



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

March 21, 2012

Mr. Steven Hill
San Francisco Bay Regional Water Quality Control Board
1515 Clay Street, Suite 1400
Oakland, CA 94612
(sent via electronic mail to: SHill@waterboards.ca.gov)

Subject: Notice of Enforcement Referral; Fuel Leak Case No. RO0000429 and GeoTracker Global ID T0600100158, Desert Petroleum Site DP793, 4035 Park Boulevard, Oakland, CA 94602

Dear Mr. Hill:

This is a notice of an enforcement referral for the subject site. Site Responsible Parties have not completed work as requested by Alameda County Environmental Health (ACEH) and are recalcitrant in implementing site cleanup. As a consequence, ACEH is referring this site to the San Francisco Bay Regional Water Quality Control Board for enforcement actions.

Site Background

On November 30, 1989, ACEH notified Desert Petroleum that gasoline was entering a sewer access on Brighton Avenue, which is located downslope from the site. Residential properties are located between the site and the sewer on Brighton Avenue. Following closure of the fueling facility and removal of fuel from the on-site USTs, a ½ inch hole was found in the 2-inch unleaded gasoline product line. The area northeast of the sewer access on Brighton Avenue was excavated on December 13, 1989 to expose a sewer line leading to the sewer access. Gasoline appeared to be seeping from the backfill around the sewer line. The USTs and associated piping were removed from the site on June 23, 1994. Some over-excavation of the USTs and dispenser areas was completed in August 1995.

An interceptor trench was constructed along Brighton Avenue and a groundwater extraction system was installed at the site. However, construction of a treatment compound was delayed several years apparently due to a lack of funding by the responsible party. Site cleanup has been proposed in a series of work plans and work plan addenda but has not been implemented to date:

- *Work Plan for Site DP793 Located at 4035 Park Blvd., Oakland, CA dated February 13, 2006*
- *Revision of the February 6, 2006 Work Plan for Site DP793 Located at 4035 Park Blvd., Oakland, CA dated September 24, 2008*
- *Revision of the February 6, 2006 Work Plan for Site DP793 Located at 4035 Park Blvd., Oakland, CA dated August 11, 2009*
- *Revision of the February 6, 2006 Work Plan for Site DP793 Located at 4035 Park Blvd., Oakland, CA updated August 28, 2009*
- *Response to November 6, 2009 Glenview Neighborhood Association Request for Clarification, i.e. items 1 through 9 as directed by Alameda County Environmental Health Care Services Correspondence March 2, 2010*
- *Desert Petroleum Site DP793, 4035 Park Blvd., Oakland, CA, Addendum to Soil Excavation Work Plan dated May 26, 2010*
- *Work Plan, Natural Attenuation Soil Sampling dated June 8, 2011*

- *“Revision of the February 6, 2006 and Revised September 24, 2008 Work Plans for Site DP793 Located at 4035 Park Blvd, Oakland, CA,” dated November 23, 2011*

Most of the work plans and addenda listed above have presented various plans for excavation of gasoline-contaminated soil beneath the former station building and the northwest corner of the site. However, none of the proposed excavations have been implemented due to an apparent lack of funding or due to planning issues. ACEH's directive letter of December 21, 2011 describes the issues with the November 23, 2011 Revised Work Plan.

Source area remediation has not been completed and a plume of petroleum hydrocarbons extends into the adjacent residential area. The site has frequently been out of compliance with ACEH directive letters. Notices of Violation were issued on September 15, 1993 and February 1, 2008. A Letter of Referral was issued on July 28, 1993 and a Notice to Comply was issued on September 8, 2010.

Should you have any questions, please contact me at (510) 567--6791 or send me an electronic mail message at jerry.wickham@acgov.org.

Sincerely,

Jerry Wickham
Senior Hazardous Materials Specialist

cc: Leroy Griffin, Oakland Fire Department, 250 Frank H. Ogawa Plaza, Ste. 3341, Oakland, CA 94612-2032 2032 (Sent via E-mail to: lgriffin@oaklandnet.com)

William Thompson, Desert Petroleum, 3781 Telegraph Road, Ventura, CA 93003-3420

Kin Man Li et al., P.O. Box 348, Oakland, CA 94604

Tony Razi, 3609 East 14th Street, Oakland, CA 94601

Jason Golpad & Mojtaba Karimabadi c/o Matt Haley, 1633 San Pablo Avenue, Oakland, CA 94608

George Converse, Western Geo-Engineers, 1386 Beamer Street, Woodland, CA 95776 (Sent via E-mail to: wege@cal.net)

Robert Gray, Glenview Neighborhood Association, 1970 Broadway, Suite 1200, Oakland, CA 94612 (Sent via E-mail to: r_gray40@sbcglobal.net)

Robert Roat, Glenview Neighborhood Association (Sent via E-mail to: broat@earthlink.net)

Michael Gabriel, Glenview Neighborhood Association, 4200 Park Boulevard, Box 111 Oakland, CA 94602

Derrick Williams, 4032 Brighton Avenue, Oakland, CA 94602

Donna Drogos, ACEH (Sent via E-mail to: donna.drogos@acgov.org)

Jerry Wickham, ACEH (Sent via E-mail to: jerry.wickham@acgov.org)

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