

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



RO#1081

ARNOLD PERKINS, DIRECTOR

Alameda County Environmental Health Div.
Mail Code: 430-4580
Environmental Protection Services
1131 Harbor Bay Parkway, Room 250
Alameda CA 94502-6577

March 4, 1996
STID 487

Andrew Masri
Label Art of California
290-27th St.
Oakland CA 94612

RE: **NOTICE OF VIOLATION**
Label Art of California, 290-27th St., Oakland CA 94612, Claim #2647

Dear Mr. Masri,

My last letter to you was dated 12/29/94, approving the workplan for well installation prepared by Accutite, dated 12/27/94. Since that time, I spoke w/Jeff Garrison of Accutite on 3/14/95. Mr. Garrison indicated they were getting an encroachment permit from the City to install the well in the street. I also spoke with you on 4/7/95, when you indicated that you preferred the well be installed in the hillside and not in the street. We agreed that you would send me a letter documenting your communication with your consultant, indicating you would be utilizing a limited access drill rig to install the well on the hillside. **I have not received any such correspondence. You have had 11 months to provide such correspondence.** You also indicated during our 4/7/95 telecon that the hillside was too wet to install the well. You had dry weather during summer and fall of 1995 to install this well.

In any case, the well should have been installed by now. If this is the case, **please send me the well installation report immediately. Otherwise, you have 30 more days to install the well.** If you are deemed to be "out of compliance" with the Cleanup Fund, your reimbursement will be delayed, if not cancelled. The Cleanup Fund has already reimbursed you in early 1994.

Please contact me directly at 510-567-6761 if you have any questions.

Sincerely,

Jennifer Eberle
Hazardous Materials Specialist

cc: Acting Chief/file
Cheryl Gordon, SWRCB, UST Cleanup Fund

BE
je.487-C

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY

DAVID J. KEARS, Agency Director



R01081

RAFAT A. SHAHID, ASST. AGENCY DIRECTOR

DEPARTMENT OF ENVIRONMENTAL HEALTH

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

December 29, 1994
STID 487

Andrew Masri
Label Art of California
290-27th St.
Oakland CA 94612

Dear Mr. Masri,

We are in receipt of the Work Plan for Preliminary Groundwater Investigation, prepared by Accutite Environmental Engineering, dated 12/27/94, and sent to us via facsimile. As you know, this workplan involves the installation of one groundwater monitoring well in the tank backfill area. Since the depth to water is approximately 22' bgs, and the tank area was excavated to 13.5' bgs, the well screen should be in the native soil below the backfill, and there should be no problem with ascertaining true depth to water.

The workplan is acceptable with the following understandings, as discussed today with Jeff Garrison of Accutite:

- 1) TOG will be analyzed via 5520 F (for non-polar HCs).
- 2) The only metal that needs to be analyzed is lead.
- 3) At least 24 hours will elapse between well development and sampling.

If you have any questions, please contact me at 510-567-6700, ext 6761. 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 trees.

Sincerely,

A handwritten signature in cursive script, appearing to read "J Eberle".

Jennifer Eberle
Hazardous Materials Specialist

cc: Jeff Garrison, Accutite Environmental Engineering, 35 So.
Linden Av., S. San Francisco CA 94080
Cheryl Gordon, SWRCB UST Cleanup Fund
Ed Howell/file

je 487-B

ALAMEDA COUNTY
HEALTH CARE SERVICES



AGENCY

DAVID J. KEARS, Agency Director

R01081

November 14, 1994
STID 487

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

Andrew Masri
Label Art of California Inc.
290-27th St.
Oakland CA 94612

SECOND REQUEST

Dear Mr. Masri,

Our last letter to you was dated 12/8/93. In this letter, we requested a workplan for groundwater investigation within 45 days, or by 1/23/94. You phoned this office on 5/5/94, stating that you wanted to comply with this request, but were having financial difficulties. Specifically, you indicated that you were having problems getting all the costs reimbursed by the State Water Resources Control Board's UST CleanUp Fund (SWRCB).

Please be advised that the SWRCB periodically sends reviewers to this office to review files for claimants of the CleanUp Fund. They determine "compliance" as a basis for remaining eligible for the Fund. If a request from this office has not been responded to, in this case with a workplan, the SWRCB will place a claimant "out of compliance." This has happened in the past.

Obviously, it would be to your advantage to comply with our request, once again, to submit a workplan **within 45 days or by December 29, 1994** for a groundwater investigation to determine if groundwater has been impacted. In addition, we once again request documentation of soil disposal **within 45 days or by December 29, 1994**. This information will aid in case closure.

I understand that you have been reimbursed \$45,000 from the CleanUp Fund in March or April 1994, as per a telephone conversation with Cheryl Gordon of the CleanUp Fund today.

Please note that 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. I **encourage printing on double-sided paper to conserve resources.**

Sincerely,

Jennifer Eberle
Hazardous Materials Specialist

cc: Jim Bowers, Subsurface Consultants, Inc., 171-12th St.,
Suite 201, Oakland CA 94607
Cheryl Gordon, SWRCB UST CleanUp Fund
Ed Howell/file

je 487-A

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY



DAVID J. KEARS, Agency Director

R01081

RAFAT A. SHAHID, ASST. AGENCY DIRECTOR

December 8, 1993
STID 487

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

Andrew Masri
Label Art of California Inc.
290-27th St.
Oakland CA 94612

Dear Mr. Masri,

We are in receipt of the "Soil Remediation, Waste Oil Tank," report prepared by Subsurface Consultants, Inc. (SCI), dated 11/2/93. As you know, this report documents the soil removal activities associated with the former waste oil tank located behind the building. Confirmatory soil samples indicate the presence of low concentrations of diesel and four volatile organic compounds. It is SCI's opinion that these constituents, at these concentrations, should not pose a threat to health or to groundwater quality.

The pit was backfilled, and the contaminated soil was off-hauled, as per this report. Please provide us with documentation of soil disposal. This information will aid in case closure.

The last issue remaining is groundwater quality. You will recall that the initial concentrations encountered during tank removal were as high as 18,000 ppm Oil & Grease. You are requested to submit a workplan, **within 45 days or by January 23, 1994**, for a groundwater investigation to determine if groundwater has been impacted.

Our database indicates two nearby sites on either side of the Label Art site; these sites have monitoring wells. I have enclosed a map from our database indicating the locations of these sites. Your consultant is welcome to peruse our files for more detailed information.

Please note that 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.

Sincerely,

Jennifer Eberle
Hazardous Materials Specialist

cc: Jim Bowers, Subsurface Consultants, Inc., 171-12th St.,
Suite 201, Oakland CA 94607
Ed Howell/file

je (enclosure)



5640
480

255-27th St. Acura
294-27th St. former Acura

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY

DAVID J. KEARS, Agency Director



R01081

RAFAT A. SHAHID, ASST. AGENCY DIRECTOR

December 2, 1992

STID 487

Andrew Masri
Label Art of California Inc.
✓ 290-27th St.
Oakland CA 94612

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

Dear Mr. Masri,

We are in receipt of the Work Plan for Soil Remediation, prepared by your consultant, Subsurface Consultants, Inc. (SCI), dated 9/24/92. This workplan proposes to excavate contaminated soil below the bottom of the former waste oil tank. Confirmatory soil sampling will be conducted in the open excavation, and the excavation will be backfilled with clean, imported fill. The stockpiled soils will also be sampled, and subsequently removed.

I gave my verbal approval of the workplan to Jim Bowers of SCI on 9/30/92 with the following conditions:

1. A site-specific health and safety plan must be submitted and approved by this agency prior to implementation of the workplan.
2. We agreed to delete the 8270 analysis for semi-volatile organic compounds, unless oil and grease are detected.
3. We also agreed to analyze for lead (and delete the other metals).

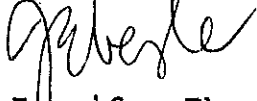
It is my understanding that a hydro-punch was not included in the workplan due to cost considerations. However, we may require a groundwater sample in the future, particularly if there is significant soil contamination during this phase of the investigation.

It was my understanding that the workplan would be implemented sometime in October. Since I did not receive any word from you or SCI, I phoned Jim Bowers on 11/19/92 regarding the site status. On 12/1/92, I learned that the workplan had not been implemented. There is concern that the site, with its open excavation at present, may begin collecting rainwater as the winter season is now upon us. In order to avoid this, and also in order to comply with this agency's requirements for site investigation as per 23 CCR, we request that you begin implementation of the workplan within 30 days or by January 2, 1992.

Andrew Masri
STID 487
page 2 of 2
December 2, 1992

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

Sincerely,



Jennifer Eberle
Hazardous Materials Specialist

cc: Jim Bowers, Subsurface Consultants, Inc., 171-12th St.,
Suite 201,

Oakland CA 94607
Rich Hiett, RWQCB
Ed Howell/File

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ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



R01081

RAFAT A. SHAHID, Assistant Agency Director

Certified Mailer # P 367 604 478

May 27, 1992
STID #487

David Masri
Label Art of California Inc.
290-27th St.
Oakland CA 94612

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

Dear Mr. Masri,

The case file for your site has recently been reviewed by our staff. The case has been reassigned to Jennifer Eberle, Hazardous Materials Specialist. Please mail future correspondence to her attention.

In November 1990, a 550-gallon underground waste oil storage tank was removed from the site. Subsequent soil sampling revealed concentrations of Oil and Grease as high as 18,000 ppm, and TPH-diesel as much as 1,600 ppm. Our agency requested a groundwater investigation by letter dated 3/20/91. A Work Plan was then prepared by Subsurface Consultants, dated 5/1/91. The Work Plan included soil boring(s) and a minimum of 3 groundwater monitoring wells. Our agency accepted the Work Plan by letter erroneously dated 3/20/91; the correct date is 5/20/91.

Since that time, the Work Plan was not implemented, as discussed in a telephone conversation between James Bowers of Subsurface Consultants and Jennifer Eberle of this agency on 5/1/92.

You are hereby directed to begin implementation of the Work Plan within 45 days from the date of this letter, or by July 12, 1992. We'll expect a report on the field activities within 60 days from the initial monitoring well sampling.

If you have any question, please contact Jennifer Eberle at 510-271-4320.

Sincerely,

Susan Hugo
Senior Hazardous Materials Specialist

cc: James Bowers, Subsurface Consultants, Inc., 171-12th St., Ste
201, Oakland CA 94607
Rich Hiatt, RWQCB
File

je

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



R01081

March 20, 1991

Certified Mailer #P 062 128 295

Mr. David Masri
290 27th Street
Oakland, CA 94612

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

Re: Contamination at 290 27th Street, Oakland, CA 94612

Dear Mr. Masri:

Alameda County Environmental Health Department is in receipt of the laboratory analysis from samples taken during the removal of the underground storage tank at the above site on November 6, 1990.

The laboratory results indicated contamination levels of Total Petroleum Hydrocarbon (TPH) as high as 1600 ppm, and Benzene levels as high as 0.19 ppm, Oil and Grease (O&G) concentrations as high as 18,000 ppm, concentrations of lead as high as 220 ppm, and the presence of three different Chlorinated Hydrocarbons, particularly 1,3-dichlorobenzene as high as 5 ppm, in the soil samples taken from beneath the former tanks.

Alameda County Environmental Health Department, Hazardous Materials Division has currently been delegated authority from the San Francisco Regional Water Quality Control Board (RWQCB) to oversee a large number of remediation cases within Alameda County. Therefore, we will be the lead contact agency for the oversight duties with regard to this case.

According to the Tri-Regional recommendations, when contamination to soil of either TPH or Oil and Grease (O&G) exceeding 100 ppm are encountered a groundwater investigation is required. You are required to install monitoring wells in order to determine the impact to groundwater and also in order to determine the hydraulic gradient.

You are requested to submit a workplan proposal to address the investigative and mitigative procedures chosen within 45 days of the receipt of this letter.

All work must be performed according to RWQCB documents:

Leaking Underground Fuel Tank Field Manual revised October 1989

Tri-Regional Board Staff recommendations for Initial Evaluation and Investigation of Underground Storage Tanks 2 June 1988, revised 10 August 1990.

Appendix A of the Tri-Regional Recommendations (see enclosure)

Mr. Masri
March 20, 1991
Page 2 of 2

Copies of these documents can be obtained by calling the SFRWQCB data management group at 464-1269. Please note the LUFT manual as a whole has not been adopted by the SFRWQCB.

The work plan must be prepared by CA-Certified Engineering Geologist, CA-Registered Geologist or a CA-Registered Civil Engineer and should include a proposal to identify and address subsurface contamination. It should include but shall not be limited to a depiction of the proposed locations for monitoring well installations and a sampling plan including sampling type and frequency. The workplan proposal must also address existing soil contamination onsite.

The technical report should be submitted with a cover letter from the environmental professional you have chosen to oversee the subsurface contamination and must be received in this office by the established due date. The letter must be signed by a principal executive officer or by an authorized representative of that person.

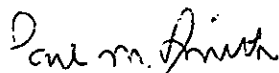
All proposals, reports and analytical results pertaining to this investigation and remediation must be sent to our office and to:

Lester Feldman
Regional Water Quality Control Board, San Francisco Bay Region
1800 Harrison Street, Suite 700
Oakland, California 94612
(415) 464-1255

You should be aware that this Division is working in conjunction with the SFRWQCB and that this is a formal request for technical reports pursuant to California Water Code Section 13267 (b).

Should you have any questions pertaining to any of the above requests please contact me at 415/ 271-4320.

Sincerely,



Paul M. Smith
Hazardous Materials Specialist

cc:

Ernie Bernabe Jr., Bernabe and Brinker Inc.
Lester Feldman, SFRWQCB
Charlene Williams, DHS
Gil Jensen, Alameda County District Attorney's Office of
Consumer and Environmental Affairs
Rafat A. Shahid, Assistant Agency Director, Alameda County
Environmental Health Department

File

1.5.

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



R01081

March 20, 1991

Mr. David Masri
290 27th Street
Oakland, CA 94612

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

Re: Contamination at 290 27th Street, Oakland, CA 94612

Dear Mr. Masri:

Alameda County Environmental Health Department, Hazardous Materials Division has received and reviewed the Work Plan for the Waste Oil Contamination dated May 1, 1991 for the above site.

The work plan has been accepted. This office will look forward to additional information as it becomes available regarding information obtained when the boring has been completed and also the proposed locations of the groundwater wells.

You are requested to notify this department in advance when the job is scheduled so that a representative can be present to witness the proceedings.

If you have any questions please feel free to contact this office at 415 271-4320.

Sincerely,

A handwritten signature in cursive script that reads "Paul M. Smith".

Paul M. Smith
Hazardous Materials Specialist

cc:

James Bowers, Subsurface Consultants, Inc.
Lester Feldman, SFRWQCB
Charlene Williams, DHS
Gil Jensen, Alameda County District Attorney's Office of
Consumer and Environmental Affairs
Rafat A. Shahid, Assistant Agency Director, Alameda County
Environmental Health Department

File

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



R01081

June 26, 1990

Label Art
290 - 27th St.
Oakland, CA 94612

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

RE: 290 - 27th St.

SECOND NOTICE OF VIOLATION

Dear owner/operator:

Our records indicate that there are underground tank(s) at your site at the above facility. You have not responded to two previous notices regarding these tanks.

In accordance with the California Code of Regulations, Title 23, Chapter 3, Subchapter 16 Underground Tank Regulations you must perform one of the following actions:

1. Submit a tank closure plan to this Department as required by Article 7, 2670, or
2. Apply for a permit as required by Article 10, 2710.

You are directed to notify this Department within 10 days of your intentions and to obtain the necessary instructions and forms.

Please note that section 25299 of the California Health and Safety Code states that any operator or owner of an underground storage tank is liable for a civil penalty of not less than five hundred dollars or more than five thousand dollars per day for failure to obtain a permit, or failing to properly close an underground storage tank, as required by section 25298.

If you have any questions concerning this matter, please contact this office at 271-4320.

Sincerely,

Thomas F. Peacock, Senior HMS
Hazardous Materials Division

TFP:tfp

cc: Gil Jensen, Alameda County District Attorney, Consumer and
Environmental Protection Agency
Lester Feldman, RWQCB