

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



SENT
06-14-06

PO 500

June 13, 2006

Mr. Mark Inglis
Chevron
6001 Bollinger Canyon Rd., Rm K2256
San Ramon, CA 94583-2324

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

Mr. Tim Havel
Director, Western Environmental, Health and Safety Service Hub
Kaiser Permanente
100 S. Los Robles, Ste. 410
Pasadena, CA 91188

Dear Messrs. Inglis and Havel:

Subject: Fuel Leak Cases RO500 and RO205, 3701 and 3741 Broadway, Oakland,
CA 94611 (Proposed Kaiser Development)

Alameda County Environmental Health (ACEH) staff has reviewed the May 24, 2006 Proposed Kaiser Development and the June 12, 2006 Well Destruction Workplan by Cambria and the January 12, 2004 Phase I Environmental Site Assessment Report and the May 26, 2006 response letter report by Secor, all responding to the County's May 1, 2006 letter. It appears that the County concerns have been adequately addressed. We have the following observations and technical report requests.

TECHNICAL COMMENTS

1. 3701 Broadway-

- Vertical Delineation of Hydrocarbons will be addressed by advancing borings in locations where prior results exceeded environmental screening levels. The borings will be advanced to a maximum depth of 30' to determine the vertical extent of contamination. In addition, an area around SB-38, where elevated lead was detected will also be sampled for this analyte.
- Sidewall sampling approximately every 20 linear feet along the excavation, sampled at five-foot intervals will be performed.
- The drainage system proposed will be done to facilitate the excavation and not as a remediation method since the rate and amount of water removed is unknown. After completion of the excavation, please provide an estimate of the amount of hydrocarbons removed from the dewatering in your excavation report.
- A set of the requested design drawings for the development will be provided from Kaiser as soon as available. Kaiser states that a moisture vapor barrier is presumed to be included.
- It appears that there still is a difference in the cleanup levels proposed by Chevron and Kaiser. Site cleanup levels must be consistent with the future use of the property and site closure will be recommended based upon your meeting the appropriate cleanup levels. Your risk assessment should verify this.
- Three borings located within the excavation limits of the former waste oil tank will be analyzed for TPHd and TPHmo in addition to TPHg, BTEX and lead.
- The monitoring well decommissioning work plan for the six on-site wells is approved to accommodate the proposed site excavation. The off-site wells must either be sampled or properly decommissioned. Wells E and F have been paved over and not sampled since 3/03. It is uncertain whether these wells monitor the extent of the

plume since free product on-site and non-detectable concentrations off-site have been reported for years. Please include a proposal for wells E & F and a discussion of the extent of plume delineation in your well decommissioning report.

2. A copy of the Phase I investigation for the other properties of this site ie 3741, 3735-3737 and 3751-3757 Broadway has been provided by Secor. Based upon this report no additional areas of chemical concern were identified.
3. 3741 Broadway- This address is the area identified on the Val Strough Honda lot where the main sales office, storage room with a door covering the floor and a floor drain were located. The areas near SB-12 and SB-32 with elevated TPH and metals contamination will be excavated and re-sampled according to a soil management plan. Please submit the plan prior to excavation.
4. 3735-3737 Broadway- This address is the area where the former Rainbow Car Wash, sump and three underground storage tanks had been located. Kaiser will provide a work plan to complete investigation of soil and groundwater impacts associated with the former USTs at this site.
5. 3751-3757 Broadway- The localized TPH mo and TPHd contamination reported in SB-48 will be excavated and re-sampled according to the referenced soil management plan.

TECHNICAL REPORT REQUEST

Please submit the technical information according to the following schedule:

- 90 days after excavation of 3701 Broadway- Confirmation soil sampling (Excavation) report, design drawings for development, risk assessment, monitoring well decommissioning report and extent of plume discussion.
- 30 prior to hot spot excavation- Soil Management Plan and work plan for soil and groundwater investigation of 3735-3737 Broadway.

ELECTRONIC SUBMITTAL OF REPORTS

Effective January 31, 2006, the Alameda County Environmental Cleanup Oversight Programs (LOP and SLIC) require submission of all reports in electronic form to the county's ftp site. Paper copies of reports will no longer be accepted. The electronic copy replaces the paper copy and will be used for all public information requests, regulatory review, and compliance/enforcement activities. Please do not submit reports as attachments to electronic mail.

Submission of reports to the Alameda County ftp site is an addition to existing requirements for electronic submittal of information to the State Water Resources Control Board (SWRCB) Geotracker website. Submission of reports to the Geotracker website does not fulfill the requirement to submit documents to the Alameda County ftp site. In September 2004, the SWRCB adopted regulations that require electronic submittal of information for groundwater cleanup programs. For several years,

responsible parties for cleanup of leaks from underground storage tanks (USTs) have been required to submit groundwater analytical data, surveyed locations of monitor wells, and other data to the Geotracker database over the Internet. Beginning July 1, 2005, electronic submittal of a complete copy of all necessary reports was required in Geotracker (in PDF format). Please visit the SWRCB website for more information on these requirements (http://www.swrcb.ca.gov/ust/cleanup/electronic_reporting).

Messrs. Inglis and Havel

June 13, 2006

Page 3 of 3

In order to facilitate electronic correspondence, we request that you provide up to date electronic mail addresses for all responsible and interested parties. Please provide current electronic mail addresses and notify us of future changes to electronic mail addresses by sending an electronic mail message to me at barney.chan@acgov.org.

PERJURY STATEMENT

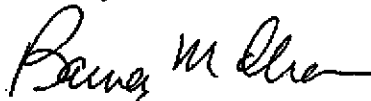
All work plans, technical reports, or technical documents submitted to ACEH must be accompanied by a cover letter from the responsible party that states, at a minimum, the following: "I declare, under penalty of perjury, that the information and/or recommendations contained in the attached document or report is true and correct to the best of my knowledge." This letter must be signed by an officer or legally authorized representative of your company. Please include a cover letter satisfying these requirements with all future reports and technical documents submitted for this fuel leak case.

PROFESSIONAL CERTIFICATION & CONCLUSIONS/RECOMMENDATIONS

The California Business and Professions Code (Sections 6735, 6835, and 7835.1) requires that work plans and technical or implementation reports containing geologic or engineering evaluations and/or judgments be performed under the direction of an appropriately registered or certified professional. For your submittal to be considered a valid technical report, you are to present site specific data, data interpretations, and recommendations prepared by an appropriately licensed professional and include the professional registration stamp, signature, and statement of professional certification. Please ensure all that all technical reports submitted for this fuel leak case meet this requirement.

If you have any questions, please call me at (510) 567-6765.

Sincerely,



Barney M. Chan
Hazardous Materials Specialist

cc: files, D. Drogos

Mr. Greg Hoehn, Secor, 57 Lafayette Circle, 2nd Floor, Lafayette, CA 94549

Mr. Bob Foss, Cambria, 5900 Hollis Street, Suite A, Emeryville, CA 94608

Mr. Jay Asercion, Kaiser Permanente, 1100 San Leandro Blvd., Suite 200,
San Leandro, CA 94577

6_12_06 3701_3757 Broadway

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



SENT
05-02-06

May 1, 2006

Mr. Mark Inglis
Chevron
6001 Bollinger Canyon Rd., Rm K2256
San Ramon, CA 94583-2324

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

Mr. Tim Havel
Director, Western Environmental, Health and Safety Service Hub
Kaiser Permanente
100 S. Los Robles, Ste. 410
Pasadena, CA 91188

Dear Messrs. Inglis and Havel:

Subject: Fuel Leak Cases RO500 and RO205, 3701 and 3741 Broadway, Oakland,
CA 94611 (Proposed Kaiser Development)

Alameda County Environmental Health (ACEH) staff has reviewed the March 6, 2006 Soil Characterization Report Kaiser Oakland MOB 3701-3757 Broadway Oakland, California prepared by Secor, Cambria's April 13, 2006, Waste Profile for Disposal Workplan and Cambria's April 18, 2006 Soil and Groundwater Management Plan Planned Site Excavation for 3701 Broadway. As you are aware, our office is working with Chevron with their investigation at their former service station at 3701 Broadway as well as overseeing the releases observed on 3735-3737 and 3741 Broadway, properties owned by Kaiser. We previously offered comment to the Secor December 22, 2005 *Additional Characterization Work Plan* in the County's 1/31/06 letter. That work plan followed up the February 10, 2004 Secor *Phase II Environmental Site Assessment Report*. Unfortunately, it appears our comments were not incorporated in the recent investigation. Although the investigation was helpful with Chevron's evaluation of soil impacts at 3701 Broadway, it appears that there are still data gaps to address prior to concurrence for redevelopment or site closure. We recommend Chevron and Kaiser work together to address the following technical comments and submit the technical reports requested below.

TECHNICAL COMMENTS

1. 3701 Broadway- Multiple borings and soil samples on this property were analyzed and reported in Secor's March 6, 2006 report. Although we previously recommended sampling to depths necessary to define the vertical extent of contamination and the sampling of groundwater, this was not done. Chevron's Soil and Groundwater Management Plan (SGMP) proposes to excavate the entire site, to the extent possible, to a maximum depth of ~18' bgs. A drainage system is proposed to direct groundwater to a sump basin that will then be pumped to a holding tank for proper disposal. Please address the following questions/concerns:

- How will the vertical extent of contamination be determined, particularly in the locations where concentrations appear to be increasing with depth and where these concentrations exceed cleanup levels?
 - The inability to collect sidewall confirmation samples poses a problem when attempting to estimate risk to occupants of the proposed subsurface building. There is a potential that the floor confirmation samples will underestimate actual residual concentrations. An attempt to estimate sidewall samples should be done, possibly at some intermediate stage of the excavation. Please provide a supplemental sampling proposal.
 - Please provide a diagram of the proposed drainage system. Please indicate how the source areas were identified and how they will be treated by the drainage system. How and with what frequency will groundwater be sampled? Will the system allow preferential drainage from specific areas? What will determine the duration of the groundwater removal system?
 - Please clarify the specific site development planned for the 3701 Broadway site and the other properties by providing our office a copy of these plans. The SGMP states that a subsurface building at a depth of 15' bgs is proposed. Will a moisture vapor barrier be used?
 - Please provide proposed cleanup levels for soil and groundwater at the site. Those of Chevron appear to differ from those proposed by Secor in behalf of Kaiser.
 - We concur that a risk assessment should be performed and approved prior to site development.
 - The Waste Profile for Disposal Workplan proposes 13 soil borings advanced to approximately 20' bg to characterize the residual concentrations. Shallower samples will characterize soil for disposal purposes. Given the amount of information already known at the site, the locations of these samples should be selected authoritatively not randomly. Please provide a sampling plan and sampling rationale. As mentioned, all efforts should be taken to define contaminants vertically to below cleanup levels. As noted in the SGMP, some soil samples should also be analyzed for TPHd and TPHmo in addition to TPHg, BTEX and lead.
2. Please provide a copy of the Phase I investigation for the other properties of this site ie 3741, 3735-3737 and 3751-3757 Broadway. This information is necessary to determine the adequacy of the sampling performed at these sites.
 3. 3741 Broadway- This address is the area identified on the Val Strough Honda lot where the main sales office, storage room with a door covering the floor and a floor drain were located. The prior Secor investigation identified elevated levels of TPHmo, TPHd and heavy metals in soil samples. Based on the results of the 1/06 investigation the extent of TPH and metals contamination appears limited to near SB-12 and SB-32. Will these areas be excavated prior to development?
 4. 3735-3737 Broadway- This address is the area where the former Rainbow Car Wash, sump and three underground storage tanks had been located. Based the limited sampling of the initial Secor investigation, results from boring B6 indicate a significant release to groundwater may have occurred from the former underground tanks. We recommended additional sampling be done to determine the limits of this release to groundwater. Since no sampling was performed in the 1/06 investigation

it is unclear to what extent the 3701 Broadway site has been impacted by this release. The former USTs on this site must be further investigated. Please provide a work plan to determine the extent of soil and groundwater contamination from this area. In the absence of any tank removal data, we recommend sampling the former tank pit area. It is also noted that elevated petroleum contamination was detected in soil samples on the 3701 Broadway site along the boundary with this site. It is unclear which site(s) are the source(s) of the contamination, however, additional soil and groundwater characterization on the 3735-3737 Broadway property is required to delineate this detected contamination. We require Chevron and Kaiser work together and include this investigation in the requested work plan.

5. 3751-3757 Broadway- This address is indicated as where repair and service occurred. Two additional samples were taken in the 1/06 investigation. It appears that there may be localized TPH mo and TPHd as reported in SB-48. Please determine if this result is consistent with your Phase I results or whether additional sampling is warranted.

TECHNICAL REPORT REQUEST

Please submit the technical information according to the following schedule:

- July 3, 2006- Written response to above items, sampling plan for sidewalls, diagram for drainage system, copy of development plans, proposed cleanup levels, post-excavation sampling plan, sampling plan for 3735-3737 Broadway and Phase I reports.
- 90 days after soil and groundwater investigation- Risk Assessment

ELECTRONIC SUBMITTAL OF REPORTS

Effective **January 31, 2006**, the Alameda County Environmental Cleanup Oversight Programs (LOP and SLIC) require submission of all reports in electronic form to the county's ftp site. Paper copies of reports will no longer be accepted. The electronic copy replaces the paper copy and will be used for all public information requests, regulatory review, and compliance/enforcement activities. Instructions for submission of electronic documents to the Alameda County Environmental Cleanup Oversight Program ftp site are provided on the attached "Electronic Report Upload (ftp) Instructions." Please do not submit reports as attachments to electronic mail.

Submission of reports to the Alameda County ftp site is an addition to existing requirements for electronic submittal of information to the State Water Resources Control Board (SWRCB) Geotracker website. Submission of reports to the Geotracker website does not fulfill the requirement to submit documents to the Alameda County ftp site. In September 2004, the SWRCB adopted regulations that require electronic submittal of information for groundwater cleanup programs. For several years,

responsible parties for cleanup of leaks from underground storage tanks (USTs) have been required to submit groundwater analytical data, surveyed locations of monitor wells, and other data to the Geotracker database over the Internet. Beginning July 1, 2005, electronic submittal of a complete copy of all necessary reports was required in Geotracker (in PDF format). Please visit the SWRCB website for more information on these requirements (http://www.swrcb.ca.gov/ust/cleanup/electronic_reporting).

In order to facilitate electronic correspondence, we request that you provide up to date electronic mail addresses for all responsible and interested parties. Please provide current electronic mail addresses and notify us of future changes to electronic mail addresses by sending an electronic mail message to me at barney.chan@acgov.org.

PERJURY STATEMENT

All work plans, technical reports, or technical documents submitted to ACEH must be accompanied by a cover letter from the responsible party that states, at a minimum, the following: "I declare, under penalty of perjury, that the information and/or recommendations contained in the attached document or report is true and correct to the best of my knowledge." This letter must be signed by an officer or legally authorized representative of your company. Please include a cover letter satisfying these requirements with all future reports and technical documents submitted for this fuel leak case.

PROFESSIONAL CERTIFICATION & CONCLUSIONS/RECOMMENDATIONS

The California Business and Professions Code (Sections 6735, 6835, and 7835.1) requires that work plans and technical or implementation reports containing geologic or engineering evaluations and/or judgments be performed under the direction of an appropriately registered or certified professional. For your submittal to be considered a valid technical report, you are to present site specific data, data interpretations, and recommendations prepared by an appropriately licensed professional and include the professional registration stamp, signature, and statement of professional certification. Please ensure all that all technical reports submitted for this fuel leak case meet this requirement.

If you have any questions, please call me at (510) 567-6765.

Sincerely,



Barney M. Chan
Hazardous Materials Specialist

Enclosure: ACEH Electronic Report Upload (ftp) Instructions (Messrs. Foss & Hoehn)

cc: files, D. Drogos

Mr. Greg Hoehn, Secor, 57 Lafayette Circle, 2nd Floor, Lafayette, CA 94549
Mr. Bob Foss, Cambria, 5900 Hollis Street, Suite A, Emeryville, CA 94608
Mr. Jay Asercion, Kaiser Permanente, 1100 San Leandro Blvd., Suite 200,
San Leandro, CA 94577

ALAMEDA COUNTY
HEALTH CARE SERVICES



AGENCY
DAVID J. KEARS, Agency Director

SENT
02-02-06

January 31, 2006

Mr. Tim Havel
Director, Western Environmental, Health and Safety Service Hub
Kaiser Permanente
100 S. Los Robles, Ste. 410
Pasadena, CA 91188

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

Mr. Mark Inglis
Chevron
6001 Bollinger Canyon Rd., Rm K2256
San Ramon, CA 94583-2324

Dear Messrs. Havel and Inglis:

Subject: Fuel Leak Cases RO500 and RO205, 3701 and 3741 Broadway, Oakland,
CA 94611 (Proposed Kaiser Development)

Alameda County Environmental Health (ACEH) staff has reviewed the case file for the properties, 3701 Broadway (RO0000500) and 3741 Broadway (RO0000205), the two County sites within the proposed Kaiser development and the Secor December 22, 2005 *Additional Characterization Work Plan*. This work plan follows up the February 10, 2004 Secor *Phase II Environmental Site Assessment Report*. As you are aware, our office is working with Chevron with their investigation at their former service station at 3701 Broadway as well as overseeing the releases observer on 3735-3737 and 3741 Broadway. Ideally, the information proposed in the Secor *Additional Characterization Work Plan* will identify those areas, which may need further assessment/remediation and this work can be done expeditiously to facilitate Kaiser's site redevelopment plans. Thank you for the opportunity to review the proposed work plan. Our office is responsible for the oversight of environmental releases and their impact to human health and the environment. It is within this context that we offer the following technical comments to the Secor work plan. Please consider the following comments when performing the proposed work and submit the technical reports requested below.

TECHNICAL COMMENTS

1. 3701 Broadway- Multiple borings are proposed at this site to a maximum depth of 20 feet. We recommend that borings be advanced to depths necessary to determine the vertical extent of contamination and that samples be analyzed from areas of apparent impact indicated by screening instruments, with a minimum of two samples being tested. Because of the absence of wells in strategic locations, it would be advantageous to collect grab groundwater samples from some of the proposed samples to better characterize the petroleum release, both the dissolved and free product. I recommend you contact Chevron to jointly determine the borings where groundwater should be collected. Your investigation report should include figures indicating the current estimated TPH iso-concentration contours and free product area(s). Although the proposed work is limited to on-site, off-site investigation may

be required to delineate the dissolved or free product release. Once the data from your report is obtained, it would be appropriate for Chevron to provide a remedial action plan for these releases and for plume delineation, as necessary.

2. 3741 Broadway- This address is the area identified on the Val Strough Honda lot where the main sales office, storage room with a door covering the floor and a floor drain were located. The prior Secor investigation identified elevated levels of TPHmo, TPHd and heavy metals in soil samples. Six borings are proposed for sampling in this area, at depths of 2 and 6', to determine the limits of this contamination. Again, we recommend the vertical extent of these contaminants be determined to whatever depths necessary. Based on your results, please determine the potential impact to groundwater from this release and consider taking a grab groundwater sample from this area.
3. 3735-3737 Broadway- This address is the area where the former Rainbow Car Wash, sump and three underground storage tanks had been located. Based the limited sampling of the initial Secor investigation (B6), it appears that a significant release to groundwater has occurred from the former underground tanks. We recommend additional sampling be done to determine the limits of this release to groundwater. Minimally, borings up and down-gradient of SB-6 should be proposed for groundwater sampling and possibly within the former tank pit given the limited data obtained from the original tank removal.

TECHNICAL REPORT REQUEST

Please submit the technical information according to the following schedule:

- March 1, 2006- Figure indicating groundwater sampling locations at 3701 Broadway and proposed boring locations to investigate release near boring SB-6.
- 90 days after soil and groundwater investigation- Soil and groundwater report
- 90 days after soil and groundwater investigation- Remedial Action Plan from Chevron

ELECTRONIC SUBMITTAL OF REPORTS

Effective **January 31, 2006**, the Alameda County Environmental Cleanup Oversight Programs (LOP and SLIC) require submission of all reports in electronic form to the county's ftp site. Paper copies of reports will no longer be accepted. The electronic copy replaces the paper copy and will be used for all public information requests, regulatory review, and compliance/enforcement activities. Instructions for submission of electronic documents to the Alameda County Environmental Cleanup Oversight Program ftp site are provided on the attached "Electronic Report Upload (ftp) Instructions." Please do not submit reports as attachments to electronic mail.

Submission of reports to the Alameda County ftp site is an addition to existing requirements for electronic submittal of information to the State Water Resources Control Board (SWRCB) Geotracker website. Submission of reports to the Geotracker website does not fulfill the requirement to submit documents to the Alameda County ftp site. In September 2004, the SWRCB adopted regulations that require electronic submittal of information for groundwater cleanup programs. For several years,

responsible parties for cleanup of leaks from underground storage tanks (USTs) have been required to submit groundwater analytical data, surveyed locations of monitor wells, and other data to the Geotracker database over the Internet. Beginning July 1, 2005, electronic submittal of a complete copy of all necessary reports was required in Geotracker (in PDF format). Please visit the SWRCB website for more information on these requirements (http://www.swrcb.ca.gov/ust/cleanup/electronic_reporting).

In order to facilitate electronic correspondence, we request that you provide up to date electronic mail addresses for all responsible and interested parties. Please provide current electronic mail addresses and notify us of future changes to electronic mail addresses by sending an electronic mail message to me at barney.chan@acgov.org.

PERJURY STATEMENT

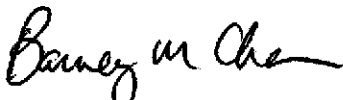
All work plans, technical reports, or technical documents submitted to ACEH must be accompanied by a cover letter from the responsible party that states, at a minimum, the following: "I declare, under penalty of perjury, that the information and/or recommendations contained in the attached document or report is true and correct to the best of my knowledge." This letter must be signed by an officer or legally authorized representative of your company. Please include a cover letter satisfying these requirements with all future reports and technical documents submitted for this fuel leak case.

PROFESSIONAL CERTIFICATION & CONCLUSIONS/RECOMMENDATIONS

The California Business and Professions Code (Sections 6735, 6835, and 7835.1) requires that work plans and technical or implementation reports containing geologic or engineering evaluations and/or judgments be performed under the direction of an appropriately registered or certified professional. For your submittal to be considered a valid technical report, you are to present site specific data, data interpretations, and recommendations prepared by an appropriately licensed professional and include the professional registration stamp, signature, and statement of professional certification. Please ensure all that all technical reports submitted for this fuel leak case meet this requirement.

If you have any questions, please call me at (510) 567-6765.

Sincerely,



Barney M. Chan
Hazardous Materials Specialist

Enclosure: ACEH Electronic Report Upload (ftp) Instructions

cc: files, D. Drogos

Mr. B. Scarbrough, Secor, 57 Lafayette Circle, 2nd Floor, Lafayette, CA 94549
Mr. Bob Foss, Cambria, 5900 Hollis Street, Suite A, Emeryville, CA 94608



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

January 11, 2000

Mr. Brett Hunter
Chevron U.S.A.
P.O. Box 6004
San Ramon, California 94583-0804

**RE: Former Chevron Service Station (STID# 467)
3701 Broadway, Oakland, California 94611**

LANDOWNER NOTIFICATION AND PARTICIPATION REQUIREMENTS

Dear Mr. Hunter:

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 (20) 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) as a template 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.

LANDOWNER NOTIFICATION

Re: 3701 Broadway, Oakland

January 11, 2000

Page 2 of 2

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

You may use the enclosed "notice of proposed action" form (sample letter 3) as a template 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.

Please call me at (510) 567-6780 should you have any questions about the content of this letter.

Sincerely,



Susan L. Hugo
Hazardous Materials Specialist

Attachments

cc: Chuck Headlee, RWQCB
SH / files

SAMPLE LETTER (2): LIST OF LANDOWNERS FORM

Name of local agency

Street address

City

SUBJECT: CERTIFIED LIST OF RECORD FEE TITLE OWNERS FOR (*Site Name and Address*)

(Note: 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

Name of primary responsible party

SAMPLE LETTER 3: NOTICE OF PROPOSED ACTION SUBMITTED TO LOCAL AGENCY

Name of local agency
Street address
City

SUBJECT: NOTICE OF PROPOSED ACTION SUBMITTED TO LOCAL AGENCY FOR
(*Site Name and Address*)

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 have notified all responsible landowners of the enclosed proposed action. Check space for applicable proposed action(s):

- cleanup proposal (corrective action plan)
- site closure proposal
- local agency intention to make a determination that no further action is required
- local agency intention to issue a closure letter

Sincerely,

Signature of primary responsible party

Name of primary responsible party

cc: Names and addresses of all record fee title owners

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



R0205 (Kaiser Dev/Val Strough
Honda @ 3735-3799
Broadway)

(Chevron #9-1026 e
3701 Broadway)

Certified Mailer # P 062 127 769

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

March 13, 1991

Val Strough Honda/Val Strough Chevrolet
c/o Mr. W. Bruce Bercovich
Kay & Merkle
100 The Embarcadero, 3rd Floor
San Francisco, CA 94105

RE: Potential contamination from former underground fuel storage
tanks at 3737 Broadway, Oakland

Gentleman:

Thank you for submitting complete analytical results from the February 1987 tank removal from 3737 Broadway, for the file. These results indicate that at the locations where samples were taken following the tanks' removal, low levels of contamination were found. Despite this data, however, as indicated in this office's January 18, 1991 letter to you, samples of groundwater from the northern edge of the adjacent 3701 Broadway property indicate the possibility that hydrocarbons have migrated from 3737 Broadway onto 3701 Broadway. This is because the monitoring wells at 3701 Broadway that are hydraulically upgradient of the tanks removed from that property, but downgradient of the former tank area on 3737 Broadway, show significant groundwater contamination. Therefore, the responsible party must investigate the source of this contamination by initiating a subsurface assessment, as discussed in previous letters. In summary, for a variety of reasons, soil samples collected during tank removal may miss contamination that subsequent evidence or data shows to in fact be present.

As stated in our January 18, 1991 letter, under Sec. 13304(a) of the Porter-Cologne Water Quality Control Act (California Water Code), a responsible party is defined as any person who "has caused or permitted, causes or permits, or threatens to cause or permit any waste to be discharged or deposited where it is, or probably will be, discharged into waters of the state and creates, or threatens to create, a condition of pollution or nuisance..." This section goes on to state that this person must "clean up such waste or abate the effects thereof..." Thus, an underground tank system that in the past resulted in unauthorized releases confers liability on the following parties:

- 1) The property owner at the time of the release(s) and thereafter for as long as the releases threaten groundwater;

Val Strough Honda/Val Strough Chevrolet

March 13, 1991

Page 2 of 2

- 2) The property lessor (as distinguished from facility operator) at the time of release and thereafter for as long as the releases threaten groundwater; and
- 3) The facility operator (or sublessor) at the time of release.

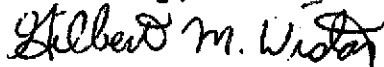
Therefore, we are still requiring that a work plan be submitted to this office, which is designed to determine whether the old underground tanks at 3737 Broadway are contributing to the hydrocarbon plume beneath the former Chevron station, and if so, to what extent. This work plan is to be submitted to this office for approval, and is due immediately upon receipt of this letter.

A suitably qualified environmental consultant must handle this investigative work. We are currently requiring Chevron to define the limits of and remediate contaminated groundwater underneath 3701 Broadway, and county oversight on this issue will continue until full cleanup occurs. However, you will be responsible for subsurface contamination (if any) originating from 3737 Broadway. In addition, we require the responsible party to submit a \$425 deposit, made out to Alameda County, to cover our costs for report review and remedial oversight of the case. This deposit is also due immediately.

This letter constitutes a formal request for technical reports according to Sec. 13267 of the California Water Code, as well as Sec. 25299.36 of the Health and Safety Code. Copies of all documentation sent here should also be sent to the Regional Water Quality Control Board in Oakland (attn: Lester Feldman). Failure to respond in a timely manner could result in civil liabilities under the Water Code of up to \$1,000 per day. Other violations of California law, such as Sec. 25299.37 of the Health and Safety Code, may also be cited.

If you have any questions about this letter, please contact the undersigned at 271-4320.

Sincerely,



Gil Wistar

Hazardous Materials Specialist

cc: Glenn Carter (2020 Gill Port Ln., Walnut Creek, CA 94598)
Herb Henderson (600 B St., San Diego, CA 92183)
Nancy Vukelich, Chevron USA (P.O. Box 5004, San Ramon, CA 94583)
Lester Feldman, RWQCB
Gil Jensen, Alameda County District Attorney, Consumer and
Environmental Protection Division
Rafat A. Shahid, Asst. Agency Director, Environmental Health
files

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



R0500

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

January 21, 1991

Ms. Lisa Backlund
West Central Engineer
Chevron, U.S.A., Inc.
P. O. Box 5004
San Ramon, CA 94583-0804

Re: Former Chevron station 9-1026, 3701 Broadway, Oakland

Dear Ms. Backlund:

The Alameda County Department of Environmental Health, Hazardous Materials Division has exhausted its deposit for the oversight of remediation at the above site. Please submit an additional deposit of \$500, made payable to Alameda County, for our continued oversight of this case. We draw upon these funds at a given hourly rate whenever a Hazardous Materials Specialist works on the case, but cannot process any report if there are no funds on deposit.

In addition, please submit a progress report on the status of remediation at the site. This report and the deposit are due to this office by February 20, 1991.

If you have any questions about this letter, please contact the undersigned at 271-4320.

Sincerely,

Gil Wistar
Hazardous Materials Specialist

cc: Rafat A. Shahid, Asst. Agency Director, Environmental Health files

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



R0500 (3701
Broadway)

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

Certified Mailer # P 062 127 755

January 18, 1991

Mrs. Maude G. Besthorn
1501 Ptarmigan Dr.
Walnut Creek, CA 94595

RE: Potential contamination from former underground fuel storage tanks at 3737 Broadway, Oakland

Dear Mrs. Besthorn:

As you may be aware, a Chevron gas station formerly occupied the property at 3701 Broadway, at the corner of Broadway and MacArthur. Samples of groundwater from the northern edge of this property indicate the possibility that hydrocarbons have migrated from the 3737 Broadway property onto the 3701 Broadway site. Information on file suggests that three underground tanks were removed from this location in early 1987, with incomplete soil sample results and documentation on file.

Under Sec. 13304(a) of the Porter-Cologne Water Quality Control Act (California Water Code), a responsible party is defined as any person who "has caused or permitted, causes or permits, or threatens to cause or permit any waste to be discharged or deposited where it is, or probably will be, discharged into waters of the state and creates, or threatens to create, a condition of pollution or nuisance..." This section goes on to state that this person must "clean up such waste or abate the effects thereof..." Thus, an underground tank system that in the past resulted in unauthorized releases confers liability on the following parties:

- 1) The property owner at the time of the release(s) and thereafter for as long as the releases threaten groundwater;
- 2) The property lessor (as distinguished from facility operator) at the time of release and thereafter for as long as the releases threaten groundwater; and
- 3) The facility operator (or sublessor) at the time of release.

The actual releases from the tanks are presumed to have occurred until February 1987, when they were removed; however, there is evidence that threats to groundwater from the former location of these tanks still remain. This is because the monitoring wells next

Mrs. Maude G. Besthorn
January 18, 1991
Page 2 of 2

door at 3701 Broadway that are upgradient of the tanks removed from that property, but downgradient of the former tank area on 3737 Broadway, show significant groundwater contamination.

Therefore, we are requiring that a work plan be submitted to this office, which is designed to determine whether the old underground tanks at 3737 Broadway are contributing to the hydrocarbon plume beneath the former Chevron station, and if so, to what extent. This work plan is to be submitted to this office for approval, and is due February 22, 1991 no later than 5 p.m.

A suitably qualified environmental consultant must handle this investigative work. We are currently requiring Chevron to define the limits of and remediate contaminated groundwater underneath 3701 Broadway, and county oversight on this issue will continue until full cleanup occurs. However, you will be responsible for subsurface contamination (if any) originating from 3737 Broadway. In addition, we require that a deposit of \$425 be submitted to this office, made out to Alameda County, to cover our costs for report review and remedial oversight of the case. This deposit is due by February 22.

This letter constitutes a formal request for technical reports according to Sec. 13267 of the California Water Code, as well as Sec. 25299.36 of the California Health and Safety Code. Copies of all documentation sent here should also be sent to the Regional Water Quality Control Board in Oakland (attn: Lester Feldman). Failure to respond in a timely manner could result in civil liabilities under the Water Code of up to \$1,000 per day. Other violations of California law, such as Sec. 25299.37 of the California Health and Safety Code, may also be cited.

If you have any questions about this letter, please contact the undersigned at 271-4320.

Sincerely,

Gilbert M. Wistar

Gil Wistar
Hazardous Materials Specialist

cc: W. Bruce Bercovich, Kay & Merkle (100 The Embarcadero, San Francisco, CA 94105)
Lisa Marinaro, Chevron USA (P.O. Box 5004, San Ramon, CA 94583)
Lester Feldman, RWQCB
Gil Jensen, Alameda County District Attorney, Consumer and Environmental Protection Division
Rafat A. Shahid, Asst. Agency Director, Environmental Health files

M

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



R0500 (3701 Broadway)

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

Certified Mailer # P 062 127 753

January 18, 1991

Mrs. Bernice H. Campbell
224 Mountain Ave.
Piedmont, CA 94611

RE: Potential contamination from former underground fuel storage tanks at 3737 Broadway, Oakland

Dear Mrs. Campbell:

As you may be aware, a Chevron gas station formerly occupied the property at 3701 Broadway, at the corner of Broadway and MacArthur. Samples of groundwater from the northern edge of this property indicate the possibility that hydrocarbons have migrated from the 3737 Broadway property onto the 3701 Broadway site. Information on file suggests that three underground tanks were removed from this location in early 1987, with incomplete soil sample results and documentation on file.

Under Sec. 13304(a) of the Porter-Cologne Water Quality Control Act (California Water Code), a responsible party is defined as any person who "has caused or permitted, causes or permits, or threatens to cause or permit any waste to be discharged or deposited where it is, or probably will be, discharged into waters of the state and creates, or threatens to create, a condition of pollution or nuisance..." This section goes on to state that this person must "clean up such waste or abate the effects thereof..." Thus, an underground tank system that in the past resulted in unauthorized releases confers liability on the following parties:

- 1) The property owner at the time of the release(s) and thereafter for as long as the releases threaten groundwater;
- 2) The property lessor (as distinguished from facility operator) at the time of release and thereafter for as long as the releases threaten groundwater; and
- 3) The facility operator (or sublessor) at the time of release.

The actual releases from the tanks are presumed to have occurred until February 1987, when they were removed; however, there is evidence that threats to groundwater from the former location of these tanks still remain. This is because the monitoring wells next

Mrs. Bernice H. Campbell
January 18, 1991
Page 2 of 2

door at 3701 Broadway that are upgradient of the tanks removed from that property, but downgradient of the former tank area on 3737 Broadway, show significant groundwater contamination.

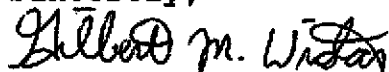
Therefore, we are requiring that a work plan be submitted to this office, which is designed to determine whether the old underground tanks at 3737 Broadway are contributing to the hydrocarbon plume beneath the former Chevron station, and if so, to what extent. This work plan is to be submitted to this office for approval, and is due February 22, 1991 no later than 5 p.m.

A suitably qualified environmental consultant must handle this investigative work. We are currently requiring Chevron to define the limits of and remediate contaminated groundwater underneath 3701 Broadway, and county oversight on this issue will continue until full cleanup occurs. However, you will be responsible for subsurface contamination (if any) originating from 3737 Broadway. In addition, we require that a deposit of \$425 be submitted to this office, made out to Alameda County, to cover our costs for report review and remedial oversight of the case. This deposit is due by February 22.

This letter constitutes a formal request for technical reports according to Sec. 13267 of the California Water Code, as well as Sec. 25299.36 of the California Health and Safety Code. Copies of all documentation sent here should also be sent to the Regional Water Quality Control Board in Oakland (attn: Lester Feldman). Failure to respond in a timely manner could result in civil liabilities under the Water Code of up to \$1,000 per day. Other violations of California law, such as Sec. 25299.37 of the California Health and Safety Code, may also be cited.

If you have any questions about this letter, please contact the undersigned at 271-4320.

Sincerely,



Gil Wistar
Hazardous Materials Specialist

cc: W. Bruce Bercovich, Kay & Merkle (100 The Embarcadero, San Francisco, CA 94105)
Lisa Marinaro, Chevron USA (P.O. Box 5004, San Ramon, CA 94583)
Lester Feldman, RWQCB
Gil Jensen, Alameda County District Attorney, Consumer and Environmental Protection Division
Rafat A. Shahid, Asst. Agency Director, Environmental Health files



ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



R0134 (Val Strough chev)
✓ R0500 (3701 Broadway)

Certified Mailer # P 062 127 754

January 18, 1991

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

Val Strough Honda
Val Strough Chevrolet
c/o Mr. W. Bruce Bercovich
Kay & Merkle
100 The Embarcadero, 3rd Floor
San Francisco, CA 94105

RE: Potential contamination from former underground fuel storage tanks at 3737 Broadway, Oakland

Gentlemen:

As you may be aware, a Chevron gas station formerly occupied the property at 3701 Broadway, at the corner of Broadway and MacArthur. Samples of groundwater from the northern edge of this property indicate the possibility that hydrocarbons have migrated from the 3737 Broadway property onto the 3701 Broadway site. Information on file suggests that three underground tanks were removed from this location in early 1987, with incomplete soil sample results and documentation on file.

Under Sec. 13304(a) of the Porter-Cologne Water Quality Control Act (California Water Code), a responsible party is defined as any person who "has caused or permitted, causes or permits, or threatens to cause or permit any waste to be discharged or deposited where it is, or probably will be, discharged into waters of the state and creates, or threatens to create, a condition of pollution or nuisance..." This section goes on to state that this person must "clean up such waste or abate the effects thereof..." Thus, an underground tank system that in the past resulted in unauthorized releases confers liability on the following parties:

- 1) The property owner at the time of the release(s) and thereafter for as long as the releases threaten groundwater;
- 2) The property lessor (as distinguished from facility operator) at the time of release and thereafter for as long as the releases threaten groundwater; and
- 3) The facility operator (or sublessor) at the time of release.

The actual releases from the tanks are presumed to have occurred until February 1987, when they were removed; however, there is evidence that threats to groundwater from the former location of

Val Strough Honda
Val Strough Chevrolet
c/o Mr. W. Bruce Bercovich
January 18, 1991
Page 2 of 2

these tanks still remain. This is because the monitoring wells next door at 3701 Broadway that are upgradient of the tanks removed from that property, but downgradient of the former tank area on 3737 Broadway, show significant groundwater contamination.

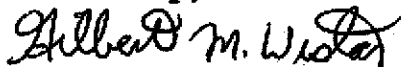
Therefore, we are requiring that a work plan be submitted to this office, which is designed to determine whether the old underground tanks at 3737 Broadway are contributing to the hydrocarbon plume beneath the former Chevron station, and if so, to what extent. This work plan is to be submitted to this office for approval, and is due February 22, 1991 no later than 5 p.m.

A suitably qualified environmental consultant must handle this investigative work. We are currently requiring Chevron to define the limits of and remediate contaminated groundwater underneath 3701 Broadway, and county oversight on this issue will continue until full cleanup occurs. However, you will be responsible for subsurface contamination (if any) originating from 3737 Broadway. In addition, we require that a deposit of \$425 be submitted to this office, made out to Alameda County, to cover our costs for report review and remedial oversight of the case. This deposit is due by February 22.

This letter constitutes a formal request for technical reports according to Sec. 13267 of the California Water Code, as well as Sec. 25299.36 of the California Health and Safety Code. Copies of all documentation sent here should also be sent to the Regional Water Quality Control Board in Oakland (attn: Lester Feldman). Failure to respond in a timely manner could result in civil liabilities under the Water Code of up to \$1,000 per day. Other violations of California law, such as Sec. 25299.37 of the California Health and Safety Code, may also be cited.

If you have any questions about this letter, please contact the undersigned at 271-4320.

Sincerely,



Gil Wistar
Hazardous Materials Specialist

cc: Lisa Marinaro, Chevron USA (P.O. Box 5004, San Ramon, CA 94583)
Lester Feldman, RWQCB
Gil Jensen, Alameda County District Attorney, Consumer and
Environmental Protection Division
Rafat A. Shahid, Asst. Agency Director, Environmental Health
files



ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



R0500

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

November 26, 1990

Lisa Marinero
Chevron U.S.A. Inc.
2 Annabel Lane
San Ramon, CA 94583

Dear Ms. Marinero:

Our records indicate that your project has depleted the deposit submitted to Alameda County Hazardous Materials Division for the site located at 3701 Broadway, Oakland (Chevron Station #1026). Prior to any further activity at this site, an additional deposit must be received by this office in the amount of \$400.00.

If you have any questions, please contact Gil Wistar at (415) 271-4320.

Sincerely,

Edgar B. Howell III, Chief
Hazardous Materials Division

EH:mam

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



R0500

May 9, 1990

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

Ms. Lisa Marinaro
Chevron U.S.A. Inc.
P.O. Box 5004
San Ramon, CA 94583-0804

Re: Response to questions raised in quarterly report, former
Chevron #9-1026, 3701 Broadway, Oakland

Dear Ms. Marinaro:

The Alameda County Department of Environmental Health, Hazardous Materials Division has reviewed the Weiss Associates quarterly report at the former Chevron station listed above. In this report, Weiss proposes the abandonment of three monitoring wells that cannot be sealed against the intrusion of surface water. Weiss also proposes that sampling frequency in certain of the other monitoring wells be reduced from quarterly to semi-annually.

The Division concurs that any monitoring wells unable to be sealed should be destroyed, according to protocol established by Zone 7 of the Alameda County Flood Control and Water Conservation District. This includes monitoring wells B, B-6, and B-7. However, because well B-6 defines the northwestern edge of the groundwater monitoring system at the site, it will have to be replaced by another well in the same area. This new well should be placed further to the northwest than the current location of well B-6, to allow definition of the northwest edge of the groundwater contaminant plume.

The northern and northeastern sides of the plume remain poorly defined, as well. Even though the groundwater under this portion of the site has been calculated as "upgradient" from the former tanks and fuel islands, the levels of contaminants in monitoring wells A and B-4 are relatively high. Therefore, we are requiring the installation of at least one additional monitoring well to the northeast of wells A and B-4. We are also requiring a well to be placed on the northern corner of the property (on the northwest side of the former service station building) to enhance "upgradient" plume characterization. This raises a question: what is the origin of hydrocarbons in groundwater that is apparently upstream from the presumed source at the former service station?

Because of the levels of contamination at this site, including free product still being found in several wells, quarterly monitoring should continue in all wells, including the new ones to be installed. We expect that more frequent sampling and water-level

Ms. Lisa Marinaro
May 9, 1990
Page 2 of 3

measurements will occur anyway during the initial stages of groundwater remediation.

Turning now to the question of the remediation program, this office has only a brief sketch of alternatives, prepared by Chempro Environmental Services. More information needs to be submitted on the proposed remediation program, which you have stated is ready to go once property access details are negotiated. (The May 17 deadline we set for system startup appears unrealistic now, and we have to assume this is due to legal issues.) Please submit the following information to this office:

1. Aquifer test procedures and results, including optimum extraction well locations, pump rates, and expected radius of influence;
2. Specifics on air stripper operation and expected hydrocarbon removal efficiency;
3. Details on system maintenance and performance testing that will ensure the system is working as intended;
4. The monitoring well sampling regime during various stages of the remediation program;
5. Schedule milestones following formal landowner approval;
6. Information on who will be responsible for what tasks during remediation, and plans for coordination if more than one contractor/consultant is involved; and
7. Agency reporting frequency.

Please submit a comprehensive remedial/monitoring work plan addressing the issues in this letter to this office and to the Regional Water Quality Control Board by May 31, 1990. Because we are overseeing this site under the designated authority of the Water Board, this letter constitutes a formal request for technical reports, per Sec. 13267(b) of the California Water Code. Failure to respond in a timely manner could result in civil liabilities under the Water Code of up to \$1,000 per day.

If you have any questions about this letter or about remediation

Ms. Lisa Marinaro
May 9, 1990
Page 3 of 3

requirements established by the RWQCB, please contact the undersigned at 271-4320.

Sincerely,

Gilbert M. Wistar
Gil Wistar
Hazardous Materials Specialist

cc: Mariette Shin, Weiss Associates (5500 Shellmound St., Emeryville, CA 94608)
Red Blevins, Chempro Environmental Services (950 Gilman St., Suite B, Berkeley, CA 94710)
Lester Feldman, San Francisco Bay RWQCB
Gil Jensen, District Attorney, Alameda County Consumer and Environmental Protection Division
Rafat Shahid, Asst. Agency Director, Environmental Health files



Certified Mailer # P 062 127 793

Telephone Number: (415)

5

January 22, 1990

Mr. D. Moller
Manager, Operations
Chevron USA
P.O. Box 5004
San Ramon, CA 94583-0804

NOTICE OF VIOLATION

Dear Mr. Moller:

At five current or former Chevron sites in the cities of Oakland, Dublin, and Livermore, the Alameda County Department of Environmental Health, Hazardous Materials Division has determined that there are outstanding violations of the California Health and Safety Code (H&SC) requiring immediate attention. This letter describes these violations, which concern Sec. 25295(a)(1) and Sec. 25298(c)(4) of the H&SC. These violations are failure to report unauthorized releases of a hazardous material, and improper closure of an underground tank system, respectively. This letter does not address any other current or former Chevron sites within Alameda County, which also may have outstanding violations.

This office is the lead agency overseeing all five sites' environmental investigations and cleanups. The Regional Water Quality Control Board (RWQCB) is currently unable to manage the large number of fuel leak cases within Alameda County, and has therefore delegated this authority to our office, including provisions of the California Water Code. Nonetheless, you must continue to keep the Water Board apprised of all actions taken to characterize and remediate contamination, because the Board retains the ultimate responsibility for ensuring protection of waters of the state. The five sites included in this letter will be covered one at a time, beginning below.

(R0500) 1. 3701 Broadway, Oakland (former Chevron #9-1026)

At this site, five underground storage tanks were removed on April 21, 1988, and significant contamination was found both in soil and groundwater. In a letter dated 9/9/88, you stated that a remediation plan was being developed by Crowley Environmental Services of Oakland. Subsequently, this office has received two quarterly reports from Chevron, dated 8/14/89 and 12/15/89; both indicate that a remediation plan was being prepared. On August 14, 1989, I spoke with Lisa Marinaro of Chevron, USA, who stated that a remediation plan would be submitted to this office by September 1, 1989.

Mr. D. Moller
 January 22, 1990
 Page 2 of 4

Several inches of product have been found floating on the groundwater at this site, and dissolved TPH levels of as high as 672 ppm have been recorded in the 13 monitoring wells. In addition, levels of benzene up to 30 ppm have been found in the groundwater; thus it is clear that there is significant hydrocarbon contamination beneath the site. Still, no remediation plan has been received to date.

The gasoline discharges have created a continuing condition of groundwater pollution and nuisance that calls for the imposition of a cleanup schedule. Therefore, this site must be remediated according to the following schedule:

- A comprehensive remedial action plan is due in this office no later than February 23, 1990;
- Remediation acceptable to this office must go into operation by May 17, 1990;
- Water level measurements and sampling shall occur during the first quarter of 1990 and every month once remediation begins;
- Written progress reports shall be submitted every three months, with the first such report due on March 1, 1990. The September 1, 1990 report shall include an assessment of the effectiveness of the groundwater remediation system.

(#7240)

(R0304) 2. 7420 Dublin Blvd., Dublin (former Chevron #9-2582)

Underground gasoline tanks were removed from this site on February 16, 1989, and new installations for an independent operator were completed over the summer of 1989. On-site monitoring well EA-3 has yielded dissolved TPH levels of up to 2,300 ppm; the most recent groundwater monitoring results show levels of dissolved hydrocarbons at 110 ppm in the tank pit.

Some contaminated soil was left in place beneath the canopy support structure, because its removal could have caused canopy collapse. A soil venting system was installed prior to the installation and backfilling of new piping.

Bob Foss of Chevron USA has indicated on several occasions that a remediation system is in the works, but months have gone by without diligent actions to ensure that groundwater pollution does not move off site. Because of concern over potential contaminant migration to drinking water wells in the Amador Valley, a remedial plan for this site should be formalized and implemented according to a set timetable. Due dates are shown below.

Mr. D. Moller
 January 22, 1990
 Page 3 of 4

- A concise remedial action plan, including milestones and timetables, is due in this office by February 23, 1990. It should describe both soil venting/off-gas treatment (indicating the status of a BAAQMD permit, if required), and groundwater extraction/treatment.
- Soil venting/off-gas treatment shall begin operations by April 6, 1990.
- A limited groundwater extraction/treatment operation shall be on line by April 27, 1990.
- Water levels, sampling, and extracted soil gas sampling shall occur as frequently as necessary to monitor the systems' effectiveness, but no less often than quarterly. Quarterly progress reports must be submitted to this office and to the RWQCB, with the first report due June 1, 1990.

(R0221) 3. 5500 Telegraph Ave., Oakland (Chevron #0338)

(R02887) At this site, old piping was removed on July 7, 1989; soil samples taken from one area of the pipe trench contained up to 800 ppm of hydrocarbons, and levels in soil just above the water table still exceeded 100 ppm. This data indicated the possibility of a significant release of gasoline to groundwater. As a result, in a September 13, 1989 letter to John Randall, Chevron USA, the Division requested a work plan to be submitted for this site within 30 days, and an unauthorized release report within 5 days. Chevron has not responded as of the date of this letter.

Chevron must still supply the information requested in the 9/13/89 letter; an unauthorized release report should be submitted to this office immediately. In addition, three monitoring wells around the trench "hot spot" shall be installed, developed, and sampled by March 9, 1990. We are requesting quarterly sampling and reporting for at least one year.

(R02) 4. 5509 Martin Luther King, Jr. Way, Oakland (Chevron #1583)

Old piping was removed from this site on December 14, 1989. One soil sample from the trench contained 1,700 ppm TPH and 180 ppm xylene. The sampler encountered the water table before soil hydrocarbons attenuated to below levels of concern. Therefore, the possibility exists for a significant release of gasoline to groundwater, and three monitoring wells must be installed around the point of release. These wells shall be installed, developed, and sampled by April 6, 1990, and then sampled quarterly for at least one year. In addition, an unauthorized release report must be submitted immediately to this office.

Mr. D. Moller
January 22, 1990
Page 4 of 4

5. 1925 Barcelona St., Livermore (former Chevron #9-7314)

Four underground tanks and associated piping were removed from this site on September 18, 1989. This office has still not received the soil sampling report, which was due 11/18/89. An EA, Engineering Science & Technology report dated 7/5/89 indicates that there was significant soil contamination around the tanks prior to their removal. Thus, an unauthorized release report is due in this office immediately, and soil sampling results and a comprehensive work plan to address soil and potential groundwater contamination must be submitted by February 23, 1990.

Regarding these five sites, copies of all reports or work plans should also be sent to the RWQCB (attention: Lester Feldman). Because we are overseeing this site under the designated authority of the Water Board, this letter constitutes a formal request for technical reports, per Sec. 13267(b) of the California Water Code. Failure to respond in a timely manner could result in civil liabilities under the Water Code of up to \$1,000 per day. Other violations of California law, such as Sec. 25299 of the H&SC, which specifies fines of up to \$5,000 per day, may also be cited.

If you have any questions about this letter or about remediation requirements established by the RWQCB, please contact the undersigned at 271-4320.

Sincerely,

Gilbert M. Wistar

Gil Wistar
Hazardous Materials Specialist

cc: Doug Krause, DOHS
Lester Feldman, San Francisco Bay RWQCB
Gil Jensen, District Attorney, Alameda County Consumer and
Environmental Protection Division
Rafat Shahid, Asst. Agency Director, Environmental Health
files (5 locations)

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Director



Department of Environmental Health
Hazardous Materials Division
80 Swan Way, Room 200
Oakland, CA 94621

R0500

Telephone Number: (415) 271-4320

August 8, 1988

Chevron U.S. A., Inc.
2 Annabel Lane
San Ramon, CA 94623

RE: CHEVRON SVC. STATION #91026, 3701 BROADWAY, OAKLAND 94611

Dear Sirs:

In April 1988, the underground tanks located at the subject location were removed. The following information is past due and must be submitted within thirty (30) days:

1. Results of all soil and water testing
2. Copies of all manifests, bills of lading, and tank disposal certificates
3. A written narrative of remedial action taken to date
4. Please complete and submit the form titled "Underground Storage Tank Unauthorized Release (Leak)/Contamination Site Report." This report must be filed with the Health Agency immediately. A copy is enclosed for your convenience.
5. You will need to obtain professional services from a reputable engineering/consulting firm.

The responsibility of your consultant will be to establish the extent of contamination and provide professional judgment/recommendations, based on scientific data of the necessary remedial actions needed. A plan and time schedule for investigation should be submitted to the agency within 30 days.

The following is a summary of the steps your consultant should take to evaluate the problem.

1. Preliminary Assessment
 - site history
 - results of initial work done
 - proposal for the delineation of the site's contamination

Chevron U.S.A. Inc.
2 Annabel Lane
San Ramon, CA 94583
August 8, 1988
Page 2 of 2

2. Site Investigation

- site geology and hydrogeology
- definition of lateral & vertical extent of contamination, including soil and groundwater
- evaluation of mitigation alternatives

3. Final Remedial Plan

- plans for the removal of soil contaminants and recovery of fuel product & removal of dissolved constituents from the groundwater
- details & time frame for implementing the various remedial phases

Should you have any questions regarding your responsibilities in this matter, please contact Mr. Lowell Miller, Senior Hazardous Materials Specialist at 271-4320.

Sincerely,

R/A SW
Rafat A. Shahid, Chief
Hazardous Materials Division

RAS:mam

cc: Don Strough, P.O. Box 28886, Oakland, CA 94604

Enclosure