

ALAMEDA COUNTY
HEALTH CARE SERVICES



AGENCY
DAVID J. KEARS, Agency Director

R0602

November 15, 1994
STID 4445

ALAMEDA COUNTY CC4580
DEPT. OF ENVIRONMENTAL HEALTH
ENVIRONMENTAL PROTECTION DIVISION
1131 HARBOR BAY PKWY., #250
ALAMEDA CA 94502-6577

Bowen Li
Attorney at Law
1330 Broadway, Suite 1028
Oakland CA 94612-2509

RE: Vacant Lot, Lee Family Assoc., 387-12th St., Oakland CA
94607

Dear Mr. Li,

I am in receipt of your letter dated 11/9/94. This letter requests approval from this office regarding the proposed repair of the sidewalk associated with the above referenced site.

In light of Non-Detectable (ND) concentrations of contaminants sought in soils below the sidewalk on Franklin St., the sidewalk repair proposal is approved by this office. If further groundwater monitoring is required, this can be done without any interference to the sidewalk repairs.

The following is the current status of the environmental investigation at this site: I have been informed that groundwater samples were obtained from below Franklin St. on 11/3/94. Results are forthcoming within the week. A decision will be made at that point whether "permanent" groundwater monitoring wells are needed, or whether we can close the case.

If you have any questions, please contact me at 510-567-6700, ext 6761. This is our new permanent phone number; our new fax number is 510-337-9335.

Sincerely,

Jennifer Eberle
Hazardous Materials Specialist

cc: Homer Lee, 1420 University Ave., Berkeley CA 94702
Lee Family Association, 1127 Webster St., Room 11, Oakland
CA 94607 Attn: Homer Lee
Scott MacLeod, Cambria, 1144-65th St., suite C, Oakland CA
94608
Ed Howell/file

je 4445-D

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



R0602

October 6, 1994
STID 4445

Lee Family Association
1127 Webster St., Room 11
Oakland CA 94607
Attn: Homer Lee

DEPARTMENT OF ENVIRONMENTAL HEALTH
Hazardous Materials Program
1131 HARBOR BAY PKWY., #250
ALAMEDA CA 94502-6577
(510)567-6700

RE: vacant lot, 387-12th ST., Oakland CA 94607

Dear Mr. Lee,

I am in receipt of a "Subsurface Investigation" letter workplan by Cambria, dated 9/29/94, received in this office 9/30/94. As you know, this workplan involves the installation of two soil borings in Franklin St., downgradient from the site, and collection of soil and "grab" groundwater samples. **This workplan is acceptable for implementation.**

If you have any questions, please contact me at 510-567-6700, ext 6761. This is our new permanent phone number; our new fax number is 510-337-9335.

Please notify me at least 2 business days in advance of field activities so that I may arrange to be onsite. **Feel free to submit reports on double-sided paper in order to save precious trees.**

Sincerely,

Jennifer Eberle
Hazardous Materials Specialist

cc: Homer Lee, 1420 University Ave., Berkeley CA 94702
Scott MacLeod, Cambria, 1144-65th St., suite C, Oakland CA
94608
Bowen Li, attorney at law, 1330 Broadway, Suite 1028,
Oakland CA 94612
Ed Howell/file

je 4445-C

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY

DAVID J. KEARS, Agency Director



R0602
RAFAT A. SHAHID, ASST. AGENCY DIRECTOR

July 18, 1994
STID 4445

Lee Family Association
1127 Webster St., Room 11
Oakland CA 94607

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

RE: 387-12th St.

Dear Mr. Lee,

PLEASE NOTE THAT OUR NEW ADDRESS IS 1131 HARBOR BAY PARKWAY, 2nd FLOOR, ALAMEDA CA 94502.

We have received the "Results of Limited Phase II Soil Sampling and Resampling of Monitoring Wells," prepared by SOMA Environmental Engineering, Inc., dated 6/30/94.

As you know, this report documents the results of the angle boring under Franklin St., groundwater monitoring and sampling, and the destruction of the three "temporary" monitoring wells.

I agree with the following conclusions from this report:

- 1) Due to the non-detectable concentrations of contaminants in the angle boring (B4) below Franklin St., no further soil investigation is needed.
- 2) Due to the continued elevated concentrations of contaminants in groundwater, notably the downgradient well (B3), further work is needed to delineate the extent of groundwater contamination.

Therefore, you are requested to submit a workplan for further groundwater investigation within 45 days, or by September 2, 1994. The use of HydroPunch in at least 2 locations beneath Franklin St. for the groundwater investigation, as proposed in the 6/30/94 SOMA report, is acceptable, as a screening procedure. The workplan can be brief, including a map showing the proposed boring locations.

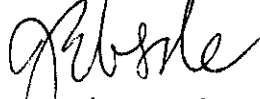
Please be advised that this is a formal request for technical reports pursuant to California Water Code Section 13267(b). Any extensions of the stated deadlines, or modifications of the required tasks, must be confirmed in writing by either this agency or the RWOCB. You have been given a generous amount of time (45 days) for the workplan submittal.

STID 4445
Homer Lee
July 18, 1994
page 2 of 2

Kindly submit a cover letter with your consultant's reports. If you have any questions, please contact me at 510-337-2868, or leave a message at 337-2866, 2865 or 2864. Please note that these are our new temporary phone numbers.

Please also bear in mind that, in order to maintain SB2004 fund eligibility, specific bidding requirements and contracting criteria must be met. You are encouraged to contact your SWRCB fund representative (916-227-4529) for more case-specific information.

Sincerely,



Jennifer Eberle
Hazardous Materials Specialist

cc: Homer Lee, 1420 University Ave., Berkeley CA 94702
John Faustini, SOMA, 155 Filbert St., Suite 230,
Oakland CA 94607
Bowen Li, attorney at law, 1330 Broadway, Suite 1028,
Oakland CA 94612
Ed Sue, Architects, 500 East 8th St., Oakland CA 94606
Ed Howell/file

je 4445-B

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY

DAVID J. KEARS, Agency Director



R0602

RAFAT A. SHAHID, ASST. AGENCY DIRECTOR

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

April 21, 1994
STID 4445

Lee Family Association
1127 Webster St., Room 11
Oakland CA 94607
Attn: Mr. Homer Lee

RE: 387-12th St., Oakland CA 94607

Dear Mr. Lee,

On April 20, 1994, we received the "Work Plan for Phase II Soil and Groundwater Investigation," prepared by SOMA, dated April 15, 1994. As you know, this workplan includes the resampling of the three monitoring wells, the sampling of soil under Franklin St., and the destruction of the three monitoring wells.

This workplan is acceptable; the schedule on page 11 indicates that a report of the results should be submitted to this office by 5/18/94.

Please note that with the exception of closure reports, routine reports and documents no longer need to be copied to the Regional Water Quality Control Board. **Kindly submit a cover letter with your consultant's reports.** If you have any questions, please contact me at 510-271-4530. **Please notify me at least 2 business days prior to field work.**

Sincerely,

Jennifer Eberle
Hazardous Materials Specialist

cc: Homer Lee, 1420 University Ave., Berkeley CA 94702
John Faustini, SOMA, 155 Filbert St., Suite 230, Oakland CA
94607
Bowen Li, attorney at law, 1330 Broadway, Suite 1028,
Oakland CA 94612
Ed Sue, Architects, 500 East 8th St., Oakland CA 94606
Ed Howell/file

je 4445-A

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY

DAVID J. KEARS, Agency Director



R0602

RAFAT A. SHAHID, ASST. AGENCY DIRECTOR

March 15, 1994
STID 4445

David Lee
Lee Family Association
1573 Nuala St.
Concord CA 94518

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

RE: 387-12th St., Oakland CA 94607

Dear Mr. Lee,

I attended a meeting on 1/12/94 with Homer, Eddie and Angie Lee. They indicated they want to backfill the site and build on it. Prior to backfilling the site, we agreed to resample and monitor the three wells, as well as conduct slant borings under Franklin St. to help determine the extent of offsite soil contamination. Based on the monitoring results, downgradient wells would be located.

I received a phone call from Ed Sue of Sue Architects on 2/22/94. He indicated that he represented the Lee Family's interest, and wanted to know what cleanup work needed to be done. He indicated that the Lee Family wanted to get bids from other consultants.

I have received phone calls from five different consulting firms from 3/3/94 to 3/15/94. In the meantime, two months has passed since my meeting with the Lee Family. Eight months has passed since I received the Phase I Soil and Ground-Water Investigation Report, prepared by SOMA, dated 7/12/93. This report states that "these temporary monitoring wells were to be left in place no more than three to four weeks. . ." These borings were drilled on 6/6/93; therefore, they should have been properly destroyed by early July 1993!

As you can see, an inordinate amount of time has passed without any concrete field work since the Phase I. Therefore, we request **a workplan or proposal for further subsurface investigation, submitted under cover letter from the Lee family, within 30 days, or by April 15, 1994,** and prepared by a recognized professional as outlined below. The subsurface investigation should involve determining the extent of soil and groundwater contamination. Since you have already started the process of bidding, 30 days should not be a difficult deadline to accomplish.

All work should adhere to a) the Tri-Regional Board Staff Recommendations for Preliminary Evaluation and Investigation of Underground Tank Sites, dated 8/10/90; and b) Article 11 of Title 23, California Code of Regulations. Reports and proposals must be submitted **under seal** of a California-Registered Geologist, - Certified Engineering Geologist, or -Registered Civil Engineer.

March 15, 1994
STID 4445
David Lee
page 2 of 2

Since you plan to build onsite, we may request a health-based risk assessment if there is any residual groundwater or soil contamination onsite. It appears that there is no longer soil contamination onsite; this next phase of investigation will determine if it has spread offsite. Results from groundwater sampled on 6/17/93 indicated contamination in all 3 wells. However, 2 of these wells had very low concentrations. This should underscore why it is important to resample the 3 wells prior to backfilling. Therefore, **we request that you resample and monitor the 3 wells within 30 days or by April 15, 1994.**

As for delineating offsite soil contamination, you can accomplish this in a number of ways, including slant borings under Franklin St., or vertical borings into Franklin St. This should be specified in the workplan.

Please note that with the exception of closure reports, routine reports and documents no longer need to be copied to the Regional Water Quality Control Board. Kindly submit a cover letter with your consultant's reports. If you have any questions, please contact me at 510-271-4530.

Sincerely,



Jennifer Eberle
Hazardous Materials Specialist

cc: Homer Lee, 1420 University Ave., Berkeley CA 94702
John Faustini, SOMA, 155 Filbert St., Suite 230, Oakland CA
94607
Bowen Li, attorney at law, 1330 Broadway, Suite 1028,
Oakland CA 94612
Ed Sue, Architects, 500 East 8th St., Oakland CA 94606
Ed Howell/file

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ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY

DAVID J. KEARS, Agency Director



R0602

RAFAT A. SHAHID, ASST. AGENCY DIRECTOR

April 16, 1993
STID 4445

David Lee
Lee Family Assoc.
1573 Nuala St.
Concord CA 94518

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

RE: 387-12th St.
Oakland CA 94607

Dear Mr. Lee,

We are in receipt of an "Addendum to Work Plan for Soil and Preliminary Ground-Water Investigation," prepared by SOMA Environmental Engineering, dated 4/12/93. This addendum, along with the 2/25/93 Work Plan by SOMA, is acceptable for implementation.

During a telephone conversation between myself and Joe Madison on 3/22/93, he indicated that he would submit the documentation which I requested (of yourself) by letter dated 3/17/93 "within the next week or so." Please note that I have not yet received this information. If you intend to reach case closure with this agency, we will not be able to do so without the proper documentation.

Please contact me at least 2 business days in advance of field activities. Please contact me at 510-271-4530 if you have any questions.

Sincerely,

Jennifer Eberle
Hazardous Materials Specialist

cc: John Faustini, SOMA, 155 Filbert St., Suite 230, Oakland CA
94607
Rich Hiett, RWQCB
Ed Howell/file

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ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY

DAVID J. KEARS, Agency Director



R0602

RAFAT A. SHAHID, ASST. AGENCY DIRECTOR

March 17, 1993
STID 4445

David Lee
Lee Family Association
1573 Nuala St.
Concord CA 94518

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

RE: 387-12th St.
Oakland CA 94607

Dear Mr. Lee,

We are in receipt of the "Work Plan for Soil and Preliminary Ground-Water Investigation," prepared by SOMA Environmental Engineering, Inc. (SOMA), dated 2/25/93. This work plan involves the installation of three temporary monitoring wells to assess groundwater quality and flow direction. If groundwater is found to be contaminated, then permanent monitoring wells would be installed.

During the removal of a 500-gallon heating oil tank in July 1992, significant soil contamination was detected. Soils sampled from below the tank contained 8,100 ppm TPH-d. In this situation, whenever contamination of this magnitude is encountered, a groundwater investigation is required by this agency. This includes the installation of three **permanent monitoring wells** to ascertain groundwater quality and flow direction. [The temporary wells will be an added and unnecessary expense.] Groundwater wells are monitored/sampled for a minimum of one year on a quarterly basis prior to a recommendation for case closure. Therefore, we cannot accept your workplan for implementation.

In addition, we have still not received the following items:

- 1) Unauthorized Leak Report (ULR)
- 2) Tank Removal Report
- 3) Chain of custody documentation for the samples taken during tank removal
- 4) Disposal receipts for the stockpiled soil, including manifests if applicable

The Tank Removal Report is particularly important because it is unknown at what depth the soil sample was taken from below the tank. ULRs are required within 5 days of releases. The first two items were requested by letter addressed to Man & Yuen Szeto dated 1/21/93. Items 1, 2, and 4 were requested in a field inspection report written by County representative Don Hwang dated 11/16/92. This report was signed by Joe Madison of Pacific Excavators. Item 2 was also requested by letter addressed to Joe Madison dated 9/28/92.

David Lee
STID 4445
March 17, 1993
page 2 of 2


Therefore, we again request the submittal of these four items **within 30 days or by April 17, 1993**. We also request another work plan for a groundwater investigation **within 30 days or by April 17, 1993**.

All work should adhere to a) the Tri-Regional Board Staff Recommendations for Preliminary Evaluation and Investigation of Underground Tank Sites, dated 8/10/90; b) the State Water Resources Control Board LUFT Field Manual; and c) Article 11 of Title 23, California Code of Regulations. Reports and proposals must be submitted **under seal** of a California-Registered Geologist, -Certified Engineering Geologist, or -Registered Civil Engineer. All reports and documents pertaining to this investigation should also be sent to:

Rich Hiatt
San Francisco Bay Region
Regional Water Quality Control Board
2101 Webster St., Suite 500
Oakland CA 94612

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

Sincerely,



Jennifer Eberle
Hazardous Materials Specialist

cc: Joe Madison, Pacific Excavators, 1439 Entrada Verde, Alamo
CA 94507
John Faustini, SOMA, 155 Filbert St., Suite 230, Oakland CA
94607
Rich Hiatt, RWQCB
Ed Howell/File

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ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



R0602

RAFAT A. SHAHID, Assistant Agency Director

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

Jan. 21, 1993

Man & Yuen Szeto
3701 Coolidge Ave. #A
Oakland, Ca. 94607

Re: Leaking Underground Storage Tank removed at Lee Family
Association, 387-12th St., Oakland, Ca. 94607

Dear Mr. & Mrs. Szeto:

On July 24, 1992, an underground storage tank was removed at 387-12th St., Oakland, Ca. Laboratory analyses of the soil sample collected beneath the tank found 8,100 mg/kg total petroleum hydrocarbons-diesel; 610 ug/kg toluene; 4,700 ug/kg ethyl benzene; and 14,000 ug/kg xylene. These concentrations require a subsurface soil/ground water investigation. Investigations are to conform to "Tri-Regional Board Staff Recommendation for Preliminary Evaluation and Investigation of Underground Storage Tank Sites, August 10, 1990", (copy may be obtained from California Regional Water Quality Control Board - San Francisco Bay Region, ph. 464-1269). For guidance in writing the reports required, you may use the enclosed document, "Appendix A, Workplan for Initial Subsurface Investigation, August 20, 1991". All reports pertaining to this investigation and remediation must be sent to this office and also to:
Richard Hiett, Water Resources Control Engineer,
California Regional Water Quality Control Board,
San Francisco Bay Region, 2101 Webster St., Suite 500,
Oakland, Ca. 94612.

You are required to provide this Agency with the following items:

- 1) "Tank Closure Report" which covers items listed in I & II of "Appendix A, Workplan for Initial Subsurface Investigation, August 20, 1991",
- 2) "Unauthorized Release" form (enclosed) must be completed,
- 3) Check for \$750 to "County of Alameda", for Agency cost to oversee this project (Alameda Co. Ord. Code, Sec. 3-140-5). The deposit previously submitted for the removal of the tanks has been depleted. Time spent will be debited against this deposit at a rate of \$75.00 per hour. Any funds remaining will be refunded to you after this case has been closed.
- 4) "Soil Contamination Plan", as specified in III of "Appendix A, Workplan for Initial Subsurface Investigation, August 20, 1991",
- 5) "Ground Water Contamination Plan", as specified in IV of "Appendix A, Workplan for Initial Subsurface Investigation, August 20, 1991".

Mr. & Mrs. Szeto
Page 2 of 2
Jan. 20, 1993

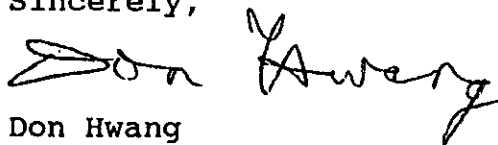
Items 1, 2, & 3, were requested in a letter to Joe Madison of Pacific Excavators, dated Sept. 28, 1992 and in an inspection report to him, dated Nov. 16, 1992. These items were due by Nov. 23, 1992. To date, this office has not received any of these items.

Please submit items 1, 2, & 3, within 5 days and items 4 & 5, within 30 days of the receipt of this letter to me.

Failure to provide the information requested is a violation of the Ca. Code of Regulations, Title 23, Div. 3, Ch. 16, Sec. 2721b; and Ca. Health & Safety Code, Sec. 25298c-4. Each day of violation is subject to a civil penalty of not less than \$500 or greater than \$5,000. Continued violation will result in the referral of this matter to the County District Attorney's Office, Ca. Health & Safety Code, Sec. 25299.

Also, since field observations and laboratory analyses indicate that the tank leaked, your case will later be transferred to Jennifer Eberle of our Leaking Underground Tank Oversight Program.

Sincerely,



Don Hwang
Hazardous Materials Specialist

Enc.

c Jennifer Eberle, Alameda County, Dept. of Environmental Health, Hazardous Materials Division, 80 Swan Way, Rm. 200, Oakland, Ca. 94621

Richard Hiett, California Regional Water Quality Control Board, San Francisco Bay Region, 2101 Webster St., Suite 500, Oakland, Ca. 94612,

Gil Jensen, Alameda County District Attorney's Office, Consumer & Environmental Protection Division, 7677 Oakport St., Suite 400, Oakland, Ca. 94621

Joseph Madison, Pacific Excavators, 1439 Entrada Verde, Alamo, Ca. 94507

387-12s

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



R0602

RAFAT A. SHAHID, Assistant Agency Director

September 28, 1992

Joseph Madison
Pacific Excavators
1439 Entrada Verde
Alamo, Ca. 94507

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

Re: Underground storage tank removal at Lee Family, 387-12th St.,
Oakland, Ca. 94607

Dear Mr. Madison,

On July 24, 1992, an underground storage tank was removed from the above referenced site. To date, our office has not received a report regarding the closure of the tank. Such a report is due within 60 days of the date of the removal of the tank as stated in the "Underground Tank Closure Plan" application form which you submitted to this office. The information required in the report was also listed in the application form. Enclosed is another copy of the list of information required for the "Tank Closure Report". **You are required to submit a report regarding the closure of the tank within 10 days.**

If you have any questions, please call Don Hwang at (510) 271-4320.

Sincerely,

Paul Smith
Senior Hazardous Materials Specialist

cc: Lee Family, 3701 Coolidge Ave. #A, Oakland, Ca. 94602

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ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



R0602

RAFAT A. SHAHID, Assistant Agency Director

Certified Mailer: P 367 604 516

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

July 13, 1992

Joseph Madison
Pacific Excavators
1439 Entrada Verde
Alamo, Ca. 94507

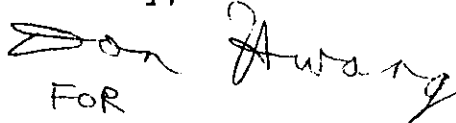
Re: "Underground Tank Closure Plan", Lee Family, 387-12th St.,
Oakland, Ca. 94607

Dear Mr. Madison,

Your "Underground Tank Closure Plan", for the Lee Family, 387-12th St., Oakland, Ca. 94607, dated July 26, 1992, will not be approved. The accompanying copy of your "Hazardous Substances Removal & Remedial Actions Certification", #A 4093, identifying you as the qualifier is incorrect. A routine check with the Contractors State License Board of the aforementioned certificate number found it to be assigned to a different contractor. As we discussed on July 8, 1992, according to the Business and Professions Code, Section 7058.7, all contractors performing removals of underground storage tanks must have this certificate.

If you have any questions, please call Don Hwang at (510) 271-4320.

Sincerely,


FOR

Paul Smith
Senior Hazardous Materials Specialist

cc: Lee Family, 3701 Coolidge Ave. #A, Oakland, Ca. 94602

387-12st