

ALAMEDA COUNTY
HEALTH CARE SERVICES



AGENCY
DAVID J. KEARS, Agency Director

RO2568

August 31, 2006

Mike Grant
Union Pacific Railroad
49 Stevenson Street, 15th Floor
San Francisco, CA 94105

ENVIRONMENTAL HEALTH SERVICES
ENVIRONMENTAL PROTECTION
1131 Harbor Bay Parkway, Suite 250
Alameda, CA 94602-6577
(510) 567-6700
FAX (510) 337-9335

RE: Fuel Leak Case No. RO0002568, Southern Pacific/Union Pacific,
1399 Wood Street, Oakland, CA 94607

Dear Mr. Grant:

LANDOWNER NOTIFICATION REQUIREMENTS

Pursuant to California Health & Safety Code Section 25297.15, the active or primary responsible party for a fuel leak case must inform all current property owners of the site of cleanup actions or requests for closure. Furthermore, ACEH may not consider any cleanup proposals or requests for case closure without assurance that this notification requirement has been met. Additionally, the active or primary responsible party is required to forward to ACEH a complete mailing list of all record fee title holders to the site.

At this time we require that you submit a complete mailing list of all record fee title owners of the site by September 30, 2006, which states, at a minimum, the following:

A. *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:*

- OR -

B. *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.*

(Note: Complete item A if there are multiple site landowners. If you are the sole site landowner, skip item A and complete item B.)

In the future, for you to meet these requirements when submitting cleanup proposals or requests for case closure, ACEH requires that you:

1. Notify all current record owners of fee title to the site of any cleanup proposals or requests for case closure;
2. Submit a letter to ACEH which certifies that the notification requirement in 25297.15(a) of the Health and Safety Code has been met;
3. Forward to ACEH a copy of your complete mailing list of all record fee title holders to the site; and
4. Update your mailing list of all record fee title holders, and repeat the process outlined above prior to submittal of any additional *Corrective Action Plan* or your *Request for Case Closure*.

Your written certification to ACEH (Item 2 above) must state, at a minimum, the following:

A. *In accordance with Section 25297.15(a) 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)

request for case closure

local agency intention to make a determination that no further action is required

local agency intention to issue a closure letter

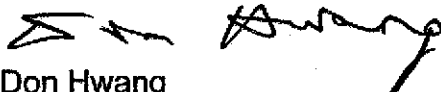
- OR -

B. *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.*

(Note: Complete item A if there are multiple site landowners. If you are the sole site landowner, skip item A and complete item B.)

Please call me at (510) 567-6746 should you have any questions about the content of this letter.

Sincerely,



Don Hwang
Hazardous Materials Specialist
Local Oversight Program

c: Donna Drogos
file

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



SENT
12-28-04

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

December 27, 2004

Victor Ivry
c/o Pipeco Holding
29 Brookside Rd.
Orinda, CA 94563

Dear Mr. Ivry:

Subject: Fuel Leak Case RO0002568, Pacific Pipe Co., 1685 24th St., Oakland, CA 94607

Alameda County Environmental Health (ACEH) staff reviewed "Additional Subsurface Investigation Report" dated August 27, 2004 prepared by ACC Environmental Consultants, Inc. We request that you address the following comments and send us the technical reports requested below.

TECHNICAL COMMENTS

1) Site Characterization - Up to 13,000 ug/l TPHg was detected at the boundary of the property (TB-7 sampled June 18, 2004). Also, groundwater analyses for TEPH as diesel (TEPHd) and TEPH as motor oil (TPHmo) were omitted except for TB-10. TB-10 sampled June 18, 2004 detected 7,700 ug/l total extractable petroleum hydrocarbons (TEPH) as diesel and 7,600 ug/l (TEPH) as motor oil, in addition to 20,000 ug/l total petroleum hydrocarbons as gasoline (TPHg), 8,800 ug/l benzene. Adjacent boring locations detected up to 2,100,00 ug/l TPHg and 51,000 ug/l benzene, as was detected in B25 on August 12, 2002, but were not analyzed for TEPHd or TPHmo. Please propose groundwater sampling to define the lateral and vertical extent of the dissolved contaminant plumes and include analyses for TPHd and TPHmo in the Work Plan requested below.

2) Source Characterization - The contaminant concentrations detected in the deepest boring samples were 600 mg/kg TEPHmo in TB-4 at 9 ft. below ground surface (bgs), 1,700 mg/kg TPHg and 140 mg/kg TEPHd in TB-5 at 9 ft. bgs, 470 mg/kg TPHg and 420 mg/kg TPHmo in TB- 9 at 8 ft. bgs, 220 mg/kg TPHg and 0.88 mg/kg benzene in TB- 10 at 8 ft. bgs, 120 mg/kg TPHg in SS-1 at 7.5 ft. bgs, 170 mg/kg TPHg in B25 at 8 ft. bgs, 190 mg/kg TPHg in B29 at 8 ft. bgs. Also, soil analyses for TEPHd and TPHmo were omitted from several borings. Soil analyses for TEPHd and TPHmo were omitted from TB-10 although 7,700 ug/l TEPHd and 7,600 ug/l TPHmo were detected in groundwater. Also, these analyses were omitted from adjacent borings. Please propose soil sampling to define the lateral and vertical extent of soil contamination and include analyses for TPHd and TPHmo in the Work Plan requested below.

5) Historical Hydraulic Gradients – Please show using a rose diagram with magnitude and direction; include cumulative groundwater gradients in all future reports submitted for this site.

6) Preferential Pathway Survey – We request that you perform a preferential pathway study that details the potential migration pathways and potential conduits (wells, utilities, pipelines, etc.) for horizontal and vertical migration that may be present in the vicinity of the site.

- a) Utility Survey - Please submit map(s) and cross-sections showing the location and depth of all utility lines and trenches (including sewers, storm drains, pipelines, trench backfill, etc.) within and near the site and plume area(s). Evaluate the probability of the contaminant plumes encountering preferential pathways and conduits that could spread the contamination, particularly in the vertical direction to deeper water aquifers. Please submit with the Work Plan requested below.
- b) Well Survey – Locate wells within a quarter mile radius of the site. Show the location of the wells and the site on a map and tabulate well construction details for each well. Please submit with the Work Plan requested below.

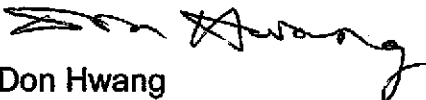
TECHNICAL REPORT REQUEST

Please submit the following technical reports to Alameda County Environmental Health (Attention: Don Hwang), according to the following schedule:

February 27, 2004 – Work Plan

If you have any questions, please call me at (510) 567-6746.

Sincerely,



Don Hwang

Hazardous Materials Specialist
Local Oversight Program

c: David DeMent, ACC Environmental Consultants, Inc., 7977 Capwell Drive,
Oakland, CA 94621
Donna Drogos
File

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



18-03
ENVIRONMENTAL HEALTH SERVICES
ENVIRONMENTAL PROTECTION
1131 Harbor Bay Parkway, Suite 250
Alameda, CA 94502-6577
(510) 567-6700
FAX (510) 337-9335

September 17, 2003

Mr. Victor Ivry
C/o Pipeco Holding
29 Brookside Rd.
Orinda, CA 94563

Dear Mr. Ivry:

Subject: Fuel Leak Case RO0002568, 1685 24th St., Oakland, CA 94607

Alameda County Environmental Health, Local Oversight Program (LOP) staff, has reviewed the case file for the referenced site including the *April 8, 2003 ACC Environmental Consultants Work Plan- Additional Subsurface Investigation*. This work plan follows the August 21, 2002 Subsurface Investigation Report wherein ACC identified areas of petroleum and volatile organic compound releases in soil and groundwater. The intent of the work plan is to further characterize the areas of the former underground tanks and delineate the extent of soil and groundwater contamination. Prior to initiating this work plan, please address the following technical comments.

Technical Comments

1. Many of the proposed boring locations are near the former underground storage tanks (USTs). This is necessary because of the minimal data existing from the original tank removals performed in 5/87. The sample locations and the underground tank locations are uncertain and the analyses incomplete. Because two underground tanks were located in the general area of proposed boring TB-4, our office requests that another boring be advanced in this area.
2. The former UST located near proposed boring TB-3 is thought to have been a waste oil tank. Therefore, we request that the complete suite of waste oil parameters be analyzed in samples collected from this boring. These parameters include TPH as motor oil, TPH as diesel, TPH as gasoline, BTEX, MTBE, EDB and EDC, the heavy metals (cadmium, chromium, lead, nickel and zinc) and semi-volatile compounds.
3. Please confirm that all USTs, with the exception of the former waste oil tank, contained only gasoline. If there is uncertainty in their contents, please add TEPH to your analyses. It is noted that both water samples from TB-1 and B28 reported TPHd.
4. Halogenated volatile organic compounds (HVOCs) were reported in groundwater samples from boring TB-1. HVOCs analyses are therefore planned in borings to delineate the release. It would appear that HVOCs analysis should be done on those borings nearest TB-1, which include TB-5, TB-6 and TB-7.
5. Historic releases of automotive fluids to storm drains and storage of auto parts directly on the surface of the property have been documented. Please confirm the locations of any surface staining and of storm drains. Have the storm drains been closed as previously requested? Please address the need to investigate these areas, since these may be additional contamination source areas.
6. Please include a proposal for groundwater monitoring in your investigation report.

September 17, 2003
Fuel Leak Case RO0002568
1685 24th St., Oakland, CA 94607
Mr. Victor Ivry
Page 2

Technical Report Request

Please submit a work plan amendment responding to the above items within 30 days or no later than October 17, 2003.

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. DeMent, ACC Environmental Consultants, Inc., 7977 Capwell Drive, Oakland,
CA 94621

Wpap1685 24thSt

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



07-08-03

July 2, 2003

Mr. Victor Ivry
Pacific Pipe Co.
29 Brookside Rd.
Orinda, CA 94563

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

Dear Mr. Ivry :

Subject: Fuel Leak Case No. RO0002568, 1685 24th St., Oakland, CA 94607

LANDOWNER NOTIFICATION AND PARTICIPATION REQUIREMENTS:

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, Pacific Pipe Co., c/o yourself, has 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.

LANDOWNER NOTIFICATION

RO0002568, 1685 24th St., Oakland, 94607

July 2, 2003

Page 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

cc: Betty 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