

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



RO#965

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

November 30, 1998
StID # 4447

Mr. Bob Cochran
Chevron USA
6001 Bollinger Canyon Rd.
San Ramon, CA 94582-0804

Mr. Robert Schwartz c/o
Mr. Micheal Osterberg
S & L Attorney
513 Independent Rd.
Oakland CA 94621

Re: Closure of Monitoring Wells at 6345 Coliseum Way, Oakland CA 94621

Dear Messrs. Cochran and Schwartz:

This letter serves to inform you that the above site had received concurrence for site closure by the RWQCB. This letter is to formally notify you of this and request closure of the remaining six (6) monitoring wells at this site, prior to issuance of a closure letter from our office.

You may contact Mr. Andreas Godfrey of Alameda Public Works, Water Resources at (510) 670-5575 if you have any questions regarding well closure requirements.

Please contact me at (510) 567-6765 if you have any questions.

Sincerely,

Barney M. Chan
Hazardous Materials Specialist

C: B. Chan, files

W1c16345

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



RO#965

Alameda County CC4580
Environmental Health Services
1131 Harbor Bay Pkwy., #250
Alameda CA 94502-6577
(510)567-6700 FAX(510)337-9335

May 31, 1996
StID # 4447

Mr. Robert Schwartz
Schwartz and Lindheim
4570 Sequoyah Rd.
Oakland CA 94605

Mr. Bob Cochran
Chevron USA Products Co.
6001 Bollinger Canyon Rd.
San Ramon, CA 94583-0804

Re: 6345 Coliseum Way, Oakland CA 94621

Dear Messrs. Schwartz and Cochran:

This letter serves several purposes. Firstly, this letter approves the Gettler-Ryan Inc. February 9, 1996 work plan to properly abandon monitoring wells MW-2, MW-5, MW-6 and MW-10 at the above site. Previous monitoring of these wells indicate that petroleum contamination is absent in these wells. Additional monitoring is, therefore, not required. I have discussed this fact with Mr. Cochran in a previous conversation.

Secondly, you are likely aware that your consultant, Geraghty and Miller, Inc. (G&M) has prepared a Risk Assessment for our office's review. Based on their conclusions of the risk assessment, G&M is recommending site closure. The risk assessment is still being reviewed by the Water Board's Staff Toxicologist, Mr. Ravi Arulanantham. Upon his review and concurrence, the site will be processed for closure. In the interim, to avoid the possibility that additional monitoring may be required, please continue to sample and monitor the residual wells on a **semi-annual basis**.

You may contact me at (510) 567-6765 if you have any questions.

Sincerely,

Barney M. Chan
Hazardous Materials Specialist

c: Mr. G. Guruss, Gettler-Ryan Inc., 6747 Sierra Ct., Suite J,
Dublin, CA 94568

Mr. D. Snow, Geraghty & Miller, 1050 Marina Way South,
Richmond, CA 94804

Mr. R. Arulanantham, RWQCB

G. Coleman, files

HRA6345

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY

DAVID J. KEARS, Agency Director



R0965

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

July 6, 1994
StID # 4447

Ms. Lucia Chou
Chevron USA Products Co.
P.O. Box 5004
2410 Camino Ramon
San Ramon CA 94583-0804

**Re: Comment on May 17, 1994 Work Plan Addendum for Supplemental
Groundwater and Soil Assessment for 6345 Coliseum Way,
Oakland CA 94621**

Dear Ms. Chou:

Our office has received and reviewed the above referenced work plan as prepared by your consultant, Geraghty and Miller. This work plan addendum follows our April 15, 1994 meeting where our office and R. Arulanantham of the RWQCB discussed our concerns with the potential responsible parties, Chevron and Mr. Michael Osterberg representing Mr. Schwartz. An April 25, 1994 letter to you from Geraghty and Miller summarized this meeting.

The work plan calls for the installation of two permanent and one temporary well. It also calls for a risk assessment to be submitted to Mr. Arulanantham to evaluate soil and groundwater contaminant levels as they may affect human health and water quality. The risk assessment should provide soil and groundwater cleanup levels. It appears that no additional soil borings are planned extending easterly from the former diesel tank pit. This is acceptable if the concentration of contamination found in SB4 is used to represent soil conditions in this area.

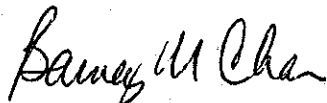
Our office requests that a copy of the risk assessment for Mr. Arulanantham be sent to our office as well. Our office will need to discuss this assessment with Mr. Arulanantham prior to issuing our office's approval. You may, however, initiate your field activities as your earliest convenience.

Please contact our office **48 working hours** prior to any field work so I may arrange to be present if possible.

Please be aware of our office's new mailing address:
1101 Harbor Bay Parkway, Second Floor, Alameda CA 94502.
Until our phone system is up and running, you may leave a voice mail message for me by dialing (510) 271-4310.

Ms. Lucia Chou
6345 Coliseum Way
StID # 4447
July 6, 1994
Page 2.

Sincerely,



Barney M. Chan
Hazardous Materials Specialist

cc: Mr. L. Blank, Geraghty and Miller, 1050 Marina Way South,
Richmond, CA 94804
Mr. R. Schwartz, 513 Independent Rd., Oakland CA 94621
Mr. M. Osterberg, Attorney at Law, 513 Independent Rd.,
Oakland CA 94621
Mr. R. Arulanantham, RWQCB
E. Howell, files

wpad6345

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY

DAVID J. KEARS, Agency Director



RAFAT A. SHAHID, ASST. AGENCY DIRECTOR

R0965

February 2, 1994
StID #4447

Mr. Robert Schwartz
Schwartz and Lindheim
4570 Sequoyah Rd.
Oakland CA 94605

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: Request for Technical Reports for Subsurface Investigation at
6345 Coliseum Way, Oakland CA 94621**

Dear Mr. Schwartz:

As you are aware, two 3000 gallon diesel tanks were removed from the above site on November 9, 1993. You were present along with your attorney, your consultant and geologists from Geraghty and Miller. In addition, during the tank removals, a number of monitoring wells were being installed around the perimeter of this site in accordance with the June 24, 1993 work plan authored by Geraghty and Miller and sent to Ms. Lucia Chou of Chevron USA Products Co. You may recall, significant soil and groundwater contamination was uncovered during the tank excavation. The contamination appeared to migrate from the southeast corner of the pit possibly following a piping run. Free product appeared to be migrating in a shallow gravel lens possibly leading towards the location of the former asphalt tanks.

Because of this observed contamination, additional subsurface investigation is required to define the extent of and remediate this contamination. Please submit a work plan addendum which describes your next investigation/remediation phase. You should also be aware that as a condition of the approved tank closure/removal plan, you are required to submit a complete tank closure plan 60 days after the date of the tank removal ie by January 9, 1994. Therefore, you are requested to submit the following reports within 30 days or by March 4, 1994:

1. A complete tank closure report ;
2. A report detailing the installation and sampling of the recently installed wells. The report should also give the results of all existing wells sampled; and,
3. A work plan addendum which describes your next and future steps to be taken to totally characterize/remediate this site. Keep in mind that until further notice, quarterly groundwater monitoring is required from this time on.

Mr. Robert Schwartz
StID #4457
6345 Coliseum Way
February 2, 1994
Page 2.

You should consider this a formal request for technical reports pursuant to the California Water Code Section 13267(b). Failure to provide the requested reports may subject you to civil liabilities.

You may contact me at (510) 271-4530 if you have any questions.

Sincerely,



Barney M. Chan
Hazardous Materials Specialist

cc: L. Chou, Chevron USA Products Co., P.O. Box 5004, San Ramon,
CA, 94583-0804
D. Serena, Geraghty and Miller Inc., 1050 Marina Way South,
Richmond, CA 94804
E. Howell, files

wpad6345

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY

DAVID J. KEARS, Agency Director



RAFAT A. SHAHID, ASST. AGENCY DIRECTOR

R0965

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

August 26, 1993
StID # 4447

Mr. Robert Schwartz
Schwartz and Lindheim
4570 Sequoyah Rd.
Oakland CA 94605

**Re: Comment on Evaluation of Work Plan for Groundwater and Soil
Assessment at 6345 Coliseum Way, Oakland CA 94621**

Dear Mr. Schwartz:

On August 18, 1993 our office met with Ms. Lucia Chou of Chevron USA Products Company to discuss the continuation of the subsurface investigation at the above site. At this time, our office was given the June 24, 1993 work plan prepared by Geraghty and Miller for our review and comment. It was mutually agreed that additional site characterization would be required in order to determine the most viable approach to site remediation. In the work plan, results from previous soil and groundwater investigations were detailed. These results indicate several areas of soil contamination and also provided the results of the one time groundwater sampling of each of the four monitoring wells. Soil contamination was identified near the diesel tanks, near the location of the former asphalt tanks and near the center and northern areas of the site.

The work plan proposes the installation of six additional monitoring wells and seven soil borings to further determine the limits of soil and groundwater contamination. In general, this approach is acceptable with the following conditions:

1. As mentioned in my March 22, 1993 letter, you must take the appropriate steps to either permit or close the two underground tanks at this site. In fact, I enclosed in my March 22nd letter the forms to complete should you chose to remove the tanks. If you decide to permit the tanks you should seek an approved tank tester to verify the integrity of the tanks. Mr. Paul Smith of our office may be reached at (510) 271-4320 should need any assistance in permitting the tanks. Several soil borings near the underground tanks indicate the likelihood of a past diesel fuel release which may be associated with a tank failure of some type. Please be reminded that you may be subject to civil penalties for the improper closure of an underground tanks or the operation of an unpermitted underground tanks.

Mr. Robert Schwartz
StID #4457
6345 Coliseum Way
August 26, 1993
Page 2.

2. Concerning the specifics of the work plan, our office has the following concerns:

a. We agree with the examining and sampling, if appropriate, of the four existing monitoring wells as stated in Task 1 of the work plan.

b. We recommend considering the relocation of the boring proposed just north of the former asphalt tanks. This location is near monitoring well MW-3, which already has previous soil boring information. This boring could be relocated between SB4 and MW3, in an attempt to determine the lateral extent of soil contamination in these areas.

c. Please add the analysis, Total Petroleum Hydrocarbons as motor oil, (TPHmo), for all soil and groundwater samples. It should replace Method 413.1 for the groundwater samples and be added to the soil samples list of analytes. TPHmo has been found in several soil borings and the extent of this contamination should also be investigated. There have been several articles which state the limitations and interferences with the infrared quantitation methods such as 413.1, therefore, we would prefer oil and grease be run by the chromatographic method, TPHmo.

d. Soil samples should be field screened with a FID instrument as opposed to the PID instrument recommended. Again, we feel that more accurate screening is obtained for the petroleum contaminants at this site by using a FID screening instrument such as an OVA.

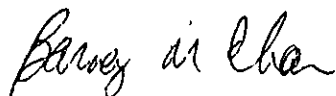
e. Because of the high levels of oil and grease found in soil samples, our office is concerned about the complete characterization of the site. This was discussed with Ms. Chou, and our suggestion was you should analyze one soil sample for semi-volatile compounds by Method 8270. This should be done on the sample which had the highest observed TPHmo concentration.

Please provide a written response to the above issues prior to implementing your investigation. Our office should also be notified 48 working hours prior to well or boring installation.

Mr. Robert Schwartz
StID # 44457
6345 Coliseum Way
August 26, 1993
Page 3.

You may contact me at (510) 271-4530 should you have any questions.

Sincerely,



Barney M. Chan
Hazardous Materials Specialist

cc: G. Jensen, Alameda County District Attorney Office
L. Chou, Chevron USA Products Co., P.O. Box 5004, San Ramon,
CA 94583-0804
D. Serena, Geraghty and Miller, Inc., 1050 Marina Way South,
Richmond, CA 94804
E. Howell, files

wp-6345

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY

DAVID J. KEARS, Agency Director



R0965

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

March 22, 1993
StID #4447

Mr. Robert Schwartz
Schwartz and Lindheim
4570 Sequoyah Rd.
Oakland CA 94605

**Re: Request for Current Work Plan for Subsurface Investigation
at 6345 Coliseum Way, Oakland CA 94621**

Dear Mr. Schwartz:

Please be aware that the above site has been transferred to the Local Oversight Program (LOP) section of the County's Environmental Health, Hazardous Materials Division. You should have been notified of this through a "Notice of Requirement to Reimburse" letter sent to your attention. Your new case worker is the undersigned Hazardous Materials Specialist.

I was informed of your recent meeting with Mr. Britt Johnson and Mr. Ariu Levi of this office regarding this site. Mr. Johnson informed me that you will be providing documentation of the diesel pipeline spill which occurred in 1979. Speaking with Mr. Levi, he stated that you appeared to be eager to proceed with additional investigation with the intent of recommendation for site closure.

I have reviewed the reports from Blymyer Engineer and the review of this work by Levine and Fricke. A work plan by Levine and Fricke was also provided to our office. Specific areas of contamination were identified and options were proposed for their investigation and remediation. After review of the work plan proposal, Mr. Levi clarified a number of items in his November 2, 1989 letter. Mr. Levi further requested a work plan with a tentative schedule for work completion.

Our office's assumes that none of the proposed work of Levine Fricke has been performed. In fact, it is unclear whether you still intend to proceed at this site in the same manner as previously proposed. Therefore, I would like to request a reissuance of a work plan which addresses the soil and groundwater contamination. If it is the same as the previously submitted Levine Fricke work plans, please submit under a new cover letter acknowledging your concurrence. You should be aware that the Regional Water Quality Control Board (RWQCB) has issued a more specific guideline for the allowance of only groundwater monitoring at contaminated sites. They have incorporated

Mr. Robert Schwartz
StID #4447
6345 Coliseum Way
March 22, 1993
Page 2.

"alternate points of compliance" in their recent Basin Plan. Most of the requirements for this compliance method have been addressed in the Levine Fricke proposal, however, our office will have to review the proposal again to verify its completeness given the new requirements.

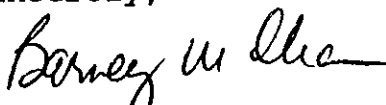
In addition to performing any further proposed work, you should reinstate quarterly groundwater monitoring on the four wells at this site. You should also provide a map showing the locations of all additional proposed monitoring wells.

Our office has another concern regarding the status of the two abandoned 3000 gallon underground storage tanks on Parcel B. In 1979 the tanks were tested and deemed "sound" and were kept for any subsequent tenant's use. If these tanks were not properly "closed in-place" in accordance to Title 23 of the California Code of Regulations, Section 2672 (d) (2), they will need to be tested and brought into compliance with current regulations or be removed. Enclosed please find the appropriate forms to complete in order to remove these tanks, should you choose.

Please provide the requested work plan proposal and tank closure or permitting information to our office **within 45 days** of this letter, or **by May 5, 1993**.

You may contact me at (510) 271-4530 if you have any questions.

Sincerely,



Barney M Chan
Hazardous Materials Specialist

enclosure (Mr. Schwartz)

cc: G. Jensen, Alameda County District Attorney Office
R. Hiett, RWQCB
E. Howell, files

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ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



R0965

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

⑥

September 5, 1991

Amy Loftus Tuitel
Blymyer Engineers, Inc.
1829 Clement Ave.
Alameda, CA 94501

Dear Ms. Tuitel:

This letter is being sent in response to your letter dated August 28, 1991 requesting information for indicated sites located in the 94621 zip code.

Review of our files showed the following:

1. **Ace Recyclers Enterprises - 830 69th Ave.**

Previously, this site did have some surface oil contamination, but the soil was removed and remediation was completed with the approval of our office in April, 1991.

2. **Allied Crane Maintenance - 727 66th Ave.**

In 1989, soil contamination was noted during removal of Underground tanks. Further site assessment and characterization has been required by this office.

(R0632) 3. **Ford Wholesale Co. - 8907 Railroad Ave.**

This facility is a roofing company. In January, 1990, two underground tanks were removed. Soil samples taken during the removal showed contamination with gas as high as 1000 ppm TPH gas. Further site assessment and characterization has been required by this office but has yet been received.

4. **The Glidden Co. - 5800 Coliseum Way.**

This business stores and distributes commercially prepared paints. Because the containers are never opened at this site, this facility is not regulated by this office.

5. **GUHL Manufacturing - 7001 Snell St.**

This office has no records of this business or this site.

(R02449) 6. **McGuire & Hester - 796 66th Ave.**

In 1988 two underground tanks were removed and followed by a soil and groundwater investigation. Three monitoring wells were installed at the site, and 1988 samplings showed no detectable contamination. In 1989 two new Underground tanks were installed for owner Cruise America. These tanks are a 10,000 gallon fuel tank, and a 500 gallon waste oil tank. The soil at the site contains high concentrations of ammonia, probably stemming from the pre-1957 use of the property as a meat packing plant/slaughtering house.

7. **Pacific Coast Retreaders - 747 Independant.**

This business retreads tires. We have not inspected this facility.

(R0711) 8. **Pacific Bell c/o Packer Q1663 - 733 Kevin Ct.**

This facility handles typical motor vehicle maintenance materials such as automatic transmission fluid, fresh motor oil, and waste oil stored in an aboveground tank. No known contamination has occurred. Additionally, there are two underground tanks at this site owned by Ronald L. Day Transportation Inc., which have a combined capacity of 36,000 gallons motor vehicle fuel.

(R01439) 9. **Rock Transport - 5900 Colisuem Way.**

In June, 1990, two 10,000 gallon diesel and a 500 gallon waste oil tank were removed from this site. Soil contamination was significant, and the water encountered during the excavation was observed to have a product sheen. Approximately 1400 cubic yards of soil were subsequently stockpiled at the site in four separate stockpiles. As of February 6, 1991, the concentration of contaminants in all stockpiles was below threshold limits. A proposal for further groundwater investigation and monitoring has been requested.

(R0965) 10. **Schwartz Property - 6345 Coliseum Way.**

Amy Tuitel
Blymyer Engineers, Inc.
September 5, 1991
Page 3 of 3

Known Diesel contamination exists at this site. Blymyer Engineers Inc. performed the initial investigation and results were presented in a report dated May 19, 1991. On August 13, 1991, this office approve a December 7, 1989 proposal by Schwartz and Linheim to divide the property into two separate parcels. One of the proposed parcels is required to undergo a continued site investigation to characterize the soil and groundwater contamination.

11. Sherwin-Williams Co. - 754 Kevin Ct.

This business is an Automotive Finisher and Body Shop Supply Company. Materials stored on-site include paints, resins, and solvents. No known contamination has occurred.

12. Unocal Service Station. - 845 66th Ave.

(R0408) Underground tanks were remove in 1989, and new ones installed in 1990. Soil contamination was observed during the tank removal, but is now fully remediated. A groundwater monitoring program is in progress.

This letter is limited to information available in this department and does not reflect any other information which may be available from other governmental agencies or businesses. If you have any additional questions, please contact Cathy Gates in this office at 271-4320.

Please find enclosed a copy of the invoice sent to our Billing unit.

Sincerely,

Cathy Gates for

Cynthia Chapman, HMS
Hazardous Materials Division

CC:CG:cg mem37

encl

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



R0965

July 13, 1990

CM# 062 127 868

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

Mr. Robert Schwartz
Schwartz & Lindheim
P.O. Box 2145
Oakland, CA 94621

Re: 6345 Coliseum Way, Oakland

Dear Mr. Schwartz:

This letter records the conversation we had on July 12, 1990, concerning the written proposal dated December 7, 1989, for remediation of the above shown site. As discussed, the general outline of the proposal is acceptable to the Alameda County Environmental Health Department, Hazardous Materials Division provided all sources of contamination have been identified and all remedial activities are in accordance with the guidelines set forth by the San Francisco Regional Water Quality Control Board (SFRWQCB), and all relevant laws and regulations of the State. Specific comments on the proposal follow.

It is the Division's opinion that reparceling 6345 Coliseum Way can occur without this office's direct oversight. The two created parcels will continue to be governed by the California Hazardous Waste Laws and Regulations but will be reviewed as separate properties. To that effect, if it is your intent to sell one of parcels, compliance with the California Health and Safety Code (CHSC), Section 25359.7 requires that written notice of the property's condition of hazardous waste be given to buyers, lessees, or renters. Compliance with the general requirements of CHSC, Chapter 6.5 will continue to be expected.

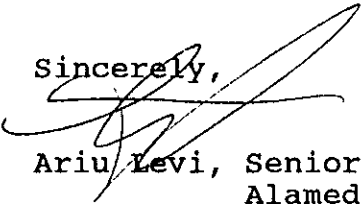
If your Plan is put into effect, the parcel that will receive the bulk of the known contamination at this facility will require further remediation. The requirements for clean up of subsurface soil, stockpiled soil, and ground water were discussed in the Division's letter to you dated November 2, 1989. In summary, the requirements followed in Alameda County are provided in guidance documents from the Regional Water Quality Board, and State Code of Regulations. Resolution Number 68-16 defines the clean up standards for groundwater. The limits for petroleum contamination of subsurface soils are contained in the Tri-Regional Board's Guidelines. The disposal of excavated soil remains dependent on the concentration of petroleum contamination within the soil with onsite reuse or disposal to Class I, II, or III facilities all being options.

Schwartz Lindheim
July 13, 1990
Page 2

You are requested to submit a Work Plan that addresses the earlier submitted proposal and the contents of this letter within thirty days from the above letter date. The Work Plan should identify the work to be done and a tentative schedule for work completion. In the event you plan to sell either the parcel from which you remove the contaminated soil, or the parcel upon which you remediate the contaminated soil, you are required to submit documentation in the form of a report that verifies the site is clean.

If you have any questions concerning the contents of this letter or the status of this case please call me at 415-271-4320.

Sincerely,



Ariu Levi, Senior Hazardous Materials Specialist
Alameda County Environmental Health

encl: 2

cc:

Rafat Shahid; Alameda County Environmental Health
Gil Jensen; Alameda County District Attorney's Office
Consumer and Environmental Protection
Howard Hatayama; DHS
Lester Feldman; SFRWQCB
Files

SCHWARTZ & LINDHEIM
a partnership
P.O. Box 2145
Oakland, CA 94621

December 7, 1989

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

Attn: Ariu Levi, Hazardous Materials Specialist

Re: 6345 Coliseum Way, Revision to Work Plan

Ariu---as we discussed on Dec.5th we have revised the size of the site that will initially purchased by C-F Trucking. The lot line will be adjusted so that it is 30 feet toward Coliseum Way. By doing this they will be avoiding the diesel contamination described in the Blymyer Engineers Inc. report dated May 19, 1989.

We are proposing to dig out the motor oil contaminated soil at CFO-3 and adding clean fill. We will dig down deep enough to remove the 1400 parts per million soil which shows at 5' but is not detectible at 10'. Sue Black, the Manager of Environmental Services for Blymyer states that the purgeable aromatics that were detected at 15' are low concentrations are should not have to be removed, especially in view of the fact that there is virtually no water contamination. The largest being 0.64 ug/L of Toluene at MW-4 (barely above the reporting limit). See Log No. 5967.

We are proposing to remove the motor oil at CFO-3 because it is located where Consolidated Freightways (C-F) proposes to erect its terminal. The balance of the site will be used for truck parking.

C-F has agreed to monitor the water at MW-3 which contains the only other actionable diesel levels. Blymyer will supervise this and it will be their repositibility after the division of the property. There is attached a new map showing the new dividing line and the location of the various test holes.

Prior to the new lot line being recorded we will move all motor oil contaminated soil to a holding area on the remaining property for on site remediation. The new lot lines will be recorded and the larger area transfered to C-F. We hope to accomplish this by the

first of the year.

The remaining area, including the building at 500 Independent Road will remain with the Schwartz & Lindheim partnership. The diesel contamination in the area of SB-4 and CFO-6 will be dealt with next year. We now know that it extends toward the two tanks next to the building. Since the present tenant pumped out, pressure tested, and sealed these tanks in 1979 we do not believe that these tanks are the source of the diesel. Since the present tenant may be leaving, we would like to keep them available for a new tenant.

Our present schedule is to do additional drilling next year to better define the location and the nature of the diesel contamination. We will then remove the soil and remediate it on site. The test we ran on Nov. 20 was analyzed by CALCOAST and it shows that there are no toxics in the diesel contaminated soil at SB-4. You have a copy of the CALCOAST analysis (file #1120-8A/B-9).

This Title 22 test will be useful in obtaining the variance for bio-remediation from the DHS and will be helpful in handling the soil.

We have agreed to remediate this site to meet the existing guidelines. C-F will have an option on this property and wants to add this area to its terminal for parking.

As John Rotticci and I mentioned, we talked to Lester Feldman at the RWQCB about this plan. He said it seemed sound to him but he would rely on the County for approval of the procedure. So please indicate your approval of this procedure so that we can get this cleaned up without delay.

Thank you for your help and cooperation Ariu,

sincerely,

SCHWARTZ & LINDHEIM

by 

Robert A. D. Schwartz,
general partner

cc: Gil Jensen, Alameda County District Attorney, Consumer and
Environmental Protection
Rafat Shahid, Assistant Agency Director
Howard Hatayama SDHS
Lester Feldman, SFRWQCB
Sue Black, Blymyer Engineers, Inc.
yRobert Weaver, Manager of Real Estate, C-F Trucking

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



R0965

November 2, 1989

DEPARTMENT OF ENVIRONMENTAL HEALTH
Hazardous Materials Program
80 Swan Way, Rm. 200
Oakland, CA 94621
(415) 271-4320

Mr. Robert Schwartz
Schwartz Lindheim
One Kaiser Plaza, Suite 1450
Oakland, CA 94612

Re: Proposed Work Plan for
6345 Coliseum Way
Oakland, CA

Dear Mr. Schwartz:

This letter records our recent conversation regarding the proposed work plan by the environmental consulting firm, Levine Fricke, for the above shown facility. As discussed, the recommended approaches to site remediation warrant further comment and discussion.

Levine Fricke, in their 7/24/89 letter to you, failed to review the issue of waste classification; though as you may already know, the fate of petroleum contaminated soils is controlled by several state laws, regulations, and state agency policy. In essence, the criteria with which petroleum hydrocarbon contamination in soil is assessed, in terms of waste classification, is not strictly based on language set forth in Title 22, California Code of Regulations (22CCR). Instead, the State Health Department (SDHS), by executive memorandum, determined that a total petroleum hydrocarbon (TPH) concentration of 1000 mg/Kg (ppm) in soil constituted a hazardous waste. Thus, waste materials with TPHg concentrations of 1,000 ppm or higher are to be treated as hazardous waste until proven otherwise.

The Regional Water Quality Control Board - San Francisco Bay Region (SFRWQCB), as the agency responsible for the licensing of certain solid waste disposal facilities and delegated by the State to ensure the integrity of surface and subsurface water resources in this region, has furthered the SDHS waste classification of soils with TPHg to include TPHd and TOG in like concentrations. As such, any contaminated material exhibiting TPHg&d or TOG concentrations at or above 1,000 ppm must be excavated, or if it can be sufficiently justified, alternative approaches to site remediation may be considered.

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Materials with concentrations of 100 to 1,000 ppm of TPH or TOG are classified as "designated waste", as defined under Section 2522, Subchapter 15 of the Water Code (CWC). Wastes of this classification may exhibit hazardous characteristics sufficient to require disposal at a Class I or II facility. As a result, "designated wastes" if transported off site may require movement under manifest.

Materials with TOG or TPH concentrations below 100 ppm are normally regarded as "nonhazardous solid waste" as defined in Section 2523 of the CWC. Disposal of this material at Class III facilities is encouraged.

Several fundamental definitions of what constitutes a hazardous waste, as set forth in Articles 9 & 11 of 22CCR, and the applicability of such criteria as cited under Article 2, should also be examined. Pursuant to 22CCR, Section 66300 (a)(1), any waste determined to be hazardous according to any criterion in Article 11 and consists of or contains a material cited under Article 9 shall be handled as a hazardous waste. Section 66305 (a)(1) further requires that a waste must be classified a hazardous waste if it is within the scope of Section 66300 and is hazardous pursuant to any criterion of Article 11. Of critical importance is the understanding that it is the waste producer's responsibility to determine if a waste is a hazardous waste, as stated in Section 66305(a), and that this evaluation entails the implementation of all applicable, or potentially applicable, criteria cited under Article 11.

Of course, one possible recourse to handling this waste material as hazardous waste is provided under Section 66305(e). Pursuant to this section, a waste producer may apply to the SDHS to handle such waste as "nonhazardous" because of mitigating physical or chemical properties which reduce the risk to human health or the environment to insignificant levels. An application for approval must be on a Waste Classification Form, the contents of which must be approved in writing by the SDHS, or designee, before the waste may be declassified.

Section 66305(f)(1) through (4) illustrates the criteria by which an application may be deemed incomplete or inadequate, and includes, but is not limited to, such items as:

- (1) The form is not complete or there is insufficient information on which to classify the waste: or

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- (2) The methods used in testing and analyzing the waste are not those prescribed in Article 11, or have not been approved by the SDHS pursuant to Section 66310 as alternative methods; or
- (3) Sampling and sample management were not in accord with Section 66694; or
- (4) Representative samples of the waste were not submitted pursuant to Section 66305(k) in order that the SDHS may independently assess the properties of the waste.

The appropriate use, for this site, of In situ and/or Non In Situ technologies as proposed by Levine Fricke and yourself must be evaluated with the above regulatory conditions in mind. The proposal to leave up to 4,200 ppm TPHd levels of subsurface soils contamination in place and conduct ground water monitoring, as recommended by Levine Fricke, is a viable option only under a narrow set of conditions. To further consider leaving the contaminated soil in place requires a review of the SFRWQCB waste discharge requirements, and 23CCR, Chapter 3, Subchapter 15.

The SFRWQCB's position on soil contaminated with fuels, and waste oils, as a threat to water quality is clear; soil so contaminated constitutes a threat to ground water quality and in general must be removed or remediated. In those cases, though, where removal or remediation is impractical a Report of Waste Discharge in Application for Waste Discharge Requirements must be submitted. The report of Waste Discharge must, at minimum, include the following information:

1. application fee
2. full description of relevant technical/economic factors that preclude restoring the site to it's former uncontaminated state by treatment or excavation.
3. results of hydrogeologic assessment that includes the following:
 - depth to ground water, seasonal fluctuations, aquifer thickness, gradient (both rate of movement, and direction), include possible vertical components
 - geology of site (sand lenses, fractures, etc.) include geologic map and geologic cross sections showing lithology and structural features.

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- what water bodies are hydrologically connected to the underlying ground water, and what are their existing and potential beneficial uses,
 - what are the potential impacts to the beneficial uses of ground and/or surface waters should the contaminants migrate to these waters
 - other site features such as but not limited to:
 - average annual rain fall
 - is the site capped to prevent surface infiltration
 - is the site in a 25 year flood plain
 - what wells are within a 1/2 mile radius of the site
4. The results of a contaminant assessment that includes, but is not limited to the following:
- evidence of floating product
 - concentration of dissolved constituents in the ground water
 - site maps that show the full extent of the ground water contamination zone, include supporting lab data.
 - site maps that show the full vertical and horizontal extent of the soil contamination zone(s), the lack of full 3 dimensional description must be justified, include all supporting lab data, boring logs, etc.
5. Describe the actions to be taken to comply with 23CCR, Section 2511(d).
6. Perform a Risk Assessment that fully evaluates the potential human and environmental health hazards posed by the onsite contamination.
7. Propose a ground water monitoring program that will detect whether and to what extent soil contamination impacts ground water, and whether off site migration of contaminants occurs. Include the following in the proposal:
- site map showing all wells, define the wells that are down gradient and up gradient from the contaminated zone(s)
 - proposed ground water sampling frequency, analysis methods, detection limits
8. Include a Plan of Action in the event the containment features fail to prevent the offsite migration of waste.

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The Application for Waste discharge is to be submitted directly to the SFRWQCD. After their review additional information may be requested. And, unless the waste is properly declassified as discussed earlier, in addition to the requirements of 23CCR, Chapter 3, Subchapter 15, an application to the SDHS for a TSDF Permit or a variance to the TSDF Permit requirements, pursuant to 22CCR, Section 66508 (4)(b), must be submitted. This application is to be made directly to the SDHS.

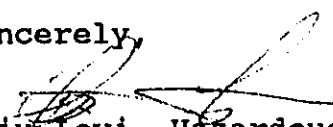
Onsite bioremediation, as proposed by your consultants is an alternative to Class 1 disposal of those soils with TPH levels in excess of 1,000 ppm, or Class 1 or II disposal for those soils with TPH levels between 100 and 1,000 ppm. On site treatment of 1,000+ ppm for TPH soils will require a permit or variance from the SDHS TSDF permit requirements, and a permit from the Bay Area Air Quality Management District (BAAQMD).

Asphalt incorporation is a relatively new remedial technique. As discussed in our meeting, the use of this form of remediation will require evaluation by the Alternative Technology Section of the SDHS. The possibility exists that the State will grant a research and development permit for the use of this technology. The SDHS must be approached directly with this request.

Hopefully some of the questions raised in our meeting have been answered by this written response. The remedial alternatives proposed by Levine Fricke can be implemented but it is crucial that all such activities proceed within the framework of applicable law, regulation, and policy. At this point, you are requested to respond with your intended course of action. Also, you are requested to forward copies of all correspondence, reports, or applications to the SFRWQCB, SDHS or the BAAQMD to this office so that our file will remain complete.

If you have any questions concerning the contents of this letter or the status of this case please feel free to call me.

Sincerely,



Ariu Levi, Hazardous Materials Specialist
Environmental Health Department

cc: Gil Jensen, Alameda County District Attorney,
Consumer and Environmental Protection
Rafat Shahid, Assistant Agency Director
Howard Hatayama, SDHS
Lester Feldman, SFRWQCB
files

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Director



R0965

Dept. of Environmental Health

Telephone Number: (415) 271-4320
Hazardous Materials Division
80 Swan Way, Rm. 200
Oakland, CA 94621

June 17, 1988

Ms. Michele A. Bellows
Baseline Environmental Consulting
315 Washington Street
Oakland, CA, 94607

Dear Ms. Bellows:

As per your request for information on 6345 Coliseum Way in Oakland, the following is on file with this Department.

A search of our records found no information on this address. This search included a review of our files on hazardous waste generators, underground storage tanks, and the emergency response log.

Please be aware this review is limited to the files and records kept by this Agency, and does not necessarily include information available to other agencies or businesses. Also, this search is limited to the information available to this Agency as of the above letter date.

If you have any questions concerning this matter, please contact Ariu Levi, Hazardous Materials Specialist, at 271-4320.

Sincerely,

Rafat Shahid

Rafat Shahid, Chief,
Hazardous Materials Program