

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



June 7, 2006

Mr. Chong Kim
2601 Telegraph Ave.
Oakland, CA 94612

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

Dear Mr. Kim:

Subject: Leak Case R0002514, 925-949 W. Grand Ave., Oakland, CA 94607

Alameda County Environmental Health (ACEH) staff has reviewed the case file for the subject site including the May 5, 2006 Report on the Search for Underground Storage Tanks and Environmental Site Condition at the Commercial Retail Center Located at 925-949 West Grand Avenue Oakland, California, prepared by Golden Gate Tank Removal. This report provides a historical background, a summary of historical investigations, a report summarizing the results of an investigation to locate underground storage tanks and recommendations to complete the assessment of petroleum and chlorinated solvent impacts to soil and groundwater. We generally concur with the approach to install additional monitoring wells, determine the vertical extent of the contamination, perform a sensitive receptor survey and prepare a Site Conceptual Model (SCM). We have the following technical comments and request you submit the technical reports requested below.

TECHNICAL COMMENTS

1. It would be appropriate to perform your vertical delineation of contamination prior to installing the proposed monitoring wells. This information can identify the presence of multiple permeable lenses, water-bearing zones and also identify where the contaminant exists vertically. We recommend that the proposed cone penetration-testing (CPT) also use technology that can identify the presence of volatile compounds, both petroleum and chlorinated. Your work plan, requested below, should identify appropriate locations, methods and depths for your CPT borings.
2. Seven monitoring wells have been proposed in the referenced report. We believe that the exact number, location and construction of monitoring wells should be determined after performing preliminary CPT borings. Some of the proposed locations may not require a monitoring well, particularly in the presumed up-gradient direction, where soil and groundwater data may be all that is needed. We encourage using expedited site assessment techniques such as the proposed CPT and an on-site laboratory to make real time decisions. Well construction and locations may be recommended and approved for installation during the same field event. Your preliminary site conceptual model should be confirmed or modified based upon the results of this investigation and determines your next actions.

TECHNICAL REPORT REQUEST

Please submit the following technical reports to our office according to the following schedule:

- July 7, 2006- Work plan for CPT investigation and soil and groundwater investigation.
- July 7, 2006- 2nd Quarter 2006 monitoring report
- October 7, 2006- 3rd Quarter 2006 monitoring report
- January 7, 2007- 4th Quarter 2006 monitoring report

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.

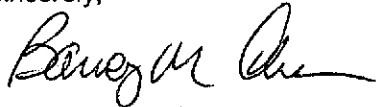
PROFESSIONAL CERTIFICATION & CONCLUSIONS/RECOMMENDATIONS

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.

Mr. Kim
925-949 W. Grand Ave.
Page 3 of 3

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

C: files, D. Drogos
Mr. Sami Malaeb, Golden Gate Tank Removal, Inc., 255 Shipley St., San Francisco,
CA 94107
Mr. Don Kim, 1580 Taraval Street, San Francisco, CA 94116
6_7_06 925_949 W Grand

**Alameda County Environmental Cleanup
Oversight Programs
(LOP and SLIC)**

ISSUE DATE: July 5, 2005

REVISION DATE: December 16, 2005

PREVIOUS REVISIONS: October 31, 2005

SECTION: Miscellaneous Administrative Topics & Procedures

SUBJECT: Electronic Report Upload (ftp) Instructions

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.

REQUIREMENTS

- Entire report including cover letter must be submitted to the ftp site as a **single portable document format (PDF) with no password protection**. (Please do not submit reports as attachments to electronic mail.)
- It is **preferable** that reports be converted to PDF format from their original format, (e.g., Microsoft Word) rather than scanned.
- Signature pages and perjury statements **must** be included and have either original or electronic signature.
- **Do not password protect the document**. Once indexed and inserted into the correct electronic case file, the document will be secured in compliance with the County's current security standards and a password. **Documents with password protection will not be accepted**.
- Each page in the PDF document should be rotated in the direction that will make it easiest to read on a computer monitor.
- Reports must be named and saved using the following naming convention:
RO#_Report Name_Year-Month-Date (e.g., RO#5555_WorkPlan_2005-06-14)

Additional Recommendations

- A separate copy of the tables in the document should be submitted by e-mail to your Caseworker in **Excel** format. These are for use by assigned Caseworker only.

Submission Instructions

- 1) Obtain User Name and Password:
 - a) Contact the Alameda County Environmental Health Department to obtain a User Name and Password to upload files to the ftp site.
 - i) Send an e-mail to dehloptoxic@acgov.org
or
 - ii) Send a fax on company letterhead to (510) 337-9335, to the attention of Alicia Lam-Finneke.
 - b) In the subject line of your request, be sure to include **"ftp PASSWORD REQUEST"** and in the body of your request, include the **Contact Information, Site Addresses**, and the **Case Numbers (RO# available in Geotracker) you will be posting for**.
- 2) Upload Files to the ftp Site
 - a) Using Internet Explorer (IE4+), go to <ftp://alcoftp1.acgov.org>
 - (i) Note: Netscape and Firefox browsers will not open the FTP site.
 - b) Click on File, then on Login As.
 - c) Enter your User Name and Password. (Note: Both are Case Sensitive.)
 - d) Open "My Computer" on your computer and navigate to the file(s) you wish to upload to the ftp site.
 - e) With both "My Computer" and the ftp site open in separate windows, drag and drop the file(s) from "My Computer" to the ftp window.
- 3) Send E-mail Notifications to the Environmental Cleanup Oversight Programs
 - a) Send email to dehloptoxic@acgov.org notify us that you have placed a report on our ftp site.
 - b) Copy your Caseworker on the e-mail. Your Caseworker's e-mail address is the entire first name then a period and entire last name at acgov.org. (e.g., firstname.lastname@acgov.org)
 - c) The subject line of the e-mail must start with the RO# followed by **Report Upload**. (e.g., Subject: RO1234 Report Upload)

Ro2514



COMPASS REALTY
1714 Franklin Street, Suite 400
Oakland, CA 94612
Phone 510-879-0172 fax 510-452-1419

April 25, 2005

Barney Chan
• ACEH
Via Facsimile: 510-337-9335

ADDRESS CORRECTION REQUEST

Dear Mr. Chan:

Please make note of my address change shown as letterhead.
We no longer stay in 80 Grand Avenue, Oakland.

Thank you.


Don Kim

RO0002514

Contact Info:

Mr. Chong and Ms. Myung Kim
2601 Telegraph Ave.
Oakland, CA 94612

Ph: 510-763-9805
Fax: 510-763-9732

Mr. Don Kim
Fresco Properties
80 Grand Ave., Ste. 205
Oakland, CA 94612

Ph: cell- 415-516-3750
Fax: 510-668-9719

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



April 19, 2005

Mr. Chong Kim
2601 Telegraph Ave.
Oakland, CA 94612

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

Dear Mr. Kim:

Subject: Leak Case [REDACTED], 825-949 W. Grand Ave., Oakland, CA 94607

Alameda County Environmental Health (ACEH) staff has reviewed the case file for the subject site including the March 16, 2005 Aqua Science Engineers (ASE) *Workplan for Additional Soil and Groundwater Assessment*. The work plan intentions are to define the extent of petroleum and halogenated volatile organic compounds (HVOCs) in soil and groundwater and to investigate areas of potential chemical use/storage. We request that you address the following technical comments and submit the technical reports requested below.

TECHNICAL COMMENTS

1. We recommend that the locations of the northernmost borings be adjusted to provide coverage of the entire northern boundary along W. Grand Ave. To accomplish this, the three borings should be located on the east and west property boundaries and the third boring in the middle of these two. We further recommend an additional boring be located adjacent to the existing building, approximately 40' south of the above referenced middle boring. Data from this boring will further clarify the extent and number of sources affecting this site. Please provide a work plan addendum (preferably by e mail) reflecting these changes as requested below.
2. We note that the 1st quarter 2005 monitoring report has not yet been submitted to our office. Please submit as requested below.

TECHNICAL REPORT REQUEST

Please submit the following technical reports to our office according to the following schedule:

- April 26, 2005- Groundwater Monitoring report for 1st quarter 05 and work plan addendum
- 90 days after work plan addendum submittal- Soil and Groundwater Investigation report

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

Sincerely,

Barney M. Chan
Hazardous Materials Specialist

C: B. Chan, D. Drogos
Mr. Robert Kitay, ASE, 208 W. El Pintado Rd., Danville, CA 94526
Mr. Don Kim, 80 Grand Ave., Ste. 205, Oakland, CA 94612

4_19_05 825WGrand

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



January 13, 2005

Mr. Chong Kim
2601 Telegraph Ave.
Oakland, CA 94612

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

Dear Mr. Kim:

Subject: Leak Case RO0002514, 925-949 W. Grand Ave., Oakland, CA 94607

Alameda County Environmental Health (ACEH) staff has reviewed the case file for the subject site including the September 30, 2004 Soil and Groundwater Assessment prepared by Aqua Science Engineers (ASE) and determined that additional information is needed at your site to progress towards case closure. We request that you address the following technical comments and submit the technical reports requested below.

TECHNICAL COMMENTS

1. Groundwater Monitoring- Please perform groundwater monitoring at this site on a quarterly basis. Please analyze groundwater samples for TPH as diesel, TPH as gasoline, BTEX, MTBE and halogenated volatile organic compounds (HVOCs). EPA Method 8260 is recommended for this analysis.
2. Phase I information- We request that you provide figure(s) of the historical locations of buildings and all known uses within the buildings and on the property. It appears that there may be areas of potential chemical use or storage, which have not yet been investigated. The use of Sanborn maps is advisable. Please include a sampling proposal for any areas of concern identified in the report requested below.
3. The extent of the petroleum and HVOC releases has not been defined. In addition, off-site sources of these releases have been alluded to but have not been verified. Additional investigation will be required to define the extent of the releases and identify other sources of contamination. Please include a proposal for additional plume definition in the report requested below.
4. Utility/preferential pathway investigation- our office previously requested that you perform a utilities investigation within and adjacent to the site, particularly near the former dry cleaning units. Please provide this information and propose, as necessary, any sampling along identified utilities in the technical report requested below.
5. We understand that you would like a meeting to discuss the potential residential development of this property. We suggest that a meeting be scheduled at the same time you submit the requested technical reports.

TECHNICAL REPORT REQUEST

Please submit the following technical reports to our office according to the following schedule:

January 13, 2005
Mr. Chong Kim
RO0002514, 925-949 W. Grand Ave., Oakland, CA 94607
Page 2

- February 15, 2005- Groundwater Monitoring report for 1st quarter 05, Phase I figures and sampling proposal, plume definition work plan and utilities investigation report.
- May 15, 2005- Groundwater Monitoring report for 2nd quarter 05
- August 15, 2005- Groundwater Monitoring report for 3rd quarter 05
- November 15, 2005- Groundwater Monitoring report for 4th quarter 05

PROFESSIONAL CERTIFICATION & CONCLUSIONS/RECOMMENDATIONS

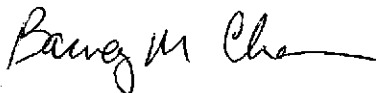
The California Business and Professions Code (Sections 6735, 6835, and 7835.1) requires that work plans and technical or implementation reports containing geologic or engineering evaluations and/or judgments be performed under the direction of an appropriately registered or certified professional. For 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.

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.

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

Sincerely,



Barney M. Chan
Hazardous Materials Specialist

C: B. Chan, D. Drogos
Mr. Robert Kitay, ASE, 208 W. El Pintado Rd., Danville, CA 94526
Mr. Don Kim, 80 Grand Ave., Ste. 205, Oakland, CA 94612

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



February 20, 2004

Mr. Chong Kim
949 W. Grand Ave.
Oakland, CA 94607

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

Dear Mr. Kim:

Subject: Leak Case RO0002514, 949 W. Grand Ave., Oakland, CA 94607

Alameda County Environmental Health (ACEH) staff has reviewed the case file for the subject site including the January 28, 2004 *Workplan for a Soil and Groundwater Assessment* by Aqua Science Engineers Inc., (ASE). This work plan proposes investigation to determine the extent and magnitude of releases of petroleum and halogenated volatile organic compounds (HVOCS) in soil and groundwater from this site. Three monitoring wells and three borings are proposed in this work plan. We request that you address the following technical comments prior to and while performing this work.

TECHNICAL COMMENTS

1. As previously stated in our April 16, 2003 letter to Mr. Steven Burke, our office requests the investigation of the utilities (particularly sanitary sewer) within and adjacent to this property. Such utilities are known to be sources of HVOC releases as a result of disposal of chemical waste. A boring(s) along the utility may be necessary to determine if this is a potential source of contamination.
2. In regards to soil sampling from the proposed borings and monitoring wells, we request that soil samples be screened every five feet and continued vertically until the extent of contamination is determined. Screening results shall dictate the samples to be analyzed. This may results in extending soil sampling beneath the first encountered groundwater and may also require the analysis of more than one sample per borehole.
3. We approve the installation of the proposed wells and chemical analyses, however, based upon the groundwater gradient determined for the site, additional borings and/or wells may be necessary. Please review previous data from samples GW1 and GW2 plus the data from the well installations prior to installing additional borings. Once this has been done, please confirm the number and locations of the additional borings.

Please notify our office when this work is scheduled. You may contact me at (510) 567-6765 if you have any questions.

Sincerely,

Barney M. Chan
Hazardous Materials Specialist

C: B. Chan, D. Drogos

Mr. R. Kitay, ASE Inc., 208 W. El Pintado, Danville, CA 94526

Wpap949WGrandAve

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



ENVIRONMENTAL HEALTH SERVICES

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

June 3, 2003

Mr. Steven Burke
Burke Commercial Real Estate
2030 Franklin, 4th Floor
Oakland, CA 94612

Dear Mr. Burke:

Subject: Fuel Leak Case RO0002514, 925 West Grand Ave., Oakland, CA 94607

Alameda County Environmental Health, Local Oversight Program (LOP) staff has recently reviewed the May 27, 2003 Limited Soil and Groundwater Investigation 925-949 West Grand Ave. prepared by Eras Environmental. This report provides analytical and geologic data from four borings (A-E). These borings were advanced to further investigate the release of gasoline and halogenated volatile organic compounds (HVOCs) previously identified. We request that you address the following technical comments below and submit the requested technical report.

Technical Comments

1. Based upon the results of this investigation the extent of the release to groundwater has not been defined nor has the groundwater gradient. Therefore, additional groundwater investigation will be required as will be the installation of monitoring wells.
2. Although the report states that sewer and water lines are not likely influencing the migration of contamination, we request that the sanitary sewer lateral from this building within the former dry cleaner be investigated for leaks as this is a common source of contamination.

Technical Report Request

- July 7, 2003- Work plan for additional groundwater and sanitary sewer investigation.

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

Sincerely,

Barney M. Chan
Hazardous Materials Specialist

C: B. Chan, D.Drogos

Mr. D. Siegel, Eras Environmental, Inc., 20861 Wilbeam Ave., Suite 4, Castro Valley,
CA 94546-5832

Mr. Don Kim, 740 Great Highway, #3, San Francisco, CA 94121

Wprq925 WestGrand

Chan, Barney, Env. Health

From: Dave Siegel [dave_eras@earthlink.net]
Sent: Friday, May 23, 2003 10:04 AM
To: bchan@co.alameda.ca.us
Subject: 925 West Grand

aka 949 West Grand Re 2514

Hi Barney, I have another hot one. The buyer of this Property has only until Wednesday I believe to sign a purchase agreement. He has paid for this investigation and now may lose the deal

I have the report complete except for the final RG review. I hope to be able to deliver the complete report on Tuesday. The broker for the buyer, Mr. Don Kim is supposed to send you the purchase contract.

I doubt that this site can be closed but if monitoring only will be required at this point, that will help them negotiate a final agreement

cc: Mr. Don Kim by facsimile

Dave Siegel
20861 Wilbeam Ave., Ste. 4
Castro Valley, CA 94546
510.247.9885 - V
510.886.5399 - F

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



ENVIRONMENTAL HEALTH SERVICES

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

April 16, 2003

Mr. Steven Burke
Burke Commercial Real Estate
2030 Franklin, 4th Floor
Oakland, CA94612

Dear Mr. Burke:

Subject: Fuel Leak Case RO0002514, 925 West Grand Ave., Oakland, CA 94607

Alameda County Environmental Health, Local Oversight Program (LOP) staff has recently reviewed the case file for the referenced site including the April 8, 2003 Workplan Summary from Eras Environmental. We have discussed the work plan with your consultant and understand the intentions of it are to determine the limits of the fuel release and determine whether further investigation and remediation will be required for case closure. The work plan is approved, however, we request that you address the following technical comments when performing the work.

Technical Comments

1. The location of the borings should be modified. There are indications that the groundwater gradient may be southwesterly, therefore, one boring should be moved within the former Dip Paint Area, either inside or immediately adjacent to the existing building. The other boring locations should be shifted accordingly using field screen results as guidance. To best determine gradient, we recommend installing temporary well casings into these borings and surveying the top of each casing.
2. Please run your soil and grab groundwater samples for the following analytes: TPHg, and by EPA Method 8260, BTEX, MTBE and the other ether oxygenates and lead scavengers and halogenated volatile compounds.
3. Please include a cross-sectional diagram(s) using the past and new boring log data.
4. Please investigate the presence of all utilities within and adjacent to this site and determine if they may act as preferential pathways for contaminant migration.

Technical Report Request

- Please submit your investigation report within 45 days of completion of your field work.

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

Sincerely,

Barney M. Chan
Hazardous Materials Specialist

✓ C: B. Chan, D. Drogos

Ms. Gail Jones, ERAS Environmental, 20861 Wilbeam Ave., Ste. 4, Castro Valley, CA 94546-5832

Wppp925WestGrand

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



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

March 17, 2003

Mr. Stephen Burke
Burke Commercial Real Estate
2030 Franklin, 4th Floor
Oakland CA 94612

Subject: RO0002514, 925-949 W. Grand Ave., Oakland 94607

LANDOWNER NOTIFICATION AND PARTICIPATION REQUIREMENTS

Dear Mr. Burke:

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.

In addition, our office is considering your request for site closure. Please also complete and submit a "notice of proposed action submitted to local agency" form. You may use sample letter 3, enclosed.

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.

Mr. Stephen Burke
LANDOWNER NOTIFICATION
Re: 925-949 W. Grand Ave., Oakland CA 94607
March 17, 2003
Page 2 of 2

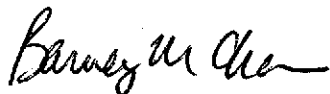
In accordance with Section 25297.15(a) of Ch. 6.7 of the Health & Safety Code, you must certify to the local agency that all current record owners of fee title to the site have been informed of the proposed action before the local agency may do any of the following:

- 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) 567-6765 should you have any questions about the content of this letter.

Sincerely,



Barney M. Chan
Hazardous Materials Specialist

Attachments

c: B. Graham, RWQCB

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

Drogos, Donna, Env. Health

From: Griffin, Leroy [LGriffin@oaklandnet.com]
Sent: Thursday, July 18, 2002 6:09 PM
To: 'Drogos, Donna, Env. Health'
Subject: RE: potential SLIC site at 925-949 W. Grand Ave., Oakland

I will transfer it via the case transfer doc and I will have my GIS person look for tanks.

LeRoy Griffin
Hazardous Materials Program Manager
Oakland Fire Department
lgriffin@oaklandnet.com
(510) 238-7759

-----Original Message-----

From: Drogos, Donna, Env. Health [mailto:ddrogos@co.alameda.ca.us]
Sent: Thursday, July 18, 2002 5:35 PM
To: 'Griffin, Leroy'
Subject: potential SLIC site at 925-949 W. Grand Ave., Oakland

Hi Leroy,

I received a Phase 1 report dated June 6, 2000, and a Phase 2 report, dated March 21, 2002, prepared by AEI Consultants, for the property at 925-949 W. Grand Ave. in Oakland, owned by Stephen S. Burke.

The site formerly contained a dry cleaners & is adjacent to a closed (in 2000) fuel leak site at 805 W. Grand Ave. The property owner sent me the reports as he thought contamination at his site was from the closed fuel leak case.

Up to 140,000 ppb TPHG, and 840 ppb Benzene was detected in groundwater. TCE, PCE, cis 1,2-DCE, and Vinyl Chloride were also detected in soil and/or groundwater in the vicinity of the former dry cleaners. The extent of contamination is undefined.

It is not apparent that the closed fuel leak site is the source of TPHG contamination at the subject site. The presence of USTs at the subject site is not known.

Please let me know if you want me to send the reports to your office or if you want to transfer the case to us (via transfer form). It does not appear that I can list the site in the LOP program so it looks to be a potential SLIC case through your office.

Also, please let me know if you have any record of USTs at the subject site.

Thanks, Donna

ERAS
Environmental, Inc.

20861 Wilbeam Avenue, #4
Castro Valley, CA 94546-5832

(510) 247-9885 Facsimile: (510) 886-5399

FACSIMILE TRANSMITTAL

TO: Contact Person/Fax Number: **Mr. Amir Gholami**
Ms. Donna Drogos 337-9335

Company: Alameda County Health Care Services Agency

Date/Time: June 20, 2002 (12:46pm)

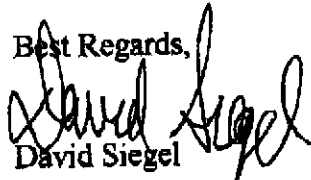
FROM: David Siegel

MESSAGE:

I thought I should provide you with information regarding the authority of an R.E.A. II under current regulations. Obviously there is a LARGE difference between R.E.A. II and R.E.A. I. Our R.G. does not believe it appropriate to use (or should I say misuse) the stamp for review projects where we are not performing additional subsurface investigation. Drawing conclusions based on other consultants data is simply based on my 15 years of performing Phase 1 and Phase 2 investigations and remediation and leak case closures throughout the Bay Area.

Please call with any questions

Best Regards,


David Siegel

cc: Mr. Steve Burke by Facsimile to: 839-9630

Number of Pages Including This Page: 3

If you do not receive all pages, please call (510) 247-9885

Office of Environmental Health Hazard Assessment



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Cray Davis
Governor

Winston H. Hickox
Secretary for
Environmental
Protection

SUBJECT: THE REA II, AUTHORITY AND EXPERTISE

The Registered Environmental Assessor II (REA II) has significant authority under existing statutes and regulations to serve an extensive role in environmental programs and site mitigation activities. The REA II is the only environmental manager and practitioner over whom a Cal/EPA office has direct authority, and whose areas of professional environmental expertise are determined by Cal/EPA.

The REA II is a qualified environmental professional available for site investigation, assessment and remediation work. The REA II registration differs from other registrations traditionally used in site investigation and cleanup work by being a strictly environmental registration within a program managed and directed by a Cal/EPA office.

The REA II is specifically authorized in statute and regulation to supervise, manage and direct activities relating to the development of hazardous substance or hazardous waste site cleanup opinions using preliminary endangerment assessment procedures. These opinions include determining whether a significant release has occurred, and whether a response action is needed.

The role of an REA II includes most activities typically conducted by a project manager during site mitigation activities. An REA II is qualified to:

- Determine the activities needed to adequately characterize hazardous waste or hazardous substance release sites;
- Conduct environmental assessments and investigations;
- Direct and perform site investigation and remediation activities;
- Evaluate site information and data and render opinions derived from that data;
- Define the work required to reduce risk from contamination; and,
- Determine and certify that all work necessary to reduce risk from contamination has been properly conducted and that all work has been completed.

California Environmental Protection Agency



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Regulations specify minimum performance standards to be followed by an REA II when conducting, developing, performing or directing the following activities:

- Preliminary Endangerment Assessments;
- Remedial Investigations/Feasibility Studies;
- Remedial Design;
- Remedial Action;
- Remedial Action Plans;
- Corrective Action Plans;
- Removal Action Workplans; and,
- Remedial Work.

The REA program will ensure that its registrants do not practice within an area reserved for Department of Consumer Affairs (DCA) registered professionals, and will disseminate useful information pertaining to the practice of registered professionals to all REA IIs. When using the REA II designation, an REA II is not permitted to: (1) perform environmental services outside the scope of his or her expertise; and, (2) claim the privileges of being a registered geologist, professional engineer or the privileges of any other registration, certification or license unless the REA II holds that particular credential. REA II registrants doing so may be violating county, state and/or federal environmental laws, and may risk losing their REA II designation. The determination that an activity may require professional registration must be made on a case by case basis. In addition, the California Attorney General has issued an opinion which specifies that state law allows individuals to obtain the assistance of registered subcontractors for the performance of work requiring professional registration, if the work is incidental to the business of the contracting party. The REA program can assist in evaluating whether the activities of an REA II may be reserved for DCA registrants.

In performing work activities the REA II is charged to hold paramount the public health, safety and welfare, and to follow all applicable performance standards while conducting work activities. The REA program may randomly audit the work products of its registrants to ensure that all applicable performance standards are met. We will also investigate work-related complaints about registrants and will, if necessary, take disciplinary actions, or rescind the registration of an REA II whose work does not meet performance standards. Please review the information about the program, regulations, and applicable laws on the REA program website at www.rea.ca.gov. If you have other questions, or if we can provide further assistance, please contact the REA program at (916) 324-6881.