

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY  
DAVID J. KEARS, Agency Director



SENT 6-7-2000  
incl cc's

R02765

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

June 7, 2000  
StID # 5023

Mr. Scott Syme  
144 North San Mateo Dr.  
San Mateo, CA 94401

Mr. Dean Allara  
553 Alhambra Rd.  
San Mateo, CA 94402

Re: Underground Tank Removal, 1455 1<sup>st</sup> Ave., Oakland CA 94606

Dear Messrs. Syme and Allara:

This letter is to inform you that no further work will be required by our office at the above referenced site in regards to the removal of the 1500 gallon underground heating oil tank. Our office has received and reviewed the underground tank closure information in the December 31, 1997 Soil and Groundwater Investigation report. The results of soil and groundwater sample analyses indicate there was no release of petroleum hydrocarbon which would have an adverse affect on human health or the environment.

Please be advised that this letter does not relieve you of any liability under the California Health and Safety Code or Water Code for past, present, or future operations at this site. Nor does it relieve you of the responsibility to clean up existing, additional or previously unidentified conditions at the site, which cause or threaten to cause pollution or nuisance or otherwise pose a threat to water quality or public health.

You may contact me at (510) 567-6765 should you have any questions regarding this letter.

Sincerely,

Barney M. Chan  
Hazardous Materials Specialist

c: B. Chan, files  
Mr. L. Griffin, City of Oakland, 1605 Martin Luther King Jr.  
Drive, Oakland CA 94612

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



SENT 5-25-2000  
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202765

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

May 24, 2000  
StID # 5023

Mr. Scott Syme  
144 North San Mateo Drive  
San Mateo CA 94401

Mr. Dean Allara  
553 Alhambra Rd.  
San Mateo CA 94402

**Re: Underground Tank Removal Deposit for 1455 1<sup>st</sup> Ave., Oakland 94606  
Project # 2706A- Type R.**

Dear Sirs:

Our records indicate that the deposit/refund account for the above site has fallen below the minimum deposit amount. To replenish this account, please submit an additional deposit of \$1,800.00, payable to Alameda County, Environmental Health Services.

We must receive this deposit so we can complete our regulatory oversight. It is anticipated that this site will receive a "No Further Action" letter after completion of our review. At the completion of the project, any unused money will be refunded to you.

Please write the following information on your check:

- Project #
- Type of project (R) and
- The site address.

If you have any questions, please contact me at (510) 567-6765.

Sincerely,

Barney M. Chan  
Hazardous Materials Specialist

C: B. Chan, files

Dep1455 1st

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



RO# 2765

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

December 3, 1996  
StID # 5023

Mr. Scott Syme  
Aetna Realty  
2350 Junipero Serra Boulevard  
Daly City, CA 94105

Re: 1455 1st Ave., Oakland CA 94606, Apartment Complex

Dear Mr. Syme:

Our office has received the October 10, 1996 Soil and Groundwater Investigation report by Golden Gate Tank Removal. Our office cannot spend any additional oversight time on this project until your project balance is current. Our office has sent two letters requesting additional funds for our oversight fee and has yet to receive the requested funds. Failure to submit the requested funds will jeopardize site closure and cause this site to be sent to our collection services.

Please submit the requested funds so we can complete this project.

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

Sincerely,

Barney M. Chan  
Hazardous Materials Specialist

c: Mr. D. Allara, 553 Alhambra Road, San Mateo, CA 94402  
B. Chan, files

dep1455

ALAMEDA COUNTY  
HEALTH CARE SERVICE  
AGENCY

DAVID J. KEARS, Agency Director



R02765

RAFAT A. SHAHID, Director

DEPARTMENT OF ENVIRONMENTAL HEALTH  
Environmental Protection Division  
1131 Harbor Bay Parkway, #250  
Alameda, CA 94502-6577  
(510) 567-6700

November 19, 1996.

ATTN: Mr. Scott Syme

Aetna Realty  
2350 Junipero Serra Blvd  
Daly City CA 94105

RE: Project # 2706A - Type R  
at 1455 1st Ave in Oakland 94610

Dear Property Owner/Designee:

Our records indicate the deposit/refund account for the above project has fallen below the minimum deposit amount. To replenish the account, please submit an additional deposit of \$1,500.00, payable to Alameda County, Environmental Health Services.

We must receive this deposit so that future regulatory oversight on the subject site can proceed in a timely fashion. At the completion of this project, any unused monies will be refunded to you or your designee.

The deposit refund mechanism is authorized in Section 3-140.5 of the Alameda County Ordinance Code. Work on this project will be debited at the Ordinance specified rate, currently \$94 per hour.

Please be sure to write the following on the check to identify your account:

- project #,
- type of project and
- site address

(see RE: line above).

If you have any questions, please contact Barney Chan at (510) 567-6765.

Sincerely,

Tom Peacock, Area Manager  
Environmental Protection

c: files/inspector

ALAMEDA COUNTY  
HEALTH CARE SERVICES  
AGENCY

DAVID J. KEARS, Agency Director



R02765

RAFAT A. SHAHID, Director

DEPARTMENT OF ENVIRONMENTAL HEALTH  
Environmental Protection Division  
1131 Harbor Bay Parkway, #250  
Alameda, CA 94502-6577  
(510) 567-6700

November 19, 1996

ATTN: Mr. Dean Allara

Mr. Dean Allara  
553 Alhambra Rd  
San Mateo CA 94402

RE: Project # 2706A - Type R  
at 1455 1st Ave in Oakland 94610

Dear Property Owner/Designee:

Our records indicate the deposit/refund account for the above project has fallen below the minimum deposit amount. To replenish the account, please submit an additional deposit of \$1,500.00, payable to Alameda County, Environmental Health Services.

We must receive this deposit so that future regulatory oversight on the subject site can proceed in a timely fashion. At the completion of this project, any unused monies will be refunded to you or your designee.

The deposit refund mechanism is authorized in Section 3-140.5 of the Alameda County Ordinance Code. Work on this project will be debited at the Ordinance specified rate, currently \$94 per hour.


Please be sure to write the following on the check to identify your account:

- project #,
- type of project and
- site address

(see RE: line above).

If you have any questions, please contact Barney Chan at (510) 567-6765.

Sincerely,

  
Tom Peacock, Area Manager  
Environmental Protection

c: files/inspector

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY  
DAVID J. KEARS, Agency Director



RO# 2765

November 15, 1996  
StID # 5023

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

Mr. Scott Syme  
Aetna Realty  
2350 Junipero Serra Boulevard  
Daly City, CA 94105

Re: 1455 1st Ave., Oakland CA 94606, Apartment Complex

Dear Mr. Syme:

Subsequent to the June 26, 1996 Pre-enforcement hearing at the County's offices, a work plan was submitted for additional site assessment by Golden Gate Tank Removal for the above site. The work plan was approved by our office and temporary borings were advanced on September 10, 1996. Both soil and groundwater samples were taken for chemical analysis. As of this date, our office has yet to receive the technical report for this work.

Please submit the technical report for the additional site investigation performed by Golden Gate Tank Removal (GGTR) within 15 days or by December 2, 1996. I have been informed by Mr. John Carver that the report has been prepared and is available for delivery.

You are reminded that the failure to undertake the required corrective action, including the submittal of a technical report may result in fines up to \$5,000 per day per tank pursuant to the Health and Safety Code section 25299.76.

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

Sincerely,

Barney M. Chan  
Hazardous Materials Specialist

c: Ms. J. Krebs, Alameda County District Attorney's Office  
Mr. J. Carver, Golden Gate Tank Removal, 255 Shipley St.,  
San Francisco, CA 94107  
Mr. D. Allara, 553 Alhambra Road, San Mateo, CA 94402  
B. Chan, files

rep1455

ALAMEDA COUNTY  
HEALTH CARE SERVICES  
AGENCY



DAVID J. KEARS, Agency Director

202765

August 13, 1996  
StID # 5023

ENVIRONMENTAL HEALTH SERVICES  
ENVIRONMENTAL PROTECTION  
1131 Harbor Bay Parkway  
Alameda, CA 94502-8577  
(510) 567-8700

Mr. Scott Syme  
Aetna Realty  
2350 Junipero Serra Boulevard  
Daly City, CA 94105

Re: 1455 1st Ave., Oakland CA 94606

Dear Mr. Syme:

Our office has received and reviewed the July 31, 1996 Work Plan for Sampling for the above referenced site as prepared by Golden Gate Tank Removal. This work plan was submitted in response to the County's request to verify the discrepancy of observed versus reported results of soil samples taken during the tank removal at this site. The work plan proposes the advancement of three borings around the former tank pit and the chemical analysis of three soil and one grab groundwater sample.

This work plan is acceptable and work should be scheduled as soon as possible. Please note that the samples should be analyzed for TPHd and BTEX (benzene, toluene, ethylbenzene and xylenes). The work plan erroneously stated that TPH as gasoline would be analyzed instead of TPH as diesel.

Please contact our office 72 working hours prior to your field work so I may arrange to be present if possible.

You are also reminded that our office has not yet received the check for \$1000.00 previously requested in the County's July 10, 1996 letter. Please submit this amount immediately. Your current balance is in excess of -\$700.00.

You may contact me at (510) 567-7665 should you have any questions.

Sincerely,

Barney M. Chan  
Hazardous Materials Specialist

c: Ms. J. Krebs, Alameda County District Attorney's Office  
Mr. J. Carver, Golden Gate Tank Removal, 255 Shipley St.,  
San Francisco, CA 94107  
Mr. D. Allara, 553 Alhambra Road, San Mateo, CA 94402  
G. Coleman, files wpap1455

ALAMEDA COUNTY  
HEALTH CARE SERVICES  
AGENCY

DAVID J. KEARS, Agency Director



R02765

ENVIRONMENTAL HEALTH SERVICES  
ENVIRONMENTAL PROTECTION  
1131 Harbor Bay Parkway  
Alameda, CA 94502-6577  
(510) 567-6700

June 10, 1996

ATTN: Mr. Scott Syme

Aetna Realty  
2350 Junipero Sera Blvd  
Daly City CA 94015

RE: Project # 2706A - R  
at 1455 1st Ave in Oakland 94610

Dear Property Owner/Designee:

Our records indicate the deposit/refund account for the above project has fallen below the minimum deposit amount. To replenish the account, please submit an additional deposit of \$1,000.00, payable to Alameda County.

Please write your project number and site address on your check.

We must receive this deposit before we perform any further work on this project. At the completion of this project, any unused monies will be refunded to you or your designee.

If you have any questions, please contact Barney Chan at (510) 567-6765.

Sincerely,

A handwritten signature in black ink, appearing to read 'Tom Peacock', written over a horizontal line.

Tom Peacock, Area Manager  
Environmental Protection Division

c: files/inspector



ALAMEDA COUNTY  
HEALTH CARE SERVICES  
AGENCY

DAVID J. KEARS, Agency Director



R02765

RAFAT A. SHAHID, DIRECTOR

DEPARTMENT OF ENVIRONMENTAL HEALTH  
State Water Resources Control Board  
Division of Clean Water Programs  
UST Local Oversight Program  
1131 Harbor Bay Parkway  
Alameda, CA 94502-6577  
(510) 567-6700

November 8, 1995  
StID # 5023

Aetna Realty  
Mr. Scott Syme  
2350 Junipero Serra Blvd.  
Daly City, CA 94015

**FINAL NOTICE OF VIOLATION**

**Re: Request for Work Plan for Additional Subsurface Investigation  
at 1455 1st Ave., Oakland Ca 94606**

Dear Mr. Syme:

Our office has received your written response to our second notice of violation which requested that you submit a work plan for additional subsurface investigation at the above site. This letter requested that the work plan be submitted by November 6, 1995.

In our attempt to accomodate your "cash flow" problem, our office will extend your deadline for work plan submittal until the aforementioned first of January 1996. At this time, you should be prepared to submit and perform the additional site investigation.

This a formal request for technical reports pursuant to the California Water Code Section 13267(b). Failure to submit the requested report will result in referral of this case to the District Attorney Office for enforcement whereby a Pre-enforcement Hearing will be set for this site.

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

Sincerely,

Barney M. Chan  
Hazardous Materials Specialist

cc: <sup>AKP</sup> G. Jensen, Alameda County District Attorney Office  
G. Coleman, files  
FNOV1455

ALAMEDA COUNTY  
HEALTH CARE SERVICES  
AGENCY

DAVID J. KEARS, Agency Director



R02765

RAFAT A. SHAHID, DIRECTOR

DEPARTMENT OF ENVIRONMENTAL HEALTH  
State Water Resources Control Board  
Division of Clean Water Programs  
UST Local Oversight Program  
1131 Harbor Bay Parkway  
Alameda, CA 94502-6577  
(510) 567-6700

October 3, 1995  
StID # 5023

Aetna Realty  
Mr. Scott Syme  
2350 Junipero Serra Blvd.  
Daly City, CA 94015

**SECOND NOTICE OF VIOLATION**

**Re: Request for Work Plan for Additional Subsurface Investigation  
at 1455 1st Ave., Oakland Ca 94606**

Dear Mr. Syme:

Our office has requested previously on two occasions in my June 20, 1995 and July 21, 1995 letters that you submit a work plan for additional subsurface investigation at the above site. The last letter requested the work plan be submitted by August 22, 1995.

As you may recall, specific tasks were required to complete the tank removal investigation since noticeable petroleum contamination was observed at the time of the tank removal. Please refer to my June 1995 letter for the details of the required investigation. I also spoke with Mr. Tracy Wallace of Golden Gate Tank Removal on August 14, 1995 about this additional work, however, I never received any technical report.

Please submit your work plan for additional investigation to our office within 30 days or by November 6, 1995. You should consider this a formal request for technical reports pursuant to the California Water Code Section 13267(b). Failure to submit the requested report will result in referral of this case to the District Attorney Office for enforcement.

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

Sincerely,

Barney M. Chan  
Hazardous Materials Specialist

cc: G. Jensen, Alameda County District Attorney Office  
G. Young, files  
2NOV1455

ALAMEDA COUNTY  
HEALTH CARE SERVICES  
AGENCY

DAVID J. KEARS, Agency Director



R02765

RAFAT A. SHAHID, Director

DEPARTMENT OF ENVIRONMENTAL HEALTH  
Environmental Protection Division  
1131 Harbor Bay Parkway, #250  
Alameda, CA 94502-6577  
(510) 567-6700

August 01, 1995

ATTN: Mr Scott Syme

Aetna Realty  
2350 Junipero Serra Blvd  
Daly City CA 94015

RE: Project # 2706A - R  
at 1455 1st Ave in Oakland 94610

Dear Property Owner/Designee:

Our records indicate the deposit/refund account for the above project has fallen below the minimum deposit amount. To replenish the account, please submit an additional deposit of \$500.00, payable to Alameda County.

Please write your project number and site address on your check.

We must receive this deposit before we perform any further work on this project. At the completion of this project, any unused monies will be refunded to you or your designee.

If you have any questions, please contact Barney Chan at (510) 567-6700.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Tom Peacock'.

Tom Peacock, Acting Chief  
Environmental Protection Division

c: files/inspector

ALAMEDA COUNTY  
HEALTH CARE SERVICES  
AGENCY

DAVID J. KEARS, Agency Director



R02765

RAFAT A. SHAHID, Director

July 21, 1995  
StID # 5023

Aetna Realty  
Mr. Scott Syme  
2350 Junipero Serra Blvd.  
Daly City, CA 94015

DEPARTMENT OF ENVIRONMENTAL HEALTH  
Environmental Protection Division  
1131 Harbor Bay Parkway, #250  
Alameda, CA 94502-6577  
(510) 567-6700

**NOTICE OF VIOLATION**

**Re: Request for Work Plan for Additional Subsurface Investigation  
at 1455 1st Ave., Oakland CA 94606**

Dear Mr. Syme:

As you are aware, based on the observation indicating a release of heating oil during the time of the May 7, 1995 tank removal, our office requested an additional subsurface investigation. In my June 20, 1995 letter, I requested a work plan be submitted to our office by July 6, 1995. We have yet to receive the requested report. This request was made irrespective of the results of the soil samples taken at the time of the tank removal and was made based solely on my observations.

Recently, our office has received a copy of the analytical results for the soil samples from the tank pull. Although these results are non-detectable, these results clearly are inconsistent with my observations. Our office uses **Tri-Regional Board Staff Recommendations for Preliminary Evaluation and Investigation of Underground Tank Sites** aka Tri-Regional Board Guidelines as a guidance document for underground tank removal decision making. It states that **"the soil samples taken at the time of tank removal are to be consistent with field observations.."**

You are, therefore, requested again to submit a work plan for further site investigation. The contents of your work plan have been outlined in my June 20, 1995 letter. Please submit the work plan within 30 days or by August 22, 1995.

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

Sincerely,

A handwritten signature in cursive script that reads "Barney M. Chan".

Barney M. Chan  
Hazardous Materials Specialist

cc: G. Jensen, Alameda County District Attorney Office  
T. Peacock, files NOV1455

**ALAMEDA COUNTY  
HEALTH CARE SERVICES  
AGENCY**

DAVID J. KEARS, Agency Director



R02765

RAFAT A. SHAHID, DIRECTOR

DEPARTMENT OF ENVIRONMENTAL HEALTH  
State Water Resources Control Board  
Division of Clean Water Programs  
UST Local Oversight Program  
1131 Harbor Bay Parkway  
Alameda, CA 94502-6577  
(510) 567-6700

June 20, 1995  
StID # 5023

Aetna Realty  
Attn: Mr. Scott Syme  
2350 Junipero Sera Blvd.  
Daly City, CA 94015

**Re: Status of Subsurface Investigation at Apartment Building,  
1455 1st Ave., Oakland CA 94606**

Dear Mr. Syme:

This letter serves to clarify the requirements for further investigation subsequent to the removal of the 1500 gallon heating oil tank at the above site. Our office as agent of the Regional Water Quality Control Board (RWQCB) oversees the removal of underground fuel tanks. Based on the present of a release of fuel, we also oversee the investigation and remediation of these "leak" sites.

Based on my observations on May 17, 1995, when the tank was scheduled for removal, there was noticeable contamination in both the soils removed from the tank pit and in the soils from the beneath the tank. Water with floating oil was observed seeping into the bottom of the tank. Recall, because of the presence of underground utilities above the tank, the tank was cut and removed in pieces. Instead of taking soil samples from beneath the tank after its removal, soil samples were taken through the bottom of the tank after openings were made through the tank.

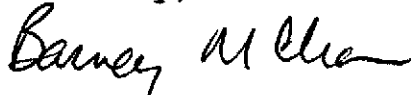
I understand that due to safety reasons, the soils from the excavation were reused to fill part of the tank pit. Please be aware both the City of Oakland and the County office expressly requested that these soils not be reused. At this point, the soils reused to fill the pit must be removed and properly disposed and additional confirmatory soil samples must be taken from the bottom and sidewalls of the pit after overexcavation. Based on these results, our office will determine if further work is required. Any waste water generated must also be properly disposed and documented.

Please submit a work plan to perform these actions **within 15 days or by July 6, 1995**. Please be aware that until this work is performed this is considered an improper tank closure. Failure to properly close an underground tank is subject to civil liability. A tank closure report, summarizing all activities is due no later than **60 days after conclusion of tank removal activities**.

Mr. Scott Syme  
1455 1st Ave., Oakland 94606  
June 20, 1995  
Page 2.

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

Sincerely,



Barney M. Chan  
Hazardous Materials Specialist

cc: Mr. C. Kiper, SEMCO, 1741 Leslie St., San Mateo, CA 94402  
J. Makishima, files

wp1455