above site.

Sincerely,


Signature of primary responsible party

Lynn M. Nightingale, Trustee of the Uncle Sid Trust
Name of primary responsible party

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)

StID 1489

June 7, 1999

Ms. Lynn Nightingale
102 Flying Cloud Isle
Foster City, CA 94404

RE: MTBE Confirmation at 4629 Martin Luther King Jr Way, Oakland, CA

Dear Ms. Nightingale:

I have completed review of Advanced Assessment and Remediation Services' June 1999 *Quarterly Groundwater Monitoring and Sampling Report* prepared for the above referenced site. For the April 1999 sampling event, groundwater from Wells MW-3 and MW-4 contained low levels of MTBE. The presence of MTBE in groundwater should be confirmed by using EPA Method 8260 in the next groundwater sampling event, anticipated in July 1999. In addition, groundwater should be prepared with a silica gel cleanup prior to analysis.

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

eva chu
Hazardous Materials Specialist

c: Tridib Guha
AARS
2380 Salvio Street, Suite 202
Concord, CA 94520-2137

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)

StID 1489

June 7, 1999

Ms. Lynn Nightingale
102 Flying Cloud Isle
Foster City, CA 94404

**SUBJECT: NEW LANDOWNER NOTIFICATION AND PARTICIPATION REQUIREMENTS
FOR 4629 MARTIN LUTHER KING JR WAY, 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

Lynn Nightingale
re: 4629 MLK Jr Way, Oakland, CA
June 7, 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



State Water Resources Control Board



Winston H. Hickox
Secretary for
Environmental
Protection

Division of Clean Water Programs
2014 T Street • Sacramento, California 95814 • (916) 227-7886
Mailing Address: P.O. Box 944212 • Sacramento, California • 94421-0212
FAX (916) 227-4530 • Internet Address: <http://www.swrcb.ca.gov/~cwphome/usict>

PROCESSED
49 APR 1999 -5 PM 4:13

Gray Davis
Governor

April 1, 1999

Lynn Nightingale
Uncle Sid Trust
102 Flying Cloud Isle
Foster City, CA 94404

**PRE-APPROVAL OF CORRECTIVE ACTION COSTS, CLAIM NO. 000470,
SITE ADDRESS: 4629 MARTIN LUTHER KING JR WAY, OAKLAND, CA 94609**

I have reviewed your request, received on March 15, 1999, for pre-approval of corrective action costs; I will place these documents in your file for future reference. I have included a copy of the "Cost Pre-Approval Request" form; please use this form in the future for requesting pre-approval of corrective actions costs.

With the following provisions, the total cost pre-approved as eligible for reimbursement, for completing groundwater monitoring activities approved by the Alameda County EHD (County) in their March 3, 1999 letter, is **\$1,540**; see the table below for a breakdown of costs.

*Be aware that this pre-approval does not constitute a decision on reimbursement: **all reasonable and necessary** corrective action costs for work **directed and approved by the County** will be eligible for reimbursement per the terms of your Letter of Commitment at costs consistent with those pre-approved in this letter.*

*All future costs for corrective action must be approved in writing by Fund staff.
Future costs for corrective action must meet the requirements of
Article 11, Chapter 16, Underground Storage Tank Regulations.*

COST PRE-APPROVAL BREAKDOWN

Task	Amount Pre-Approved	Comments
Water level Measurement	\$80	
Well Purging & Sampling	\$480	
laboratory Analyses	\$480	
Monitoring Report	\$500	
TOTAL PRE-APPROVED	\$1,540	

- The actual costs and scope of work performed must be consistent with the pre-approval for it to remain valid
- The work products must be acceptable to the County and the Regional Water Quality Control Board

- It is my opinion that it is unnecessary to obtain three bids for this scope of work; the Fund's three bid requirement is waived for this scope of work.
- *If a different scope of work becomes necessary, then you must request pre-approval of costs on the new scope of work.*
- Although I have referred to the Advanced Assessment & Remediation Services proposal in my pre-approval above, please be aware that you will be entering into a private contract: the State of California cannot compel you to sign any specific contract. This letter **pre-approves the costs** as presented in the proposal dated March 12, 1999 by Advanced Assessment & Remediation Services for conducting the work approved by the County.


I also want to remind you that the Fund's regulations require that you obtain at least three bids, or a bid waiver from Fund staff, from qualified firms for all necessary corrective action work. The legislation governing the Fund requires that the Fund assist you in procuring contractor and consultant services for corrective action. If you need assistance in contracting for corrective action services, don't hesitate to call me.

Please remember that it is still necessary to submit the actual costs of the work as explained in the Reimbursement Request Instructions to confirm that the costs are consistent with this pre-approval before you will be reimbursed. *Please insure that your consultant prepares their invoices to include the required break down of costs on a time and materials basis, that invoiced tasks are consistent with the original proposal, and that reasonable explanations are provided for any changes made in the scope of work or increases in the costs. When the invoices are submitted you must include copies of all:*

- *subcontractor invoices,*
- *technical reports, when available, and*
- *applicable correspondence from the County.*

Please call if you have any questions; I can be reached at (916) 227-7886.

Sincerely,



Sriram Iyer, Water Resources Control Engineer
Technical Review Unit
Underground Storage Tank Cleanup Fund

Enclosure

cc

Ms. Eva Chu
Alameda County EHD
1131 Harbor Bay Pkway, 2nd Fl
Alameda, CA 94502-6577

LYNN M. NIGHTINGALE
PARALEGAL SERVICES

FOX PLAZA
1390 MARKET STREET, SUITE 1204
SAN FRANCISCO, CA 94102-5306

March 12, 1999

TELEPHONE: (415) 554-0200
FACSIMILE: (415) 522-0513

David Hallstrom
Water Resources Control Engineer
Technical Review Unit
UST Cleanup Fund
2014 T Street, Suite 130
Sacramento, CA 95814

Re: 4629 Martin Luther King, Jr. Way, Oakland, CA
Claim No. 470

Dear Mr. Hallstrom:

I am not sure if the continuation of the groundwater testing requires the three-bid process and pre-approval of costs. However, in an abundance of caution, enclosed for review for pre-approval of cost for further investigation at the above-referenced site are the following documents:

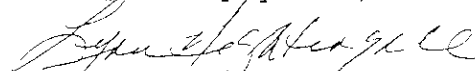
1. Letter dated March 3, 1999 from eva chu, Alameda County Environmental Health Services
2. Estimated Budget for Quarterly Groundwater Monitoring and Sampling submitted by Advanced Assessment & Remediation Services (AARS)
3. Cost Pre-Approval Request.

Because this monitoring and sampling are a continuation of groundwater testing that AARS performed (AARS installed the wells), I request that I not be subject to the three-bid requirement for this phase of the work.

Please let me know if you need anything further. I look forward to receiving approval and proceeding with this next phase of the investigation. As you can see by Ms. chu's letter, the next sampling event should occur this month.

Thank you.

Very truly yours,



Lynn M. Nightingale
Trustee of the Uncle Sid Trust

Enclosures

cc: ✓ eva chu, Alameda County Health Services Agency
Tridib Guha, AARS

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



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

StID 1489

March 3, 1999

Ms. Lynn Nightingale
102 Flying Cloud Isle
Foster City, CA 94404

RE: Quarterly Monitoring at 4629 Martin Luther King Jr Way, Oakland, CA

Dear Ms. Nightingale:

I have completed review of Advanced Assessment and Remediation Services' February 1999 *Supplemental Site Investigation Report* prepared for the above referenced site. Five additional soil borings were advanced at the site in December 1998. Three of the borings were converted into groundwater monitoring wells. Soil samples collected at approximately 18' below grade from each boring did not contain remarkable levels of petroleum hydrocarbons. Groundwater samples contained a maximum of 4,000ppb TPHg, 12ppb benzene, and 4,300ppb TPHd.

At this time you should continue to monitor/sample the onsite wells on a quarterly basis. The next sampling event should be in March 1999. Technical summary reports documenting each well sampling and monitoring episode are also due quarterly. This schedule shall continue until further notice.

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

eva chu
Hazardous Materials Specialist

c: Tridib Guha
2380 Salvio Street, Suite 202
Concord, CA 94520-2137

LYNN M. NIGHTINGALE
PARALEGAL SERVICES

FOX PLAZA
1390 MARKET STREET, SUITE 1204
SAN FRANCISCO, CA 94102-5306

TELEPHONE: (415) 554-0200
FACSIMILE: (415) 522-0513

October 13, 1998

10/21/98

ENVIRONMENTAL
PROTECTION
AGENCY
OCT 16 PM 2:53

Tridib Guha
Hazardous Materials Specialist
Alameda County Health Agency Care Services
Environmental Health Services
1131 Harbor Bay Parkway
Alameda, CA 94502-6577

1/6t may w/ L.N. that solvents requested
since site was previously a steam
cleaning operation using standard
solvent. So I want to rule out that
facility may have use HVCs in a
large vol. Test this time, if no
HVCs, can drop from future
sampling

Re: 4629 Martin Luther King Jr. Way, Oakland

Dear Ms. chu:

Welcome back and I hope you had a wonderful vacation. I left a message for you last week, but I can understand if it became misplaced after your month-long absence.

The State Water Resources Control Board pre-approved for reimbursement the cost for the supplemental groundwater investigation submitted in the proposal by Advanced Assessment and Remediation Services with the exception of the cost for chlorinated solvents. I was informed those costs are ineligible for reimbursement. A copy of the letter dated August 31, 1998 from SWRCB is enclosed.

Since testing for chlorinated hydrocarbons was not performed in the previous groundwater testing and the SWRCB will not reimburse that cost (and therefore I assume it does not require this test), please let me know if I can advise Tridib Guha to proceed without this test and to adjust his proposal accordingly.

Thank you.

Sincerely yours,



Lynn M. Nightingale

Enclosure

cc: Tridib Guha



Peter M. Rooney
Secretary for
Environmental
Protection



Pete Wilso
Governor

State Water Resources Control Board

John P. Caffrey, Chairman

Division of Clean Water Programs

2014 T Street, Suite 130 • Sacramento, California 95814 • (916) 227-4519 FAX (916) 227-4530
Mailing Address: P.O. Box 944212 • Sacramento, California • 94244-2120
Internet Address: <http://www.swrcb.ca.gov/~cwphome/ustcf/fundhome.htm>

August 31, 1998

Ms. Lynn M. Nightingale
1390 Market Street Suite 1204
San Francisco, CA 94102

PRE-APPROVAL OF CORRECTIVE ACTION COSTS, CLAIM NO. 470,
SITE ADDRESS: 4629 MARTIN LUTHER KING JR. WAY, OAKLAND

I have reviewed your request, received on ^{Aug 11} July 12, 1998 for pre-approval of corrective action costs; I will place these documents in your file for future reference. I have included a copy of the "Cost Pre-Approval Request" form; please use this form in the future for requesting pre-approval of corrective actions costs.

With the following provisions, the total cost pre-approved as eligible for reimbursement for the supplemental groundwater investigation requested by the Alameda County Health Care Services is \$14,080. The August 5, 1998 cost proposal for this work by Advanced Assessment and Remediation Services is approved for eligible costs as submitted with the exception of the cost for chlorinated solvents which are ineligible.

Be aware that this pre-approval does not constitute a decision on reimbursement: all reasonable and necessary corrective action costs for work directed and approved by the Alameda County Health Care Services will be eligible for reimbursement per the terms of your Letter of Commitment at costs consistent with those pre-approved in this letter.

All future costs for corrective action must be approved in writing by Fund staff. Future costs for corrective action must meet the requirements of Article 11, Chapter 16, Underground Storage Tank Regulations.

- The actual costs and scope of work performed must be consistent with the pre-approval for it to remain valid.
- The work products must be acceptable to the Alameda County Health Care Services
- It is my opinion that it is unnecessary to obtain three bids for this scope of work. the Fund's three bid requirement is waived for this scope of work.
- If a different scope of work becomes necessary, then you must request pre-approval of costs on the new scope of work.



Recycled Paper

Our mission is to preserve and enhance the quality of California's water resources and ensure their proper allocation and efficient use for the benefit of present and future generations

- Although I have referred to the Advanced Assessment and Remediation Services proposal in my pre-approval above, please be aware that you will be entering into a private contract: the State of California cannot compel you to sign any specific contract.

I also want to remind you that the Fund's regulations require that you obtain at least three bids, or a bid waiver from Fund staff, from qualified firms for all future necessary corrective action work. The legislation governing the Fund requires that the Fund assist you in procuring contractor and consultant services for corrective action. If you need assistance in contracting for corrective action services, don't hesitate to call me.

Please remember that it is still necessary to submit the actual costs of the work as explained in the Reimbursement Request Instructions to confirm that the costs are consistent with this pre-approval before you will be reimbursed. *To make this easier, insure that your consultant prepares his invoices to match the format of the original estimate, and provides reasonable explanations for any changes made in the scope of work or increases in the costs. When the invoices are submitted you must include copies of all:*

- *subcontractor invoices (includes lab invoices)*
- *technical reports, when available, and*
- *applicable correspondence from the Alameda County Health Care Services*

Please call if you have any questions; I can be reached at (916) 227-4519.

Sincerely,



David Hallstrom, Water Resources Control Engineer
Technical Review Unit
Underground Storage Tank Cleanup Fund



**LYNN M. NIGHTINGALE
PARALEGAL SERVICES**

FOX PLAZA
1390 MARKET STREET, SUITE 1204
SAN FRANCISCO, CA 94102-5306

TELEPHONE: (415) 554-0200
FACSIMILE: (415) 522-0513

August 11, 1998

Mike Mossbacker
UST Cleanup Fund
2014 T Street
Sacramento, CA 95814

Re: 4629 Martin Luther King, Jr. Way, Oakland, CA
Claim No. 470

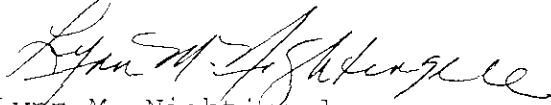
Dear Mr. Mossbacker:

Enclosed for review for pre-approval of cost for further investigation at the above-referenced site are the following documents:

1. Work Plan for Supplemental Groundwater Quality Investigation submitted by Advanced Assessment and Remediation Services (AARS)
2. Revised Site Plan for location of borings and monitoring wells
3. Work Plan Approval by Alameda County Health Care Services
4. Estimated Cost Summary for this Supplemental Groundwater Quality Investigation
5. Cost Pre-Approval Request.

You may recall, we discussed this project on the telephone and I was advised that it was not necessary for me to submit three bids as this testing is a continuation of groundwater testing that AARS had performed. Please let me know if you need anything further. I look forward to receiving approval and proceeding with this next phase of the investigation. Thank you.

Very truly yours,


Lynn M. Nightingale
Trustee of the Uncle Sid Trust

Enclosures

cc: Léva chu, Alameda County Health Services Agency
Tridib Guha, AARS

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)

StID 1489

August 5, 1998

Ms. Lynn Nightingale
102 Flying Cloud Isle
Foster City, CA 94404

RE: Work Plan Approval for 4629 MLK Jr Way, Oakland, CA

Dear Ms. Nightingale:

I have completed review of AARS' July 1998 "Work Plan for Supplemental Groundwater Quality Investigation" and the revised site plan depicting locations of the proposed temporary and permanent groundwater monitoring wells. The work plan is acceptable with the following changes/additions:

1. include analysis for TPH as stoddard solvent in all water samples;
2. only water from monitoring wells MW-1 and MW-2 need to be analyzed for chlorinated solvents, using Method 8240; *OK to drop. ee. 10/26/98*
3. analysis for lead should be for total soluble lead, where the water sample (from wells MW-1 and MW-2 only) is filtered prior to analysis; and,
4. soil sample from TW-4, if "clean", should be selected for physical parameter analyses, where total carbon content quantification is also included;

Although records do not show that permits were taken for the installation of underground storage tanks (UST) inside the existing building, there exists what appears to be a UST, possible two, at the site (see enclosed site plan). The UST and any associated piping must be properly closed (either removed or filled with an inert material). The Oakland Fire Department is the lead agency for the closure of USTs. You should contact Mr. Leroy Griffin at (510) 238-7759 for applicable permits.

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

eva chu
Hazardous Materials Specialist

c: Tridib Guha, AARS, 3800 Vista Oaks Dr, Suite 201, Martinez, CA 94553
Leroy Griffin, Oakland Fire Dept (w |)

enclosure

ntngale10

LYNN M. NIGHTINGALE
PARALEGAL SERVICES

ENVIRONMENTAL
PROTECTION

July 27, 1998

98 JUL 29 AM 10:49

FOX PLAZA
1390 MARKET STREET, SUITE 1204
SAN FRANCISCO, CA 94102-5306

TELEPHONE: (415) 554-0200
FACSIMILE: (415) 522-0513

eva chu
Hazardous Materials Specialist
Alameda County Health Agency Care Services
Environmental Health Services
1131 Harbor Bay Parkway
Alameda, CA 94502-6577

Re: 4629 Martin Luther King Jr. Way, Oakland

Dear Ms. chu:

Enclosed for your review is a Work Plan for Supplemental Groundwater Quality investigation at the above-referenced property submitted by Advanced Assessment and Remediation Services (AARS).

As you recall, in April, 1997 I submitted to you a Supplemental Groundwater Quality Investigation by AARS and after you reviewed that proposal you requested additional tasks to complete the characterization of the site. Because the auger encountered an unknown underground object at the time of the previous site investigation, one of the additional tasks you requested included further research into the history of the building to determine if there were any additional underground storage tanks on the property.

Thereafter AARS submitted an Addendum to Supplemental Groundwater Quality Investigation to comply with your three additional requests. Task 2 of that Addendum dealt with investigating what caused auger refusal. The work outlined in the Addendum by AARS to complete Task 2, and which was approved by you, included "reviewing City of Oakland Planning Department's records and Sanborn map."

Since that time, I have received further information regarding the history of the property. Therefore, I informed AARS that I would address this matter directly with you and asked AARS not to include this task in the Work Plan for additional groundwater testing. Tasks 1 and 3 of the Addendum are included in the submitted Work Plan.

Earlier this year, I was informed for the first time that the property had been identified as a "potentially historical building" by the Oakland Cultural Heritage Survey (OCHS). I subsequently met with Betty Marvin at the OCHS office and reviewed her file. In selecting properties, OCHS does extensive research to find out everything there is to know about a site in order to determine its historical significance. The research references consulted by OCHS

LYNN M. NIGHTINGALE
PARALEGAL SERVICES

eva chu
July 27, 1998
Page 2

Re: 4629 Martin Luther King, Jr. Way, Oakland, CA

included Sanborn maps from 1882-1970's, and building and alterations permits. (See Building, Structure, and Object Record, Item B12.) Enclosed are copies of documents from Ms. Marvin's file on the property, including Sanborn maps and information on permits from the Oakland City Planning Department.

Page 287 of the 1903 Sanborn map shows the property when it was used as a Car Barn. In that map there is no evidence of any underground storage tanks. Page 310 of the 1912-1951 Sanborn map shows the property when it was used by the Pullman Company as a Private Steam Laundry. In that map, one 2,000 gallon tank is shown in the sidewalk. Writing on the map states that there was a "tank for domestic use". This tank was removed in July, 1992. - Map shows one VST. Note that a total of 5 VSTs were removed from the site. Most of these are *not* shown in the maps or permits taken for their install.

Also enclosed is information from research conducted by OCHS at the Oakland City Planning Department. It appears the building was original built sometime between 1891 and 1898 and thereafter permits were issued to different owners for improvements many times through the years. You will note there are no permits listed for underground storage tanks.

It appears that the Oakland Cultural Heritage Survey did a thorough research of the history of this property, including looking at Sanborn maps and researching the Oakland Building Department records, to determine who owned it, what it was used for, how the property looked, and what permits were issued. I submit that the information presented fulfills the requirement for Task 2.

Please let me know if you approve the Work Plan, and if so, I will submit it to the State Water Resources Control Board for pre-approval of costs. As soon as I receive the necessary approvals, I will instructed AARS that the work can begin.

Please give me a call if you have any questions. Thank you.

Sincerely yours


Lynn M. Nightingale

Enclosures
cc: Tridib Guha, AARS

LYNN M. NIGHTINGALE
PARALEGAL SERVICES

FOX PLAZA
1390 MARKET STREET, SUITE 1204
SAN FRANCISCO, CA 94102-5306

TELEPHONE: (415) 554-0200
FACSIMILE: (415) 522-0513

July 10, 1998

eva chu
Hazardous Materials Specialist
Alameda County Health Agency Care Services
Environmental Health Services
1131 Harbor Bay Parkway
Alameda, CA 94502-6577

Re: 4629 Martin Luther King Jr. Way, Oakland

Dear Ms. chu:

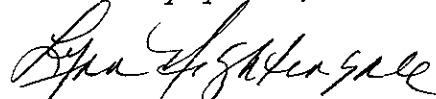
Confirming my telephone advice to you, Tridib Guha of Advanced Assessment Remediation Services is preparing a Work Plan, which I will submit to you in response to your letter to me dated June 10, 1998. Mr. Guha is basing his Work Plan on a Proposal and Addendum to that Proposal he previously submitted to me, and which I submitted to you and was approved by you.

After you approve the Work Plan, I will submit it to the State Water Resources Control Board for pre-approval.

I trust you will consider us in compliance with your latest request and no adverse consequences will ensue. If I am in error, please let me know immediately.

Thank you for your past courtesies and cooperation and I look forward to continuing to work with you.

Sincerely yours,



Lynn M. Nightingale

cc: Cheryl Gordon

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



StID 1489

June 12, 1998

Ms. Lynn Nightingale
102 Flying Cloud Isle
Foster City, CA 94404

ENVIRONMENTAL HEALTH SERVICES

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

SECOND NOTICE OF VIOLATION

Dear Ms. Nightingale:

On April 25, 1997, the Alameda County Department of Environmental Health, Hazardous Materials Division, sent you a letter approving the proposal for additional subsurface investigations at **4629 Martin L. King Jr Way, Oakland, CA**. As of the date of this letter, however, we have not received a formal workplan or any communication from you on this matter. Therefore, this letter constitutes a **Second Notice** that you are in violation of specific laws and that the technical report is due.

According to Section 25298 of the California Health and Safety Code, underground storage tank closure is incomplete until the responsible party characterizes and remediates the contamination resulting from product discharge. Therefore, you, as the responsible party are in violation of this section of the Code.

You are required to submit the technical reports for the site to this office **within 30 days** from the date of this letter. Modification of required tasks or extensions of stated deadlines must be confirmed in writing by either this agency or the RWQCB.

Be advised that failure to be in compliance with corrective action directives may jeopardize your eligibility to remain in the UST Cleanup Fund.

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

eva chu
Hazardous Materials Specialist

c: Cheryl Gordon, SWRCB Cleanup Fund



Cal/EPA

**State Water
Resources
Control Board**

**Division of
Clean Water
Programs**

Mailing Address:
P.O. Box 944212
Sacramento, CA
94244-2120

2014 T Street,
Suite 130
Sacramento, CA
95814
(916) 227-4307
FAX (916) 227-4530

World Wide Web
<http://www.swrcb.ca.gov/~cwphome/fundhome.htm>

JUN 20 1997

Lynn Nightingale
Uncle Sid Trust
102 Flying Cloud Isle
Foster City, CA 94404

UNDERGROUND STORAGE TANK CLEANUP FUND, CLAIM NO. 470, FOR SITE
ADDRESS: 4629 MARTIN LUTHER KING JR WAY, OAKLAND 94609

The State Water Resources Control Board (State Board) is able to issue, pursuant to applicable regulations, the enclosed Letter of Commitment (LOC) in an amount not to exceed \$25,000. This LOC is based upon our review of the corrective action costs you reported to have incurred to date. The LOC may be modified by the State Board.

It is very important that you read the terms and conditions listed in the enclosed LOC. Claims filed with the Underground Storage Tank Cleanup Fund far exceed the funding available and it is very important that you make use of the funding that has been committed to your cleanup in a timely manner.

Consequently, if you do not submit your first reimbursement request for corrective action costs which you have incurred within ninety (90) calendar days from the date of this letter, your funds will automatically be deobligated. Once deobligated, any future funds for this site will be obligated subject to availability of funds at such time when we receive your reimbursement request.

You are reminded that you must comply with all regulatory agency time schedules and requirements and you must obtain three bids for any required corrective action. Only corrective action costs *required* by the regulatory agency to protect human health, safety and the environment can be claimed for reimbursement. **Unless waived in writing, you are required to obtain preapproval of costs for all future corrective action work (form enclosed).** If you have any questions on obtaining preapproval of your costs or the three bid requirement, please call Steve Marquez, our engineer assigned to claims in your Region, at (916) 227-0746. Failure to obtain preapproval of your future costs may result in the costs not being reimbursed.

The following documents needed to submit your reimbursement request are enclosed

- "Reimbursement Request Instructions" package Retain this package for future reimbursement requests These instructions must be followed when seeking reimbursement for corrective action costs incurred after January 1, 1988 Included in the instruction package are samples of completed reimbursement request forms and spreadsheets

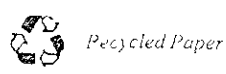
Stid # 1489

EC

97 JUN 23 PM 6:00



Pete Wilson
Governor



Our mission is to preserve and enhance the quality of California's water resources, and ensure their proper allocation and efficient use for the benefit of present and future generations

JUN 20 1997

- "Bid Summary Sheet" to list information on bids received which **must be completed and returned.**
- "Reimbursement Request" forms which you **must use to request reimbursement of costs incurred.**
- "Spreadsheet" forms which you **must use in conjunction with your reimbursement request.**
- "Claimant Data Record" (Std. Form 204) which **must be completed and returned with your first reimbursement request.**

We continuously review the status of all active claims. If you do not submit a reimbursement request or fail to proceed with due diligence with the cleanup, we will take steps to withdraw your LOC.

If you have any questions regarding the enclosed documents, please contact <payments leader>.

Sincerely,



Dave Deaner, Manager
UST Cleanup Fund Program

Enclosures

cc: Mr. Thomas Peacock
Alameda County EHD
1131 Harbor Bay Pkway, 2nd Fl.
Alameda, CA 94502-6577



DETAILED REVIEW CHECK LIST

Page 3

4629 MLK Jr. Way

Claim No: 000470	Claimant Name: Uncle Sam Trust
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COMPLIANCE DOCUMENTATION	
DATE	ACTION/RESPONSE
12/92	Five USTs were removed. No tanks had not been used since 1970s. Older fuel tanks not used for many years. See attached for chronology through 1/26/97.
1/24/96	County letter to James Martingale. Submittal of workplan for investigation to delineate the extent of the plume. Perform additional investigation to determine if there are additional tanks at the site.
1/14/97	Field Review. Workplan has not been received. No correspondence since 1/24/96.
2/2/97	No followup correspondence by the County. Would like to issue LOC based on work performed until January 1996.
2/25/97	Spoke w/ Eva from County. She does not agree. She wants to issue a 90-day letter.
4/25/97	Spoke w/ Alameda Health. He addedendum that she requested for the workplan and she has approved.

From: Post-it* Fax Note 7671	To:
Date 5/28	# of pages
To: Eva Chu	From: Cheryl Gordon
County: Alameda County	City: Cleanup Fund
Phone #	Phone #
Fax # (910) 337-9335	Fax # (910) 227-4530

CONFIRMATION OF CORRECTIVE

- Claimant in Corrective Action Compliance
- Claimant NOT in Corrective Action Compliance at the Time of this Review - 90 Day Letter Required
- Claimant NOT in Corrective Action Compliance - Recommend Rejection

LEAD AGENCY SIGNATURE
 Cheryl Gordon
 CLAIMS REVIEWER SIGNATURE

5/28/97
 DATE
 2/21/97
 DATE
 5/16/97

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)

StID 1489

April 25, 1997

Ms. Lynn Nightingale
102 Flying Cloud Isle
Foster City, CA 94404

RE: Proposal Approval for 4629 Martin L. King Jr Way, Oakland

Dear Ms. Nightingale:

I have completed review of Advanced Assessment and Remediation Services' (AARS) March 1997 Proposal for Supplemental Groundwater Quality Investigation and AARS' April 1997 Addendum to said proposal for the above referenced site. The proposal to drill five soil borings (converting two into groundwater monitoring wells) to further delineate the extent of soil and groundwater contamination, and to determine if additional underground storage tanks (USTs) exist on the property and to properly close any USTs identified, is acceptable. A formal workplan for the proposed work is due within 60 days of the date of this letter, or by June 25, 1997.

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

eva chu
Hazardous Materials Specialist

c: Cheryl Gordon, SWRCB, Cleanup Fund
Tridib Guha, AARS, 3800 Vista Oaks Dr, Suite 201, Martinez, CA
94553

LYNN M. NIGHTINGALE
PARALEGAL SERVICES

FOX PLAZA
1390 MARKET STREET, SUITE 1204
SAN FRANCISCO, CA 94102-5306

TELEPHONE: (415) 554-0200
FACSIMILE: (415) 522-0513

April 22, 1997

eva chu
Hazardous Materials Specialist
Alameda County Health Agency Care Services
Department of Environmental Health
State Water Resources Control Board
Division of Clean Water Programs
UST Local Oversight Program
1131 Harbor Bay Parkway
Alameda, CA 94502-6577

Re: 4629 Martin Luther King Jr. Way, Oakland

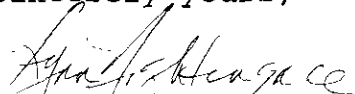
Dear Ms. chu:

I have been trying to speak with you since April 15, 1997 and I know you returned at least one of my calls. I hope we will connect soon.

In the meantime, I spoke with Cheryl Gordon at the SWRB Clean-up Fund, who advised me that you were waiting for some supplemental information prior to signing off on our compliance. I received the enclosed Addendum to Supplemental Groundwater Quality Investigation from Tridib Guha and submit it to you for your review. If this is what you were waiting for, I hope it meets your approval and you will be able to give the go-ahead to Ms. Gordon. Ms. Gordon advises that as soon as she receives the O.K. from you, she is ready to issue a Letter of Commitment to us.

Please give me a call and let me know the status of our situation. Thank you.

Sincerely yours,


Lynn M. Nightingale
Trustee

Enclosure



ADVANCED ASSESSMENT AND REMEDIAL SERVICES (AARS)

3800 VISTA OAKS DRIVE, SUITE 201
MARTINEZ, CALIFORNIA 94553
TEL: (510) 370-8295 FAX: (510) 370-2335
e-mail: aars@ccnet.com

April 15, 1997

Ms. Lynn Nightingale
1390 Market Street
Suite 1204
San Francisco, California 94102-5306

**Subject: Addendum to Proposal for Supplemental Groundwater Quality Investigation
at
4629 Martin Luther King, Jr. Way
Oakland, California**

Dear Ms. Nightingale:

Advanced Assessment and Remediation Services (AARS) is pleased to submit this addendum to our proposal for supplemental groundwater quality investigation for the above referred site. Ms. Eva Chu, Alameda County Environmental Health Department (ACEHD) reviewed our proposal dated March 28, 1997, and advised me to include the following tasks for a complete site characterization.

1. Install a temporary well (TW-5) to evaluate water quality at the western limit of the property.
2. Investigate possible tank (tanks?) and if encountered how to close it.
3. Analyze one soil sample for physical index properties.

Enclosed for your review is a brief descriptions of each tasks and a site map. Please forward them to Ms. Chu.

I can be reached at (510) 370-8295 if you have any questions or need additional information.

Sincerely,

Advanced Assessment and Remediation Services

Tridib K. Guha, R.G., R.E.A.
Principal

TG MLKSPAD PRO enclosures

ADDENDUM TO SUPPLEMENTAL GROUNDWATER QUALITY INVESTIGATION
at
4629 Martin Luther King Jr. Way
Oakland, California

This work plan is an addendum to the work plan dated March 28, 1997. The following tasks will be performed to complete the site characterization of the property at 4629 Martin Luther King Jr. Way, Oakland, California. The details of temporary well installation is not repeated again.

Task 1: Drill Soil Boring; Install a Temporary Well

One soil boring (TW-5) will be drilled to 30 feet below ground surface (bgs) by using a limited access drilling rig. The soil boring will be converted into a temporary well. After collecting a groundwater sample the casings will be removed. The boring will then be completely backfilled with neat cement or cement slurry to grade. One soil sample (capillary zone) will be collected and analyzed for TPHd-mo, TPHg with BTEX/MTBE, chlorinated halocarbons using the appropriate EPA methods.

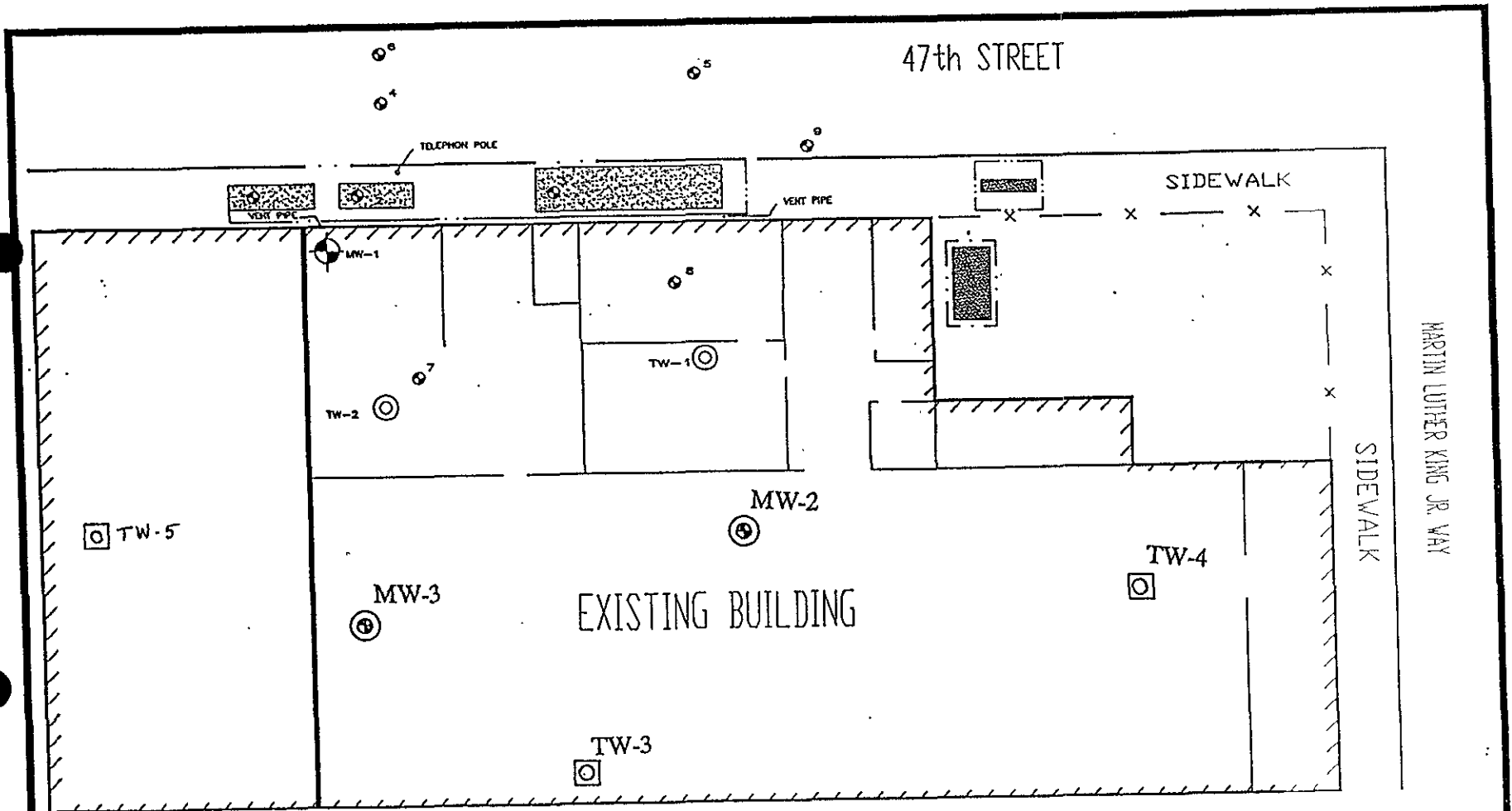
Task 2: Investigate Possible Tank

During drilling of previous site investigation auger refusal was encountered. This may be due to possible underground storage tank (UST). Investigation of possible UST will be conducted by reviewing City of Oakland Planning Department's records and Sanborn map. If the record search confirms possible UST, then a magnetometer survey will be conducted to confirm the extent and location. If tank (tanks) is/are encountered then the tank will be closed in place by using cement slurry.

Task 3: Analyze One Soil Sample for Physical Index Properties

One soil sample (clean) will be collected to analyze for physical index properties, i.e. bulk density, moisture content, specific gravity, and grain size distribution including hydrometer. This physical properties evaluation is necessary for risk evaluation. The analysis will be conducted in a California approved geotechnical laboratory and will meet ASTM standard.

total organic carbon content



LEGEND

- TEST BORING BY SUBSURFACE CONSULTANT
- APPROXIMATE LOCATION OF PREVIOUS HEATING OIL FUEL TANKS
- APPROXIMATE LOCATION OF PREVIOUS GASOLINE TANK
- TW-2 TEMPORARY WELL
- TW-3 PROPOSED TEMP. WELL
- MW-1 MONITORING WELL
- MW-2 PROPOSED MONT. WELL
- EXTENT OF TANK EXCAVATION



APPROXIMATE SCALE (feet)

 0 20 40

**ADVANCED ASSESSMENT AND
 REMEDIATION SERVICES**
 3800 Vista Oaks Dr.
 Martinez, CA 94553

FIGURE 2: SITE PLAN

4629 MARTIN LUTHER KING JR WAY
 OAKLAND, CALIFORNIA

JOB NUMBER	DATE	APPROVED
95018	09/20-1995	

LYNN M. NIGHTINGALE
PARALEGAL SERVICES

ENVIRONMENTAL
PROTECTION

97 APR -2 PM 2:21

FOX PLAZA
1390 MARKET STREET, SUITE 1204
SAN FRANCISCO, CA 94102-5306

TELEPHONE: (415) 554-0200
FACSIMILE: (415) 522-0513

March 31, 1997

eva chu
Hazardous Materials Specialist
Alameda County Health Agency Care Services
Department of Environmental Health
State Water Resources Control Board
Division of Clean Water Programs
UST Local Oversight Program
1131 Harbor Bay Parkway
Alameda, CA 94502-6577

Re: 4629 Martin Luther King Jr. Way, Oakland

Dear Ms. chu:

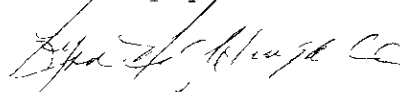
I have your February 26, 1997 letter directing me to delineate the extent of the plume at the above-referenced site.

As we discussed in our telephone conversation on March 4, 1997, Cheryl Gordon of the SWRCB Clean-up Fund Program reviewed our file in your office in February. Both you and Ms. Gordon advised me that you would not agree to her issuing us a Letter of Commitment as you did not feel we were in compliance with your directives. In our telephone conversation you advised me that if I would submit to you a bid for a workplan to show our good faith, you would advise Ms. Gordon that we are in compliance with all directives and that she could proceed with our claim.

Enclosed is a bid for Supplemental Groundwater Quality Investigation submitted by Advanced Assessment and Remediation Services for the above-referenced site. I trust that you will now advise Ms. Gordon of our compliance with all of your requests so that she can proceed with our claim.

Thank you for your prompt attention to this matter.

Sincerely yours,



Lynn M. Nightingale, Trustee

Enclosure

cc: Cheryl Gordon
SWRCB, Clean-up Fund Program

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

StID 1489

February 26, 1997

Ms. Lynn Nightingale
102 Flying Cloud Isle
Foster City, CA 94404

Subject: 90 day Compliance Letter
4629 Martin L King Jr Way, Oakland, CA 94609

Dear Ms. Nightingale:

Your file was recently reviewed by State Water Resources Control Board staff with the Underground Storage Tank Cleanup Fund Program (Cleanup Fund). The purpose of their review was to determine if you are in compliance with the corrective action orders and directives which is a requirement for reimbursement of cleanup costs from the Cleanup Fund.

As a result of their review, it has been determined that you are currently not in compliance because of a lack of investigation. For cases such as yours, the Cleanup Fund is providing responsible parties with an opportunity to come into compliance provided the regulatory agency will issue a revised corrective action directive. You must take positive concrete steps to come into compliance.

Please refer to the enclosed memorandum from the Cleanup Fund regarding their requirements before a Letter of Commitment can be issued obligating funds to assist you with the cleanup of your site.

Accordingly, pursuant to **Section 13267 (b)** of the **California Water Code**, you are hereby directed to delineate the extent of the plume at this site. Please provide a workplan for this phase of the investigation. The workplan is due within 90 days of the date of this letter, **or by May 28, 1997.**

During the latest investigation at the site, the advancement of proposed boring MW-1 encountered auger refusal due to a metal jacket embedded in the concrete. It appears that an underground storage tank may exist beneath the concrete. Additional investigations must be conducted to verify whether there are additional tanks at this site. The proposed work should also be included in the workplan due by March 28, 1997.

Lynn Nightingale
re: 90 Day Letter
February 26, 1997

Please be aware, that pursuant to Title 23, Division 3, Chapter 16, Article 11 of the California Code of Regulations you must provide a status report of all activities, including the progress, of this case every 90 days to this office.

If you have any questions regarding the provisions of this letter and/or the necessary work at the site, please call me at (510) 567-6762.

Sincerely,



eva chu
Hazardous Materials Specialist

Enclosure

cc: Chief, Environmental Protection Div. /files
Robert Chambers, Alameda County District Attorney's Office
Kevin Graves, San Francisco Bay RWQCB
Cheryl Gordon, SWRCB, Clean-up Fund Program

ingale

LYNN M. NIGHTINGALE

102 Flying Cloud Isle
Foster City, CA 94404
(415) 574-1222
Telephone: ~~(415) 468-1900~~
Fax: (415) 468-0167
↳ 415/554-0200

February 26, 1996

eva chu
Hazardous Materials Specialist
Alameda County Health Agency Care Services
Department of Environmental Health
Environmental Protection Division
1131 Harbor Bay Parkway, Room 250
Alameda, CA 94502-6577

Re: 4629 Martin Luther King Jr. Way, Oakland

Dear Ms. chu:

In our telephone discussion of February 23, 1996 we discussed, among other items, the unknown object under the building at the above address which was hit by an auger when attempting to drill a temporary well. I told you that I had previously investigated the site to determine what, if anything, was underground. The following is a summary of my knowledge and results of my investigation of this property.

As you know, I, as Trustee of the Uncle Sid Trust, am the owner of fifty percent (50%) of this property. Prior to the Uncle Sid Trust acquiring its one-half interest in the subject property, that said one-half interest was owned by Sidney Miller. Sidney Miller died in March, 1980. The ten beneficiaries of the Estate of Sidney Miller received their total one-half interest in the subject property in April, 1987 pursuant to a Decree of Distribution in the said estate. In April, 1989 the ten beneficiaries deeded each of their individual interests in the subject property to me, as Trustee of the Uncle Sid Trust.

The Elkan Jackson and Irene Jackson Revocable Trust has had a one-half ownership interest in the property since 1982. Prior to that time Elkan Jackson and Irene Jackson, individually, owned the property. Elkan Jackson died in 1994.

I am informed that prior to his death, Sidney Miller managed the subject property and thereafter, Elkan Jackson assumed the managerial position. In several discussions with Mr. Jackson prior to his death, he advised me that he did not know anything about underground tanks, as Sidney Miller had taken care of everything.

eva chu
February 26, 1996
Page 2

Re: 4629 Martin Luther King, Jr. Way, Oakland, CA

One of the Co-Executors of the Estate of Sidney Miller, who has since died, had advised me that the subject of underground tanks was never raised during the administration of the Estate.

In March, 1991, Elkan Jackson, who was then 86 years old, moved out of San Francisco and asked me, as Trustee of the Uncle Sid Trust, to assume the management responsibilities of the subject property.

Thereafter, I had occasion to visit the property. I noticed two gasoline dispensing units in the yard of the property. At that time I began making inquiries as to the existence of any underground storage tanks. The tenant at that time, who had leased the premises for approximately twenty years, advised me that the tanks had been there for a long time and that he believed they were drained and filled with sand in approximately 1973.

In April, 1991 I telephoned to the County of Alameda Health Care Services, Hazardous Material Management Program. No one was available to speak with me at that time. On May 2, 1991, I eventually spoke with a Susan Hugo who advised me that she did not have a listing for any underground tanks at the subject property. She advised me that she receives her listings from the Department of Health Services.

On May 2, 1991 I then telephoned to the City of Oakland, License Department to inquire if any licenses had been issued for any tanks at the subject property. I was told to call the Building Department. I telephoned to the Building Department and was transferred to Engineering Services. Engineering Services informed me that the County of Alameda Health Department was handling all underground tanks. I was advised that if tanks were not on the Health Services list, then there are no tanks on the property. I was further informed that the Engineering Department had a fire in their building the previous month; that they had to relocate; and that at that time they did not have access to their records to see if any permit had been issued for any tanks at the subject property.

On that same date, I then telephoned to the State of California, Department of Health Services. I was told to call the State Water Resources Control Board. A David Holtry subsequently returned by phone call. In response to my inquiry as to tanks on the property, he told me to contact the local agency. I advised him that the local agency had no listing for tanks at the property.

eva chu
February 26, 1996
Page 3

Re: 4629 Martin Luther King, Jr. Way, Oakland, CA

I gave him the address of the property and after checking his records, he called me back and informed me that he did not have a listing for any tanks at the subject property.

On May 22, 1991 I telephoned to the City of Oakland, Building Department to determine if they had any listing for underground tanks at the subject property. I was advised that records earlier than the past three years were in another building which had had a fire and that those records were not presently available.

On June 26, 1991 I again telephoned to the City of Oakland, Building Department and was advised that they were back in their building and I could come in and research their records which are kept on microfiche.

On July 10, 1991 I went to the City of Oakland, Building Records Department. No record for any underground storage tanks appeared on the microfiche for the subject address. I asked to see building plans and was told there were no building plans for the subject property as the Department does not keep building plans unless the building is over three stories. The building at the subject property is less than three stories.

I then visited the Engineering Services Department. They did not have a plot plan. They had nothing on file for the subject address.

I then visited the Fire Prevention Department. They had nothing on file for the subject property and I was told their records only go back to the 1970's.

Because we were contemplating selling the subject property, I contacted several tank removal firms to inspect the site. I was informed of the following:

One firm advised that there were two tanks, each approximately 5,000 gallons and each containing approximately 1,000 gallons of sand.

Another firm advised that there were four tanks. The oral report stated that one had contained either diesel or heating oil; one was a 10,000 gallon tank, with the previous contents unknown; and that two were 500 gallon gasoline tanks, which were dry. The written estimate advised that there was one 10,000 gallon tank

eva chu
February 26, 1996
Page 4

Re: 4629 Martin Luther King, Jr. Way, Oakland, CA

and three 1,000 gallon tanks. I was further advised that the tanks were very old and were single-walled tanks.

As you are aware, once I had the tanks removed, neither of the above estimates was correct.

Tridib Guha advised me that you had requested that he conduct an investigation regarding the obstruction encountered. His search revealed a map of the property showing a plan for "The Pullman Cos. Private Steam Laundry". I enclose a copy of the map he was able to find and have highlighted the boundaries of the property. Please note that there are two black rectangles depicted. These are the two boilers that were on the property. One boiler was dismantled and removed many years ago; one is still in place on the property and is located in the area where MW-1 was placed. There is no evidence of any underground storage tanks in this map.

In addition to your letter, you provided me with your Hazardous Materials Inspection Form showing that you visited the property on November 14, 1995, the date the groundwater testing was in progress. Since you were at the property, as I was that day, you must have noticed, as I did, that when a long object was placed down in the exposed cavity, it emerged clean and dry; there were no discolorations in the cavity; there were no odors from the cavity; and there were no pipes running from that area. While we do not know what is under the concrete floor of the building, from all indications, we could conclude that it is not a storage tank.

Regarding the use of the building over the years, I was informed that at one time the building was owned by the Pullman Railroad Company and that it was used as a laundry (wash house only; no dry cleaning) by that company. In the 1960's it was also used as a laundry (again, no dry cleaning), and from approximately 1971 to 1991 it was used by a sheet metal fabricator. It has been vacant since 1991.

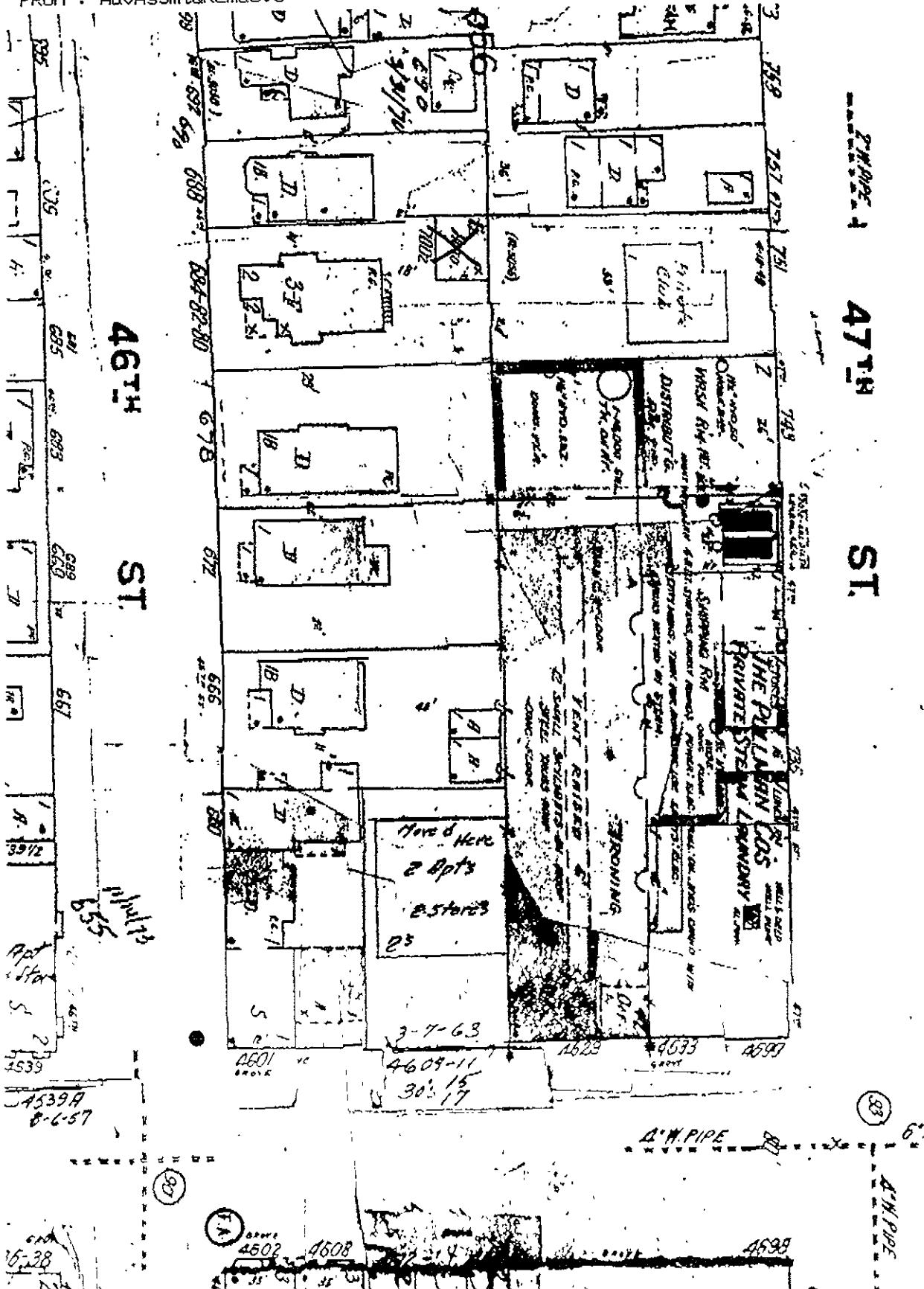
You told me that you, too, would be doing some investigative work to try to determine what the obstruction may be. I look forward to hearing from you once you have the results of your search.

Sincerely yours,

Lynn M. Nightingale

Lynn M. Nightingale
Trustee

LMN:bls
Enc.



310

47TH ST

46TH ST

4\"/>

6\"/>

38

37

34

4602

4608

4638

4638

2



Cal/EPA

State Water Resources Control Board

Division of Clean Water Programs

Mailing Address: P.O. Box 944212 Sacramento, CA 94244-2120

2014 F Street, Suite 130 Sacramento, CA 95814 (916) 227-4307 FAX (916) 227-4530



Pete Wilson Governor

FAX TRANSMITTAL

DATE: 2-21-97

TO: Eva Chu

FAX #: (510) 337-9335

FROM: Cheryl Gordon

UST CLEANUP FUND PROGRAM
 FAX #: (916) 227-4530
 PHONE #: (916) 227-4539

NUMBER OF PAGES (including this page): 3

- For your information
- Per your request
- For your review and comment
-



Eva, as explained in the voicemail, I'd like to sign off on this one based on the work done prior to 1996, unless you're not in agreement. The claimant understands that work must resume when the fund "kicks in", if not before.

DETAILED REVIEW CHECK LIST

4629 MLK Jr. Way

Claim No: 080420	Claimant Name: Uncle Sid Trust
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COMPLIANCE DOCUMENTATION	
DATE	ACTION/RESPONSE
12/92	Five USTs were removed. No tanks had not been used since 1970s. Other fuel tanks not used for many years. See attached for chronology through 1/96.
1/24/96	County letter to Lynn Nightingale. Submits a workplan for investigation to delineate the extent of the plume. Perform additional investigation to determine if there are additional tanks at the site.
1/14/97	Field Review: Workplan has not been received. No correspondence since 1/24/96.
2/2/97	No followup correspondence by the County. Would like to issue COC based on work performed until January 1996.

Continued on Reverse

CONFIRMATION OF CORRECTIVE ACTION COMPLIANCE

Claimant in Corrective Action Compliance
 Claimant NOT in Corrective Action Compliance at the Time of this Review - 90 Day Letter Required
 Claimant NOT in Corrective Action Compliance - Recommend Rejection

LEAD AGENCY SIGNATURE: *[Signature]* DATE: 4/26/97
 CLAIMS REVIEWER SIGNATURE: *Cheryl Gordon* DATE: 2/21/97

StID 1489 - 4629 MLK Jr Way

SITE HISTORY

In July 1992 five USTs were removed (1-10K and 2-2K gallon fuel oil, 1-1K and 1-250 gallon gasoline tanks). Hydrocarbon odor and stained soil was noted below the fuel oil tanks and under the 1K gasoline UST. Soil samples were collected and analyzed for TPHd, TPG, and BTEX. Elevated TPHd and TOG were identified in soil below the fuel oil tanks. Contamination was not identified from the gasoline tank excavations. (See Fig 1, Table 1)

In March and May 1993 a total of nine test borings were drilled to depth ranging from 23' to 32' bgs to collect soil samples. Hydrocarbon odors were noted in soil samples obtained from Borings 1 through 5. Groundwater was encountered between 17' to 27' bgs but groundwater samples were not collected. Soil samples were analyzed for TEH and TOG. Up to 760 and 1,700 ppm TOG and TEH, respectively, were identified. The approximate lateral extent of soil contamination is as shown on Fig 2. The vertical extent of contamination appears to be limited to depths less than 25' bgs. (See Fig 2, Table 2)

In November 1995 three soil borings were drilled. One of the borings was converted into a groundwater monitoring well (MW-1). The other two (TW-1 and TW-2) were converted into temporary wells. Soil samples were collected from the capillary fringe at approximately 21' bgs. Water samples were also collected. Soil and groundwater samples were analyzed for TPHg, TPHd, TOG, and BTEX. In addition, groundwater was analyzed for soluble lead. Strong hydrocarbon odor was noted in soil samples collected from boring MW-1 and TW-1. Elevated TPHg, TPHd, and TOG levels were identified in soil and groundwater from all three borings. Up to 11 mg/L lead was identified in water from boring TW-1. (See Fig 3, Table 3, 4, and 5)

During this phase of the investigation a possible underground storage tank was encountered. Its prior use is unknown.

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



ARNOLD PERKINS, DIRECTOR
RAFAT A. SHAHID, DEPUTY DIRECTOR

StID 1489

January 24, 1996

Ms. Lynn Nightingale
102 Flying Cloud Isle
Foster City, CA 94404

Alameda County Environmental Health Dept
Environmental Protection Division
1131 Harbor Bay Parkway, Room 250
Alameda CA 94502-6577
(510)567-6700 fax: (510)337-9331

**RE: Additional Investigations at 4629 Martin Luther King Jr
Way, Oakland 94609**

Dear Ms. Nightingale:

I have completed review of Advanced Assessment and Remediation Services' January 1996 Groundwater Quality Investigation Report for the above referenced site. This report documented the advancement of three soil borings. One was converted into a permanent groundwater monitoring well and two were converted into temporary wells. Soil samples were collected from the capillary fringe of each boring. "Grab" groundwater samples were collected from each boring.

Soil and groundwater analytical results exhibited total petroleum hydrocarbons as gasoline, diesel, and total oil and grease in each boring. The results suggest that the hydrocarbon release detected in well MW-1 is predominantly weathered diesel. The hydrocarbons detected in TW-1 is not as weathered and may contain constituents other than diesel, but within the diesel range. It appears contaminants in wells MW-1 and TW-1 are from different sources. The extent of the contaminant plume has not been adequately delineated and/or characterized.

At this time, additional investigations are required to delineate the extent of the plume at this site. Please provide a workplan for this phase of the investigation. The workplan is due within 45 days of the date of this letter, **or by March 18, 1996.**

During the recent investigation, the advancement of proposed boring MW-1 encountered auger refusal due to a metal jacket embedded in the concrete. It appears that an underground storage tank may exist beneath the concrete. Additional investigations must be conducted to verify whether there are additional tanks at this site. The City of Oakland Public Works and Fire Departments may be able to provide documentation of tank installation and location. Please provide your findings to this office by **February 25, 1996.** If there are additional tanks onsite, you must take measures to permanently close them.

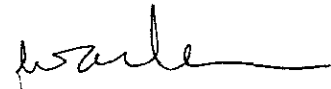
Lynn Nightingale
re: 4629 MLK Way, Oakland
January 24, 1996

Page 2

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.

Should you have any questions about the content of this letter, please contact me at (510) 567-6762.

Sincerely,



eva chu
Hazardous Materials Specialist

cc: files



ntingale b

white -env.health
 yellow -facility
 pink -files

ALAMEDA COUNTY, DEPARTMENT OF ENVIRONMENTAL HEALTH

80 Swan Way, #200
 Oakland, CA 94621
 (415) 271-4320

Hazardous Materials Inspection Form

II, III

II.A BUSINESS PLANS (Title 19)

- ___ 1. Immediate Reporting 2703
- ___ 2. Bus. Plan Stds 25503(b)
- ___ 3. RR Cars > 30 days 25503.7
- ___ 4. Inventory Information 25504(a)
- ___ 5. Inventory Complete 2730
- ___ 6. Emergency Response 25504(b)
- ___ 7. Training 25504(c)
- ___ 8. Deficiency 25505(a)
- ___ 9. Modification 25505(b)

II.B ACUTELY HAZ MATLS

- ___ 10. Registration Form Filed 25533(a)
- ___ 11. Form Complete 25533(b)
- ___ 12. RMPP Contents 25534(c)
- ___ 13. Implement Sch. Req'd? (Y/N)
- ___ 14. OffSite Conseq. Assess. 25524(c)
- ___ 15. Probable Risk Assessment 25534(d)
- ___ 16. Persons Responsible 25534(g)
- ___ 17. Certification 25534(i)
- ___ 18. Exemption Request? (Y/N) 25536(b)
- ___ 19. Trade Secret Requested? 25538

III. UNDERGROUND TANKS (Title 23)

- | | |
|-------------------------------|--|
| General | ___ 1. Permit Application 25284 (H&S) |
| | ___ 2. Pipeline Leak Detection 25292 (H&S) |
| | ___ 3. Records Maintenance 2712 |
| | ___ 4. Release Report 2651 |
| | ___ 5. Closure Plans 2670 |
| Monitoring for Existing Tanks | ___ 6. Method |
| | 1) Monthly Test |
| | 2) Daily Vadose
Semi-annual groundwater
One time soils |
| | 3) Daily Vadose
One time soils
Annual tank test |
| | 4) Monthly Groundwater
One time soils |
| | 5) Daily Inventory
Annual tank testing
Cont pipe leak det
Vadose/groundwater mon. |
| | 6) Daily Inventory
Annual tank testing
Cont pipe leak det |
| | 7) Weekly Tank Gauge
Annual tank testing |
| | 8) Annual Tank Testing
Daily Inventory |
| | 9) Other _____ |
| | ___ 7. Precip Tank Test 2643
Date: _____ |
| | ___ 8. Inventory Rec. 2644 |
| | ___ 9. Soil Testing 2646 |
| | ___ 10. Ground Water 2647 |
| New Tanks | ___ 11 Monitor Plan 2632 |
| | ___ 12 Access Secure 2634 |
| | ___ 13 Plans Submit 2711
Date _____ |
| | ___ 14 As Built 2635
Date _____ |

Site ID # _____ Site Name Nightingale Prop Today's Date 11/14/95

Site Address 4629 MUC

City Oakland Zip 94609 Phone _____

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

Inspection Categories:

- ___ I. Haz. Mat/Waste GENERATOR/TRANSPORTER
- ___ II. Business Plans, Acute Hazardous Materials
- ___ III. Underground Tanks

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

Comments:

Site visit - Encountered what appears to be UST in location proposed for monitoring well. This boring was abandoned and MW well moved ~20'. Two temporary wells also to be employed to collect grab GW. Add'l investigation to be conducted to determine if UST should be removed, closed in place, etc.

Samples will be analyzed for TPH-G, BTEX, TPH-D, and TOG.
 MW-1 will include analyses for lead.

Contact: _____

Title: _____

Signature: _____

Inspector: _____

Signature [Signature]

II, III

**ADVANCED ASSESSMENT & REMEDIATION SERVICES**

5016 Gloucester Lane Martinez, CA 94553

PHONE / FAX (510) 370-8295

FAX COVER SHEETNumber of sheets (including cover): *Two (2)*DATE: *11-6-95* TIME:**SENT BY:**NAME: *Tridib Guha***SEND TO:**

ORGANIZATION: *ALAMEDA Co. DEPT. OF ENVIRONMENTAL HEALTH*
ATTENTION: *MS. EVA CHU*
DEPARTMENT:
FAX NUMBER: *510 - 387-9335*
PHONE NUMBER: *510 - 567-6700*

MESSAGE: *RE: 4629 MARTIN LUTHER KING JR. WAY
OAKLAND*

EVA:

*THE FIELD ACTIVITIES SCHEDULED FOR THE
ABOVE SITE IS ON NOV. 14, 1995.*

TRIDIB GUHA

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY

DAVID J. KEARS, Agency Director



RAFAT A. SHAHID, DIRECTOR

DEPARTMENT OF ENVIRONMENTAL HEALTH
State Water Resources Control Board
Division of Clean Water Programs
UST Local Oversight Program
1131 Harbor Bay Parkway
Alameda, CA 94502-6577
(510) 567-6700

StID 1489

October 20, 1995

Ms. Lynn Nightingale
102 Flying Cloud Isle
Foster City, CA 94404

RE: Workplan Approval for 4629 Martin Luther King Jr Way,
Oakland 94609

Dear Ms. Nightingale:

I have completed review of Advanced Assessment and Remediation Services' October 1995 Work Plan for Groundwater Quality Investigation to be performed at the above referenced site. The proposal to install three temporary wells (TW-1, 2, and 3), and one monitoring well (MW-1) to evaluate groundwater quality is acceptable. Field work should commence within 45 days of the date of this letter, or **by December 5, 1995**. Please notify me at least 72 hours prior to the start of field activities.

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

eva chu
Hazardous Materials Specialist

cc: Tridib Guha, AARS, 5016 Gloucester Ln, Martinez 94553
files



**ADVANCED ASSESSMENT AND
REMEDiation SERVICES (AARS)**

5016 GLOUCESTER LANE, MARTINEZ, CA 94553
TEL: 510-370-8295 FAX: 510-370-8295

October 6, 1995

Mr. Wyman Hong
Zone 7 Water Agency
5997 Parkside Drive
Pleasanton, CA 94588

**Subject: Permit Application for Well Construction and Soil Borings
at 4629 Martin Luther King Jr. Way, Oakland, CA**

Dear Mr. Hong:

With reference to the above subject the followings are enclosed:

1. Completed permit application for well construction and soil borings.
2. A site plan showing location of the proposed well and soil borings.

Please call at 510-370-8295, if you need additional information.

Sincerely,

Advanced Assessment and Remediation Services

Tridib K. Guha, R.G., R.E.A.
Principal

cc: Ms. Eva Chu, Alameda County Environmental Health, Alameda, CA (w/a)
Ms. Lynn Nightingale, San Francisco, CA (w/a)

TG\NTGLDRL\ZN7\Enclosures

LYNN M. NIGHTINGALE

ENVIRONMENTAL
PROTECTION
95 SEP 27 PM 1:35

102 Flying Cloud Isle
Foster City, CA 94404
(415) 574-1222
Telephone: (415) 468-4900
Fax: (415) 468-0167

September 26, 1995

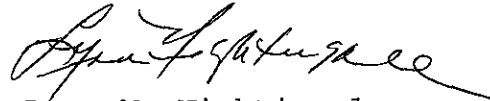
eva chu
Hazardous Materials Specialist
Alameda County Health Agency Care Services
Department of Environmental Health
State Water Resources Control Board
Division of Clean Water Programs
UST Local Oversight Program
1131 Harbor Bay Parkway
Alameda, CA 94502-6577

Re: 4629 Martin Luther King Jr. Way, Oakland

Dear Ms. chu:

Please find enclosed for your records a copy of the signed contract, dated September 22, 1995, with Advanced Assessment and Remediation Services for the groundwater testing at the above-referenced site.

Sincerely yours,



Lynn M. Nightingale

ENVIRONMENTAL
PROTECTION
95 SEP 22 PM 1:35

ADVANCED ASSESSMENT AND REMEDIATION SERVICES

5016 Gloucester Lane, Martinez, 94553

AGREEMENT TO PERFORM PROFESSIONAL SERVICES

THIS AGREEMENT, entered into on this Twenty-second day of September, 1995, by and between Mrs. Lynn M. Nightingale, Trustee, property owner of 4629 Martin Luther King Jr. Way, Oakland (herein referred to as "Client"), and Advanced Assessment and Remediation Services (herein referred to as "Consultant").

IT IS MUTUALLY AGREED AS FOLLOWS:

SCOPE OF SERVICES:

The Consultant hereby agrees to perform the following services for Client on the project "Groundwater Quality Investigation at 4629 Martin Luther Jr. Way, Oakland, California":

- Task 1. Prepare Work Plan and Health and safety plan; obtain permits, project preparation.
- Task 2. Drill and install 3 temporary wells (each 20 feet below ground surface) and 1 monitoring well (30 feet below ground surface); collect soil samples, one from each well.
- Task 3. Develop and sample monitoring well
- Task 4. Lab analysis 4 soil samples for TPHg with BTEX, TPHd and O&G
- Task 5. Lab analysis 4 water samples for TPHg with BTEX, TPHd and O&G
- Task 6. Review data and laboratory results and prepare report.

TIME OF PERFORMANCE:

The service of the Consultant shall commence upon: September 22, 1995

and shall be completed on or before: December 31, 1995

COMPENSATION:

Total Compensation to Consultant including subcontractors (Drilling company and Analytical laboratory) furnishing labor, material, equipment, insurance for services rendered as required under this contract shall be:

- Task 1: \$ 800.00 (eight hundred dollars)
- Task 2: \$3,200.00 (thirty two hundred dollars)
- Task 3: \$ 550.00 (five hundred fifty dollars)
- Task 4: \$ 640.00 (six hundred forty dollars)
- Task 5: \$ 760.00 (seven hundred sixty dollars)
- Task 6: \$2,050.00 (two thousand fifty dollars)

TRAVEL & PER DIEM & MISCELLANEOUS EXPENSES:

Mobilization/demobilization cost included in the above Tasks.

ADVANCED ASSESSMENT AND REMEDIATION SERVICES

5016 Gloucester Lane, Martinez, 94553

Agreement to perform Professional Services
Groundwater Quality Investigation
4629 Martin Luther King Jr. Way, Oakland, CA
Page 2

METHOD OF PAYMENT

A written authorization to proceed and an initial down payment of 25% of the total project cost (\$2,000.00).

Additional payment of 40% (\$3,200) upon completion of Task 2.

Balance payment of 35% (\$2,800.00) upon submittal of the report.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the dated noted below:

CLIENT

Lynn M. Nightingale, Trustee
(Signature)

Lynn M. Nightingale, TRUSTEE
(Printed Name)

TRUSTEE
(Title)

c/o Miller & Miller
250 Executive Park Boulevard, #3100
San Francisco, California 94134

CONSULTANT

Tridib K. Guha
(Signature)

TRIDIB K. GUHA
(Printed Name)

PRINCIPAL
(Title)

Advanced Assessment and Remediation Services
5016 Gloucester Lane
Martinez, California 94553

LYNN M. NIGHTINGALE

250 Executive Park Boulevard
Suite 3100
San Francisco, CA 94134
Telephone: (415) 468-4900
Facsimile: (415) 468-0167

September 12, 1995

eva chu
Hazardous Materials Specialist
Alameda County Health Agency Care Services
Department of Environmental Health
State Water Resources Control Board
Division of Clean Water Programs
UST Local Oversight Program
1131 Harbor Bay Parkway
Alameda, CA 94502-6577

Re: 4629 Martin Luther King Jr. Way, Oakland

Dear Ms. chu:

Confirming the voice mail message I left for you today, we have decided to engage Tridib Guha to perform the required groundwater testing. I have spoken with Mr. Guha and he is sending me an original proposal and a contract. I will provide you with a signed copy of the contract when executed.

Thank you for the help you provided to me in understanding the various proposals. This has been a quite a task.

Sincerely yours,



Lynn M. Nightingale

LYNN M. NIGHTINGALE

102 Flying Cloud Isle
Foster City, CA 94404
(415) 574-1222
Telephone: (415) 468-4900
Fax: (415) 468-0167

RECEIVED
AUG 10 11:17

1390 Market St. # 120-
SF 94102-5306
415/554-0200
(415/522-0513)

August 9, 1995

eva chu
Hazardous Materials Specialist
Alameda County Health Agency Care Services
Department of Environmental Health
State Water Resources Control Board
Division of Clean Water Programs
UST Local Oversight Program
1131 Harbor Bay Parkway
Alameda, CA 94502-6577

Re: 46429 Martin Luther King Jr. Way, Oakland

Dear Ms. chu:

Thank you for your message giving us an extension of time to August 15, 1995 for the groundwater testing. I enclose the three estimates I received for the groundwater testing and would appreciate your evaluating them for me. I am particularly concerned with the estimate from ICES as the original submission was for \$2,800 and when I asked what would be done for that amount, I received the second bid dated July 31, 1995. As you can see, that estimate ranges from \$5,000+ to \$9,000+.

I am naturally concerned about being reimbursed from the State fund and ask that you please let me have your thoughts on these bids.

Thank you for your help with this matter.

Sincerely,

LYNN M. NIGHTINGALE
Trustee

not known
since the
itemization
could be just
for ICES, does
not include
subcontractors
in bid costs.

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY

DAVID J. KEARS, Agency Director



RAFAT A. SHAHID, DIRECTOR

StID 1489

July 3, 1995

Ms. Lynn Nightingale
102 Flying Cloud Isle
Foster City, CA 94404

DEPARTMENT OF ENVIRONMENTAL HEALTH
State Water Resources Control Board
Division of Clean Water Programs
UST Local Oversight Program
1131 Harbor Bay Parkway
Alameda, CA 94502-6577
(510) 567-6700

SECOND NOTICE OF VIOLATION

Dear Ms. Nightingale:

On April 7, 1994, the Alameda County Department of Environmental Health, Hazardous Materials Division, sent you a letter requesting a workplan for the determination of groundwater quality beneath the site at 4629 Martin Luther King Jr Way, Oakland. As of the date of this letter, however, we have not received the required workplan. Therefore, this letter constitutes a Second Notice that you are in violation of specific laws and that the technical report is due.

According to Section 25298 of the California Health and Safety Code, underground storage tank closure is incomplete until the responsible party characterizes and remediates the contamination resulting from product discharge. Therefore, you, as the responsible party are in violation of this section of the Code, for which Section 25299 specifies civil penalties of up to \$5,000, for each day of violation, upon conviction. Also, failure to furnish technical reports regarding documented or potential groundwater contamination violates Section 13267(b) of the California Water Code. The Regional Water Quality Control Board (RWQCB) can impose civil penalties of up to \$1,000 per day that such a violation continues.

You are required to submit the technical reports for the site to this office within 30 days from the date of this letter. Failure to respond will result in referral of this case to the RWQCB or Alameda County District Attorney to consider for enforcement action. Modification of required tasks or extensions of stated deadlines must be confirmed in writing by either this agency or the RWQCB.

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

eva chu
Hazardous Materials Specialist

cc: files (ntngale4)

3-23-95

DEAR JULIETTE BLAKE,

I AM WRITING TO REQUEST
 UNDER THE PUBLIC RIGHTS ACT,
 AN INFORMATIONAL MEETING WITH
 A SPECIALIST WHO IS FAMILIAR
 WITH THE PROPERTY AT 4629 MLK WY
 I AM A POTENTIAL BUYER OF
 THAT PROPERTY AND WOULD LIKE
 TO HEAR THE INTERESTS AND ADVISE
 OF THE DEPARTMENT OF HEALTH
 BEFORE FURTHER CONSIDERING THE
 PURCHASE OF THE PROPERTY.

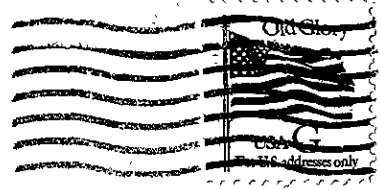
ENVIRONMENTAL
SECTION

APR 14 AM 8:20

Sincerely,

LISA MEKIS

(510) 601-1537

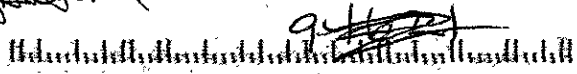


Spruill

ATT: JULIETTE BLAKE
1131 HARBOR BAY PARKWAY SUITE 250
ALAMEDA COUNTY ENVIRONMENTAL
HEALTH DEPARTMENT

PROTECTION DIVISION
ALAMEDA
OAKLAND CA

94501



LYNN M. NIGHTINGALE

102 Flying Cloud Isle
Foster City, CA 94404
(415) 574-1222
Telephone: (415) 468-4900
Fax: (415) 468-0167

June 15, 1994

eva chu
Hazardous Materials Specialist
Alameda County Health Agency Care Services
Division of Hazardous Materials
Department of Environmental Health
80 Swan Way, Room 200
Oakland, CA 94621

Re: 4629 Martin Luther King Jr. Way, Oakland, CA

Dear Ms. chu:

This letter will serve to update you on the status of the sale of the above-referenced property. The Buyer and Sellers have executed a Contract for Sale of Real Property. The title company has asked for and received many documents from both parties and is presently waiting for one more document from the Buyer. We hope to conclude the transaction as soon as possible.

Thank you for your continued cooperation and consideration in this matter.

Sincerely,



LYNN M. NIGHTINGALE
Trustee

LYNN M. NIGHTINGALE

ALCO
HAZMAT

94 MAY 11 AM 11:56

102 Flying Cloud Isle
Foster City, CA 94404
(415) 574-1222
Telephone: (415) 468-4900
Fax: (415) 468-0167

May 9, 1994

eva chu
Hazardous Materials Specialist
Alameda County Health Agency Care Services
Division of Hazardous Materials
Department of Environmental Health
80 Swan Way, Room 200
Oakland, CA 94621

Re: 4629 Martin Luther King Jr. Way, Oakland

Dear Ms. chu:

Re yours of April 7, 1994:

As you are aware, I have been in negotiations to sell the above-referenced property. As part of the terms of the sale, the Buyer will be agreeing to perform the remediation work.

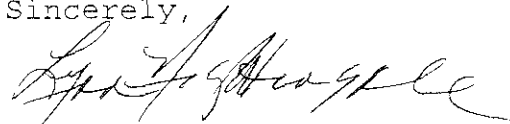
I have had two trips out of town since receiving your letter and have been in communication with the prospective buyer while in town. Until today, I had nothing new to report to you, hence I did not respond to your letter sooner.

Today I had a meeting with the Buyer. We went over the terms of the contract and have set a meeting for next week wherein he will bring me a check representing the down payment on the property. I have requested an escrow be opened and all parties anticipate closing the transaction as soon as possible. I will keep you apprised of any new developments.

In view of the above, I ask that you please give us an extension of the period of time within which you had requested we submit a workplan for the determination of groundwater quality.

Thank you for your cooperation and consideration in this matter.

Sincerely,



LYNN M. NIGHTINGALE
Trustee

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY

DAVID J. KEARS, Agency Director



RAFAT A. SHAHID, ASST. AGENCY DIRECTOR

StID 1489

April 7, 1994

Ms. Lynn Nightingale
102 Flying Cloud Isle
Foster City, CA 94404

DEPARTMENT OF ENVIRONMENTAL HEALTH
State Water Resources Control Board
Division of Clean Water Programs
UST Local Oversight Program
80 Swan Way, Rm 200
Oakland, CA 94621
(510) 271-4530

Subject: Groundwater Investigation at 4629 MLK Wy, Oakland

Dear Ms. Nightingale:

On November 15, 1993, this agency requested a workplan to determine the extent and severity of groundwater contamination at the above referenced site. To date we are not in receipt of the required workplan. I understand you are presently in the process of negotiating the sale of the property. Still, you should be proactive in assessing the extent of hydrocarbon contamination resulting from the former leaking underground storage tanks, should the sale of the property falls through.

Please submit a workplan for the determination of groundwater quality at this site **within 45 days of the date of the letter.** This is 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.

Should you have any questions about the content of this letter, please contact me at (510) 271-4530.

Sincerely,

A handwritten signature in cursive script, appearing to read "eva chu".

eva chu
Hazardous Materials Specialist

cc: files

ntngale3

LYNN M. NIGHTINGALE

ALCO
HAZMAT

94 JAN -7 PM 2:33

102 Flying Cloud Isle
Foster City, CA 94404
(415) 574-1222
Telephone: (415) 468-4900
Fax: (415) 468-0167

January 6, 1994

eva chu
Hazardous Materials Specialist
Alameda County Health Agency Care Services
Division of Hazardous Materials
Department of Environmental Health
80 Swan Way, Room 200
Oakland, CA 94621

Re: 46429 Martin Luther King Jr. Way, Oakland

Dear Ms. chu:

Per our telephone conversation of this morning, I advised you that I am presently in the process of negotiating a sale of the above-referenced property, with the buyer to assume all responsibility for remediation. You told me that you would give us an extension of time regarding the groundwater testing in light of these developments. I will advise you when either a sale has been completed, or negotiations have broken off.

Thank you for your cooperation and consideration in this matter.

Sincerely,



LYNN M. NIGHTINGALE
Trustee

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY

DAVID J. KEARS, Agency Director



RAFAT A. SHAHID, ASST. AGENCY DIRECTOR

StID 1489

November 15, 1993

Ms. Lynn Nightingale
102 Flying Cloud Isle
Foster City, CA 94404

DEPARTMENT OF ENVIRONMENTAL HEALTH
State Water Resources Control Board
Division of Clean Water Programs
UST Local Oversight Program
80 Swan Way, Rm 200
Oakland, CA 94621
(510) 271-4530

**Subject: Groundwater Investigation at 4629 MLK WY,
Oakland 94609**

Dear Ms. Nightingale:

I have completed review of Subsurface Consultants' November 1993 Preliminary Fuel Oil Contamination Assessment Report for the above referenced site. This report documents the advancement of nine soil borings in-and-around the former heating fuel tanks to determine the lateral and vertical extent of soil contamination resulting from the release of fuel products at this site. Based on the laboratory results of soil samples collected from the borings, the lateral and vertical extent of soil contamination has been relatively well defined.

At this time additional investigations are required to determine the extent and severity of groundwater contamination which may have also resulted from the fuel release. Please submit a workplan detailing a proposal for this investigation. This workplan is due **within 45 days** of the date of this letter. Groundwater should be analyzed for TPH-D, TOG, BTEX, and total lead.

If you have any questions, please contact me at (510) 271-4530.

Sincerely,

eva chu
Hazardous Materials Specialist

cc: Mark Kawakami, SCI, 171 12th St., #201, Oakland 94607
files

ntngale2

LYNN M. NIGHTINGALE

102 Flying Cloud Isle
Foster City, CA 94404
(415) 574-1222

April 19, 1993

TRANSMITTAL MEMO

TO: Eva Chu
Hazardous Materials Specialist
Alameda County Health Agency Care Services
Division of Hazardous Materials
Department of Environmental Health
80 Swan Way, Room 200
Oakland, CA 94621

SUBJECT: Report

ENCLOSURES: Underground Storage Tank Unauthorized Release/
Contamination Site Report

REQUESTED ACTION: For your use.

YOUR COOPERATION IS APPRECIATED.

Very truly yours,


LYNN M. NIGHTINGALE

Enc.

UNDERGROUND STORAGE TANK UNAUTHORIZED RELEASE (LEAK) / CONTAMINATION SITE REPORT

EMERGENCY <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		HAS STATE OFFICE OF EMERGENCY SERVICES REPORT BEEN FILED? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		FOR LOCAL AGENCY USE ONLY I HEREBY CERTIFY THAT I HAVE DISTRIBUTED THIS INFORMATION ACCORDING TO THE DISTRIBUTION SHOWN ON THE INSTRUCTION SHEET ON THE BACK PAGE OF THIS FORM.	
REPORT DATE 04/01/93		CASE #		SIGNED: <i>L. M. Nightingale</i> DATE: 4/23/93	
REPORTED BY	NAME OF INDIVIDUAL FILING REPORT Lynn M. Nightingale		PHONE (415) 468-4900	SIGNATURE <i>L. M. Nightingale</i>	
	REPRESENTING <input checked="" type="checkbox"/> OWNER/OPERATOR <input type="checkbox"/> REGIONAL BOARD <input type="checkbox"/> LOCAL AGENCY <input type="checkbox"/> OTHER		COMPANY OR AGENCY NAME as Trustee representing owners		
	ADDRESS 102 Flying Cloud Isle, Foster City, CA 94404				
RESPONSIBLE PARTY	NAME Lynn Nightingale, Trustee Elkan Jackson, Trustee <input type="checkbox"/> UNKNOWN		CONTACT PERSON Lynn Nightingale	PHONE (415) 468-4900	
	ADDRESS 102 Flying Cloud Isle, Foster City, CA 94404				
SITE LOCATION	FACILITY NAME (IF APPLICABLE) MLK Property		OPERATOR None	PHONE ()	
	ADDRESS 4629 Martin Luther King Jr. Way, Oakland, CA 94609				
	CROSS STREET 47th Street				
IMPLEMENTING AGENCIES	LOCAL AGENCY Alameda County Dpt. of Environmental Health		AGENCY NAME	CONTACT PERSON Eva Chu	PHONE 510, 271-4530
	REGIONAL BOARD San Francisco Bay				PHONE ()
SUBSTANCES INVOLVED	(1) NAME Oil and Grease			QUANTITY LOST (GALLONS) <input checked="" type="checkbox"/> UNKNOWN	
	(2)			<input type="checkbox"/> UNKNOWN	
DISCOVERY/ABATEMENT	DATE DISCOVERED 04/07/93		HOW DISCOVERED <input type="checkbox"/> INVENTORY CONTROL <input type="checkbox"/> SUBSURFACE MONITORING <input type="checkbox"/> TANK TEST <input checked="" type="checkbox"/> TANK REMOVAL <input type="checkbox"/> OTHER		
	DATE DISCHARGE BEGAN <input checked="" type="checkbox"/> UNKNOWN		METHOD USED TO STOP DISCHARGE (CHECK ALL THAT APPLY) <input checked="" type="checkbox"/> REMOVE CONTENTS <input checked="" type="checkbox"/> CLOSE TANK & REMOVE <input type="checkbox"/> REPAIR PIPING		
	HAS DISCHARGE BEEN STOPPED? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO IF YES, DATE 04/07/93		<input type="checkbox"/> REPAIR TANK <input type="checkbox"/> CLOSE TANK & FILL IN PLACE <input type="checkbox"/> CHANGE PROCEDURE <input type="checkbox"/> REPLACE TANK <input type="checkbox"/> OTHER		
SOURCE/CAUSE	SOURCE OF DISCHARGE <input checked="" type="checkbox"/> TANK LEAK <input type="checkbox"/> UNKNOWN <input type="checkbox"/> PIPING LEAK <input type="checkbox"/> OTHER		CAUSE(S) <input type="checkbox"/> OVERFILL <input type="checkbox"/> RUPTURE/FAILURE <input type="checkbox"/> SPILL <input type="checkbox"/> CORROSION <input checked="" type="checkbox"/> UNKNOWN <input type="checkbox"/> OTHER		
	CHECK ONE ONLY <input type="checkbox"/> UNDETERMINED <input checked="" type="checkbox"/> SOIL ONLY <input type="checkbox"/> GROUNDWATER <input type="checkbox"/> DRINKING WATER - (CHECK ONLY IF WATER WELLS HAVE ACTUALLY BEEN AFFECTED)				
CURRENT STATUS	CHECK ONE ONLY <input type="checkbox"/> NO ACTION TAKEN <input type="checkbox"/> PRELIMINARY SITE ASSESSMENT WORKPLAN SUBMITTED <input type="checkbox"/> POLLUTION CHARACTERIZATION <input type="checkbox"/> LEAK BEING CONFIRMED <input checked="" type="checkbox"/> PRELIMINARY SITE ASSESSMENT UNDERWAY <input type="checkbox"/> POST-CLEANUP MONITORING IN PROGRESS <input type="checkbox"/> REMEDIATION PLAN <input type="checkbox"/> CASE CLOSED (CLEANUP COMPLETED OR UNNECESSARY) <input type="checkbox"/> CLEANUP UNDERWAY				
	CHECK APPROPRIATE ACTION(S) (SEE BACK FOR DETAILS) <input type="checkbox"/> CAP SITE (CD) <input type="checkbox"/> EXCAVATE & TREAT (ET) <input type="checkbox"/> REMOVE FREE PRODUCT (FP) <input type="checkbox"/> ENHANCED BIO DEGRADATION (I*) <input type="checkbox"/> CONTAINMENT BARRIER (CB) <input type="checkbox"/> NO ACTION REQUIRED (NA) <input type="checkbox"/> PUMP & TREAT GROUNDWATER (GT) <input type="checkbox"/> REPLACE SUPPLY (RS) <input type="checkbox"/> VACUUM EXTRACT (VE) <input type="checkbox"/> OTHER (OT) <input type="checkbox"/> TREATMENT AT HOOKUP (HU) <input type="checkbox"/> VENT SOIL (VS)				
COMMENTS					

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY

DAVID J. KEARS, Agency Director



RAFAT A. SHAHID, ASST. AGENCY DIRECTOR

StID 1489

January 25, 1993

Lynn Nightingale
102 Flying Cloud Isle
Foster City, CA 94404

DEPARTMENT OF ENVIRONMENTAL HEALTH
State Water Resources Control Board
Division of Clean Water Programs
UST Local Oversight Program
80 Swan Way, Rm 200
Oakland, CA 94621
(510) 271-4530

Subject: PSA for 4629 Martin Luther King Way, Oakland, 94609

Dear Ms. Nightingale:

This office has completed review of the Tank Removal Activity Report, prepared by SEMCO, for the above referenced site. When five underground storage tanks (USTs) were removed in July 1992, soil samples taken from native soil beneath the heating oil fuel tanks exhibited up to 4,000 parts per million total oil and grease (ppm TOG). A soil sample, Sample #1, taken as background soil exhibited 450 ppm as total lead.

At this time additional investigations are required to determine the lateral and vertical extent, and severity of soil and ground water contamination which may have resulted from the unauthorized release of petroleum products at the vicinity of the heating oil tank pit. Soil in the vicinity where Sample #1 was taken should be analyzed to determine if the lead concentration exceeds hazardous levels.

In order to proceed with this 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 to assess onsite contamination.

Such an investigation shall 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, the State Water Resources Control Board LUFT Field Manual, 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 45 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. Subsequent reports are to be submitted quarterly until this site qualifies for RWQCB "sign off." All reports and proposals must

Lynn Nightingale
re: PSA for 4629 MLK Way
January 25, 1993

Page 2

be submitted under seal of a California Registered Geologist, Certified Engineering Geologist, or Registered Civil Engineer.

In addition, the enclosed Underground Storage Tank Unauthorized Release (Leak)/Contamination Site Report should be completed and returned to this office within 15 days.

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 either this agency or the RWQCB. Copies of all proposals and reports must also be sent to Mr. Richard Hiatt of the RWQCB.

Should you have any questions about the content of this letter, please contact me at (510) 271-4530.

Sincerely,



Eva Chu
Hazardous Materials Specialist

cc: Rich Hiatt, RWQCB
Gil Jensen, Alameda County District Attorney's Office
Edgar Howell/files 

ntngale

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 yellow -facility
 pink -files

ALAMEDA COUNTY, DEPARTMENT OF ENVIRONMENTAL HEALTH

80 Swan Way, #200
 Oakland, CA 94621
 (415) 271-4320

Hazardous Materials Division Inspection Form

Site ID# _____ Site Name MLK Seto Today's Date 7/17/94
 Site Address 4625 MLK Way EPA ID# _____
 City Oakland Zip 94 Phone _____

MAX Amt. Stored > 500lbs/55g/200cf? Y N
 Hazardous Waste generated per month? _____

Inspection Categories:
 I. Haz. Mat/Waste GENERATOR/TRANSPORTER 1.0
 II. Business Plans, Acute Hazardous Materials
 III. Underground Tanks remove

The marked items represent violations of the Calif. Administration Code (CAC) or the Health & Safety Code (HS&C)

- I.A GENERATOR (Title 22)**
- ___ 1. Waste ID * 66471
 - ___ 2. EPA ID 66472
 - ___ 3. > 90 days 66508
 - ___ 4. Label dates 66508
 - ___ 5. Biennial 66493
-
- Manifest**
- ___ 6. Records 66492
 - ___ 7. Correct 66484
 - ___ 8. Copy sent 66492
 - ___ 9. Exception 66484
 - ___ 10. Copies Rec'd 66492
-
- Misc.**
- ___ 11. Treatment 66371
 - ___ 12. On-site Disp. (H.S.&C.) 26189.5
 - ___ 13. Ex Haz. Waste 66570
-
- Prevention**
- ___ 14. Communications 67121
 - ___ 15. Aisle Space 67124
 - ___ 16. Local Authority 67126
 - ___ 17. Maintenance 67120
 - ___ 18. Training 67105
-
- Contingency**
- ___ 19. Prepared 67140
 - ___ 20. Name List 67141
 - ___ 21. Copies 67141
 - ___ 22. Emg. Coord. Trng. 67144
-
- Containers, Tanks**
- ___ 23. Condition 67241
 - ___ 24. Compatibility 67242
 - ___ 25. Maintenance 67243
 - ___ 26. Inspection 67244
 - ___ 27. Buffer Zone 67246
 - ___ 28. Tank Inspection 67259
 - ___ 29. Containment 67245
 - ___ 30. Safe Storage 67261
 - ___ 31. Freeboard 67257

Comments:
 on site. Consultation & removal
 re surplus of stockpile. - 2 samples
 taken from soil for analysis -
 note area backfilled due to inherent
 danger of foot traffic using pea gravel
 note there is a small leak w water
 pipe leaking directly into pit
 this will be addressed by contractor

- I.B TRANSPORTER (Title 22)**
- ___ 32. Applic./Insurance 66428
 - ___ 33. Comp. Cert./CHP insp. 66448
 - ___ 34. Containers 66465
-
- Manifest**
- ___ 35. Vehicles 66545
 - ___ 36. EPA ID #s 66531
 - ___ 37. Correct 66541
 - ___ 38. HW Delivery 66542
 - ___ 39. Records 66544
-
- Cont'rs**
- ___ 40. Name/ Covers 66545
 - ___ 41. Recyclables 66800

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Contact: _____
 Title: _____ Inspector Paul Chen
 Signature _____ Signature _____

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ALAMEDA COUNTY, DEPARTMENT OF ENVIRONMENTAL HEALTH

80 Swan Way, #200
 Oakland, CA 94621
 (415) 271-4320

page 1 of 6

Hazardous Materials Division Inspection Form

Site ID# _____ Site Name MKL Property Today's Date 7/15/92
 Site Address 4629 MLK Way EPA ID# _____
 City OAKLAND Zip 94607 Phone _____

MAX Amt. Stored > 500lbs/55g/200cf? Y N
 Hazardous Waste generated per month? _____

Inspection Categories:

- I. Haz. Mat/Waste GENERATOR/TRANSPORTER
- II. Business Plans, Acute Hazardous Materials
- III. Underground Tanks removal.

1000

The marked items represent violations of the Calif. Administration Code (CAC) or the Health & Safety Code (HS&C)

LA GENERATOR (Title 22)

- ___ 1. Waste ID 66471
- ___ 2. EPA ID 66472
- ___ 3. > 90 days 66508
- ___ 4. Label dates 66508
- ___ 5. Biennial 66493

- Manifest
- ___ 6. Records 66492
 - ___ 7. Correct 66484
 - ___ 8. Copy sent 66492
 - ___ 9. Exception 66484
 - ___ 10. Copies Rec'd 66492

- Misc.
- ___ 11. Treatment 66371
 - ___ 12. On-site Disp. (H.S.&C.) 26189.5
 - ___ 13. Ex Haz. Waste 66570

- Prevention
- ___ 14. Communications 67121
 - ___ 15. Aisle Space 67124
 - ___ 16. Local Authority 67126
 - ___ 17. Maintenance 67120
 - ___ 18. Training 67105

- Contin. gency
- ___ 19. Prepared 67140
 - ___ 20. Name List 67141
 - ___ 21. Copies 67141
 - ___ 22. Emg. Coord. Trng. 67144

- Containers, Tanks
- ___ 23. Condition 67241
 - ___ 24. Compatibility 67242
 - ___ 25. Maintenance 67243
 - ___ 26. Inspection 67244
 - ___ 27. Buffer Zone 67246
 - ___ 28. Tank Inspection 67259
 - ___ 29. Containment 67245
 - ___ 30. Safe Storage 67261
 - ___ 31. Freeboard 67257

Comments:

Note there are 5 USTs at the site instead of 4 - appropriate bill modification needed for closure of all tanks.

On site for removal of 5 USTs - plan previously approved by 5 Hugs our office. Senco, 1000 Collier Dr Dept on site. There are 2 gasoline tanks at the facility that had not been used since early 1970's the other tanks are boiler fuel tanks from a steam cleaning plant and have not been used for many years.

Note in the area of the fuel oil tanks the soil shows signs of staining + odors are present

I.B TRANSPORTER (Title 22)

- ___ 32. Applic./Insurance 66428
- ___ 33. Comp. Cert./CHP Insp. 66448
- ___ 34. Containers 66465

- Manifest
- ___ 35. Vehicles 66465
 - ___ 36. EPA ID #s 66531
 - ___ 37. Correct 66541
 - ___ 38. HW Delivery 66543
 - ___ 39. Records 66544

- Cont'n's
- ___ 40. Name/ Covers 66545
 - ___ 41. Recyclables 66800

The 5th tank is 100% ~~filled~~ Oakland fuel tank (under) filled - it is being emptied thru a pump to tank - Allie for release needs manifest copy to be sent to Al Co the

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Contact: Cheryl Kipin
 Title: Env. Assistant
 Signature: Cheryl Kipin

Inspector: Paul Allen
 Signature: _____

Cont 1

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 yellow -facility
 pink -files

ALAMEDA COUNTY, DEPARTMENT OF ENVIRONMENTAL HEALTH

80 Swan Way, #200
 Oakland, CA 94621
 (415) 271-4320

Hazardous Materials Division Inspection Form *2 of 6*

Site ID# _____ Site Name MLK Property Today's Date 7/15/92
 Site Address 4529 MLK EPA ID# _____
 City Oakland Zip 94609-7373 Phone _____

MAX Amt. Stored > 500lbs/55g/200cf? Y N
 Hazardous Waste generated per month? _____

- Inspection Categories:**
 I. Haz. Mat/Waste GENERATOR/TRANSPORTER
 II. Business Plans, Acute Hazardous Materials
 III. Underground Tanks *sent pull*

The marked items represent violations of the Calif. Administration Code (CAC) or the Health & Safety Code (HS&C)

- I.A GENERATOR (Title 22)**
- ___ 1. Waste ID * 66471
 - ___ 2. EPA ID 66472
 - ___ 3. > 90 days 66508
 - ___ 4. Label dates 66508
 - ___ 5. Biennial 66493
-
- Manifest**
- ___ 6. Records 66492
 - ___ 7. Correct 66484
 - ___ 8. Copy sent 66492
 - ___ 9. Exception 66484
 - ___ 10. Copies Rec'd 66492
-
- Misc.**
- ___ 11. Treatment 66371
 - ___ 12. On-site Disp. (H.S.&C.) 26189.5
 - ___ 13. Ex Haz. Waste 66570
-
- Prevention**
- ___ 14. Communications 67121
 - ___ 15. Aisle Space 67124
 - ___ 16. Local Authority 67126
 - ___ 17. Maintenance 67120
 - ___ 18. Training 67105
-
- Contingency**
- ___ 19. Prepared 67140
 - ___ 20. Name List 67141
 - ___ 21. Copies 67141
 - ___ 22. Emg. Coord. Tmg. 67144
-
- Containers, Tanks**
- ___ 23. Condition 67241
 - ___ 24. Compatibility 67242
 - ___ 25. Maintenance 67243
 - ___ 26. Inspection 67244
 - ___ 27. Buffer Zone 67246
 - ___ 28. Tank Inspection 67259
 - ___ 29. Containment 67245
 - ___ 30. Safe Storage 67261
 - ___ 31. Freeboard 67257

Comments:
Inspector Adams
first tanks to be pulled - ~~removed~~ OAKLAND FD
send several photos taken of site:

2000,02 = 1. LEL = 0
2000,02 = 1.5 LEL = 0
1000,02 = 7.5 LEL = 1
280,02 = 2. LEL = 2.5
10,000 = 2 ppm

level

** Provide Copy of site safety report w/ final submitted drawings*

3rd 1000 gals storage tank structure

4th 280 10/100

2nd tank 4000

1st tank 4000 removed

- I.B TRANSPORTER (Title 22)**
- ___ 32. Applic./insurance 66428
 - ___ 33. Comp. Cert./CHP Insp. 66448
 - ___ 34. Containers 66465
-
- Manifest**
- ___ 35. Vehicles 66465
 - ___ 36. EPA ID #s 66531
 - ___ 37. Correct 66541
 - ___ 38. HW Delivery 66543
 - ___ 39. Records 66544
-
- Cont's**
- ___ 40. Name/ Covers 66545
 - ___ 41. Recv. copies 66800

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Contact: *[Signature]*
 Title: *[Signature]* Inspector: *Brian P. Adams*
 Signature: *[Signature]* Signature: _____

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ALAMEDA COUNTY, DEPARTMENT OF ENVIRONMENTAL HEALTH

80 Swan Way, #200
 Oakland, CA 94621
 (415) 271-4320

Hazardous Materials Division Inspection Form

Bofo

Site ID# _____ Site Name MLK Property Today's Date / /
 Site Address 4629 MLK Way EPA ID# _____
 City Oakland Zip 94623 Phone _____

MAX Amt. Stored > 500lbs/55g/200cf? Y N
 Hazardous Waste generated per month? _____

- Inspection Categories:**
 I. Haz. Mat/Waste GENERATOR/TRANSPORTER
 II. Business Plans, Acute Hazardous Materials
 III. Underground Tanks

The marked items represent violations of the Calif. Administration Code (CAC) or the Health & Safety Code (HS&C)

I.A GENERATOR (Title 22)

___ 1. Waste ID	* 66471
___ 2. EPA ID	66472
___ 3. > 90 days	66508
___ 4. Label dates	66508
___ 5. Biennial	66493
Manifest	
___ 6. Records	66492
___ 7. Correct	66484
___ 8. Copy sent	66492
___ 9. Exception	66484
___ 10. Copies Rec'd	66492
Misc.	
___ 11. Treatment	66371
___ 12. On-site Disp. (H.S.&C.)	26189.5
___ 13. Ex Haz. Waste	66570
Prevention	
___ 14. Communications	67121
___ 15. Aisle Space	67124
___ 16. Local Authority	67126
___ 17. Maintenance	67120
___ 18. Training	67105
Compl. Agency	
___ 19. Prepared	67140
___ 20. Name List	67141
___ 21. Copies	67141
___ 22. Emg. Coord. Tmg.	67144
Containers, Tanks	
___ 23. Condition	67241
___ 24. Compatibility	67242
___ 25. Maintenance	67243
___ 26. Inspection	67244
___ 27. Buffer Zone	67246
___ 28. Tank Inspection	67259
___ 29. Containment	67245
___ 30. Safe Storage	67261
___ 31. Freeboard	67257

Comments:
 (4000) The first tank removed has fittings on the bottom that has leaked into the pit. otherwise the tank appears solid. the pit contains contaminated soil odor present (photographs taken)
 * Note soil stockpiled inside of facility (indoor)
 (4000) The second tank removed from west to east has a truck fuel oil and water solution underneath the tank (photo taken) to be pumped out by pumper truck.
 Note there was unknown amount of product under former tank.

I.B TRANSPORTER (Title 22)

___ 32. Applic./Insurance	66428
___ 33. Comp. Cert./CHP Inso.	66448
___ 34. Containers	66455
Manifest	
___ 35. Vehicles	66465
___ 36. EPA ID #s	66531
___ 37. Correct	66541
___ 38. HW Delivery	66543
___ 39. Records	66544
Cont'n	
___ 40. Name/ Covers	66545
___ 41. Recyclables	66800

1215 The third tank is a (1000) Gasoline tank off the street the North (full head of the tank has stained) soil 6" from the shell of the tank. * Photograph taken of stained section tank
 Note provide the officer with an unathorized release form due to the release of the hazardous material.

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 Contact: C. Kuper
 Title: Warehouse Manager Inspector: Ben Allen
 Signature: [Signature] Signature: _____

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ALAMEDA COUNTY, DEPARTMENT OF ENVIRONMENTAL HEALTH

80 Swan Way, #200
 Oakland, CA 94621
 (415) 271-4320

Hazardous Materials Division Inspection Form

page 4 of 6

Site ID# _____ Site Name MKK Property Today's Date 7/15/92
 Site Address 4625 MLK Way EPA ID# _____
 City Oakland Zip 94 Phone _____

MAX Amt. Stored > 500lbs/55g/200cf? Y N
 Hazardous Waste generated per month? _____

Inspection Categories:

- I. Haz. Mat/Waste GENERATOR/TRANSPORTER *left off 2/16*
- II. Business Plans, Acute Hazardous Materials *on sub 3/5*
- III. Underground Tanks *removed*

The marked items represent violations of the Calif. Administration Code (CAC) or the Health & Safety Code (HSC) *Rechecked by Handwritten 3025 78*

IA GENERATOR (Title 22)

- | | | |
|-------|-----------------------------|---------|
| ___ | 1. Waste ID | * 66471 |
| ___ | 2. EPA ID | 66472 |
| ___ | 3. > 90 days | 66508 |
| ___ | 4. Label dates | 66508 |
| ___ | 5. Biennial | 66493 |
| <hr/> | | |
| ___ | 6. Records | 66492 |
| ___ | 7. Correct | 66484 |
| ___ | 8. Copy sent | 66492 |
| ___ | 9. Exception | 66484 |
| ___ | 10. Copies Rec'd | 66492 |
| <hr/> | | |
| ___ | 11. Treatment | 66371 |
| ___ | 12. On-site Disp. (H.S.&C.) | 26182,5 |
| ___ | 13. Ex Haz. Waste | 66570 |
| <hr/> | | |
| ___ | 14. Communications | 67121 |
| ___ | 15. Aisle Space | 67124 |
| ___ | 16. Local Authority | 67126 |
| ___ | 17. Maintenance | 67120 |
| ___ | 18. Training | 67105 |
| <hr/> | | |
| ___ | 19. Prepared | 67140 |
| ___ | 20. Name List | 67141 |
| ___ | 21. Copies | 67141 |
| ___ | 22. Emg. Coord. Trng. | 67144 |
| <hr/> | | |
| ___ | 23. Condition | 67241 |
| ___ | 24. Compatibility | 67242 |
| ___ | 25. Maintenance | 67243 |
| ___ | 26. Inspection | 67244 |
| ___ | 27. Buffer Zone | 67246 |
| ___ | 28. Tank Inspection | 67259 |
| ___ | 29. Containment | 67245 |
| ___ | 30. Safe Storage | 67261 |
| ___ | 31. Freeboard | 67257 |

Comments:

fan (4) tank is a 280 gallon propane tank. Following removed from the tank had several holes from rust in and staining noted -

returned to site for sampling protocol procedure and the 5th and 6th tank is in the process of being unground. Large amount of contaminated soil is present in the pit to the other side of the tank.

** note get to be left open and sealed under ventilation samples - City of Oakland to be notified by contractor. * note background had sample taken*

Tests to be accomplished (3 day turn around) on 280 + 1000 (gas) TPH, Lead, BTEX on 1000, 4000, 10000 TPH, TOC, BTEX

of samples: (4) H₂O - 1 sample full and (3) 1000 2 samples

Continued

IB TRANSPORTER (Title 22)

- | | | |
|-------|---------------------------|-------|
| ___ | 32. Applic./Insurance | 66428 |
| ___ | 33. Comp. Cert./CHP Insp. | 66448 |
| ___ | 34. Containers | 66465 |
| <hr/> | | |
| ___ | 35. Vehicles | 66465 |
| ___ | 36. EPA ID #s | 66531 |
| ___ | 37. Correct | 66541 |
| ___ | 38. HW Delivery | 66543 |
| ___ | 39. Records | 66544 |
| <hr/> | | |
| ___ | 40. Name/ Covers | 66545 |
| ___ | 41. Recyclables | 66800 |

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Contact _____ Title: _____ Inspector Bruce Chue
 Signature _____ Signature: _____

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ALAMEDA COUNTY, DEPARTMENT OF ENVIRONMENTAL HEALTH

80 Swan Way, #200
Oakland, CA 94621
(415) 271-4320

Hazardous Materials Division Inspection Form **5 of 5**

Site ID# _____ Site Name MLK Property Today's Date 7/15/92
 Site Address 4625 Martin Luther King Way EPA ID# _____
 City Oakland Zip 94 Phone _____

MAX Amt. Stored > 500lbs/55g/200cf? **Y N**
 Hazardous Waste generated per month?

Inspection Categories:
 I. Haz. Mat/Waste GENERATOR/TRANSPORTER
 II. Business Plans, Acute Hazardous Materials
 III. Underground Tanks

The marked items represent violations of the Calif. Administration Code (CAC) or the Health & Safety Code (HS&C)

I.A GENERATOR (Title 22)

- ___ 1. Waste ID * 66471
- ___ 2. EPA ID 66472
- ___ 3. > 90 days 66508
- ___ 4. Label dates 66508
- ___ 5. Biennial 66493
- ___ 6. Records 66492
- ___ 7. Correct 66484
- ___ 8. Copy sent 66492
- ___ 9. Exception 66484
- ___ 10. Copies Rec'd 66492
- ___ 11. Treatment 66371
- ___ 12. On-site Disp. (H.S.&C.) 26189.5
- ___ 13. Ex Haz. Waste 66570
- ___ 14. Communications 67121
- ___ 15. Aisle Space 67124
- ___ 16. Local Authority 67126
- ___ 17. Maintenance 67120
- ___ 18. Training 67105
- ___ 19. Prepared 67140
- ___ 20. Name List 67141
- ___ 21. Copies 67141
- ___ 22. Emg. Coord. Tmg. 67144
- ___ 23. Condition 67241
- ___ 24. Compatibility 67242
- ___ 25. Maintenance 67243
- ___ 26. Inspection 67244
- ___ 27. Buffer Zone 67246
- ___ 28. Tank Inspection 67259
- ___ 29. Containment 67245
- ___ 30. Safe Storage 67261
- ___ 31. Freeboard 67257

Comments:

#2 4000 2 samples 1
to be
7/14/92
① 4000 2 sample
③ 10,000 3 samples.
1 level tank # 11 total
5th pm 5th tank to come out of pit.
note Tank(s) pits 3+4 to be sampled
today (The gas tanks). The other pits will
be sampled tomorrow in am.
note: associated piping manifested with
the #5 tank.
manifest # 922 7/1/65
upon removal there was stored odorous soil under
the tank (several photos taken of tank & pit
there were no apparent holes in tank)
Duckley Co. R#HT Hay Waste Hauler #362578
exp 4/92
sample # 1 out of 270 gal taken @ 9 feet below
sample # 2 of 1000 gal South end of pit
sample # 3 of 1000 gal North end of pit @ 8 1/2 feet
note returning on 7/14

I.B TRANSPORTER (Title 22)

- ___ 32. Applic./Insurance 66428
- ___ 33. Comp. Cert./CHP Insp. 66448
- ___ 34. Containers 66465
- ___ 35. Vehicles 66465
- ___ 36. EPA ID #s 66531
- ___ 37. Correct 66541
- ___ 38. HW Driver 66543
- ___ 39. Records 66544
- ___ 40. Name/ Covers 66545
- ___ 41. Recyclables 66800

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Contact: Chuck Kiper
 Title: Vice President Inspector: Bar Ull
 Signature: Chuck Kiper Signature: _____

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 pink -files

ALAMEDA COUNTY, DEPARTMENT OF ENVIRONMENTAL HEALTH

80 Swan Way, #200
 Oakland, CA 94621
 (415) 271-4320

Hazardous Materials Division Inspection Form

Day 2
 5 Trucks pulled
 Today's Date 7/16/92

Site ID# _____ Site Name MLK Property
 Site Address 4625 MLK Way EPA ID# _____
 City Oakland Zip 94 Phone _____

MAX Amt. Stored > 500lbs/55g/200cf? Y N
 Hazardous Waste generated per month? _____

Inspection Categories:
 I. Haz. Mat/Waste GENERATOR/TRANSPORTER
 II. Business Plans, Acute Hazardous Materials
 III. Underground Tanks used Sampling Chase Drum

The marked items represent violations of the Calif. Administration Code (CAC) or the Health & Safety Code (HS&C)

- LA GENERATOR (Title 22)**
- ___ 1. Waste ID * 66471
 - ___ 2. EPA ID 66472
 - ___ 3. > 90 days 66508
 - ___ 4. Label dates 66508
 - ___ 5. Biennial 66493
-
- Manifest**
- ___ 6. Records 66492
 - ___ 7. Correct 66484
 - ___ 8. Copy sent 66492
 - ___ 9. Exception 66484
 - ___ 10. Copies Rec'd 66492
-
- Misc.**
- ___ 11. Treatment 66371
 - ___ 12. On-site Disp. (H.S.&C.) 26189.5
 - ___ 13. Ex Haz. Waste 66570
-
- Prevention**
- ___ 14. Communications 67121
 - ___ 15. Aisle Space 67124
 - ___ 16. Local Authority 67126
 - ___ 17. Maintenance 67120
 - ___ 18. Training 67109
-
- Contingency**
- ___ 19. Prepared 67140
 - ___ 20. Name List 67141
 - ___ 21. Copies 67141
 - ___ 22. Emg. Coord. Tmg. 67144
-
- Containers, Tanks**
- ___ 23. Condition 67241
 - ___ 24. Compatibility 67242
 - ___ 25. Maintenance 67243
 - ___ 26. Inspection 67244
 - ___ 27. Buffer Zone 67246
 - ___ 28. Tank Inspection 67259
 - ___ 29. Containment 67245
 - ___ 30. Safe Storage 67261
 - ___ 31. Freeboard 67257

Comments:

8:00 not ready 125
 ↑ to sample

Will return at 10:00 pm as per Contractor

*note on return to site, stockpiled soil has been returned to pit without being a) characterized - I have appraised Contractor of proper protocol - regarding returning spots to pit.

old drum
 (5) samples #1 from East end of former #5
 (5) sample #2 @ 5' SW middle of #14 @ 14' 0"
 (5) sample #3 2KW from West end of #15 pit @ 13'
 (5) sample #4 2KW from NW 400ft @ 8' 6"
 (5) sample #5 from East end of 4th #1 tank @ 7' 6"
 (5) sample #6 from West end of #2 tank @ 8' 0"
 (5) sample #7 from east end of #2 tank @ 7' 6"

- LB TRANSPORTER (Title 22)**
- ___ 32. Applic. Insurance 66428
 - ___ 33. Comp. Cert /CHP Insp 66448
 - ___ 34. Containers 66465
-
- Manifest**
- ___ 35. Vehicles 66465
 - ___ 36. EPA ID #s 66531
 - ___ 37. Correct 66541
 - ___ 38. HW Delivery 66543
 - ___ 39. Records 66544
-
- Cont'rs**
- ___ 40. Name/ Covers 66545
 - ___ 41. Recvables 66800

*provide Closure report including samples results to Alameda County Dept. of the Public Works

signature: [unclear] inspector: [unclear]

Rev 0/88

Contact: _____
 Title: _____ Inspector: _____
 Signature: _____ Signature: _____

ACORD. CERTIFICATE OF INSURANCE

ISSUE DATE (MM/DD/YY) -
9/25/91

PRODUCER

R. L. Stewart Ins. Agency
P.O. Box 1515
Oakdale, Ca. 95361

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.

COMPANIES AFFORDING COVERAGE

COMPANY LETTER A American Star Ins. Co.
COMPANY LETTER B Fairmont Ins. Co.
COMPANY LETTER C
COMPANY LETTER D
COMPANY LETTER E

INSURED

Semco
431 W. Hatch Rd.
Modesto, Ca. 95351

COVERAGES

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED, NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

CO LTR	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YY)	POLICY EXPIRATION DATE (MM/DD/YY)	LIMITS
A	GENERAL LIABILITY X COMMERCIAL GENERAL LIABILITY CLAIMS MADE X OCCUR. OWNER'S & CONTRACTOR'S PROT.	AMS1-519725	10/1/91	10/1/92	GENERAL AGGREGATE \$ 1,000,000 PRODUCTS-COMP/OP AGG. \$ 1,000,000 PERSONAL & ADV. INJURY \$ 1,000,000 EACH OCCURRENCE \$ 1,000,000 FIRE DAMAGE (Any one fire) \$ 50,000 MED. EXPENSE (Any one person) \$ 5,000
	AUTOMOBILE LIABILITY ANY AUTO ALL OWNED AUTOS SCHEDULED AUTOS HIRED AUTOS NON-OWNED AUTOS GARAGE LIABILITY				COMBINED SINGLE LIMIT \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE \$
	EXCESS LIABILITY UMBRELLA FORM OTHER THAN UMBRELLA FORM				EACH OCCURRENCE \$ AGGREGATE \$
	WORKER'S COMPENSATION AND EMPLOYERS' LIABILITY	WCP80480741	9/5/91	9/5/92	STATUTORY LIMITS EACH ACCIDENT \$ 1,000,000 DISEASE-POLICY LIMIT \$ 1,000,000 DISEASE-EACH EMPLOYEE \$ 1,000,000
	OTHER				

DESCRIPTION OF OPERATIONS/LOCATIONS/VEHICLES/SPECIAL ITEMS All California Operations

CERTIFICATE HOLDER

County of Alameda
30 Swan Way, Room 200
Oakland, Ca. 95621

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING COMPANY WILL ENDEAVOR TO MAIL 10 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO MAIL SUCH NOTICE SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE COMPANY, ITS AGENTS OR REPRESENTATIVES

AUTHORIZED REPRESENTATIVE
Roger Julian

Project Specialist (print) SUSAN L. HUGO

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

ACCEPTED

DEPARTMENT OF ENVIRONMENTAL HEALTH
470 - 27th Street, Third Floor
Oakland, CA 94612
Telephone: (415) 874-7237

These plans have been reviewed and found to be acceptable and essentially meet the requirements of State and local health laws. Changes to your plans indicated by this Department are to assure compliance with State and local laws. The project proposed herein is n.w. released for issuance of any required building permits for construction. One copy of these accepted plans must be on the job and available to all contractors and craftsmen involved with the removal.

Any change or alterations of these plans and specifications must be submitted to this Department and to the Fire and Building Inspection Department to determine if such changes meet the requirements of State and local laws. Notify this Department at least 48 hours prior to the following required inspections:

- Removal of Tank and Piping
- Sampling
- Final Inspection

Issuance of a permit to operate is dependent on compliance with accepted plans and all applicable laws and regulations.

THERE IS A FINANCIAL PENALTY FOR NOT OBTAINING THESE INSPECTIONS.

92 MAR 20 PM 1:03

Please note change made on page 5.
Susan L. Hugo
6/22/92

UNDERGROUND TANK CLOSURE PLAN

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

1. Business Name N/A
Business Owner N/A
 2. Site Address 4629 Martin Luther King Jr. Way
City Oakland Zip 94623 Phone N/A
 3. Mailing Address 102 Flying Cloud Isle
City Foster City Zip 94404 Phone (415) 574-1222
 4. Land Owner Elkan and Irene Jackson, Trustees; Lynn M. Nightingale,
Trustee
Address 102 Flying Cloud Isle City, State CA Zip 94404
 5. Generator name under which tank will be manifested Elkan and Irene Jackson, Trustees; and Lynn M. Nightingale, Trustee.
- EPA I.D. No. under which tank will be manifested CAC50080468C

6. Contractor SEMCO
Address 1741 Leslie Street
City San Mateo, CA 94402 Phone (415) 572-8033
License Type A, B & C-61 ID# 449864

7. Consultant N/A
Address _____
City _____ Phone _____

8. Contact Person for Investigation
Name Chuck Kiper Title Vice-President
Phone (415) 572-8033

9. Number of tanks being closed under this plan 4
Length of piping being removed under this plan Undetermined
Total number of tanks at facility 4
5

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

a) Product/Residual Sludge/Rinsate Transporter
Name Allied Petroleum EPA I.D. No. CAD980675128
Hauler License No. 1168 License Exp. Date 4/30/93
Address P.O. Box 193
City Hilmar State CA Zip 95327

b) Product/Residual Sludge/Rinsate Disposal Site
Name Refineries Services EPA I.D. No. CAD083166728
Address 13331 West Hwy 33
City Patterson State CA Zip 95363

c) Tank and Piping Transporter

Name RHT Trucking EPA I.D. No. CAD982471591
Hauler License No. 2753 License Exp. Date 4/30/93
Address 1336 Pauline
City Modesto State CA Zip 95351

d) Tank and Piping Disposal Site

Name Erickson EPA I.D. No. CAD009466392
Address 255 Parr Blvd.
City Richmond State CA Zip 94801

11. Experienced Sample Collector

Name Chuck Kiper
Company SEMCO
Address 1741 Leslie Street
City San Mateo State CA Zip 94402 Phone (415) 572-8033

12. Laboratory

Name Superior Analytical
Address 1555 Burke, Unit 1
City San Francisco State CA Zip 94124
State Certification No. 1332 & 319

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

High pressure hot water detergent wash. 20 lbs per 1000
gallons 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, ground-water, etc.)	Location and Depth of Samples
Capacity	Use History (see instructions)		
250 gal.	gasoline	soil/water	2 feet below in native soil
350 gal	gasoline	soil/water	2 feet below in native soil
2-4000 gal.	Heating Oil tanks are regulated by Alameda County and will be removed at the same time.		
1- 10,000	Heating oil	soil/water	2 feet

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) Anywhere from approx. 25 to 100 cy ✓	Sampling Plan Soil samples taken from the tank excavation will be collected, placed in brass tubes, sealed with foil, teflon caps, sealed with approved tape, placed on ice, transported to State certified lab under chain of custody and analysed for constituents of tank.

Stockpiled soil must be characterized depending on disposal method.

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
<u>Unleaded Gas</u>	TPH G BTX&E	GCFID(5030) 8020 or 8240	TPH G BTX&E GCFID(5030) 602 or 624
<u>Diesel</u>	TPH D BTX&E	(sonication) 8020 or 8240	TPH D BTX&E <i>GCFID (350)</i> (sonication) 602 or 624
<p><i>The following detection limits per RWBCB's guidelines must be followed.</i></p> <p><i>TPH G - 1.0 ppm (soil)</i></p> <p><i>TPH D - 1.0 ppm (soil)</i></p>			

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

18. Submit Worker's Compensation Certificate copy

Name of Insurer Fairmont Insurance Company

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) Chuck Kiper

Signature *Chuck Kiper*

Date 5/18/92

Signature of Site Owner or Operator

Name (please type) Lynn M. Nightingale, Trustee

Signature *Lynn M. Nightingale, Trustee*

Date May 15, 1992

BUILDING

PUMPS

FENCE & GATE

MARTIN LUTHER KING DR.

SIDEWALK

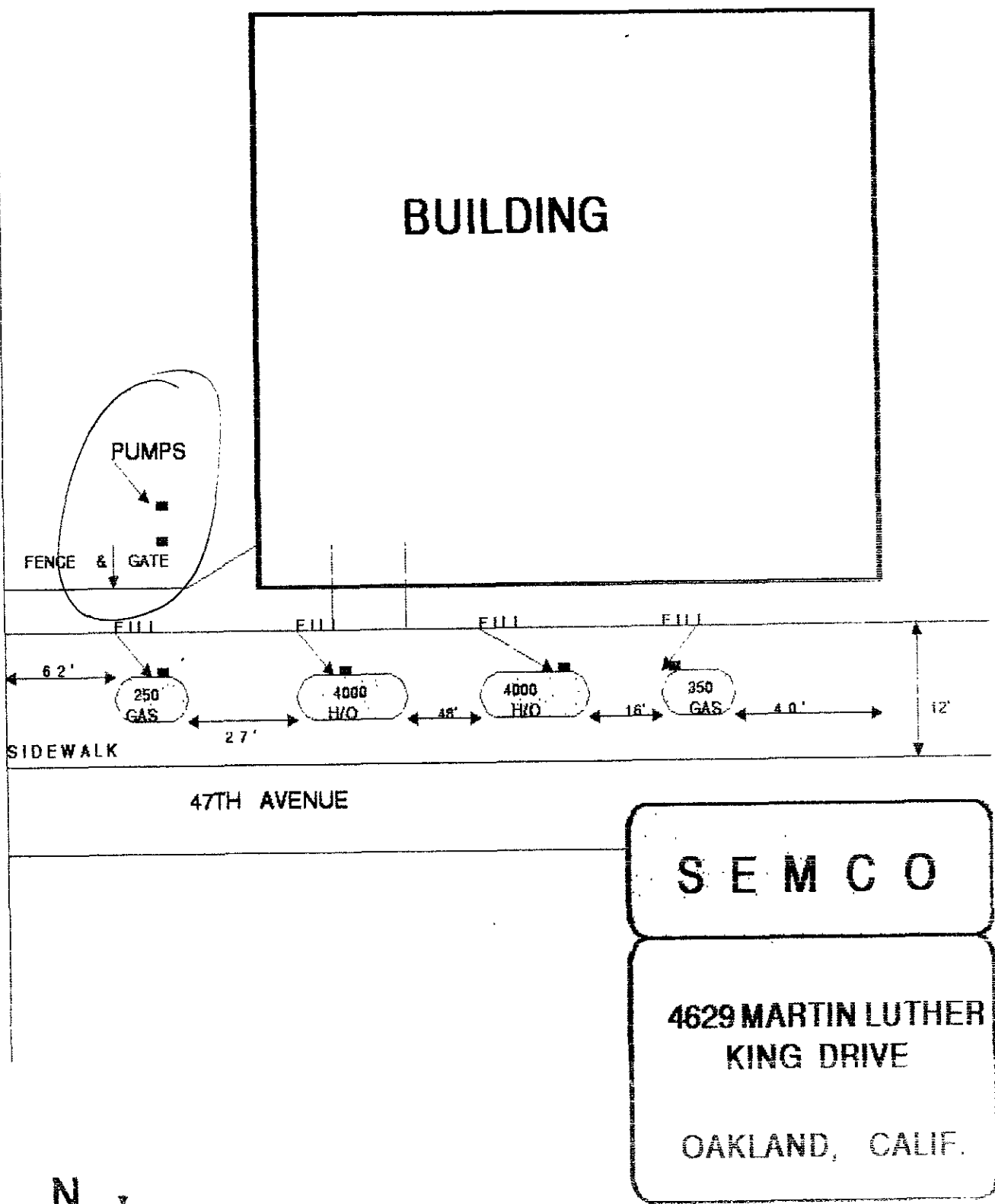
47TH AVENUE

SEMCO

4629 MARTIN LUTHER KING DRIVE

OAKLAND, CALIF.

N



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.

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.

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) Identification of health and safety hazards of each work task. Include potential fire, explosion, physical, and chemical hazards;
- c) An outline of briefings to be held before work each day to appraise employees of site health and safety hazards;
- d) Frequency and types of air and personnel monitoring to be used - along with the environmental sampling techniques and instrumentation. Include instrumentation maintenance and calibration methods and frequencies;
- e) Specific personal protective equipment and procedures to be used by workers to protect themselves from the identified hazards. Also state the contaminant concentrations in air - or other conditions - which will trigger changes in work or work habits to ensure workers are not exposed to high levels of hazardous chemicals or to other unsafe conditions;
- f) Confined space entry procedures (if applicable);
- g) Decontamination procedures;
- h) 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, security guards, etc.);
- i) Spill containment and 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;
- j) Documentation that all site workers have received the appropriate OSHA approved trainings and participate in appropriate medical surveillance per 29 CFR 1910.120; and
- k) 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, 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.

TABLE #2
RECOMMENDED MINIMUM VERIFICATION ANALYSES FOR
UNDERGROUND TANK LEAKS

<u>HYDROCARBON LEAK</u>	<u>SOIL ANALYSIS</u>		<u>WATER ANALYSIS</u>	
Unknown Fuel	TPH G	GCFID(5030)	TPH G	GCFID(5030)
	TPH D	GCFID(3550)	TPH D	GCFID(3510)
	BTX&E	8020 or 8240	BTX&E	602, 624 or 8260
	TPH AND	BTX&E 8260		
Leaded Gas	TPH G	GCFID(5030)	TPH G	GCFID(5030)
	BTX&E	8020 OR 8240	BTX&E	602 or 624
	TPH AND	BTX&E 8260	TOTAL	LEAD AA
	TOTAL	LEAD AA		
	-----Optional-----			
	TEL	DHS-LUFT	TEL	DHS-LUFT
	EDB	DHS-AB1803	EDB	DHS-AB1803
Unleaded Gas	TPH G	GCFID(5030)	TPH G	GCFID(5030)
	BTX&E	8020 or 8240	BTX&E	602, 624 or 8260
	TPH AND	BTX&E 8260		
Diesel, Jet Fuel and Kerosene	TPH D	GCFID(3550)	TPH D	GCFID(3510)
	BTX&E	8020 or 8240	BTX&E	602, 624 or 8260
	TPH AND	BTX&E 8260		
Fuel/Heating Oil	TPH D	GCFID(3550)	TPH D	GCFID(3510)
	BTX&E	8020 or 8240	BTX&E	602, 624 or 8260
	TPH AND	BTX&E 8260		
Chlorinated Solvents	CL HC	8010 or 8240	CL HC	601 or 624
	BTX&E	8020 or 8240	BTX&E	602 or 624
	CL HC AND	BTX&E 8260	CL HC AND	BTX&E 8260
Non-chlorinated Solvents	TPH D	GCFID(3550)	TPH D	GCFID(3510)
	BTX&E	8020 or 8240	BTX&E	602 or 624
	TPH AND	BTX&E 8260	TPH and	BTX&E 8260
Waste and Used Oil or Unknown (All analyses must be completed and submitted)	TPH G	GCFID(5030)	TPH G	GCFID(5030)
	TPH D	GCFID(3550)	TPH D	GCFID(3510)
	TPH AND	BTX&E 8260		
	O & G	5520 D & F	O & G	5520 C & F
	BTX&E	8020 or 8240	BTX&E	602, 624 or 8260
	CL HC	8010 or 8240	CL HC	601 or 624
	ICAP or AA TO DETECT METALS: Cd, Cr, Pb, Zn, Ni			
	METHOD 8270 FOR SOIL OR WATER TO DETECT:			
	PCB*		PCB	
	PCP*		PCP	
	PNA		PNA	
	CREOSOTE		CREOSOTE	

* If found, analyze for dibenzofurans (PCBs) or dioxins (PCP)

Reference: Tri-Regional Board Staff Recommendations for Preliminary Evaluation and Investigation of Underground Tank Sites, 10 August 1990

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).

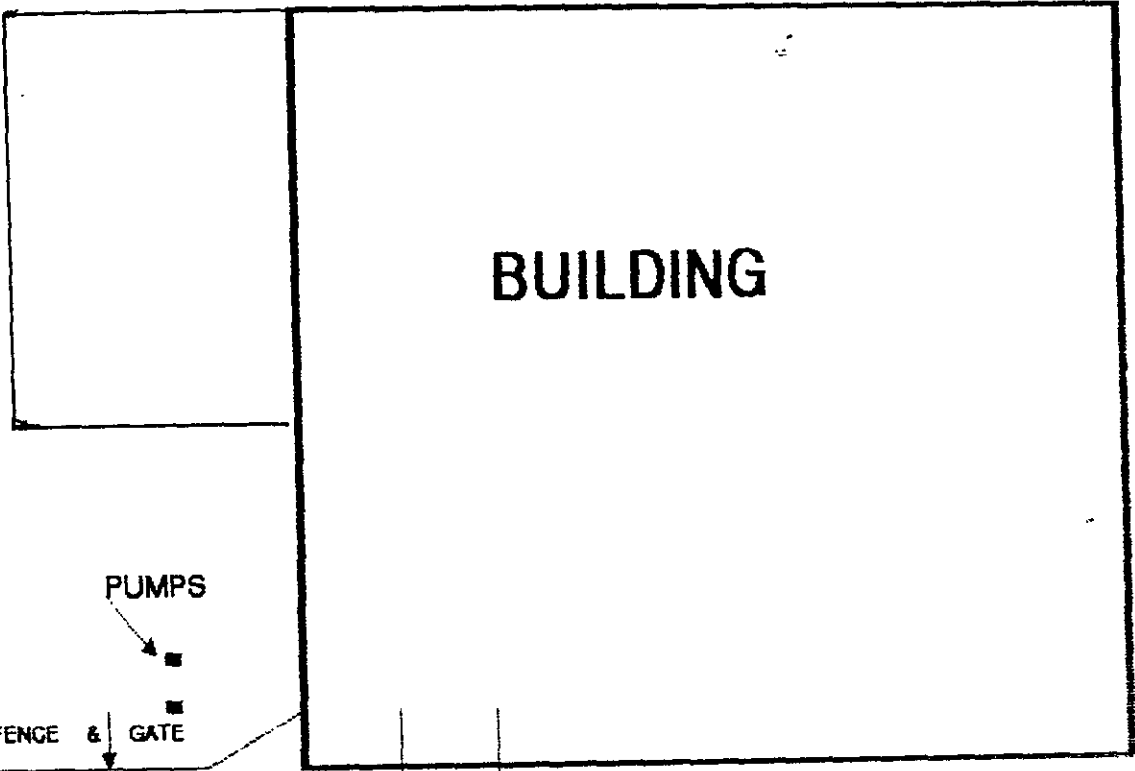
EPILOGUE

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

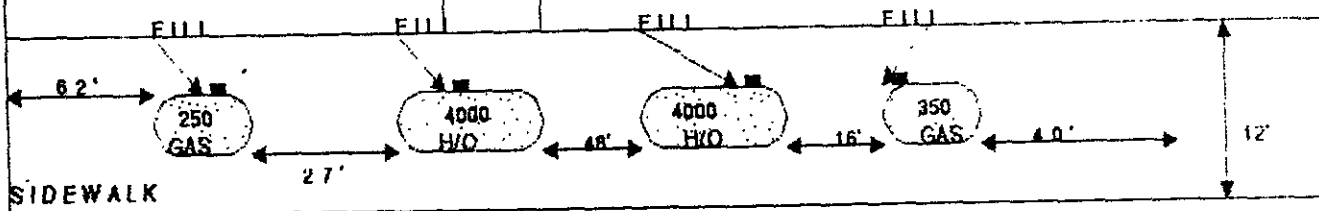
Regional Board Staff Recommendations
Preliminary Site Investigation

10 August 1990

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.



MARTIN LUTHER KING DR.



SIDEWALK

47TH STREET

SEMCO

4629 MARTIN LUTHER KING DRIVE
OAKLAND, CALIF.

N ↓