



California Regional Water Quality Control Board San Francisco Bay Region



Winston H. Hickox
Secretary for
Environmental
Protection

Internet Address: <http://www.swrcb.ca.gov>
1515 Clay Street, Suite 1400, Oakland, California 94612
Phone (510) 622-2300 or FAX (510) 622-2460

SLIC
FAMSA
EKOTER

Gray Davis
Governor

September 20, 2002
File No. 01S0132 (BG)

CERTIFIED MAIL NO. 7002 0460 0002 9290 0946
RETURN RECEIPT REQUESTED

Alameda County
SEP 24 2002
Environmental Health

Mr. Laurence C. Webster
16371 Ardsley Circle
Huntington Beach, CA 92649

SUBJECT: Approval of Workplan for Implementation of Passive Hydrocarbon Recovery and Initiation of Self-Monitoring, Task C.3, Order No. 98-093, 4200 Alameda Avenue, Oakland, Alameda County

Dear Mr. Webster:

This letter responds to the September 4, 2002, workplan submitted on your behalf by Cambria Environmental Technology for implementation of passive hydrocarbon recovery and initiation of self-monitoring, Task C.3, Order No. 98-093. As explained below, the workplan satisfies our requirements.

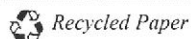
Background

By letter dated May 17, 2002, I requested that you submit a workplan by July 15, 2002, for the steps you would take to effect compliance with Task C.3, Order No. 98-093. The workplan was to:

- confirm your intent to comply with Task C.3, Order No. 98-093 through implementation of a passive hydrocarbon recovery system and initiation of self-monitoring for the subject site
- describe the monitoring procedures, remediation systems, and management controls to be implemented
- document a schedule for implementation
- amend the July 2, 1998, Risk Management Plan (RMP) prepared by ARO, L.L.C. as warranted by an evaluation of changed site conditions and technology improvements since Order No. 98-093 was adopted.

Note: The RMP described a remediation strategy that included the installation of seven dual purpose groundwater monitoring/separate phase hydrocarbon recovery wells (dual purpose wells) spaced around the perimeter of the site (to accommodate anticipated site development which has not materialized), conversion of five existing monitoring wells for dual purpose, and installation of two off-site monitoring wells in the vicinity of CPT-1 and CPT-3, as described in a November 10, 1997, *Additional Off-Site Groundwater Investigations Report*, by Erler & Kalinowski, Inc. Product recovery was to be accomplished by suspending a sleeve containing a hydrocarbon absorbent polymer within each dual purpose well and removing/replacing the sleeve at regular intervals.

California Environmental Protection Agency



By letter dated July 25, 2002, I issued a Notice of Violation for failure to submit the subject workplan and urged you to come into compliance as quickly as possible.

September 4, 2002, Workplan

The September 4, 2002, workplan satisfies the requirements of my May 17, 2002, letter. It confirms your intent to comply with Task C.3, Order No. 98-093, describes the monitoring procedures, remediation systems, and management controls to be implemented, documents a schedule for implementation and proposes the following revisions to the RMP:

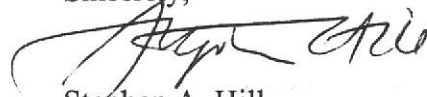
- reduce the number of dual purpose wells from seven to four and cluster the new wells around existing monitoring wells MW-4 and MW-5;
- reduce the number of off-site monitoring wells from two to one and locate the new monitoring well in the vicinity of CPT-1;
- substitute hand bailing and passive, 0.5 gallon capacity skimmers for the absorbent sleeves in existing monitoring wells, and the four dual purpose wells to be installed during September 2002; and
- provide for active hydrocarbon recovery from all on-site wells in October 2002, and in November 2002 through use of a free product recovery skimmer/pump system or a vacuum truck

The proposed revisions serve to phase implementation of the RMP, and are expected to increase the rate of free product recovery, and shorten the time required to achieve remediation objectives (i.e removal of all remaining free product).

I will not recommend enforcement action, provided that you submit the technical report, as required by Task C.3, Order No. 98-093, by **October 15, 2002**. Please note that this letter does not formally alter the original deadline, and the Board may pursue enforcement action if the technical report is not submitted by this later date.

If you have any questions, please contact Betty Graham of my staff at (510) 622-2358 [e-mail bg@rb2.swrcb.ca.gov].

Sincerely,



Stephen A. Hill
Toxics Cleanup Division Chief

For Loretta K. Barsamian
Executive Officer

Alameda County

SEP 24 2002

Environmental Health

cc: Mailing List

Mike Webster
2304 W. 16th Street
Long Beach, CA 90803

Joseph Silvey
American Redevelopment, Inc.
27525 Puerta Real, Suite 100-606
Mission Viejo, CA 92691

EkoTek, Inc.
c/o Crosby, Heafey, Roach & May
1999 Harrison Street
Oakland, CA 94612

✓ Barney Chan
ACDEH
1131 Harbor Bay Parkway
Alameda, CA 94502

Mark Gomez
City of Oakland, Dept. of Public Works
250 Frank H. Ogawa Plaza
Oakland, CA 94612

Barbara Cook
Department of Toxic Substances Control
700 Heinz Street, Suite 200
Berkeley, CA 94710



Cal/EPA

**San Francisco
Bay Regional
Water Quality
Control Board**

1515 Clay Street
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Laurence and Diane Webster
c/o Mike Webster
P.O. Box 92918
Long Beach, CA 90805

Ekotek, Inc.
c/o William Wick
Crosby, Heafey, Roach & May
1999 Harrison Street
Oakland, CA 94612-3573

Subject: Notice of Violation - Failure to Implement Environmental Restriction and Covenant for the Former Ekotek Lube Site, 4200 Alameda Avenue, Oakland, Alameda County

Dear Messrs. Webster and Wick:

You have failed to implement the required institutional restrictions and are therefore in violation of Task C.2 of Board Order No. 98-093. As explained below, the Board may pursue enforcement action for this violation. I urge you to come into compliance as soon as possible to avoid Board enforcement.

Task C.2 of Board Order No. 98-093 requires the "Implementation of Institutional Constraints". Specifically, a technical report documenting the implementation of the July 2, 1998, proposed Environmental Restriction and Covenant (ERC) was to be submitted 60 days after the Executive Officer approval. The ERC was approved and adopted by the Board along with the rest of the Remediation and Risk Management Plan on September 16, 1998. Consequently, the required technical report should have been submitted for Board staff review by November 16, 1998.

You are in violation of Board Order No. 98-093, an order adopted pursuant to Section 13304 of the California Water Code. Water Code Section 13350 allows the Board to impose administrative civil liability of up to \$5,000 per violation day for such violations. I urge you to come into compliance as soon as possible.

If you have any questions, please contact Derek Lee of my staff at (510) 622-2374.

ENVIRONMENTAL
PROTECTION

99 JAN 22 PM 3: 03

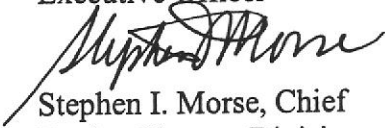


Gray Davis
Governor

January 20, 1999
File No. 2223.09 (DCL)
SLIC No. 01S0132

Sincerely,

Loretta K. Barsamian
Executive Officer



Stephen I. Morse, Chief
Toxics Cleanup Division

cc: Barney Chan
Hazardous Materials Program
ACDEH
1131 Harbor Bay Parkway, 2nd Floor
Alameda, CA 94502-6577

Joseph F. Silvey
American Redevelopment, L.L.C.
27525 Puerta Real, Suite 100-606
Mission Viejo, CA 92691

CROSBY, HEAFEY, ROACH & MAY

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1999 Harrison Street
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Telephone: (510) 763-2000
Facsimile: (510) 273-8832

FAX TRANSMISSION

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DATE: January 22, 1999

TO:

RECIPIENT	FAX#	PHONE#
Barney Chan Hazardous Materials Specialist Alameda County Health Care Services Environmental Health Services Environmental Protection (LOP) 1131 Harbor Bay Parkway, Suite 250 Alameda, CA 94502-6577	510/337-9335	510/567-6700 (gen.); 567-6765 (dir.)

FROM:

ATTORNEY:
WILLIAM D.
WICK
SECRETARY:
JANE COBIAN

ATTY No.: 1031

ATTY DIRECT
DIAL: 510-466-6842

FAX INFORMATION:

NO. OF PAGES
(INCLUDING COVER): 2

OUR FILE NO.: 18920.00010

NO
ORIGINAL TO FOLLOW

IF YOU DO NOT RECEIVE ALL OF THE PAGES, PLEASE CALL US AT 510-466-6842

CROSBY, HEAFEY, ROACH & MAY

PROFESSIONAL CORPORATION

ATTORNEYS AT LAW

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William D. Wick

Direct Dial: (510) 466-6842

Internet Address: bwick@chrm.com

January 22, 1999

Via Messenger

Ms. Loretta K. Barsamian, Executive Officer
Mr. Stephen I. Morse, Chief, Toxics Cleanup Division
San Francisco Bay Regional Water Quality Control Board
1515 Clay Street, Suite 1400
Oakland, CA 94612

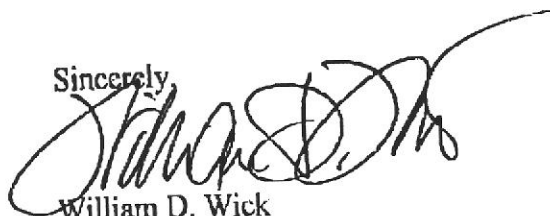
Re: File No. 2223.09 (DCL)
SLIC No. 01S0132
Board Order No. 98-093 (Task C.2)
4200 Alameda Avenue, Oakland, Alameda County
Implementation of Environmental Restriction and Covenant

Dear Ms. Barsamian and Mr. Morse:

I am writing on behalf of Ekotek, Inc. in response to your January 20 letter regarding the implementation of institutional constraints at the Webster property at 4200 Alameda Avenue in Oakland.

All of the parties except the Regional Board have executed the four (4) enclosed "originals" of the Environmental Restriction and Covenant. Ms. Barsamian should execute each of the four originals (see the yellow tab at page 8), dating each on the first page, and have each notarized (see red tab). Please keep one of the originals and return the other three to me for recording and distribution. We apologize for the delay. Thank you very much.

Sincerely,



William D. Wick

Enclosures

cc: [without enclosures]

Laurence and Diane Webster

Barney Chan

Joseph F. Silvey

Mr. Derek Lee

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



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

December 17, 1998
StID # 4808

Mr. William Wick
Crosby, Heafey, Roach & May
1999 Harrison St.
Oakland, CA 94612

**Re: Deposit for County Oversight at Former Ekotek Lube, 4200 Alameda Ave., Oakland
94601**

Dear Mr. Wick:

This letter responds to your inquiry regarding the deposit/refund account for the above site. As discussed, our office secures and uses the deposit for anticipated work. The amount of the deposit is based upon the number of hours of work anticipated times the hourly rate, \$100 per hour. According to our records, our office has received two deposits for \$2,000.00 and \$1,188 in May and December of 1995, one deposit for \$2,000.00 in May of 1996 and one for \$5,000.00 in April of 1997. Based on this information, the current balance is -\$1757.45 as of August 20, 1998. Because of this and anticipated continual oversight, our office requests an additional deposit of \$3000.00 be submitted to cover past and future costs.

Please write the project # (3274) and the site address on the check made payable to Alameda County Environmental Health.

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

Sincerely,

Barney M. Chan
Hazardous Materials Specialist

C: B. Chan, files
T. Peacock, ACEH
Dep4200

6/5/98 Mtg w/ Wm Wick, D. Lee, P. Silvey
Nikki Anderson (consultant).

- vapor barrier for guarantee
- small retail / restaurants
- D.L. - pls document costs for excavation & gw/
sp removal
- will collect sp from all existing + new wells
- explain what if anything will be
done w/ contaminated soils
- will in future collect info for fate &
transport estimation
- Request a specific H+S plan. + submit
to ACH
- send copy of RMP to L. Griffin - City
of Oakland

Options for Water Board - (Administrative)
1) CAO or 2) EO 3) hybrid EO / CAO

Will get fax changes w/ 1-2 weeks

ALAMEDA COUNTY
HEALTH CARE SERVICES



AGENCY
DAVID J. KEARS, Agency Director

Amir
fyI

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

May 27, 1998

ATTN: Mr Bill Wick, Esq.

Crosby Heafey Roach & May
1999 Harrison St
Oakland CA 94612

1500
330

-1837⁰⁰

RE: Project # 3274A - Type R
at 4200 Alameda Ave in Oakland 94601

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 ~~\$5,638.45~~ ²⁰⁰⁰ \$5,638.45, payable to Alameda County, Environmental Health Services, within two weeks of receipt of this letter.

It is expected that the amount requested will allow the project to be completed with a zero balance. Otherwise, more money will be requested or any unused monies will be refunded to you or your designee.

The deposit refund mechanism is authorized in Section 6.92.040L 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 identifying information on your check: ¹⁰⁰
- project #
- type of project and
- site address (see RE: line above).

If you have any questions, please contact Amir Gholami at (510) 567-6876.

Sincerely,

Tom Peacock, Manager
Environmental Protection

c: files

AMERICAN REDEVELOPMENT, LLC

May 8, 1998

Mr. Derek Lee
San Francisco Bay Regional Water Quality Control Board
2101 Webster Street, Suite 500
Oakland, CA 94612

Re: Risk Management Plan for 4200 Alameda Avenue, Oakland

Dear Mr. Lee,

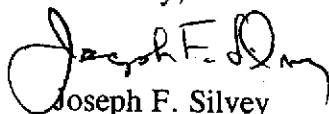
Accompanying this letter is one copy of the Draft Risk Management Plan that has been prepared for the subject property. In accordance with our recent telephone conversation, I am providing this copy to you so that you may review it and provide me with your comments before the Draft Plan is finalized and submitted.

As I explained in our telephone conversation, all of the parties now associated with the subject property desire that a Board Order be issued in response to the Plan. Issuance of the Board Order at the July meeting appears reasonable and I hope we will be able to achieve such a schedule. If you have your comments and suggestions regarding the Draft Plan available during the week of May 18th, as you suggested would be possible, then I am optimistic that my associates and I will be able to produce a final version of the Plan by the end of May so that we should easily meet the docketing schedule for the July Board meeting.

When we spoke, you indicated that you would provide me with your comments on the Draft Plan over the telephone. Such an approach is certainly acceptable. However, I'll again offer my willingness to meet with you (and others if needed) to discuss any of the comments. I will be in Union City during the later part of the week of the 18th and I could easily visit with you during that week. Because of the tight time schedule that this project now faces, I want to do all that I can to ensure that the Draft Plan is properly finalized after your comments are received. Additional iterations of the Plan would have very negative impacts on the project schedule.

Thank you for your willingness to work with me and my associates as we try to bring this longstanding project to a successful conclusion. I look forward to hearing from you at your convenience.

Sincerely,


Joseph F. Silvey

cc: Barney Chan - ACDEH (w/o encl.) ✓
Stephen Morse - RWQCB (w/o encl.)
William Wick - Crosby, Heafey, Roach & May (w encl.)
Mike Webster (w encl.)



Cal/EPA

San Francisco Bay
Regional Water
Quality Control
Board

2101 Webster Street
Suite 500
Oakland, CA 94612
(510) 286-1255
FAX (510) 286-1380

Mr. William Wick
Crosby, Heafey, Roach & May
1999 Harrison Street
Oakland, CA 94612-3573

Mr. Larry C. Webster
c/o Mike Webster
P.O. Box 92918
Long Beach, CA 90805

SUBJECT: Deadline for Submittal of Risk Management Plan, Former Ekotek Lube Site, 4200 Alameda Avenue, Oakland, Alameda County

Dear Messrs. Wick and Webster:

This letter responds to your March 26, 1998 request to delay submittal of the Risk Management Plan (RMP). As explained below, I concur with your request.

In my January 9, 1998 letter, I requested that you submit a RMP for the subject site by April 1, 1998. As explained in the request, halogenated VOCs and significant petroleum hydrocarbon free product are present in the soil and groundwater underneath the site. Ekotek's remedial investigation also reveals the presence of free product in the groundwater immediately downgradient of the site. On the other hand, the "Human Health Risk Assessment" prepared by Erler & Kalinowski, Inc. on September 30, 1996, showed risks for commercial building occupants and maintenance personnel to be within a range acceptable to the U.S. EPA.

Based on the submitted reports, I concurred with the remedial investigation and risk assessment performed and they are acceptable to the Executive Officer, provided that a RMP incorporating the specified requirements is submitted.

Mr. Wick has requested an extension in deadline for submittal of this report. The reason given was that the potential buyer of the site is undertaking the responsibility of preparing this report and thus needs additional time while getting acquainted with the site conditions.



Pete Wilson
Governor

March 27, 1998
File No. 2223.09 (DCL)
SLIC No. 01S0132

Water Board Lead

see 4808

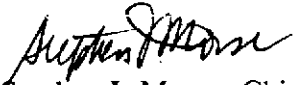


I find your request acceptable. I will not recommend enforcement action, provided that you submit the RMP by June 1, 1998. I understand that you expect to have a preliminary draft ready for Board staff review by early May to ensure completion of the final version by the new deadline. Please note that this letter does not formally alter the original deadline, and the Board may pursue enforcement action if the requested report is not submitted by this later date.

If you have any questions, please contact Derek Lee of my staff at (510) 286-1041.

Sincerely,

Loretta K. Barsamian
Executive Officer


Stephen I. Morse, Chief
Toxics Cleanup Division

- cc. Barney Chan, ACDEH, 1131 Harbor Bay Parkway, 2nd Floor, Alameda, CA 94502-6577
Joseph F. Silvey, American Redevelopment, L.L.C., 27525 Puerta Real, Suite 100-606, Mission Viejo, CA 92691
Andrew Safford, Project Manager, Erler & Kalinowski, Inc., 1730 So. Amphlett Blvd., Suite 320, San Mateo, CA 94402





Cal/EPA

**San Francisco
Bay Regional
Water Quality
Control Board**

2101 Webster St. #500
Oakland, CA 94612
(510) 286-1255
FAX (510) 286-1380

Mr. William Wick
Crosby, Heafey, Roach & May
1999 Harrison Street
Oakland, CA 94612-3573

Mr. Larry C. Webster
c/o Mike Webster
P.O. Box 92918
Long Beach, CA 90805



Pete Wilson
Governor

January 9, 1998
File No.: 2223.09 (DCL)

SUBJECT: Former Ekotek Lube Site, 4200 Alameda Avenue, Oakland, Alameda County

Dear Messrs. Wick and Webster:

This letter confirms the completion of an acceptable remedial investigation and risk assessment and requires that you submit a Risk Management Plan for the subject site. As explained below, this information is necessary to ensure human health and environmental protection at the site.

Ekotek's remedial investigation indicates the presence of halogenated VOCs and significant petroleum hydrocarbon free product in the soil and groundwater underneath the site. This investigation also shows the existence of free product in the groundwater immediately down-gradient of the site. On the other hand, the Risk Assessment conducted by Erler & Kalinowski, Inc. on September 30, 1996, showed that the risks to the potentially exposed populations of commercial building occupants and maintenance personnel to be within the risk range acceptable to U.S. EPA.

On December 9, 1997, Erler & Kalinowski, Inc. presented a draft Risk Management Plan outline, for the subject site, to Board staff. The draft outline includes an executive summary, introduction, site background, human health and environmental risk evaluation, risk management before site redevelopment, risk management during redevelopment, risk management after redevelopment and references.

This letter therefore confirms that the remedial investigation and risk assessment performed for the subject site are acceptable to the Executive Officer, provided that a Risk Management Plan incorporating the following requirements is submitted to the Board.

Please submit a Risk Management Plan (RMP) by April 1, 1998. The RMP should follow the RMP outline cited above and the following conditions.

1. A contour map depicting the groundwater elevation across the subject site shall be generated and included in the Risk Management Plan.

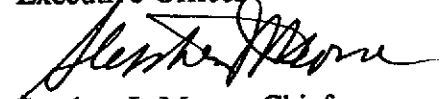
2. The RMP shall include site histories for nearby parcels, based on information reasonably available to you.
3. The RMP shall include a feasibility study of the proposed remediation plan. The RMP shall also consider whether any remedial actions are appropriate for (a) the area beyond the downgradient edge of the subject site where Alameda Avenue meets East 8th Street (with regard to the petroleum free product detected in CPT-1 and CPT-3), and (b) the northernmost portion of the site, bordering the current Kmart parking lot (with regard to effects of any reverse groundwater gradient toward the north). A detailed explanation supported by sufficient evidence shall be provided if remedial actions for these two areas are concluded to be inappropriate. *(C) the removal of free product from the area previously identified to be impacted onsite.*
4. The RMP shall include a groundwater monitoring system to monitor potential pollutant migration.
5. Restrictions for future site use shall include use of the shallow groundwater and development for residential use. Additional risk assessment for residential development should be included in the Risk Management Plan if you wish to avoid a restriction on residential use. In addition, preventive measures to restrict direct human exposure to any unacceptable risks from exposure to affected vapor and soil at the subject site shall be included in the RMP.

This request for a technical report is made pursuant to Water Code Section 13267, which allows the Board to require technical reports from persons whose activities may have an impact on water quality. You may be subject to administrative civil liability of up to \$1,000 per day pursuant to Water Code Section 13268 if you fail to respond, respond late, or submit an inadequate response. Any extension in the above deadline must be confirmed in writing by Board staff.

Please contact Derek Lee of my staff at (510) 286-1041 if you have any questions.

Sincerely,

Loretta K. Barsamian
Executive Officer


Stephen I. Morse, Chief
Toxics Cleanup Division

cc: Barney Chan
ACDEH
1131 Harbor Bay Parkway, 2nd Floor
Alameda, CA 94502-6577

Joseph F. Silvey
American Redevelopment, L.L.C.
27525 Puerta Real, Suite 100-606
Mission Viejo, CA 92691

Andrew Safford
Project Manager
Erler & Kalinowski, Inc.
1730 So. Amphlett Blvd., Suite 320
San Mateo, CA 94402

Rohinton M. Rivetna
American National Can Company
Mail Suite 04D
8770 West Bryn Mawr Avenue
Chicago, IL 60631-3504

RISK MANAGEMENT PLAN

DRAFT

Former Oil Recycling Site
4200 Alameda Avenue
Oakland, California

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Post-it* Fax Note	7871	Date	12/11/97	# of pages	2
To	Barney Chan	From	Derek Lee		
Co./Dept.	ACDEH	Co.	RWQCB		
Phone #	337-9335	Phone #			
Fax #		Fax #	286-3981		

DRAFT

RISK MANAGEMENT PLAN

Former Oil Recycling Site
4200 Alameda Avenue
Oakland, California

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TABLES

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(415) 512-4012

November 19, 1997

Mr. Steven I. Morse
Regional Water Quality Control Board
San Francisco Bay Region
2101 Webster St., Suite 500
Oakland, California 94612

Re: Kmart Corporation and Webster Sites In Oakland, California

Dear Steve:

We are pleased to inform you that an agreement has been reached between American National Can Company ("ANCC") and Kmart Corporation ("Kmart"), on the one hand, and Ekotek, Inc. ("Ekotek"), and Laurence and Diane Webster (collectively, "the Websters"), on the other hand, allocating responsibility among themselves for soil and groundwater contamination at the former ANCC and Ekotek facilities in Oakland, California. The location of the former ANCC facility is now the site of a Super Kmart Center operated by Kmart Corporation and is referred to as the Kmart site, while the location of the Ekotek facility is now owned by the Websters and is referred to as the Webster site.

Although the settlement agreement among the four parties is, by its terms, confidential, the agreement does permit the manner in which responsibility for soil and groundwater contamination has been allocated among the parties to be disclosed to the Regional Water Quality Control Board. The allocation of responsibility for investigation and remediation of soil and groundwater contamination is addressed in Section 3 of the settlement agreement which provides as follows --

3. Allocation Of Investigation/Remediation Responsibility. Subject to the reservation of rights in Section 4, responsibility for further investigation and/or remediation required by any REGULATORY AGENCY for THE KMART SITE and THE WEBSTER SITE shall be allocated as follows:

Mr. Steven I. Morse
November 19, 1997
Page 2

- (a) ANC shall be responsible for any further investigation and/or remediation required by any REGULATORY AGENCY for THE KMART SITE, including remediation of HAZARDOUS SUBSTANCES in the Area 3 portion of THE KMART SITE regardless of whether those HAZARDOUS SUBSTANCES have migrated from or are otherwise attributable to THE WEBSTER SITE. KMART agrees that groundwater use in Area 3 will be prohibited by deed restriction.
- (b) EKOTEK and THE WEBSTERS shall be responsible for any further investigation and/or remediation required by any REGULATORY AGENCY for THE WEBSTER SITE, including remediation of HAZARDOUS SUBSTANCES regardless of whether those HAZARDOUS SUBSTANCES have migrated from or are otherwise attributable to the KMART SITE.

We trust that this information is sufficient to allow the Regional Water Quality Control Board to complete its processing of the ANCC request for closure of Area 3 at the Kmart site and to work with Ekotek and the Websters to prepare the Webster site for closure. If you need any additional information, please let us know immediately.

We and our clients appreciate your assistance, and the assistance of your staff, in bringing the remaining issues concerning the Kmart and Webster sites to final resolution.

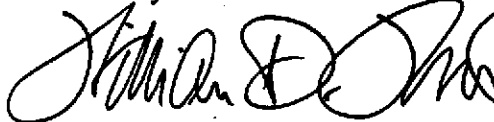
Sincerely,



Patrick J. Cafferty, Jr.

Munger, Tolles & Olson

Attorneys for American National Can Company



William D. Wick

Crosby, Heafey, Roach & May

Attorneys for Ekotek, Inc.

PJC:ssl

cc: Mr. Barney Chan

CROSBY, HEAFEY, ROACH & MAY

PROFESSIONAL CORPORATION

ATTORNEYS AT LAW

1999 HARRISON STREET

OAKLAND, CALIFORNIA 94612-3573

(510) 763-2000

FAX (510) 273-8832

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LOS ANGELES, CALIFORNIA 90017
(213) 896-8000
FAX (213) 896-8080

ONE MARKET PLAZA
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SAN FRANCISCO, CALIFORNIA 94105-1000
(415) 543-8700
FAX (415) 391-8269

MAILING ADDRESS:
POST OFFICE BOX 2084
OAKLAND, CALIFORNIA 94604-2084

William D. Wick
Direct Dial: (510) 466-6842
Internet Address: wdw@chr.com

June 6, 1997

Via Facsimile & U.S. Mail

Mr. Barney M. Chan
Hazardous Materials Specialist
Alameda County Health Care Services Agency
Environmental Health Services
Environmental Protection (LOP)
1131 Harbor Bay Parkway, Suite 250
Alameda, CA 94502-6577

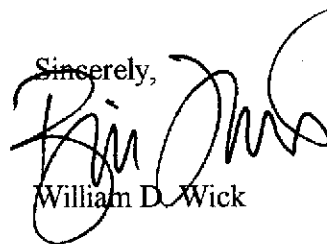
Re: SLIC StID # 4808
4200 Alameda Avenue, Oakland, CA
Off-Site Groundwater Investigation

Dear Mr. Chan:

As I indicated in my voicemail message, Tom Thatcher has agreed to allow EKI access to his property to perform the proposed off-site groundwater sampling. Andy Safford told me today he expects to be able to perform the sampling the week of June 16 or June 23.

I told Andy that he should proceed with the sampling. I've asked Andy to contact you as soon as he has specific dates for the sampling. (I've copied Sum on this letter even though I know he's gone; I called the Regional Board and they suggested doing so until another person is assigned to this matter.)

Please call if you have any questions or concerns.

Sincerely,

William D. Wick

cc: Sum Arigala
Andy Safford

ALAMEDA COUNTY
HEALTH CARE SERVICES



AGENCY
DAVID J. KEARS, Agency Director

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

May 2, 1997
SLIC #4808

Alameda County Tax Collector Office
Ms. Cheryl Robinson & Mr. Max De Santis
1221 Oak St.
Oakland CA 94612

Re: 4200 Alameda Ave., Oakland CA 94601, Parcel #33-2203-4-2

Dear Ms. Robinson and Mr. De Santis:

I have been asked by Mr. Mike Webster, son of owners of the above property, to give you the status of the environmental investigation occurring at this site. The site, a former oil recycling facility, has experienced chemical releases which require investigation and cleanup. Currently both on and offsite subsurface investigation is being done to determine the extent of the chemical releases. Onsite groundwater monitoring and free product removal is required at a minimum.

Alameda County Environmental Health (ACEH) and the Regional Water Quality Control Board (RWQCB) are the overseeing agencies for this investigation. The site remediation, site management, future site usage and potential site closure will be overseen by our agencies.

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

Sincerely,

Barney M. Chan
Hazardous Materials Specialist

c: B. Chan, files
M. Webster, Amberwick Corporation, P.O. Box 92918, Long
Beach, CA 90809-2918

tax4200

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



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

April 30, 1997
SLIC # 4808

Hamilton, Cohen, Thatcher & Associates
8393 Capwell Drive
Oakland CA 94621

Re: Request for Access to Install Environmental Boring/Monitoring
Well on Parcel 33-2250-1-6 Oakland CA 94601

Dear Mr. Thatcher:

Our office has been overseeing the on-going subsurface investigation at the site located at 4200 Alameda Ave., a former oil recycling facility now owned by Laurence and Diane Webster aka the "Webster property". This site is located just northeast of the referenced parcel # 33-2250-1-6, of which I understand, you are the owner. The Webster property is upgradient of your site, based on groundwater flow direction. During the course of the investigation of this site, it appears that there is a potential of groundwater contamination migrating beneath your site. Therefore, our office has requested that the responsible parties install offsite borings and/or wells to determine the extent of the petroleum or solvent contamination in groundwater, if any. Several of the proposed borings were located on your property. I have been informed, by the consulting firm of Erler and Kalinowski, that you have been notified of the Webster's request. This letter confirms the County's position that this offsite investigation is necessary to determine the limit of the fuel and solvent release from the Webster property.

Please be advised that the investigation and cleanup of contaminated sites must be consistent with the provisions of Title 23, California Code of Regulations and the Porter-Cologne Water Quality Control Act (Water Code). Specific to the Water Code, Resolution No. 92-49 has been published by the State Water Resources Control Board which states the **Policies and Procedures for the Investigation of Discharges to the Water**. Within this policy, the dischargers are required to extend the investigation and cleanup to **any** (bold added) location affected by the discharge or threatened discharge. The Regional Water Board has the authority to require uncooperative landowners and tenants of affected property to cooperate or, if necessary, to participate in investigation, cleanup and abatement.

Mr. Thomas Thatcher
Site Access, Parcel 33-2250-1-6
April 30, 1997
Page 2.

Our office recommends your cooperation in allowing access to your property, specifically the locations designated on Erler and Kalinowski's workplan, for the purpose of installing an offsite borings. Should this access be denied, you may be requested to perform an investigation at your own expense. Based upon the results of these borings, it will be determined whether a permanent well is required.

Please contact our office **within 15 days or by May 16, 1997** regarding your intentions in this matter.

Should you not be able to resolve this issue, our office will inform the Regional Water Quality Control Board (RWQCB) to pursue enforcement actions.

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

Sincerely,



Barney M. Chan
Hazardous Materials Specialist

c: B. Chan, files
Mr. W. Wick, Crosby, Heafey, Roach & May, Professional Corp..
1999 Harrison St., P.O. Box 2084, Oakland 95604-2084
Mr. M. Webster, Amberwick Corporation, P.O. Box 92918, Long
Beach, CA 90809-2918
Mr. A. Safford, Erler and Kalinowski, 1730 So. Amphlett Blvd.,
Suite 320, San Mateo, CA 94402
S. Morse, RWQCB
B. Chambers, Alameda County District Attorney Office

CROSBY, HEAFEY, ROACH & MAY

Professional Corporation
1999 Harrison Street
P.O. Box 2084
Oakland, California 94604-2084
Telephone: (510) 763-2000
Facsimile: (510) 273-8832

FAX TRANSMISSION

THE INFORMATION CONTAINED IN THIS FACSIMILE IS CONFIDENTIAL AND MAY ALSO CONTAIN PRIVILEGED ATTORNEY-CLIENT INFORMATION OR WORK PRODUCT. THE INFORMATION IS INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY TO WHOM IT IS ADDRESSED. IF YOU ARE NOT THE INTENDED RECIPIENT, OR THE EMPLOYEE OR AGENT RESPONSIBLE TO DELIVER IT TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY USE, DISSEMINATION, DISTRIBUTION OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THE FACSIMILE IN ERROR, PLEASE IMMEDIATELY NOTIFY US BY TELEPHONE, AND RETURN THE ORIGINAL MESSAGE TO US AT THE ADDRESS ABOVE VIA THE U.S. POSTAL SERVICE. THANK YOU.

DATE: April 30, 1997

To:

RECIPIENT	FAX#	PHONE#
Barney Chan Hazardous Materials Specialist Alameda County Health Care Services Environmental Health Services Environmental Protection (LOP) 1131 Harbor Bay Parkway, Suite 250 Alameda, CA 94502-6577	337-9335	567-6700 (gen.); 567-6765 (dir.)

FROM:

ATTORNEY: WILLIAM D. WICK	ATTY NO.:1031
SECRETARY: JANE COBIAN	ATTY DIRECT DIAL:510-466-6842

FAX INFORMATION:

No. of PAGES (INCLUDING COVER): 2	OUR FILE NO.: 18920.00010	No ORIGINAL TO FOLLOW
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IF YOU DO NOT RECEIVE ALL OF THE PAGES, PLEASE CALL US AT 510-466-6842

MESSAGE:

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CROSBY, HEAFEY, ROACH & MAY

PROFESSIONAL CORPORATION

ATTORNEYS AT LAW

1999 HARRISON STREET
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(510) 763-2000

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(415) 543-8700
FAX (415) 391-8288

700 SOUTH FLOWER STREET, SUITE 2800
LOS ANGELES, CALIFORNIA 9007
(213) 898-8000
FAX (213) 898-8080

William D. Wick

Direct Dial: (510) 466-8842

Internet Address: wdw@ohm.com

April 30, 1997

Via Facsimile

Mr. Barney M. Chan
Hazardous Materials Specialist
Alameda County Health Care Services Agency
Environmental Health Services
Environmental Protection (LOP)
1131 Harbor Bay Parkway, Suite 250
Alameda, CA 94502-6577

Re: SLIC StID # 4808
4200 Alameda Avenue, Oakland, CA
Access Denial

Dear Barney:

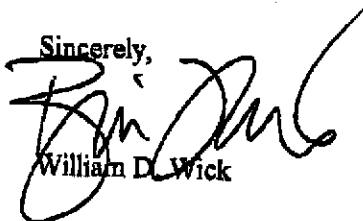
Here are the particulars regarding the access issue:

Property Location and Legal Description
Property located at High Street, Alameda Avenue and Howard Street in Oakland,
CA, known as Alameda County Assessor's Parcel No. 33-2250-1-6.

Owner
Thomas C. Thatcher
Hamilton, Cohn, Thatcher & Associates
8393 Capwell Drive
Oakland, CA 94621
Phone: 562-4490

Let me know if you need anything more, and good luck! (If you do end up sending a letter, could you send me a copy for my files? Thanks.)

Sincerely,



William D. Wick

CROSBY, HEAFEY, ROACH & MAY

Professional Corporation
1999 Harrison Street
P.O. Box 2084
Oakland, California 94604-2084
Telephone: (510) 763-2000
Facsimile: (510) 273-8832

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DATE: April 28, 1997

TO:

RECIPIENT	FAX#	PHONE#
Barney Chan Hazardous Materials Specialist Alameda County Health Care Services Environmental Health Services Environmental Protection (LOP) 1131 Harbor Bay Parkway, Suite 250 Alameda, CA 94502-6577	510/337-9335	510/567-6700 (gen.); 567-6765 (dir.)

FROM:

ATTORNEY: WILLIAM D. WICK	ATTY NO.: 1031
SECRETARY: JANE COBIAN	ATTY DIRECT DIAL: 510-466-6842

FAX INFORMATION:

NO. OF PAGES (INCLUDING COVER): 3	OUR FILE NO.: 18920.00010	ORIGINAL TO FOLLOW NO ORIGINAL TO FOLLOW
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IF YOU DO NOT RECEIVE ALL OF THE PAGES, PLEASE CALL US AT 510-466-6842

• Thomas Thatcher adj. pro per

CROSBY, HEAFEY, ROACH & MAY

PROFESSIONAL CORPORATION

ATTORNEYS AT LAW

1999 HARRISON STREET

OAKLAND, CALIFORNIA 94612-3573

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FAX (213) 886-8080

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(415) 842-8700
FAX (415) 391-8288

William D. Wick

Direct Dial: (510) 466-8842

Internet Address: wdw@chrn.com

April 28, 1997

Via Facsimile

Mr. Barney M. Chan
Hazardous Materials Specialist
Alameda County Health Care Services Agency
Environmental Health Services
Environmental Protection (LOP)
1131 Harbor Bay Parkway, Suite 250
Alameda, CA 94502-6577

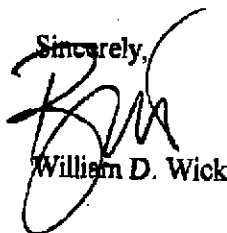
Re: SLIC StID # 4808
4200 Alameda Avenue, Oakland, CA
Proposed Access Letter

Dear Barney:

Good letter — here are some proposed minor revisions. (Because the Websters have contacted and negotiated with the adjacent landowners, most of the changes simply clarify that the Websters, as the current owners of 4200 Alameda Avenue, are making the access request.)

Please call to discuss at your convenience. Thanks.

Sincerely,



William D. Wick

Enclosure

CROSBY, HEAFEY, ROACH & MAY

PROFESSIONAL CORPORATION

ATTORNEYS AT LAW

1999 HARRISON STREET

OAKLAND, CALIFORNIA 94612-3573

(510) 763-2000

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(415) 543-8700
FAX (415) 391-8269

William D. Wick

Direct Dial: (510) 466-6842

Internet Address: wdw@chrm.com

April 8, 1997

Via Facsimile & U.S. Mail

Mr. Barney M. Chan
Hazardous Materials Specialist
Alameda County Health Care Services Agency
Environmental Health Services
Environmental Protection (LOP)
1131 Harbor Bay Parkway, Suite 250
Alameda, CA 94502-6577

Mr. Sumadhu Arigala
California Regional Water Quality Control Board
San Francisco Bay Region
2101 Webster Street, Suite 500
Oakland, CA 94612

Re: SLIC StID # 4808
4200 Alameda Avenue, Oakland, CA
Access Denial for Additional Off-Site Groundwater Investigation

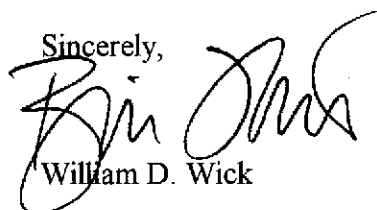
Dear Mr. Arigala and Mr. Chan:

As you know, in order to implement the workplan for the additional off-site sampling requested by the County and the Board, access agreements had to be obtained from the property owners on whose property samples would be taken.

After Mike Webster sought and recently obtained executed access agreements from the two property owners involved, Erler & Kalinowski, Inc. tentatively scheduled the sampling for today (April 8). However, yesterday Mike Webster told me that Thomas C. Thatcher (the property owner where grab groundwater samples G-4, G-5, and G-6 were proposed) had revoked his approval for the sampling. Consequently, I instructed EKI to cancel the off-site sampling scheduled for today.

We await your direction on how to proceed.

Sincerely,



William D. Wick

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



STID 4808

March 24, 1997

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

ATTN: Mr Bill Wick, Esq.

Crosby Heafey Roach & May
1999 Harrison St
Oakland CA 94612

RE: Project # 3274A - Type M
at 4200 Alameda Ave in Oakland 94601

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 \$5,000.00, payable to Alameda County, Environmental Health Services.

We must receive this deposit so that future regulatory oversight on the subject site can procede 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

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

May 10, 1996

ATTN: Mr Bill Wick, Esq.

Crosby Heafey Roach & May
1999 Harrison St
Oakland CA 94612

RE: Project # 3274A - R
at 4200 Alameda Ave in Oakland 94601

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 \$2,000.00, 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,


Tom Peacock, Area Manager
Environmental Protection Division

c: ~~files/inspector~~

CROSBY, HEAFEY, ROACH & MAY

PROFESSIONAL CORPORATION

ATTORNEYS AT LAW

1999 HARRISON STREET

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FAX (213) 896-8080

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(415) 543-8700
FAX (415) 391-8269

William D. Wick

Direct Dial: (510) 466-6842

Internet Address: wdw@chrm.com

February 13, 1997

Via Facsimile & U.S. Mail

Mr. Barney M. Chan
Hazardous Materials Specialist
Alameda County Health Care Services Agency
Environmental Health Services
Environmental Protection (LOP)
1131 Harbor Bay Parkway, Suite 250
Alameda, CA 94502-6577

Re: SLIC StID # 4808
4200 Alameda Avenue, Oakland, CA
Response to County Request for Reports and Status Report

Dear Mr. Chan:

I am writing in response to your letter of February 6, 1997, requesting technical and status reports regarding the property at 4200 Alameda Avenue.

Andy Safford of Erler & Kalinowski, Inc. (EKI) has been communicating regularly by phone with Sum Arigala of the Regional Board on the matters identified in your letter. I've asked Andy to contact you regularly about site activities as well. Here is a current status report on each of the items you requested in your letter:

• *Human Health Risk Assessment*

As you noted, Andy Safford and Ted Erler of EKI made a preliminary presentation to you and Regional Board staff regarding EKI's draft Human Health Risk Assessment (HHRA). Sum Arigala provided Andy with some comments on the draft, but said he wanted to make sure that any comments from Dr. Ravi Arulanantham were considered as well before the document is revised. Andy is awaiting those comments from Dr. Arulanantham. After those comments are received, EKI can prepare a revised HHRA to submit simultaneously to the Board and the County.

• *Additional Off-Site Groundwater Investigation*

The workplan submitted by EKI for the additional offsite groundwater sampling requested by the County and the Board was approved on December 16, 1996. After receiving the approval, we searched public records to obtain the names of the owners of record of the offsite properties. Mike Webster has been contacting the landowners to seek access for the sampling. He reports that one landowner has orally agreed to access and another appears ready to do so. The company we thought owned the third property said it does not own the property, so we are in the process of determining the owner of

ALAMEDA COUNTY
HEALTH CARE SERVICES



AGENCY

DAVID J. KEARS, Agency Director

February 6, 1997
SLIC StID # 4808

Mr. William Wick
Crosby, Heafey, Roach & May
1999 Harrison St.
Oakland CA 94612-3573

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

Re: Request for Technical Reports and Status of Subsurface Investigation at Former Ekotek Lube Site, 4200 Alameda Ave., Oakland CA 94601

Dear Mr. Wick:

Our office and that of the Regional Board met with you and your consultant at the Water Board's office on September 30, 1996. At this meeting, your consultant provided a remedial approach for the above site which included a Human Health Risk Assessment, a proposal to remove free product via a series of extraction probes strategically located and an offsite groundwater investigation via Push-In PVC Piezometers (PIPP).

The HHRA was submitted to our offices and reviewed initially by Mssrs. Ravi Arulanantham and Sum Arigala of the Water Board. They brought a number of items to the attention of your consultant. Our office is not aware whether an amended version of the HHRA has been submitted to our offices, or whether the amended version has been approved by the Water Board. Please provide a status of the HHRA.

The work plan for the installation of the offsite PIPPs was submitted to Mr. Sum Arigala in the November 20, 1996 Erler & Kalinowski report. This work plan was approved in the Water Board's December 16, 1996 letter signed by Mr. Stephen Morse. What is the status of this investigation? If the work has been completed, when will the final report be submitted to both agencies?

Our offices agreed to the approach discussed for the collection and removal of free product at this site. Please provide a work plan showing the location and providing the process flow diagram for the extraction system proposed for the removal the free product. Please provide a schedule for the permitting and installation of this extraction system.

Our offices agreed that the monitoring wells at this site could be done on a semi-annual basis and this monitoring should be coordinated with the monitoring at the K-Mart site. Please provide the semi-annual monitoring report for the last half of 1996, which should have been performed in December 1996.

Mr. William Wick
SLIC StID # 4808
4200 Alameda Ave.
February 6, 1997
Page 2.

Please provide the requested technical reports and written comment to the other items mentioned **within 10 working days or by February 20, 1997.**

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

Sincerely,



Barney M. Chan
Hazardous Materials Specialist

c: Mr. S. Arigala, RWQCB
Mr. S. Morse, RWQCB
Mr. Mike Webster, Amberwick Corporation, P.O. Box 92918, Long
Beach, CA 90809-2918
Mr. A. Safford, Erler & Kalinowski, 1730 So. Amphlett Blvd.,
Suite 320, San Mateo, CA 94402
B. Chan, files

updt4200



San Francisco Bay
Regional Water
Quality Control
Board

2101 Webster Street
Suite 500
Oakland, CA 94612
(510) 286-1255
FAX (510) 286-1380

Mr. William Wick
Crosby, Heafey, Roach & May
1999 Harrison Street
Oakland, CA 94612-3573

December 16, 1996
File No.: 2223.09(SA)
SMS Case File



SUBJECT: Approval of Workplan to Conduct Off-Site Groundwater Investigation, Former Ekotek Lube Site, 4200 Alameda Avenue, Oakland, Alameda County.

Dear Mr. Wick:


This letter responds to the November 20, 1996 workplan, prepared by Erler & Kalinowski, Inc., to conduct an off-site groundwater investigation at the former Ekotek Lube site, Oakland, Alameda County. The workplan proposes additional groundwater sampling and analysis at six downgradient off-site locations.

Overnight groundwater sampling methodology has been proposed in the workplan to allow sufficient time for immiscible petroleum hydrocarbons, if any, to accumulate in the boring. I hereby approve the workplan with the following modification:

Upon completion of a boring to a total depth, groundwater samples shall be collected and appropriately preserved for analysis. The screen shall remain in the borehole overnight and if immiscible petroleum hydrocarbons accumulate in the boring, additional samples shall be collected for analysis.

If you have any questions, please contact Sumadhu Arigala of my staff at (510)-286-0434.

Sincerely,
Loretta K. Barsamian
Executive Officer


Stephen I. Morse
Division Chief, Toxics

ENVIRONMENTAL
PROTECTION

96 DEC 17 PM 4: 07

cc: Barney Chan, ACDEH
1131 Harbor Bay Parkway, 2nd Floor
Alameda, CA 94502-6577



Our mission is to preserve and enhance the quality of California's water resources, and ensure their proper allocation and efficient use for the benefit of present and future generations.

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MAILING ADDRESS:
POST OFFICE BOX 2084
OAKLAND, CALIFORNIA 94604-2084

William D. Wick
Direct Dial: (510) 466-6842

August 30, 1996

VIA FACSIMILE and U.S. MAIL

Robert S. Creps, P.E.
Principal Engineer
PES Environmental, Inc.
1682 Novato Boulevard
Suite 100
Novato, CA 94947

Re: Kmart/4200 Alameda Avenue, Oakland, CA

Dear Rob:

Thank you for your August 23 letter in response to my June 11 letter requesting information for the site investigation being conducted by Erler & Kalinowski, Inc. (EKI) at 4200 Alameda Avenue.

EKI sought Kmart's answers to five specific questions relating to subsurface activities and conditions on the Kmart property. As you know, the subsurface at 4200 Alameda Avenue was thoroughly investigated to assure that all significant subsurface structures were detected and removed. Thus, we now have a complete picture of the subsurface at 4200 Avenue. However, we know nothing about the scope of site investigations and removal activities related to subsurface structures on the Kmart property. EKI has informed me that, aside from its utility for the site investigation, that information may be critically important in assessing the issue of the groundwater "mound," which assertedly occurs underneath the property border.

Unfortunately, your August 23 letter didn't provide the information EKI requested and needs. Three of the five questions were not addressed, and your response on the other two was unclear. EKI needs *any* information you have relating to these questions -- whether the original source is American National Can Company (ANC or ANCC), Kmart, or some other party. (For instance, "High Street Associates" may have generated relevant documents, although I assume that Kmart and ANC have those documents or access to them. We do not know who "High Street Associates" is, but our questions refer to whatever party or consultant performed subsurface work at what is now the Kmart site. Thus, when the question asked refers to "Kmart (or ANCC)," it includes *anyone* who may have investigated or removed or mapped subsurface piping or structures on what is now the Kmart property.)

I thought it would help if I set forth our original questions in bold, along with your August 23 response. I then identify the information we still need for each question.

Robert S. Creps, P.E.
August 30, 1996
Page 2

(1) Did Kmart (or ANCC) investigate whether there are any subsurface pipes, structures, sumps, etc. on the Kmart property? If so, would you please provide Andy with the results of your investigation (including any maps or other documents which show the locations of such piping)?

Kmart/ANC Response

In your letter, you said that "ANC and its consultants... **evaluated** potential contributions to subsurface water from utilities and structures on that site." (emphasis added).

Information Needed

You did not provide any documents relating to ANC's evaluation (or that of Kmart or High Street Associates or other parties). Please provide any documents (including maps or drawings showing the locations of subgrade structures) relating to the evaluation. If none exist, please tell us. What subsurface pipes, structures, sumps, etc. were encountered in your "evaluation"? Where were they located?

(2) Did Kmart (or ANCC) investigate water, sewer, and storm sewer piping and connections under its property? If so, would you please provide Andy with the results of your investigation (including any maps or other documents which show the locations of such piping)?

Kmart/ANC Response

In your letter, you said that ANC and its consultants "**evaluated** potential contributions to subsurface water from utilities and subsurface structures on that site." You also asserted that "there were no water releases," and that you "understand that ... all former water supply pipelines and sewer lines were cut at the property boundary and sealed off."

Information Needed

You did not provide any documents relating to ANC's evaluation (or that of Kmart or High Street Associates or other parties). Please provide any documents (including maps or drawings) relating to both past and present water, sewer, and storm sewer piping and connections. If you do not have the information, please tell us who has the information that formed your understanding about pipelines being cut and sealed.

(3) Did Kmart (or ANCC) remove any subgrade pipes, structures, etc. on its property? If so, would you please provide Andy with information regarding what was removed, when it was removed, and the location from which it was removed?

Kmart/ANC Response

No response was provided.

Information Needed

Please respond.

Robert S. Creps, P.E.
August 30, 1996
Page 3

(4) Please provide Andy with as-built drawings of Kmart's storm water drainage system.

Kmart/ANC Response

No response was provided.

Information Needed

Please respond.

(5) Please provide Andy with information about water piping and usage in Kmart's "green belt" at the border of the Kmart property and 4200 Alameda Avenue. How often is the soil watered? How much water is used?

Kmart/ANC Response

No response was provided.

Information Needed

Please respond.

As you may know, we have scheduled a meeting with staff from the Regional Board and the County for September 30 to discuss the site investigation at 4200 Alameda Avenue. EKI needs the basic information requested in our June 11 letter well in advance of that meeting to evaluate its implications for the site investigation. We believe it is in everyone's interests, including Kmart's and ANCC's, to proceed expeditiously with the site investigation at 4200 Alameda Avenue. Indeed, we are aware of the appeals Kmart and ANC have made to the County and the Regional Board to expedite the investigation at 4200 Alameda Avenue. To that end, we ask that you respond immediately by providing the information requested last June.

Sincerely,



William D. Wick

cc: Steve Morse
Sum Arigala
Barney Chan
David Bruegel
Pat Cafferty
Edward Alusow

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD

SAN FRANCISCO BAY REGION

2101 WEBSTER STREET, Suite 500

OAKLAND, CA 94612

Tel: (510) 286-1255

FAX: (510) 286-1380



Larry and Diane Webster
c/o Mr. Mike Webster
Amberwick Corporation
P. O. Box 92918
Long Beach, CA 90809-2918

August 23, 1996
File No.: 2223.09(SA)
SMS Case File

Ekotek, Inc.
c/o Mr. William Wick
Crosby, Heafey, Roach & May
1999 Harrison Street
Oakland, CA 94612-3573

RE: Former Ekotek Lube Site, 4200 Alameda Avenue, Oakland, Alameda County

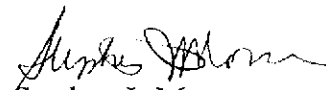
Dear Messrs. Webster and Wick:

My staff have received Mr. William Wick's letter, dated August 16, 1996, requesting a meeting on September 30, 1996, at 10:00 a.m., to present a risk assessment and proposal for future activities at the subject site. My staff and ACDEH staff are available for the requested meeting. We appreciate your efforts in conducting preliminary investigations, groundwater monitoring, and demolition/ excavation activities at the site over the past one year.

The risk assessment and proposal for future activities at the site was to be submitted by June 30, 1996. I understand unexpected delays during removal of the subsurface structures at the site have resulted in moving the submission date to September 30, 1996. While we acknowledge the unexpected delays, we urge you to adhere to the September 30, 1996 date. My staff are available to meet with you and/or your consultants, prior to September 30, 1996, to discuss the risk assessment and future plan for the site.

Please contact Sumadhu Arigala at (510)-286-0434, if you have any questions or comments.

Sincerely,
Loretta K. Barsamian
Executive Officer


Stephen I. Morse,
Chief, Toxics

CC: Barney Chan, ACDEH
1131 Harbor Bay Parkway, 2nd Floor
Alameda, CA 94502-6577

CROSBY, HEAFEY, ROACH & MAY

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DATE: August 20, 1996**To:**

RECIPIENT	FAX#	PHONE#
Barney Chan Alameda County Dept. of Environmental Health 1131 Harbor Bay Parkway, 2nd Flr. Alameda, CA 94502-6577	510/337-9335	510/567-6700

FROM:

ATTORNEY: WILLIAM D. WICK	ATTY NO.: 1031
SECRETARY: JANE COBLAN	ATTY DIRECT DIAL: 510-466-6842

FAX INFORMATION:

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William D. Wick
Direct Dial: (510) 468-6842

August 19, 1996

Via Fax and U.S. Mail

Robert S. Creps, P.E.
Principal Engineer
PES Environmental, Inc.
1682 Novato Boulevard
Suite 100
Novato, CA 94947

Re: Kmart Property and 4200 Alameda Avenue, Oakland, CA

Dear Rob:

EKI is now evaluating various site information in assessing what additional activities may be warranted at 4200 Alameda Avenue.

The information I requested in my letter of June 11 (and again in my follow-up letter a month ago) is among the information EKI will consider in its effort. Therefore, we would appreciate a response as soon as possible.

Sincerely,



William D. Wick

cc: Barney Chan
Sum Arigala
David Bruegel, Esq.

CROSBY, HEAFEY, ROACH & MAY

Professional Corporation
 1999 Harrison Street
 P.O. Box 2084
 Oakland, California 94604-2084
 Telephone: (510) 763-2000
 Facsimile: (510) 273-8832

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DATE: August 16, 1996

To:

RECIPIENT	FAX#	PHONE#
Barney Chan Alameda County Dept. of Environmental Health 1131 Harbor Bay Parkway, 2nd Flr. Alameda, CA 94502-6577	510/337-9335	510/567-6700

FROM:

ATTORNEY: WILLIAM D. WICK	ATTY No. 1031
SECRETARY: JANE COBIAN	ATTY DIRECT DIAL: 510-466-6842

FAX INFORMATION:

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MESSAGE:

Re: 4200 Alameda Avenue, Oakland, CA: 8/16/96 letter to Barney Chan from William Wick.

CROSBY, HEAFEY, ROACH & MAY

PROFESSIONAL CORPORATION

ATTORNEYS AT LAW

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FAX (415) 391-8268

Direct Dial (510) 466-6842

August 16, 1996

Via FaxMr. Barney Chan
Alameda County Department of Environmental Health
1131 Harbor Bay Parkway, 2nd Floor
Alameda, CA 94502-6577Re: 4200 Alameda Avenue
Proposed Schedule

Dear Mr. Chan:

I am writing, on behalf of the Websters and Ekotek, Inc., to request a meeting with you and Regional Board representatives on Monday, September 30, at 10:00 a.m. to present a risk assessment and proposals for future activities at this property.

As you know, all above and below-ground site structures at 4200 Alameda Avenue have now been removed and properly disposed, along with significant quantities of hazardous and non-hazardous liquid and solid waste. The Erler & Kalinowski, Inc. (EKI) reports on those activities were submitted to you on the date you requested, August 12 ("Groundwater Sampling Results from June 1996" and "Demolition and Excavation Report").

We have asked EKI to review all of the information generated to date (including, after we receive it, Kmart's response to questions we asked Kmart about activities on its property), in order to develop a risk assessment and recommendations for any further recommended monitoring,

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Mr. Barney Chan
August 16, 1996
Page 2

investigation, and remediation. We have asked EKI to complete these tasks so that the Websters and Ekotek, Inc. can meet with you and Regional Board representatives on September 30. At that time, EKI will submit and discuss its risk assessment report and its recommendations for future site activities.

It has been less than one year since Kmart approached the Websters and Ekotek with its urgent request to meet Kmart's timetable of early November, 1995, for dismantling the most visible tanks on the property at 4200 Alameda Avenue. As you know, Ekotek only operated the facility for a three-year period, and the Websters have never operated the facility; if they have any liability for releases from this historic facility, it is *de minimis*. Nevertheless, the Websters and Ekotek met Kmart's timetable for the first phase of demolition. Moreover, the Websters and Ekotek have now voluntarily completed the additional demolition, excavation, and removal activities requested by the County and Regional Board.

We look forward to meeting with you on September 30 to present our proposals for and discuss the final phase of site activities.

Sincerely,



William D. Wick

cc via facsimile: Sum Arigala

4052392

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July 18, 1996

Via Fax and U.S. Mail

Mr. Barney Chan
Alameda County Department of Environmental Health
1131 Harbor Bay Parkway, 2nd Floor
Alameda, CA 94502-6577

Re: 4200 Alameda Avenue, Oakland
SLIC #4808

Dear Mr. Chan:

Thank you for your letter of July 9 to Mike Webster (for Larry and Diane Webster, the current property owners) and me (for Ekotek, Inc., which owned the property from 1978 to 1983) regarding the recently-conducted tank and subsurface structure removal activities. (As you know, I represent Ekotek, but I have conferred with Mike Webster who indicates that the Websters join in this response.)

The removal activities have been completed. Underground storage tanks and other subsurface structures were removed. A survey to detect any additional subsurface structures was conducted, and additional subsurface structures detected were removed. Oil and waste materials were removed. The site has been compacted, graded, and paved. You requested a tank closure report and copies of manifests for waste removed (in your items #2 and #3), and we will provide that information by August 12.

Following completion of the removal activities, EKI performed semi-annual groundwater monitoring at the site (as requested in your February 8, 1996 letter). EKI is now preparing a report summarizing the results of this sampling. We will provide that report by August 12.

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Mr. Barney Chan
July 18, 1996
Page 2

As you know, we have coordinated with RUST on taking water level measurements in the monitoring wells on the Websters' property and the Kmart property. (RUST has been taking water level measurements on the Kmart property on behalf of the American National Can Company, for the former owner/operator of that property). RUST has compiled reports which include the measurements taken on both properties, which we assumed had already been provided to you by RUST. However, we will provide copies of those reports to you by August 12 (as you requested in item #1). To the best of our knowledge, no one has plotted contour maps.

In addition, we telefaxed a letter on June 11, 1996 to Rob Creps of PES, Kmart's consultant, requesting information about any surveys or removal of subgrade structures from its property, as well as its use of water in its "green belt" near the Websters' property. (A copy of that letter is attached.) This information should be useful in assessing the groundwater flow issues relating to the two properties. Mr. Creps has not yet responded, but we will provide that information as soon as we receive it.

In my letter of April 9, I indicated that if removal activities were completed by April 25, then we hoped to develop plans for "next steps" by June 30. As you know, removal activities were not actually completed until mid-June. Additional time was required to remove tanks and other subsurface structures discovered after I wrote the April 9 letter. In addition, because some excavated soil and debris had to be managed as hazardous waste, additional time was required to properly characterize, transport, and dispose of this waste.

As we discussed on the phone, we will not be able to discuss the next steps by August 12 (per your item #4, requesting a proposal and schedule for baseline risk assessment). EKI is evaluating analytical results of surface soil samples collected during removal activities, groundwater elevation measurements coordinated with RUST, and the results of the recently-completed semi-annual

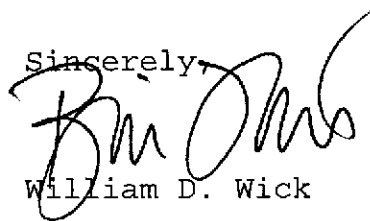
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PROFESSIONAL CORPORATION

Mr. Barney Chan
July 18, 1996
Page 3

groundwater monitoring event. In addition, as noted above, we are awaiting the information we have requested from Kmart about information relating to its property. I will contact you on August 12, at the time we submit all of the other requested information, to discuss the status of our efforts to develop plans for next steps.

Please call if you have any questions or concerns.

Sincerely,

A handwritten signature in black ink, appearing to read "Bill Wick", written over the word "Sincerely,".

William D. Wick

Enclosure
cc: Sum Arigala

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY



DAVID J. KEARS, Agency Director

July 9, 1996
SLIC # 4808

Mr. Mike Webster
Amberwick Corp.
P.O. Box 92918
Long Beach, CA 90809-2918

Mr. William Wick
Crosby, Heafey, Roach & May
1999 Harrison St.
Oakland CA 94612-3573

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

Re: Former Ekotek Lube Site, 4200 Alameda Ave., Oakland CA 94601

Dear Messers. Webster and Wick:

This letter requests submission of specific technical reports and an updated schedule for previously promised reports. Our office has been onsite and witnessed underground tank removals, subsurface structure removal and confirmatory soil sampling. The majority of waste material, particularly that contaminated with petroleum hydrocarbon has been removed from the site. It appears that only a small pile of non-hazardous waste remains on the southwest side of the site.

We are aware that co-ordinated groundwater monitoring with K Mart consultants occurred at the site in May of this year. Based on the amount of work which has occurred onsite and your 4/9/96 fax, our office requests the following items:

1. Please provide the co-ordinated monitoring well report for Ekotek and K Mart wells which shows groundwater gradient on both sites. You were requested previously to take quarterly groundwater elevations on your site until the gradient was established. Please provide these groundwater contour maps if this was done.
2. Please provide a tank closure report for the underground tanks and structures removed from the site. We are aware that one of the "underground tanks" originally thought to exist turned out to be a concrete sump and that another underground tank was found adjacent to the three original tanks.

Shallow soil samples were taken from within the former above ground tank area and additional "tanks" were also discovered during excavation of this area. Our office has received a May 9, 1996 fax copy of a partial report of activities, however, we request a hard copy of the **entire** excavation and removal activities. This should include at a minimum: a site map

Mssrs. Webster & Wick
Former Ekotek Lube
4200 Alameda Ave.
July 9, 1996
Page 2.

indicating sample location, tabulated analytical results, a summary of waste soil or liquids removed and disposed during the excavations, copies of tank and waste manifests and a brief narrative of site activities. Note that additional state "B" forms should be submitted for the additional tanks removed.

3. Please provide copies of manifests for the disposal of any hazardous or non-hazardous liquid or solid waste removed during non-tank removal activities.

4. Per your 4/9/96 fax to our office, we expected the following by June 30, 1996:

*** proposal to address further monitoring, further investigation and further remediation.**

Our office has yet to receive this referenced report. Your proposal should also address removal of any free product and give a schedule for a baseline risk assessment. This proposal should also include a time schedule for submitting a corrective action plan.

Please provide the items requested **within 30 days or by August 12, 1996**. Please contact me at (510) 567-6765 if you have any questions.

Sincerely,



Barney M. Chan
Hazardous Materials Specialist

c: G. Jensen, Alameda County District Attorney Office
S. Arigala, RWQCB
Mr. A. Safford, Erler & Kalinowski, Inc., 1730 So. Amphlett
Blvd., Suite 320, San Mateo, CA 94402
Mr. Jeff Chew, City of Oakland, 1333 Broadway, Oakland 94612
Mr. A. Clark-Clough, City of Oakland, Office of Public Works,
1333 Broadway, 3rd Floor, Oakland 94612
Ms. Vivian O'Neal, Deputy City Attorney, City of Oakland, One
City Hall Plaza, Oakland CA 94612
Mr. David Bruegel, Dickinson, Wright, et al, 525 North
Woodward Ave., P.O. Box 509, Bloomfield Hills, MI 48303-
0509
Mr. L. Griffin, City of Oakland, OES, 1605 Martin Luther King
Dr., Oakland 94612
G. Coleman, files repEkotek

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William D. Wick
Direct Dial: (510) 466-6842

June 11, 1996

VIA FACSIMILE and U.S. MAIL

Robert S. Creps, P.E.
Principal Engineer
PES Environmental, Inc.
1682 Novato Boulevard
Suite 100
Novato, CA 94947

Re: Kmart Property and 4200 Alameda Avenue, Oakland, CA

Dear Rob:

In response to your letter of May 24, I want to briefly summarize the status of site activities in general and then discuss in greater detail the water level issue you inquired about.

First, I want to summarize the status of site activities at 4200 Alameda Avenue. We don't have any formal "schedule." The Websters and Ekotek, Inc. are simply proceeding as expeditiously as possible. As you know, proposed activities often are dependent on the completion of preceding activities, and thus require timing flexibility in implementation. As Andy Safford discussed with you, the demolition work has been completed, and we anticipate that the paving of the site will begin soon. We plan to perform the semi-annual groundwater monitoring within the next month. We anticipate submitting a plan for future site activities after mid-August. The plan will include a description of past site activities. We will provide you with a copy of that plan after it is completed.

Second, with respect to the investigation relating to groundwater levels in the area of the Kmart property and 4200 Alameda Avenue, we have taken two monthly water level measurements on 4200 Alameda Avenue, and we plan to continue doing so on a monthly basis for the next year. We will be prepared to exchange water level data with RUST. We will notify RUST regarding the timing of our water level measurements so RUST may take simultaneous water level measurements on the Kmart property.

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PROFESSIONAL CORPORATION

Robert S. Creps, P.E.
June 11, 1996
Page 2

In addition to taking water level measurements, we have addressed the complex issues relating to groundwater beneath the two properties by comprehensively investigating the existence of below-grade piping and structures at 4200 Alameda Avenue. We removed and capped EBMUD water pipes and thoroughly investigated (via use of electronic line locators and resistivity instruments) and removed below-grade structures at 4200 Alameda Avenue. I assume that Kmart (or ANCC, or the developer, or perhaps some third party) undertook similar efforts on the Kmart property prior to development, but we don't have any information about the scope of your investigation and removal activities. In order to assemble as much information as possible which may be relevant to the complex water level issue, we ask that you please provide Andy Safford of EKI with the following information:

- (1) Any reports relating to the investigation of any subsurface pipes, structures, sumps, etc. on the Kmart property (including any maps or other documents which show the locations of such piping).
- (2) Any reports relating to the investigation of water, sewer, and storm sewer piping and connections under the Kmart property (including any maps or other documents which show the locations of such piping and connections).
- (3) Any reports relating to the removal of any subgrade pipes, structures, etc. on the Kmart property (indicating what was removed, when it was removed, and the location from which it was removed).
- (4) Grading plans for the Kmart site and as-built drawings of Kmart's storm water drainage system.
- (5) Information about Kmart's water piping and usage in Kmart's "green belt" at the border of the Kmart property and 4200 Alameda Avenue (addressing how often the soil is watered, how much water is used, etc.)

We will appreciate your prompt response to these questions. Please call if you have any questions.

Sincerely,



William D. Wick

cc: David Bruegel, Esq.

May 24, 1996
SLIC StID #4808

Mr. Andy Safford
Erler & Kalinowski
1730 So. Amphlett Blvd., Suite 320
San Mateo, CA 94402

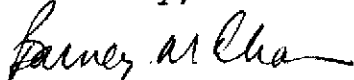
**Re: Reuse of Stockpile Soil Pile No. 2 at 4200 Alameda Ave,
Oakland CA 94601, former Ekotek Lube**

Dear Mr. Safford:

I have reviewed the analytical results of stockpile #2 faxed to our office on Wednesday, May 22, 1996. Based on these results, it appears that this material is not substantially different from the other soils at the site, therefore, you may reuse it on site prior to resurfacing activities. Please send a copy of the entire analytical data for this sample in your future reports.

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

Sincerely,



Barney M. Chan

fax copy sent, no hard copy to follow.
c: files only

white -env.health
yellow -facility
pink -files

ALAMEDA COUNTY, DEPARTMENT OF
ENVIRONMENTAL HEALTH
Hazardous Materials Inspection Form

1131 Harbor Bay Pkwy
Alameda CA 94502
510/567-6700

II, III

Site ID # _____ Site Name Ekoteh Today's Date 5/2/96

Site Address 4200 Alameda Ave

City Oak Zip 94601 Phone _____

____ MAX AMT stored > 500 lbs, 55 gal., 200 cft.?

Inspection Categories:

- ____ I. Haz. Mat/Waste GENERATOR/TRANSPORTER
____ II. Hazardous Materials Business Plan, Acutely Hazardous Materials
____ III. Under ground Storage Tanks

* Calif. Administration Code (CAC) or the Health & Safety Code (HS&C)

Comments:

Onsite to observe new conditions where:
1) 1 additional S.W. Steel UST \approx 1000 gal
found in area of AGT farm
2) Observe other \sim 5-6 areas where metal detectors
found signals. Mostly concrete/ rebar,
sheet metal, metal piping and metal casing
in these areas.
Near the knot boundary - a \sim 14" deep \sim 10"
hole was found w/ \sim 4" of metal casing around it.
In this hole was brown water w/ oily sheen.
This water will be pumped + added to the water
w/ the 1000 gal tank pit. (The UST was full of
water/oily water + sludge.
- will sample beneath the tank after the water is removed.

Contact _____

Title _____

Signature _____

Inspector _____

Signature _____

II, III

white -env.health
yellow -facility
pink -files

ALAMEDA COUNTY, DEPARTMENT OF
ENVIRONMENTAL HEALTH
Hazardous Materials Inspection Form

1131 Harbor Bay Pkwy
Alameda CA 94502
510/567-6700

II, III

Site ID # _____ Site Name Ekotek Lube Today's Date 5/1/96
Site Address 4200 Alameda Ave
City _____ Zip 94601 Phone _____

____ MAX AMT stored > 500 lbs, 55 gal., 200 cft.?

Inspection Categories:

- ____ I. Haz. Mat/Waste GENERATOR/TRANSPORTER
____ II. Hazardous Materials Business Plan, Acutely Hazardous Materials
____ III. Under ground Storage Tanks

* Calif. Administration Code (CAC) or the Health & Safety Code (HS&C)

Comments:

- Tom - RSI contractor, Debra Hart - Ethk spler
Witness soil sampling beneath above ground tank
area where oily water & concrete discovered.
• One soil sple taken beneath this area ~6-7' BGS
moist, odorous soil.
• one additional ^{soil} sample taken beneath area where
a small container found. Water in pit.
• Sp w/ Water Board Ravi + Sam for advice
• Will have to deal w/ concrete + oily water. Can
surface at their own risk
• Sp w/ A. Safford of Ethk, said they'd run all waste and
parameters on the 2 soil sple

Contact _____
Title _____
Signature _____

Inspector B Chen
Signature _____

II, III

CROSBY, HEAFEY, ROACH & MAY

Professional Corporation
 1999 Harrison Street
 P.O. Box 2084
 Oakland, California 94604-2084
 Telephone: (510) 763-2000
 Facsimile: (510) 273-8832

FAX TRANSMISSION

THE INFORMATION CONTAINED IN THIS FACSIMILE IS CONFIDENTIAL AND MAY ALSO CONTAIN PRIVILEGED ATTORNEY-CLIENT INFORMATION OR WORK PRODUCT. THE INFORMATION IS INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY TO WHOM IT IS ADDRESSED. IF YOU ARE NOT THE INTENDED RECIPIENT, OR THE EMPLOYEE OR AGENT RESPONSIBLE TO DELIVER IT TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY USE, DISSEMINATION, DISTRIBUTION OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THE FACSIMILE IN ERROR, PLEASE IMMEDIATELY NOTIFY US BY TELEPHONE, AND RETURN THE ORIGINAL MESSAGE TO US AT THE ADDRESS ABOVE VIA THE U.S. POSTAL SERVICE. THANK YOU.

DATE: April 26, 1996

TO:

RECIPIENT	Fax#	PHONE#
Barney Chan Alameda County Dept. of Environmental Health 1131 Harbor Bay Parkway, 2nd Flr. Alameda, CA 94502-6577	510/567-6700	510/337-9335

FROM:

ATTORNEY: WILLIAM D. WICK	ATTY NO.: 1031
SECRETARY: JANE COBIAN	ATTY DIRECT DIAL: 510-466-6842

FAX INFORMATION:

NO. OF PAGES (INCLUDING COVER):	OUR FILE NO.: 18920.00010	ORIGINAL TO FOLLOW x NO ORIGINAL TO FOLLOW
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IF YOU DO NOT RECEIVE ALL OF THE PAGES, PLEASE CALL US AT 510-466-6842

MESSAGE:

Re: 4200 Alameda Avenue, Oakland, CA: 4/26/96 letter to Barney Chan from William Wick

CROSBY, HEAFEY, ROACH & MAY

PROFESSIONAL CORPORATION

ATTORNEYS AT LAW

1999 HARRISON STREET

OAKLAND, CALIFORNIA 94612-3573

(510) 763-2000 • (415) 986-3400

FAX (510) 273-8832

700 SOUTH FLOWER STREET, SUITE 2200
LOS ANGELES, CALIFORNIA 90017
(213) 896-8000
FAX (213) 896-8080

333 BUSH STREET, SUITE 2580
SAN FRANCISCO, CALIFORNIA 94104-2899
(415) 543-8700
FAX (415) 391-8289

MAILING ADDRESS:

POST OFFICE BOX 2084

OAKLAND, CALIFORNIA 94604-2084

Direct Dial (510) 466-6842

April 26, 1996

Via Fax

Mr. Barney Chan
Alameda County Department of Environmental Health
1131 Harbor Bay Parkway, 2nd Floor
Alameda, CA 94502-6577

Re: 4200 Alameda Avenue, Oakland
Site Activities Schedule

Dear Barney:

In my April 9 letter, I indicated that the demolition and the offsite sampling report were likely to be completed by April 25.

As you know, the demolition is nearing completion, but is continuing and is likely to continue for a week or so. Because EKI has been involved in a number of the demolition activities, the demolition completion delay has also delayed the completion of the offsite sampling report. We anticipate only a short delay of perhaps two weeks (May 9) or less.

Please call if you have any questions or concerns.

Sincerely,


William D. Wick

CROSBY, HEAFEY, ROACH & MAY

Professional Corporation
 1999 Harrison Street
 P.O. Box 2084
 Oakland, California 94604-2084
 Telephone: (510) 763-2000
 Facsimile: (510) 273-8832

FAX TRANSMISSION

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DATE: April 9, 1996

To:

RECIPIENT	FAX#	PHONE#
Barney Chan Alameda County Dept. of Environmental Health 1131 Harbor Bay Parkway, 2nd Flr. Alameda, CA 94502-6577	510/567-6700	510/337-9335

FROM:

ATTORNEY: WILLIAM D. WICK	ATTY NO.: 1031
SECRETARY: JANE COBIAN	ATTY DIRECT DIAL: 510-466-6842

FAX INFORMATION:

No. OF PAGES (INCLUDING COVER):	OUR FILE NO.: 18920.00010	ORIGINAL TO FOLLOW x NO ORIGINAL TO FOLLOW
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IF YOU DO NOT RECEIVE ALL OF THE PAGES, PLEASE CALL US AT 510-466-6842

MESSAGE:

4/9/96 letter to Barney Chan, signed by Bill Wick and Mike Webster.

CROSBY, HEAFEY, ROACH & MAY

PROFESSIONAL CORPORATION

ATTORNEYS AT LAW

1999 HARRISON STREET

OAKLAND, CALIFORNIA 94612-3573

(510) 753-2000 • (415) 986-3400

FAX (510) 273-8838

700 SOUTH FLOWER STREET, SUITE 2200

LOS ANGELES, CALIFORNIA 90017

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FAX (415) 391-8289

MAILING ADDRESS:

POST OFFICE BOX 2084

OAKLAND, CALIFORNIA 94604-2084

Direct Dial (510) 466-6842

April 9, 1996

Via Fax

Mr. Barney Chan
Alameda County Department of Environmental Health
1131 Harbor Bay Parkway, 2nd Floor
Alameda, CA 94502-6577

Re: 4200 Alameda Avenue, Oakland
Site Activities Schedule

Dear Barney:

As you know, Larry and Diane Webster, the current owners of the property at 4200 Alameda Avenue in Oakland and our client Ekotek, Inc., the owner of the property from 1978 to 1983, have been performing a number of environmental investigation and demolition activities at the property. While we will continue to keep you informed by telephone of the ongoing activities and schedules, I thought it would be useful to provide our current anticipated schedule in writing.

As you know, the Preliminary Soil and Groundwater Investigation was completed. In addition, demolition of most of the above-grade structures was completed last year as well.

The remainder of the demolition, the removal of asbestos, subgrade piping and equipment, and the removal of underground tanks is now in process, and based on progress to date is likely to be completed by April 25.

The soil and groundwater sampling for the offsite sampling effort has been completed, and we anticipate that EKI's report on the offsite sampling should be completed by April 25.

CROSBY, HEAFEY, ROACH & MAY
PROFESSIONAL CORPORATION

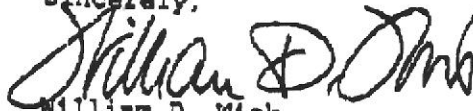
Mr. Barney Chan
April 9, 1996
Page 2

After completion of the demolition activities, EKI will perform the semi-annual sampling you requested this year of the five groundwater monitoring wells on the site. We anticipate that EKI's report on the semi-annual monitoring event should be ready by May 24.

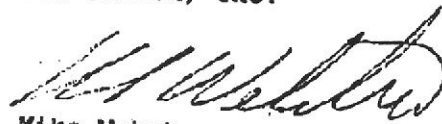
After EKI has analyzed the offsite sampling report, reviewed the results of the completed demolition and subgrade piping removal, and considered the report of the semi-annual monitoring event, EKI will begin to prepare a proposal to address any further monitoring, any further investigation, and any further remediation. If the completion dates for the preceding events remain on schedule or close to schedule, we anticipate that the proposal would be completed and submitted to you for your review by June 30.

Please call if you have any questions or concerns.

Sincerely,



William D. Wick
Crosby, Heafey, Roach & May
For Ekotek, Inc.



Mike Webster
For Larry and Diane Webster

cc: Sum Arigala

*Joint monitoring w/
K Mart property
collected in May 96.*

FAX--
9 APR 96 10:29

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yellow -facility
pink -files

ALAMEDA COUNTY, DEPARTMENT OF ENVIRONMENTAL HEALTH

1131 Harbor Bay Pkwy
Alameda CA 94502
510/567-6700

Hazardous Materials Inspection Form

II, III

Site ID # _____ Site Name Ekolett Lube Today's Date 4/9/96
Site Address 4200 Alameda Ave
City _____ Zip 94601 Phone _____

_____ MAX AMT stored > 500 lbs, 55 gal., 200 cft.?

Inspection Categories:

- _____ I. Haz. Mat/Waste GENERATOR/TRANSPORTER
- _____ II. Hazardous Materials Business Plan, Acutely Hazardous Materials
- _____ III. Under ground Storage Tanks

* Calif. Administration Code (CAC) or the Health & Safety Code (HS&C)

Comments:

The 6k tank had its end cut off -
material will be dumped in the concrete pump for haz waste disposal
Tank is scheduled for removal on 4/15/96 site +
CEO - Leroy Orfitt present, Tom - RSI project mgr
Orfitt being monitored during cutting - debris being added to tank
- The 2 towers have been knocked down + are lying on their sides - Small amt of simulation around base of tanks
Was informed 3 subsurface vaults exist on site ~8' deep
1 in the tank farm area, 1 next to building + 1 near the holder's pump
- floating oil observed in the tank farm area

Contact _____
Title _____
Signature _____

Inspector B. Chen
Signature _____

II, III

white - env. health
yellow - facility
pink - files

ALAMEDA COUNTY, DEPARTMENT OF ENVIRONMENTAL HEALTH

Hazardous Materials Inspection Form

1131 Harbor Bay Pkwy
Alameda CA 94502
510/567-6700

II, III

Site ID # _____ Site Name Ekotek Lube Today's Date 4/3/96
Site Address 4200 Alameda Ave
City Oak Zip 94601 Phone _____

____ MAX AMT stored > 500 lbs, 55 gal., 200 cft.?

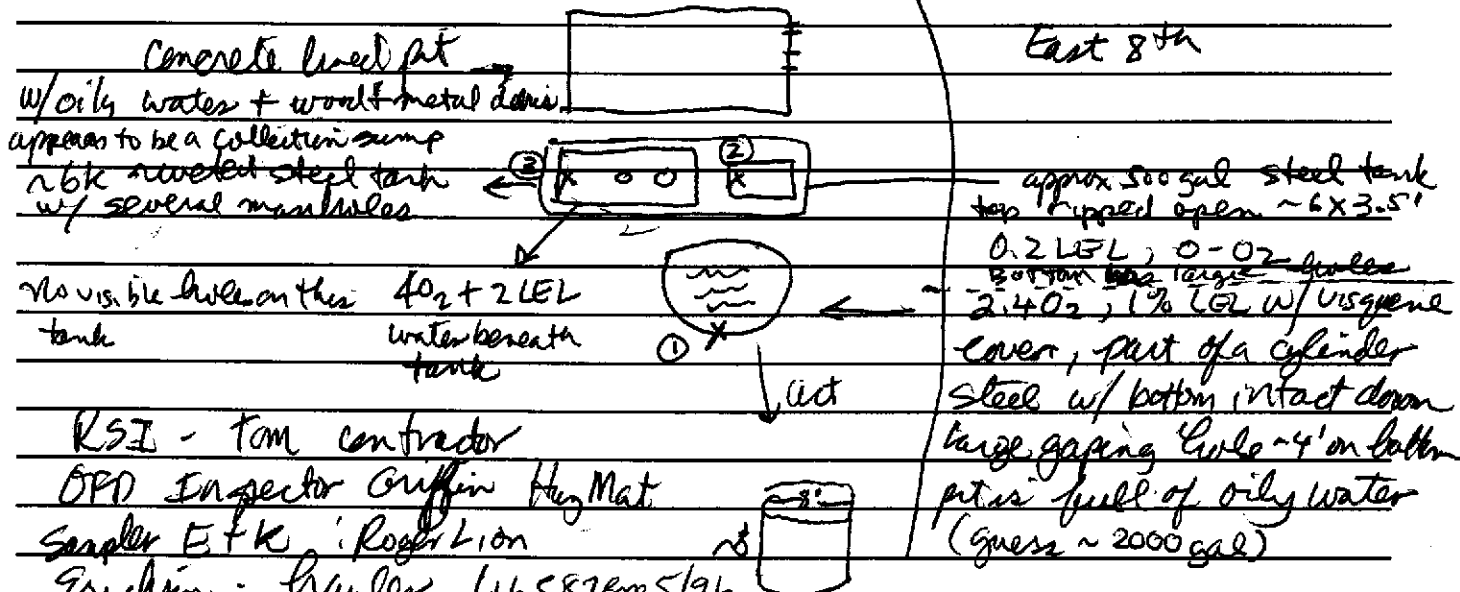
Inspection Categories:

- ____ I. Haz. Mat/Waste GENERATOR/TRANSPORTER
- ____ II. Hazardous Materials Business Plan, Acutely Hazardous Materials
- III. Under ground Storage Tanks Removals

* Calif. Administration Code (CAC) or the Health & Safety Code (HS&C)

Comments:

knart parking



Concrete lined pit
w/oily water + wood metal debris
appears to be a collection sump
nbk covered steel tank
w/ several manholes

No visible holes on this 402+2LEL
tank
water beneath tank

East 8th
approx 500 gal steel tank
top ripped open ~6x3.5'
0.2 LEL; 0-02 holes
bottom has large
2.402; 1% LEL w/ viscous
cover, part of a cylinder
steel w/ bottom intact down
large gaping hole ~4' on bottom
pit is full of oily water
(guess ~2000 gal)

RSI - Tom contractor
OPD Inspector Griffin HigMat
Sampler EFK; Roger Lion
Erchain - hauler 616 587 5196

- 6k tank will be removed from the pit + its bottom cut out to remove sludge prior to disposal. Ordered by Inspector Griffin
- soil spl (1) from (S) end of partial tank at soil/water interface
oily, moist & odorous

- soil spl (2) from east end of 500 gal tank just above water

Contact Roger Lion to DEBART
Title FIELD SCIENTIST
Signature [Signature]

Inspector B. Chan
Signature [Signature]

- soil spl (3) from west end of 6k tank, just above cur
spl collected @ ~ 3 1/2 - 4' bs

II, III

KSI Remedial Solutions, Inc.

MONTH MARCH / APRIL

#1156 AMBERWICK / EKI

ENVIRONMENTAL CONTRACTORS
MONTHLY PLAN CALENDAR

DATE REVISED _____

DISTRIBUTION _____

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	TOTAL
	MARCH 18	19	20	21	22		
		MOBILIZATION TO SITE PICTURES, SAOBT EXISTING GRADES	CLEAR BLDGS. FOR ABESTOS REMOVAL CLEAR SITE OF DEBRIS				
	25	26	27	28	29		
	SECURE ALL UTILITIES ABESTOS REMOVAL PREP FOR DEMO		START ABOVE GROUND STRUCTURE DEMO	TANK REMOVAL			
	APRIL 1	2	3	4	5		
	START SUB GRADE DEMO			NEW FEASE + REPAIRS			
	COMPLETE ABOVE GROUND STRUCTURE DEMO			START SITE PREP FOR A.C.			
	8	9	10	11	12		
	FINISH PREP FOR A.C.		ASPHALT SITE				
	15	16	17	18	19		

white -env. health
yellow -facility
pink -files

ALAMEDA COUNTY, DEPARTMENT OF
ENVIRONMENTAL HEALTH
Hazardous Materials Inspection Form

1131 Harbor Bay Pkwy
Alameda CA 94502
510/567-6700

II, III

Site ID # _____ Site Name Skated Luke Today's Date 4/3/96
Site Address 4200 Alameda Ave
City _____ Zip 94601 Phone _____

____ MAX AMT stored > 500 lbs, 55 gal., 200 cft.?

Inspection Categories:

- ____ I. Haz. Mat/Waste GENERATOR/TRANSPORTER
____ II. Hazardous Materials Business Plan, Acutely Hazardous Materials
 III. Under ground Storage Tanks

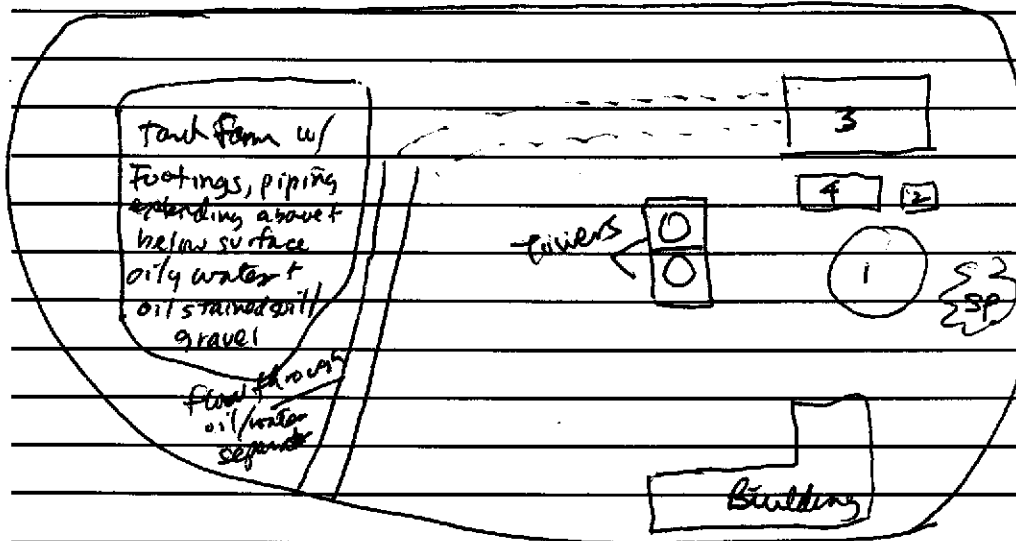
P2

* Calif. Administration Code (CAC) or the Health & Safety Code (HS&C)

Comments:

ROUGH DRAFT.

A
N



- Tanks 1 + 2 taken by Enckson
- Tank 4, to be cut + taken by Enckson in the future
- Pit (Sump 4) to be demo + taken @ HW West

Please soil spls for waste oil parameters - TPH, d, m, BTEX, CHE (810), VOC's (8240), Semivolatiles (8270) + metals: Cd, Cr, Pb, Ni + Zn.

Contact Roger D. Lion for DEB HART
Title FIELD SCIENTIST
Signature [Signature]

Inspector B. Chan
Signature [Signature]

II, III

Erler & Kalinowski, Inc.

Consulting Engineers and Scientists

1730 So. Amphlett Blvd., Suite 320
San Mateo, California 94402
(415) 578-1172
Fax (415) 578-9131

FACSIMILE TRANSMISSION COVER SHEET

PLEASE DELIVER IMMEDIATELY

HARD COPY IN THE MAIL

DATE: 25-Mar-96 FROM: Andy Safford
TO: Barney Chan PROJECT: 4200 Alameda Avenue
FIRM NAME: Alameda County Health PROJECT NO: 930040.00
TELECOPIER NUMBER OF ADDRESSEE: (510) 337-9335
TOTAL NUMBER OF PAGES TRANSMITTED W/COVER SHEET: 2

REPORT

AS REQUESTED

LETTER/MEMORANDUM

FOR APPROVAL

SPECIFICATIONS:

FOR REVIEW & COMMENTS

OTHER:

FOR INFORMATION & COORDINATION

DESCRIPTION: _____

REMARKS: Barney -- Attached is the schedule for performing demolition and excavation activities at the 4200 Alameda Avenue site in Oakland, California. This schedule was developed by Remedial Solutions, Inc. ("RSI"). RSI is the contractor selected to perform this work at the site. Please call if you have questions.

FOR VOICE CONTACT CALL: (415) 578-1172
FOR RETURN FACSIMILE CALL: (415) 578-9131

STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD
UNDERGROUND STORAGE TANK PERMIT APPLICATION - FORM A



COMPLETE THIS FORM FOR EACH FACILITY/SITE

MARK ONLY ONE ITEM	<input type="checkbox"/> 1 NEW PERMIT	<input type="checkbox"/> 3 RENEWAL PERMIT	<input type="checkbox"/> 5 CHANGE OF INFORMATION	<input type="checkbox"/> 7 PERMANENTLY CLOSED SITE
	<input type="checkbox"/> 2 INTERIM PERMIT	<input type="checkbox"/> 4 AMENDED PERMIT	<input type="checkbox"/> 6 TEMPORARY SITE CLOSURE	

I. FACILITY/SITE INFORMATION & ADDRESS - (MUST BE COMPLETED)

DBA OR FACILITY NAME EKOTEK		NAME OF OPERATOR N/A		
ADDRESS 4200 ALAMEDA AVE.		NEAREST CROSS STREET E. 8TH	PARCEL # (OPTIONAL)	
CITY NAME OAKLAND		STATE CA	ZIP CODE	SITE PHONE # WITH AREA CODE NONE
<input checked="" type="checkbox"/> BOX TO INDICATE <input checked="" type="checkbox"/> CORPORATION <input type="checkbox"/> INDIVIDUAL <input type="checkbox"/> PARTNERSHIP <input type="checkbox"/> LOCAL-AGENCY DISTRICTS* <input type="checkbox"/> COUNTY-AGENCY* <input type="checkbox"/> STATE-AGENCY* <input type="checkbox"/> FEDERAL-AGENCY*				
* If owner of UST is a public agency, complete the following: name of Supervisor of division, section, or office which operates the UST _____				
TYPE OF BUSINESS		<input type="checkbox"/> 1 GAS STATION	<input type="checkbox"/> 2 DISTRIBUTOR	<input type="checkbox"/> 3 RENEWAL PERMIT
		<input type="checkbox"/> 3 FARM	<input type="checkbox"/> 4 PROCESSOR	<input checked="" type="checkbox"/> 5 OTHER
		<input type="checkbox"/> IF INDIAN RESERVATION OR TRUST LANDS	# OF TANKS AT SITE 3	E. P. A. I. D. # (optional) CAT0006134 22

EMERGENCY CONTACT PERSON (PRIMARY)

EMERGENCY CONTACT PERSON (SECONDARY) - optional

DAYS: NAME (LAST, FIRST) WEBSTER MIKE		PHONE # WITH AREA CODE 310-426-6503		DAYS: NAME (LAST, FIRST)		PHONE # WITH AREA CODE	
NIGHTS: NAME (LAST, FIRST) WEBSTER MIKE		PHONE # WITH AREA CODE 714-848-1125		NIGHTS: NAME (LAST, FIRST)		PHONE # WITH AREA CODE	

II. PROPERTY OWNER INFORMATION - (MUST BE COMPLETED)

NAME INTERCOASTAL OIL		CARE OF ADDRESS INFORMATION		
MAILING OR STREET ADDRESS P.O. Box 92918		<input checked="" type="checkbox"/> box to indicate <input type="checkbox"/> INDIVIDUAL <input type="checkbox"/> LOCAL-AGENCY <input type="checkbox"/> STATE-AGENCY <input checked="" type="checkbox"/> CORPORATION <input type="checkbox"/> PARTNERSHIP <input type="checkbox"/> COUNTY-AGENCY <input type="checkbox"/> FEDERAL-AGENCY		
CITY NAME LONG BEACH		STATE CA	ZIP CODE 90809	PHONE # WITH AREA CODE 310-595-5503

III. TANK OWNER INFORMATION - (MUST BE COMPLETED)

NAME OF OWNER INTERCOASTAL OIL		CARE OF ADDRESS INFORMATION		
MAILING OR STREET ADDRESS P.O. Box 92918		<input checked="" type="checkbox"/> box to indicate <input type="checkbox"/> INDIVIDUAL <input type="checkbox"/> LOCAL-AGENCY <input type="checkbox"/> STATE-AGENCY <input checked="" type="checkbox"/> CORPORATION <input type="checkbox"/> PARTNERSHIP <input type="checkbox"/> COUNTY-AGENCY <input type="checkbox"/> FEDERAL-AGENCY		
CITY NAME L.B.		STATE CA	ZIP CODE 90809	PHONE # WITH AREA CODE 310-595-5503

IV. BOARD OF EQUALIZATION UST STORAGE FEE ACCOUNT NUMBER - Call (916) 322-9669 if questions arise.

TY (TK) HQ **44-**

V. PETROLEUM UST FINANCIAL RESPONSIBILITY - (MUST BE COMPLETED) - IDENTIFY THE METHOD(S) USED

<input checked="" type="checkbox"/> box to indicate	<input type="checkbox"/> 1 SELF-INSURED	<input type="checkbox"/> 2 GUARANTEE	<input type="checkbox"/> 3 INSURANCE	<input type="checkbox"/> 4 SURETY BOND
	<input type="checkbox"/> 5 LETTER OF CREDIT	<input type="checkbox"/> 6 EXEMPTION	<input checked="" type="checkbox"/> 99 OTHER	

VI. LEGAL NOTIFICATION AND BILLING ADDRESS

Legal notification and billing will be sent to the tank owner unless box I or II is checked.

CHECK ONE BOX INDICATING WHICH ABOVE ADDRESS SHOULD BE USED FOR LEGAL NOTIFICATIONS AND BILLING: I. II. III.

THIS FORM HAS BEEN COMPLETED UNDER PENALTY OF PERJURY, AND TO THE BEST OF MY KNOWLEDGE, IS TRUE AND CORRECT

OWNER'S NAME (PRINTED & SIGNED) Mike Webster	OWNER'S TITLE V.P.	DATE MONTH/DAY/YEAR 3-20-96
--	------------------------------	---------------------------------------

LOCAL AGENCY USE ONLY

COUNTY # <input type="checkbox"/> <input type="checkbox"/>	JURISDICTION # <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	FACILITY # <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
LOCATION CODE - OPTIONAL	CENSUS TRACT # - OPTIONAL	SUPVISOR - DISTRICT CODE - OPTIONAL

THIS FORM MUST BE ACCOMPANIED BY AT LEAST (1) OR MORE PERMIT APPLICATION - FORM B, UNLESS THIS IS A CHANGE OF SITE INFORMATION ONLY.
OWNER MUST FILE THIS FORM WITH THE LOCAL AGENCY IMPLEMENTING THE UNDERGROUND STORAGE TANK REGULATIONS

STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD
UNDERGROUND STORAGE TANK PERMIT APPLICATION - FORM B



COMPLETE A SEPARATE FORM FOR EACH TANK SYSTEM.

MARK ONLY ONE ITEM	<input type="checkbox"/> 1 NEW PERMIT	<input type="checkbox"/> 3 RENEWAL PERMIT	<input type="checkbox"/> 5 CHANGE OF INFORMATION	<input type="checkbox"/> 7 PERMANENTLY CLOSED ON SITE
	<input type="checkbox"/> 2 INTERIM PERMIT	<input type="checkbox"/> 4 AMENDED PERMIT	<input type="checkbox"/> 6 TEMPORARY TANK CLOSURE	<input checked="" type="checkbox"/> 8 TANK REMOVED

DBA OR FACILITY NAME WHERE TANK IS INSTALLED: ?

I. TANK DESCRIPTION COMPLETE ALL ITEMS - SPECIFY IF UNKNOWN

A. OWNER'S TANK I.D.# <u>01</u>	B. MANUFACTURED BY: <u>UNKNOWN</u>
C. DATE INSTALLED (MO/DAY/YEAR) <u>UNKNOWN</u>	D. TANK CAPACITY IN GALLONS: <u>UNKNOWN</u>

II. TANK CONTENTS IF A-1 IS MARKED, COMPLETE ITEM C.

A. <input type="checkbox"/> 1 MOTOR VEHICLE FUEL	<input checked="" type="checkbox"/> 4 OIL	B. <input type="checkbox"/> 1 PRODUCT	C. <input type="checkbox"/> 1a REGULAR UNLEADED	<input type="checkbox"/> 3 DIESEL	<input type="checkbox"/> 6 AVIATION GAS
<input type="checkbox"/> 2 PETROLEUM	<input type="checkbox"/> 80 EMPTY	<input checked="" type="checkbox"/> 2 WASTE	<input type="checkbox"/> 1b PREMIUM UNLEADED	<input type="checkbox"/> 4 GASAHOL	<input type="checkbox"/> 7 METHANOL
<input type="checkbox"/> 3 CHEMICAL PRODUCT	<input type="checkbox"/> 95 UNKNOWN		<input type="checkbox"/> 2 LEADED	<input checked="" type="checkbox"/> 99 OTHER (DESCRIBE IN ITEM D. BELOW)	

D. IF (A.1) IS NOT MARKED, ENTER NAME OF SUBSTANCE STORED _____ C. A. S. #: _____

III. TANK CONSTRUCTION MARK ONE ITEM ONLY IN BOXES A, B, AND C, AND ALL THAT APPLIES IN BOX D AND E

A. TYPE OF SYSTEM	<input type="checkbox"/> 1 DOUBLE WALL	<input type="checkbox"/> 3 SINGLE WALL WITH EXTERIOR LINER	<input checked="" type="checkbox"/> 95 UNKNOWN
	<input type="checkbox"/> 2 SINGLE WALL	<input type="checkbox"/> 4 SECONDARY CONTAINMENT (VAULTED TANK)	<input type="checkbox"/> 99 OTHER
B. TANK MATERIAL (Primary Tank)	<input type="checkbox"/> 1 BARE STEEL	<input type="checkbox"/> 2 STAINLESS STEEL	<input type="checkbox"/> 3 FIBERGLASS
	<input checked="" type="checkbox"/> 5 CONCRETE	<input type="checkbox"/> 6 POLYVINYL CHLORIDE	<input type="checkbox"/> 7 ALUMINUM
	<input type="checkbox"/> 9 BRONZE	<input type="checkbox"/> 10 GALVANIZED STEEL	<input type="checkbox"/> 95 UNKNOWN
			<input type="checkbox"/> 99 OTHER
C. INTERIOR LINING	<input type="checkbox"/> 1 RUBBER LINED	<input type="checkbox"/> 2 ALKYD LINING	<input type="checkbox"/> 3 EPOXY LINING
	<input type="checkbox"/> 5 GLASS LINING	<input type="checkbox"/> 6 UNLINED	<input checked="" type="checkbox"/> 95 UNKNOWN
			<input type="checkbox"/> 4 PHENOLIC LINING
			<input type="checkbox"/> 99 OTHER
	IS LINING MATERIAL COMPATIBLE WITH 100% METHANOL? YES ___ NO ___		
D. CORROSION PROTECTION	<input type="checkbox"/> 1 POLYETHYLENE WRAP	<input type="checkbox"/> 2 COATING	<input type="checkbox"/> 3 VINYL WRAP
	<input type="checkbox"/> 5 CATHODIC PROTECTION	<input type="checkbox"/> 91 NONE	<input checked="" type="checkbox"/> 95 UNKNOWN
			<input type="checkbox"/> 4 FIBERGLASS REINFORCED PLASTIC
			<input type="checkbox"/> 99 OTHER
E. SPILL AND OVERFILL	SPILL CONTAINMENT INSTALLED (YEAR) <u>N/A</u>		OVERFILL PREVENTION EQUIPMENT INSTALLED (YEAR) <u>N/A</u>

IV. PIPING INFORMATION CIRCLE A IF ABOVE GROUND OR U IF UNDERGROUND, BOTH IF APPLICABLE

A. SYSTEM TYPE	A U <input type="checkbox"/> 1 SUCTION	A U <input type="checkbox"/> 2 PRESSURE	<input checked="" type="checkbox"/> A U 3 GRAVITY	A U <input type="checkbox"/> 99 OTHER
B. CONSTRUCTION	A U <input type="checkbox"/> 1 SINGLE WALL	A U <input type="checkbox"/> 2 DOUBLE WALL	A U <input type="checkbox"/> 3 LINED TRENCH	<input checked="" type="checkbox"/> A U 95 UNKNOWN
				A U <input type="checkbox"/> 99 OTHER
C. MATERIAL AND CORROSION PROTECTION	A U <input type="checkbox"/> 1 BARE STEEL	A U <input type="checkbox"/> 2 STAINLESS STEEL	A U <input type="checkbox"/> 3 POLYVINYL CHLORIDE (PVC)	A U <input type="checkbox"/> 4 FIBERGLASS PIPE
	A U <input type="checkbox"/> 5 ALUMINUM	A U <input type="checkbox"/> 6 CONCRETE	A U <input type="checkbox"/> 7 STEEL W/ COATING	A U <input type="checkbox"/> 8 100% METHANOL COMPATIBLE W/FRP
	A U <input type="checkbox"/> 9 GALVANIZED STEEL	A U <input type="checkbox"/> 10 CATHODIC PROTECTION	<input checked="" type="checkbox"/> A U 95 UNKNOWN	A U <input type="checkbox"/> 99 OTHER
D. LEAK DETECTION	<input type="checkbox"/> 1 AUTOMATIC LINE LEAK DETECTOR	<input type="checkbox"/> 2 LINE TIGHTNESS TESTING	<input type="checkbox"/> 3 INTERSTITIAL MONITORING	<input type="checkbox"/> 99 OTHER <u>NONE</u>

V. TANK LEAK DETECTION

<input type="checkbox"/> 1 VISUAL CHECK	<input type="checkbox"/> 2 INVENTORY RECONCILIATION	<input type="checkbox"/> 3 VADOZE MONITORING	<input type="checkbox"/> 4 AUTOMATIC TANK GAUGING	<input type="checkbox"/> 5 GROUND WATER MONITORING
<input type="checkbox"/> 6 TANK TESTING	<input type="checkbox"/> 7 INTERSTITIAL MONITORING	<input type="checkbox"/> 91 NONE	<input checked="" type="checkbox"/> 95 UNKNOWN	<input type="checkbox"/> 99 OTHER

VI. TANK CLOSURE INFORMATION

1. ESTIMATED DATE LAST USED (MO/DAY/YR) <u>1/1979</u>	2. ESTIMATED QUANTITY OF SUBSTANCE REMAINING <u>1500</u> GALLONS	3. WAS TANK FILLED WITH INERT MATERIAL? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>
--	--	---

THIS FORM HAS BEEN COMPLETED UNDER PENALTY OF PERJURY, AND TO THE BEST OF MY KNOWLEDGE, IS TRUE AND CORRECT

APPLICANT'S NAME (PRINTED & SIGNATURE) <u>M. Webster</u>	DATE <u>3-20-96</u>
---	------------------------

LOCAL AGENCY USE ONLY THE STATE I.D. NUMBER IS COMPOSED OF THE FOUR NUMBERS BELOW

STATE I.D.#	COUNTY #	JURISDICTION #	FACILITY #	TANK #
	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
PERMIT NUMBER	PERMIT APPROVED BY/DATE		PERMIT EXPIRATION DATE	

THIS FORM MUST BE ACCOMPANIED BY A PERMIT APPLICATION - FORM A, UNLESS A CURRENT FORM A HAS BEEN FILED.
FILE THIS FORM WITH THE LOCAL AGENCY IMPLEMENTING THE UNDERGROUND STORAGE TANK REGULATIONS

STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD
UNDERGROUND STORAGE TANK PERMIT APPLICATION - FORM B



COMPLETE A SEPARATE FORM FOR EACH TANK SYSTEM.

MARK ONLY ONE ITEM	<input type="checkbox"/> 1 NEW PERMIT	<input type="checkbox"/> 3 RENEWAL PERMIT	<input type="checkbox"/> 5 CHANGE OF INFORMATION	<input type="checkbox"/> 7 PERMANENTLY CLOSED ON SITE
	<input type="checkbox"/> 2 INTERIM PERMIT	<input type="checkbox"/> 4 AMENDED PERMIT	<input type="checkbox"/> 6 TEMPORARY TANK CLOSURE	<input checked="" type="checkbox"/> 8 TANK REMOVED

DBA OR FACILITY NAME WHERE TANK IS INSTALLED: _____

I. TANK DESCRIPTION COMPLETE ALL ITEMS - SPECIFY IF UNKNOWN

A. OWNER'S TANK I.D.# <u>02</u>	B. MANUFACTURED BY: <u>UNKNOWN</u>
C. DATE INSTALLED (MO/DAY/YEAR) <u>UNKNOWN</u>	D. TANK CAPACITY IN GALLONS: <u>UNKNOWN</u>

II. TANK CONTENTS IF A-1 IS MARKED, COMPLETE ITEM C.

A. <input type="checkbox"/> 1 MOTOR VEHICLE FUEL	<input checked="" type="checkbox"/> 4 OIL	B. <input type="checkbox"/> 1 PRODUCT	C. <input type="checkbox"/> 1a REGULAR UNLEADED	<input type="checkbox"/> 3 DIESEL	<input type="checkbox"/> 6 AVIATION GAS
<input type="checkbox"/> 2 PETROLEUM	<input type="checkbox"/> 80 EMPTY	<input checked="" type="checkbox"/> 2 WASTE	<input type="checkbox"/> 1b PREMIUM UNLEADED	<input type="checkbox"/> 4 GASAHOL	<input type="checkbox"/> 7 METHANOL
<input type="checkbox"/> 3 CHEMICAL PRODUCT	<input type="checkbox"/> 95 UNKNOWN		<input type="checkbox"/> 2 LEADED	<input checked="" type="checkbox"/> 99 OTHER (DESCRIBE IN ITEM D. BELOW)	

D. IF (A.1) IS NOT MARKED, ENTER NAME OF SUBSTANCE STORED OIL SLUDGE + WATER C.A.S.#: _____

III. TANK CONSTRUCTION MARK ONE ITEM ONLY IN BOXES A, B, AND C, AND ALL THAT APPLIES IN BOX D AND E

A. TYPE OF SYSTEM	<input type="checkbox"/> 1 DOUBLE WALL	<input type="checkbox"/> 3 SINGLE WALL WITH EXTERIOR LINER	<input checked="" type="checkbox"/> 95 UNKNOWN
	<input type="checkbox"/> 2 SINGLE WALL	<input type="checkbox"/> 4 SECONDARY CONTAINMENT (VAULTED TANK)	<input type="checkbox"/> 99 OTHER
B. TANK MATERIAL (Primary Tank)	<input checked="" type="checkbox"/> 1 BARE STEEL	<input type="checkbox"/> 2 STAINLESS STEEL	<input type="checkbox"/> 3 FIBERGLASS
	<input type="checkbox"/> 5 CONCRETE	<input type="checkbox"/> 6 POLYVINYL CHLORIDE	<input type="checkbox"/> 7 ALUMINUM
	<input type="checkbox"/> 9 BRONZE	<input type="checkbox"/> 10 GALVANIZED STEEL	<input type="checkbox"/> 95 UNKNOWN
			<input type="checkbox"/> 99 OTHER
C. INTERIOR LINING	<input type="checkbox"/> 1 RUBBER LINED	<input type="checkbox"/> 2 ALKYD LINING	<input type="checkbox"/> 3 EPOXY LINING
	<input type="checkbox"/> 5 GLASS LINING	<input type="checkbox"/> 6 UNLINED	<input checked="" type="checkbox"/> 95 UNKNOWN
			<input type="checkbox"/> 4 PHENOLIC LINING
			<input type="checkbox"/> 99 OTHER
	IS LINING MATERIAL COMPATIBLE WITH 100% METHANOL? YES ___ NO ___		
D. CORROSION PROTECTION	<input type="checkbox"/> 1 POLYETHYLENE WRAP	<input type="checkbox"/> 2 COATING	<input type="checkbox"/> 3 VINYL WRAP
	<input type="checkbox"/> 5 CATHODIC PROTECTION	<input type="checkbox"/> 91 NONE	<input checked="" type="checkbox"/> 95 UNKNOWN
			<input type="checkbox"/> 4 FIBERGLASS REINFORCED PLASTIC
			<input type="checkbox"/> 99 OTHER
E. SPILL AND OVERFILL	SPILL CONTAINMENT INSTALLED (YEAR) <u>NONE</u>		OVERFILL PREVENTION EQUIPMENT INSTALLED (YEAR) <u>NONE</u>

IV. PIPING INFORMATION CIRCLE A IF ABOVE GROUND OR U IF UNDERGROUND, BOTH IF APPLICABLE

A. SYSTEM TYPE	A U 1 SUCTION	<u>A U</u> 2 PRESSURE	A U 3 GRAVITY	<u>A U</u> 99 OTHER
B. CONSTRUCTION	A U 1 SINGLE WALL	A U 2 DOUBLE WALL	A U 3 LINED TRENCH	<u>A U</u> 95 UNKNOWN
				A U 99 OTHER
C. MATERIAL AND CORROSION PROTECTION	A U 1 BARE STEEL	A U 2 STAINLESS STEEL	A U 3 POLYVINYL CHLORIDE (PVC)	A U 4 FIBERGLASS PIPE
	A U 5 ALUMINUM	A U 6 CONCRETE	A U 7 STEEL W/ COATING	A U 8 100% METHANOL COMPATIBLE W/FRP
	A U 9 GALVANIZED STEEL	A U 10 CATHODIC PROTECTION	<u>A U</u> 95 UNKNOWN	A U 99 OTHER
D. LEAK DETECTION	<input type="checkbox"/> 1 AUTOMATIC LINE LEAK DETECTOR	<input type="checkbox"/> 2 LINE TIGHTNESS TESTING	<input type="checkbox"/> 3 INTERSTITIAL MONITORING	<input checked="" type="checkbox"/> 99 OTHER <u>NONE</u>

V. TANK LEAK DETECTION

<input type="checkbox"/> 1 VISUAL CHECK	<input type="checkbox"/> 2 INVENTORY RECONCILIATION	<input type="checkbox"/> 3 VADOZE MONITORING	<input type="checkbox"/> 4 AUTOMATIC TANK GAUGING	<input type="checkbox"/> 5 GROUND WATER MONITORING
<input type="checkbox"/> 6 TANK TESTING	<input type="checkbox"/> 7 INTERSTITIAL MONITORING	<input type="checkbox"/> 91 NONE	<input checked="" type="checkbox"/> 95 UNKNOWN	<input type="checkbox"/> 99 OTHER

VI. TANK CLOSURE INFORMATION

1. ESTIMATED DATE LAST USED (MO/DAY/YR) <u>JAN. 1979</u>	2. ESTIMATED QUANTITY OF SUBSTANCE REMAINING <u>2.00</u> GALLONS	3. WAS TANK FILLED WITH INERT MATERIAL? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>
---	---	---

THIS FORM HAS BEEN COMPLETED UNDER PENALTY OF PERJURY, AND TO THE BEST OF MY KNOWLEDGE, IS TRUE AND CORRECT

APPLICANT'S NAME (PRINTED & SIGNATURE) <u>M. Webster</u>	DATE <u>3-20-96</u>
---	------------------------

LOCAL AGENCY USE ONLY THE STATE I.D. NUMBER IS COMPOSED OF THE FOUR NUMBERS BELOW

STATE I.D.#	COUNTY #	JURISDICTION #	FACILITY #	TANK #
PERMIT NUMBER	PERMIT APPROVED BY/DATE		PERMIT EXPIRATION DATE	

THIS FORM MUST BE ACCOMPANIED BY A PERMIT APPLICATION - FORM A, UNLESS A CURRENT FORM A HAS BEEN FILED.
FILE THIS FORM WITH THE LOCAL AGENCY IMPLEMENTING THE UNDERGROUND STORAGE TANK REGULATIONS

STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD
UNDERGROUND STORAGE TANK PERMIT APPLICATION - FORM B



COMPLETE A SEPARATE FORM FOR EACH TANK SYSTEM.

MARK ONLY ONE ITEM	<input type="checkbox"/> 1 NEW PERMIT	<input type="checkbox"/> 3 RENEWAL PERMIT	<input type="checkbox"/> 5 CHANGE OF INFORMATION	<input type="checkbox"/> 7 PERMANENTLY CLOSED ON SITE
	<input type="checkbox"/> 2 INTERIM PERMIT	<input type="checkbox"/> 4 AMENDED PERMIT	<input type="checkbox"/> 6 TEMPORARY TANK CLOSURE	<input checked="" type="checkbox"/> 8 TANK REMOVED

DBA OR FACILITY NAME WHERE TANK IS INSTALLED:

I. TANK DESCRIPTION COMPLETE ALL ITEMS -- SPECIFY IF UNKNOWN

A. OWNER'S TANK I.D.# <u>03</u>	B. MANUFACTURED BY: <u>UNKNOWN</u>
C. DATE INSTALLED (MO/DAY/YEAR) <u>UNKNOWN</u>	D. TANK CAPACITY IN GALLONS: <u>UNKNOWN</u>

II. TANK CONTENTS IF A-1 IS MARKED, COMPLETE ITEM C.

A. <input type="checkbox"/> 1 MOTOR VEHICLE FUEL	<input checked="" type="checkbox"/> 4 OIL	B. <input type="checkbox"/> 1 PRODUCT	C. <input type="checkbox"/> 1a REGULAR UNLEADED	<input type="checkbox"/> 3 DIESEL	<input type="checkbox"/> 6 AVIATION GAS
<input type="checkbox"/> 2 PETROLEUM	<input type="checkbox"/> 80 EMPTY	<input checked="" type="checkbox"/> 2 WASTE	<input type="checkbox"/> 1b PREMIUM UNLEADED	<input type="checkbox"/> 4 GASAHOL	<input type="checkbox"/> 7 METHANOL
<input type="checkbox"/> 3 CHEMICAL PRODUCT	<input type="checkbox"/> 95 UNKNOWN		<input type="checkbox"/> 2 LEADED	<input checked="" type="checkbox"/> 99 OTHER (DESCRIBE IN ITEM D. BELOW)	
D. IF (A.1) IS NOT MARKED, ENTER NAME OF SUBSTANCE STORED <u>OIL SLUDGE + WATER</u>					C. A. S. #:

III. TANK CONSTRUCTION MARK ONE ITEM ONLY IN BOXES A, B, AND C, AND ALL THAT APPLIES IN BOX D AND E

A. TYPE OF SYSTEM	<input type="checkbox"/> 1 DOUBLE WALL	<input type="checkbox"/> 3 SINGLE WALL WITH EXTERIOR LINER	<input checked="" type="checkbox"/> 95 UNKNOWN
	<input type="checkbox"/> 2 SINGLE WALL	<input type="checkbox"/> 4 SECONDARY CONTAINMENT (VAULTED TANK)	<input type="checkbox"/> 99 OTHER
B. TANK MATERIAL (Primary Tank)	<input checked="" type="checkbox"/> 1 BARE STEEL	<input type="checkbox"/> 2 STAINLESS STEEL	<input type="checkbox"/> 3 FIBERGLASS
	<input type="checkbox"/> 5 CONCRETE	<input type="checkbox"/> 6 POLYVINYL CHLORIDE	<input type="checkbox"/> 7 ALUMINUM
	<input type="checkbox"/> 9 BRONZE	<input type="checkbox"/> 10 GALVANIZED STEEL	<input type="checkbox"/> 95 UNKNOWN
			<input type="checkbox"/> 99 OTHER
C. INTERIOR LINING	<input type="checkbox"/> 1 RUBBER LINED	<input type="checkbox"/> 2 ALKYD LINING	<input type="checkbox"/> 3 EPOXY LINING
	<input type="checkbox"/> 5 GLASS LINING	<input type="checkbox"/> 6 UNLINED	<input checked="" type="checkbox"/> 95 UNKNOWN
			<input type="checkbox"/> 4 PHENOLIC LINING
			<input type="checkbox"/> 99 OTHER
	IS LINING MATERIAL COMPATIBLE WITH 100% METHANOL? YES ___ NO ___		
D. CORROSION PROTECTION	<input type="checkbox"/> 1 POLYETHYLENE WRAP	<input type="checkbox"/> 2 COATING	<input type="checkbox"/> 3 VINYL WRAP
	<input type="checkbox"/> 5 CATHODIC PROTECTION	<input type="checkbox"/> 91 NONE	<input checked="" type="checkbox"/> 95 UNKNOWN
			<input type="checkbox"/> 4 FIBERGLASS REINFORCED PLASTIC
			<input type="checkbox"/> 99 OTHER
E. SPILL AND OVERFILL	SPILL CONTAINMENT INSTALLED (YEAR) <u>NONE</u>		OVERFILL PREVENTION EQUIPMENT INSTALLED (YEAR) <u>NONE</u>

IV. PIPING INFORMATION CIRCLE A IF ABOVE GROUND OR U IF UNDERGROUND, BOTH IF APPLICABLE

A. SYSTEM TYPE	A U <input type="checkbox"/> 1 SUCTION	<input checked="" type="checkbox"/> 2 PRESSURE	<input checked="" type="checkbox"/> 3 GRAVITY	<input checked="" type="checkbox"/> 99 OTHER
B. CONSTRUCTION	A U <input type="checkbox"/> 1 SINGLE WALL	A U <input type="checkbox"/> 2 DOUBLE WALL	A U <input type="checkbox"/> 3 LINED TRENCH	<input checked="" type="checkbox"/> 95 UNKNOWN
				A U <input type="checkbox"/> 99 OTHER
C. MATERIAL AND CORROSION PROTECTION	A U <input type="checkbox"/> 1 BARE STEEL	A U <input type="checkbox"/> 2 STAINLESS STEEL	A U <input type="checkbox"/> 3 POLYVINYL CHLORIDE (PVC)	A U <input type="checkbox"/> 4 FIBERGLASS PIPE
	A U <input type="checkbox"/> 5 ALUMINUM	A U <input type="checkbox"/> 6 CONCRETE	A U <input type="checkbox"/> 7 STEEL W/ COATING	A U <input type="checkbox"/> 8 100% METHANOL COMPATIBLE W/FRP
	A U <input type="checkbox"/> 9 GALVANIZED STEEL	A U <input type="checkbox"/> 10 CATHODIC PROTECTION	<input checked="" type="checkbox"/> 95 UNKNOWN	A U <input type="checkbox"/> 99 OTHER
D. LEAK DETECTION	<input type="checkbox"/> 1 AUTOMATIC LINE LEAK DETECTOR	<input type="checkbox"/> 2 LINE TIGHTNESS TESTING	<input type="checkbox"/> 3 INTERSTITIAL MONITORING	<input checked="" type="checkbox"/> 99 OTHER <u>NONE</u>

V. TANK LEAK DETECTION

<input type="checkbox"/> 1 VISUAL CHECK	<input type="checkbox"/> 2 INVENTORY RECONCILIATION	<input type="checkbox"/> 3 VADOZE MONITORING	<input type="checkbox"/> 4 AUTOMATIC TANK GAUGING	<input type="checkbox"/> 5 GROUND WATER MONITORING
<input type="checkbox"/> 6 TANK TESTING	<input type="checkbox"/> 7 INTERSTITIAL MONITORING	<input type="checkbox"/> 91 NONE	<input checked="" type="checkbox"/> 95 UNKNOWN	<input type="checkbox"/> 99 OTHER

VI. TANK CLOSURE INFORMATION

1. ESTIMATED DATE LAST USED (MO/DAY/YR) <u>JAN. 1979</u>	2. ESTIMATED QUANTITY OF SUBSTANCE REMAINING <u>100</u> GALLONS	3. WAS TANK FILLED WITH INERT MATERIAL? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>
---	---	---

THIS FORM HAS BEEN COMPLETED UNDER PENALTY OF PERJURY, AND TO THE BEST OF MY KNOWLEDGE, IS TRUE AND CORRECT

APPLICANT'S NAME (PRINTED & SIGNATURE) <u>NM Nikseta</u>	DATE <u>3-20-96</u>
---	------------------------

LOCAL AGENCY USE ONLY THE STATE I.D. NUMBER IS COMPOSED OF THE FOUR NUMBERS BELOW

STATE I.D.#	COUNTY #	JURISDICTION #	FACILITY #	TANK #
PERMIT NUMBER	PERMIT APPROVED BY/DATE	PERMIT EXPIRATION DATE		

THIS FORM MUST BE ACCOMPANIED BY A PERMIT APPLICATION - FORM A, UNLESS A CURRENT FORM A HAS BEEN FILED.
FILE THIS FORM WITH THE LOCAL AGENCY IMPLEMENTING THE UNDERGROUND STORAGE TANK REGULATIONS

ALAMEDA COUNTY
HEALTH CARE SERVICES



AGENCY
DAVID J. KEARS, Agency Director

RAFAT A. SHAHID, DIRECTOR

February 8, 1996
SLIC # 4808

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

Mr. Mike Webster
Amberwick Corp.
P.O. Box 92918
Long Beach, CA 90809-2918

Mr. William Wick
Crosby, Heafey, Roach & May
1999 Harrison St.
Oakland CA 94612-3573

Re: Former Ekotek Lube Site, 4200 Alameda Ave., Oakland CA 94601

Dear Messers. Webster and Wick:

This letter serves to acknowledge receipt of the February 1, 1996 letter from Mr. Webster updating our office as to the schedule for activities at the above site. In this letter, the offsite sampling of cone penetrometer borings was stated to be performed "within the next 30 days". Additionally, the removal of the underground tanks and the completion of site demolition was to occur "within the next 30-45 days". These timeframes are acceptable and hopefully realistic. Please notify our office of any delays to the above scheduled activities and provide explanation for the delay.

Our office would also like to bring to your attention a number of other items. In regards to the lack of groundwater sampling at this site, our office acknowledges the expense of quarterly sampling, however, there has been only one monitoring event subsequent to well installation. Our office, therefore, requests that **semi-annual** groundwater sampling be performed in order to verify and establish contaminant concentrations. Additionally, until the groundwater gradient has been established, you should take groundwater elevation measurements and provide a groundwater contour map for this site on a **quarterly basis**. Note that recent groundwater sampling at the former American National Can site indicates that the groundwater mound still exists and groundwater flow is still towards the ANC site.

Another item which must be addressed immediately is securing your property to prevent access. At this moment a gap in the fencing along E. 8th St. exist which allows public entrance onto your site. This is a risk to public health and must be corrected immediately. Please inform our office when this problem has been corrected. Lastly, the threat of surface runoff at your property exists. Pooling of oily water exists. You should routinely have your site checked for this condition and take appropriate steps

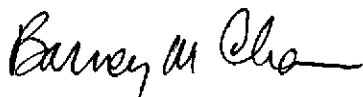
Mssrs. M. Webster and W. Wick
SLIC # 4808
4200 Alameda Ave.
February 8, 1996
Page 2.

to correct this.

On several occasions your consultant has expressed that a reasonable approach be used in evaluating and remediating this site. Cost versus beneficial environmental return has been the theme of conversations. Even the presence of "free product" while performing excavation has been requested to be incorporated into a "site-wide remediation plan". Please keep in mind, our office's flexibility can only continue if there is evidence of a "site-wide" plan and there is progress being made in your investigation. The continued presence of "free product" in wells on the ANC site calls for a pro-active response on your part. Your adherence to the proposed activity schedule and the addressing of the above items will be interpreted as one such pro-active response.

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

Sincerely,



Barney M. Chan
Hazardous Materials Specialist

SH c: G. Jensen, Alameda County District Attorney Office
S. Arigala, RWQCB
Mr. A. Safford, Erler & Kalinowski, Inc., 1730 So. Amphlett
Blvd., Suite 320, San Mateo, CA 94402
Mr. Jeff Chew, City of Oakland, 1333 Broadway, Oakland 94612
Mr. A. Clark-Clough, City of Oakland, Office of Public Works,
1333 Broadway, 3rd Floor, Oakland 94612
Ms. Vivian O'Neal, Deputy City Attorney, City of Oakland, One
City Hall Plaza, Oakland CA 94612
Mr. David Bruegel, Dickinson, Wright, et al, 525 North
Woodward Ave., P.O. Box 509, Bloomfield Hills, MI 48303-
0509
Mr. B. Johnson, City of Oakland, OES, 1605 Martin Luther King
Dr., Oakland 94612
G. Coleman, files
remEkotek

Mssrs. M. Webster and W. Wick
SLIC # 4808
4200 Alameda Ave.
February 8, 1996
Page 2.

to correct this.

On several occasions your consultant has expressed that a reasonable approach be used in evaluating and remediating this site. Cost versus beneficial environmental return has been the theme of conversations. Even the presence of "free product" while performing excavation has been requested to be incorporated into a "site-wide remediation plan". Please keep in mind, our office's flexibility can only continue if there is evidence of a "site-wide" plan and there is progress being made in your investigation. The continued presence of "free product" in wells on the ANC site calls for a pro-active response on your part. Your adherence to the proposed activity schedule and the addressing of the above items will be interpreted as one such pro-active response.

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

Sincerely,



Barney M. Chan
Hazardous Materials Specialist

SH c: G. Jensen, Alameda County District Attorney Office
S. Arigala, RWQCB
Mr. A. Safford, Erler & Kalinowski, Inc., 1730 So. Amphlett
Blvd., Suite 320, San Mateo, CA 94402
Mr. Jeff Chew, City of Oakland, 1333 Broadway, Oakland 94612
Mr. A. Clark-Clough, City of Oakland, Office of Public Works,
1333 Broadway, 3rd Floor, Oakland 94612
Ms. Vivian O'Neal, Deputy City Attorney, City of Oakland, One
City Hall Plaza, Oakland CA 94612
Mr. David Bruegel, Dickinson, Wright, et al, 525 North
Woodward Ave., P.O. Box 509, Bloomfield Hills, MI 48303-
0509
Mr. B. Johnson, City of Oakland, OES, 1605 Martin Luther King
Dr., Oakland 94612
G. Coleman, files

remEkotek

L. C. Webster

16371 ARDSLEY CIRCLE
HUNTINGTON BEACH, CA 92649

February 1, 1996

Mr. Barney Chan
Alameda County Dept. of Environmental Health
1131 Harbor Bay Parkway, 2nd Floor
Alameda, CA 94502-6577

RE: 4200 Alameda Avenue
Status Update

Dear Mr. Chan:

I am writing to provide an update on site activities.

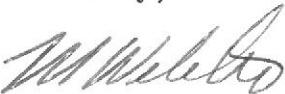
As you requested, we will proceed (in conjunction with Ekotek, Inc.) to implement the off-site sampling plan proposed by Erler & Kalinowski ("EKI"), including soil sampling at CPT 1, 3, and 4 as you requested. EKI is proceeding to obtain the necessary permits, and we anticipate that we will be able to perform the sampling within the next 30 days.

In addition, we will soon be analyzing bids for the completion of the demolition on site and the removal of the underground storage tanks. We anticipate that it will take about two weeks to evaluate the bids, and another two weeks to arrange for insurance and other administrative requirements. Thus, we anticipate that we will be able to perform the remaining demolition and the tank removal within the next 30-45 days.

We will notify you, of course, as soon as we know the specific dates when the various activities will begin.

Please call if you have any questions or concerns.

Sincerely,



Mike Webster

CROSBY, HEAFEY, ROACH & MAY

PROFESSIONAL CORPORATION

ATTORNEYS AT LAW

1999 HARRISON STREET

OAKLAND, CALIFORNIA 94612-3573

(510) 763-2000 • (415) 986-3400

FAX (510) 273-8832

MAILING ADDRESS:

POST OFFICE BOX 2084

OAKLAND, CALIFORNIA 94604-2084

333 BUSH STREET, SUITE 2580
SAN FRANCISCO, CALIFORNIA 94104-2899

(415) 543-8700
FAX (415) 391-8269

700 SOUTH FLOWER STREET, SUITE 2200
LOS ANGELES, CALIFORNIA 90017

(213) 896-8000
FAX (213) 896-8080

William D. Wick
Direct Dial: (510) 466-6842

December 7, 1995

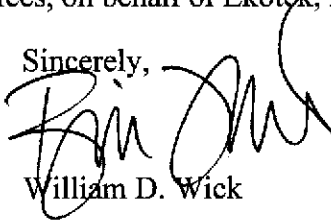
Mr. Barney Chan
Alameda County Environmental Health Department
1131 Harbor Bay Parkway - Room 250
Alameda, CA 94502-6577

Re: 4200 Alameda Avenue - Tank Removal and Oversight Fees

Dear Barney:

As you requested, I am submitting Bank of America check No. 05879, payable in the amount of \$1,188 to the Alameda County Environmental Health Department for tank removal and oversight fees, on behalf of Ekotek, Inc.

Sincerely,



William D. Wick

WDW:jwc
Enclosure

SSOAKFS4:4021416:1B

RECEIVED
35 DEC -8 PM 2:22

October 11, 1995

ATTN: Mr Bill Wick, Esq.

Crosby Heafey Roach & May
1999 Harrison St
Oakland CA 94612

RE: Project # 3274A - M
at 4200 Alameda Ave in Oakland 94601

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 \$2,000.00, 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,

Tom Peacock, Area Manager
Environmental Protection Division

c: files/inspector

* Current balance is ^{\$}-566. In addition the deposit for ~~you~~ the tank removals has been completely exhausted.

Barney,
There's no way to check
if this went out by
looking in the computers
So I went out by
out another letter. You might
want to check in the green
letter file, if we still have one.
Leslie.

10/11/95

NAOMIE

Amberwick Corp.

P.O. Box 92918, Long Beach, CA 90809-2918
Telephone 310/426-8503
Fax 310/695-0740

FACSIMILE COVER SHEET

TO: BARNEY CHAN

COMPANY: Alameda County

COMPANY FAX #: 510/337-9335

NO. OF PAGES: 7

FROM: Mike Webster

DATE: 11-10-95

COMMENTS: Following is the U.S.T. closure plan
you requested.

Mike Webster:

IF THERE ARE ANY PROBLEMS WITH THIS TRANSMISSION, PLEASE CALL THE TELEPHONE
NUMBER ABOVE.

510-651-7725

R.S.I. = Remedial Solutions Inc. (Osgood Rd Fremont)
J. Deakins pager: 510-494-6310

Serving Your Environmental Needs

Recycling, Treatment, Transportation, Disposal

ALAMEDA COUNTY HEALTH CARE SERVICES AGENCY

DEPARTMENT OF ENVIRONMENTAL HEALTH
ENVIRONMENTAL PROTECTION DIVISION

ACCEPTED

1131 HARBOR BAY PARKWAY, RM 250

Underground Storage Tank Closure Permit Application

Alameda County Division of Hazardous Materials

1131 Harbor Bay Parkway, Suite 250

Alameda, CA 94502-6677

ALAMEDA, CA 94502-6577

PHONE # 510/567-6700

FAX # 510/337-9335

These closure/removal plans have been received and found to be acceptable and essentially meet the requirements of State and Local Health Laws. Changes to your closure plans indicated by this Department are to assure compliance with State and local laws. The project proposed herein is now released for issuance of any required building permits for construction/destruction.

One copy of the accepted plans must be on the job and available to all contractors and craftsmen involved with the removal.

Any changes or alterations of these plans and specifications must be submitted to this Department and to the Fire and Building Inspections Department to determine if such changes meet the requirements of State and local laws.

Notify this Department at least 72 hours prior to the following required inspections:

- Removal of Tank(s) and Piping
- Sampling
- Final Inspection

Issuance of a) permit to operate, b) permanent site closure, is dependent on compliance with accepted plans and all applicable laws and regulations.

UNDERGROUND TANK CLOSURE PLAN THERE IS A FINANCIAL PENALTY FOR

*** Complete according to attached instructions *** NOT OBTAINING THESE INSPECTIONS:

Contact Specialist:

Barney Chan
Project Specialist

3/27/96

OK, B Chan

Needs:

1) Identify contractor

2) Check for 1,100 00

3) Signature of contractor, insurance

4) map w/ locations of tanks

5) A + B forms

agreed to sample at least 1 soil

beneath 3k tank + forgo

sampling on other "tanks"

Some other remediation will

be included in site Remed plan

if no site remediation plan

plans, approved by

OK, B Chan

- Name of Business INTERCOASTAL OIL CORP
Business Owner or Contact Person (PRINT) LARRY WEBSTER
- Site Address 4200 Alameda Ave
City Oakland CA zip _____ Phone NONE
- Mailing Address PO Box 92918
City Long Beach zip CA Phone 310 595 5503
- Property Owner LARRY + DIANE WEBSTER
Business Name (if applicable) _____
Address 16371 Ardsley Cir
City, state Huntington Bch CA zip 92649
- Generator name under which tank will be manifested
Intercoastal Oil Corp.
EPA ID# under which tank will be manifested CA T000613422

6. Contractor REMEDIAL SOLUTIONS INC.
 Address 43353 OSGOOD RD. SUITE B
 City FREMONT CA Phone (510) 651-7725
 License Type "A" + HAZ ID# 634555

*Effective January 1, 1992, Business and Professional Code Section 7058.7 requires prime contractors to also hold Hazardous Waste Certification issued by the State Contractors License Board.

7. Consultant (if applicable) Erler + Kalinowski
 Address 1780 Amplett
 City, State San Mateo Phone 415-578-1172

8. Main Contact Person for Investigation (if applicable)
 Name Michael Webster Title _____
 Company Intercoastal Oil
 Phone (310) 426-6503

9. Number of underground tanks being closed with this plan 3
 Length of piping being removed under this plan 5'
 Total number of underground tanks at this facility (**confirmed with owner or operator) 3

10. State Registered Hazardous Waste Transporters/Facilities (see instructions).

** Underground storage tanks must be handled as hazardous waste **

a) Product/Residual Sludge/Rinsate Transporter

Name Evergreen Env. EPA I.D. No. CAD980695761
 Hauler License No. 0242 License Exp. Date 5/96
 Address 6880 Smith Ave
 City Newark State CA zip 94560

b) Product/Residual Sludge/Rinsate Disposal Site

Name Evergreen Env. EPA ID# CAD980695761 887418
 Address 6880 Smith Ave.
 City Newark State CA Zip 9

c) Tank and Piping Transporter

Name ERICKSON INC. EPA I.D. No. CAD009466392
 Hauler License No. 0019 License Exp. Date 7-31-96
 Address 255 PARR BLVD
 City Richmond State CA Zip 94801

d) Tank and Piping Disposal Site

Name ERICKSON INC. EPA I.D. No. CAD009466392
 Address 255 PARR
 City Richmond State CA Zip 94801

11. Sample Collector

Name ANDY STAFFORD
 Company ERLER + Kalinowski
 Address 1730 So. Amphlett Blvd.
 City San Mateo State CA Zip 94402 Phone 415/578-1172

12. Laboratory

Name SEQUOIA Analytical
 Address 680 Chesapeake Dr.
 City Redwood City State CA Zip 94063
 State Certification No. 1210

13. Have tanks or pipes leaked in the past? Yes[] No[] Unknown

If yes, describe. _____

14. Describe methods to be used for rendering tank(s) inert:

DRY ICE

10-15# / 1000 gallon capacity

Before tanks are pumped out and inerted, all associated piping must be flushed out into the tanks. All accessible associated piping must then be removed. Inaccessible piping must be permanently plugged.

The Bay Area Air Quality Management District, 415/771-6000, along with local Fire and Building Departments, must also be contacted for tank removal permits. Fire departments typically require the use of a combustible gas indicator to verify tank inertness. It is the contractor's responsibility to bring a working combustible gas indicator on-site to verify that the tank is inert.

15. Tank History and Sampling Information *** (see instructions) ***

Tank		Material to be sampled (tank contents, soil, groundwater)	Location and Depth of Samples
Capacity	Use History include date last used (estimated)		
Approx. 3000 gallon	Light end + solvent tank. Lack Last used in 1980.	Remaining residues in tanks and soil under the tank	Directly below the tank approx. 8' below surface. 1 sample from ea end 1-2' below tank
1500 gallon	Light ends concrete pit	Soil + Gw if encountered	
~4500 gallon	oily water	soil + Gw if encountered.	1-2' beneath tank at ea end

One soil sample must be collected for every 20 linear feet of piping that is removed. A ground water sample must be collected if any ground water is present in the excavation.

Excavated/Stockpiled Soil

<p>Stockpiled Soil Volume (estimated) 15 cubic yards</p>	<p>Sampling Plan Samples will be pulled by our Env. Engineer, accounted for using chain of custody records + analyzed by a state certified lab. 1 discrete sample</p>
--	---

Stockpiled soil must be placed on bermed plastic and must be completely covered by plastic sheeting.

Will the excavated soil be returned to the excavation immediately after tank removal? yes [] no [] unknown

If yes, explain reasoning soil contamination will be

dealt w/ in site wide remediation plan, however any
If unknown at this point in time, please be aware that excavated soil may not be returned to the excavation without prior approval from Alameda County. This means that the contractor, consultant, or responsible party must communicate with the Specialist IN ADVANCE of backfilling operations.

free product or saturated soils must be dealt with during removal.

16. Chemical methods and associated detection limits to be used for analyzing samples:

The Tri-Regional Board recommended minimum verification analyses and practical quantitation reporting limits should be followed. See attached Table 2.

17. Submit Site Health and Safety Plan (See Instructions)

Contaminant Sought	EPA or Other Sample Preparation Method Number	EPA or Other Analysis Method Number	Method Detection Limit
	<p>TPH g, d, mo EPA 3550 BTEX</p>	<p>mod. 8015 8020</p>	

18. Submit Worker's Compensation Certificate copy

Name of Insurer _____

19. Submit Plot Plan ***** (See Instructions) *****

20. Enclose Deposit (See Instructions)

21. Report any leaks or contamination to this office within 5 days of discovery.

The written report shall be made on an Underground Storage Tank Unauthorized Leak/Contamination Site Report (ULR) form.

22. Submit a closure report to this office within 60 days of the tank removal. The report must contain all information listed in item 22 of the instructions.

23. Submit State (Underground Storage Tank Permit Application) Forms A and B (one B form for each UST to be removed) (mark box 8 for "tank removed" in the upper right hand corner)

I declare that to the best of my knowledge and belief that the statements and information provided above are correct and true.

I understand that information, in addition to that provided above, may be needed in order to obtain approval from the Environmental Protection Division and that no work is to begin on this project until this plan is approved.

I understand that any changes in design, materials or equipment will void this plan if prior approval is not obtained.

I understand that all work performed during this project will be done in compliance with all applicable OSHA (Occupational Safety and Health Administration) requirements concerning personnel health and safety. I understand that site and worker safety are solely the responsibility of the property owner or his agent and that this responsibility is not shared nor assumed by the County of Alameda.

Once I have received my stamped, accepted closure plan, I will contact the project Hazardous Materials Specialist at least three working days in advance of site work to schedule the required inspections.

CONTRACTOR INFORMATION

Name of Business REMEDIAL SOLUTIONS INC.

Name of Individual JEFF DEAKIN

Signature *Jeff Deakin* Date 3-25-96

PROPERTY OWNED OR MOST RECENT TANK OPERATOR (Circle one)

Name of Business Intercoastal Oil Corp.

Name of Individual Larry Webster / Mike Webster

Signature *Larry Webster* Date 11-10-95

ALAMEDA COUNTY ENVIRONMENTAL PROTECTION DIVISION

DECLARATION OF SITE ACCOUNT REFUND RECIPIENT

There may be excess funds remaining in the Site Account at the completion of this project. The PAYOR (person or company that issues the check) will use this form to predesignate another party to receive any funds refunded at the completion of this project. In the absence of this form, the PAYOR will receive the refund.

SITE INFORMATION:

Site ID Number
(if known)

Ekotek Lube
Name of Site

4200 Alameda Ave.
Street Address

Oakland CA
City, State & Zip Code

I designate the following person or business to receive any refund due at the completion of all deposit/refund projects:

Intercoastal Oil Corp.
Name

2450 Cerritos Ave
Street Address

Signal Hill CA 90806
City, State & Zip Code

Mike Webster
Signature of Payor

11-10-95
Date

Mike Webster
Name of Payor
(PLEASE PRINT CLEARLY)

Amberwick Corp
Company Name of Payor

RETURN FORM TO:
County of Alameda, Environmental Protection
1131 Harbor Bay Parkway, Rm 250
Alameda CA 94502-6577
Phone#(510) 567-6700

ALAMEDA COUNTY HEALTH CARE SERVICES AGENCY
DEPARTMENT OF ENVIRONMENTAL HEALTH
ENVIRONMENTAL PROTECTION DIVISION
1131 HARBOR BAY PARKWAY, ROOM 250
ALAMEDA, CA 94502-6577
PHONE NO. (510) 567-6700
FAX NO. (510) 337-9335

Project Specialist (print)

UNDERGROUND TANK CLOSURE PLAN

*** Complete according to attached instructions ***

1. Business Name _____
Business Owner _____
2. Site Address _____
City _____ Zip _____ Phone _____
3. Mailing Address _____
City _____ Zip _____ Phone _____
4. Land Owner _____
Address _____
City, State _____ Zip _____
5. Generator name under which tank will be manifested _____

EPA I.D. No. under which tank will be manifested _____

6. Contractor _____
Address _____
City _____ Phone _____
License Type* _____ ID# _____

*Effective January 1, 1992, Business and Professional Code Section 7058.7 requires prime contractors to also hold Hazardous Waste Certification issued by the State Contractors License Board. Indicate that the certificate has been received, in addition, to holding the appropriate contractors license type

7. Consultant _____
Address _____
City _____ Phone _____

8. Contact Person for Investigation
Name _____ Title _____
Phone _____

9. Number of tanks being closed under this plan _____
Length of piping being removed under this plan, in feet _____
Total number of tanks at facility _____

10. State Registered Hazardous Waste Transporters and/or Facilities (see instructions).

**** Underground storage tanks must be handled as hazardous waste****

a) Product/Residual Sludge/Rinsate Transporter

Name _____ EPA I.D. No. _____
Hauler License No _____ License Exp. Date _____
Address _____
City _____ State _____ Zip _____

b) Product/Residual Sludge/ Rinsate Disposal Site

Name _____ EPA I.D. No. _____
Address _____
City _____ State _____ Zip _____

c) Tank and Piping Transporter

Name _____ EPA I.D. No. _____
Hauler License No. _____ License Exp. Date _____
Address _____
City _____ State _____ Zip _____

d) Tank and Piping Disposal Site

Name _____ EPA I.D. No. _____
Address _____
City _____ State _____ Zip _____

11. Sample Collector

Name _____
Company _____
Address _____
City _____ State _____ Zip _____ Phone _____

12. Laboratory

Name _____
Address _____
City _____ State _____ Zip _____
State Certification No. _____

13. Have tanks or pipes leaked in the past? Yes [] No [] Unknown []

If yes, describe. _____

14. Describe methods to be used for rendering tank inert

Before tanks are pumped out and made inert, all associated piping must be flushed out into the tanks. All accessible associated piping must then be removed. Inaccessible piping must be plugged.

The Bay Area Air Quality Management District, (415)771-6000, along with local Fire and Building Departments, must also be contacted for tank removal permits. Fire departments require the use of explosion-proof combustible gas indicators to verify tank inertness. It is the contractor's responsibility to bring a working combustible gas indicator on site to verify the tank is inert.

15. Tank History and Sampling Information

Tank		Material to be Sampled (tank contents, soil, ground-water)	Location and Depth of Samples
Capacity	Use History (see instructions)		

One soil sample must be collected for every 20 feet of piping that is removed. A ground water sample must be collected should any ground water be present in the excavation.

Excavated/Stockpiled Soil	
Stockpiled Soil Volume (Estimated)	Sampling Plan

Stockpiled soil must be placed on bermed plastic and must be completely covered with plastic sheeting.

16. Chemical methods and associated detection limits to be used for analyzing samples

The Tri-Regional Board recommended minimum verification analyses and practical quantitation reporting limits should be followed. See attached Table 2.

Contaminant Sought	EPA, DHS, or Other Sample Preparation Method Number	EPA, DHS, or Other Analysis Method Number	Method Detection Limit

17. Submit Site Health and Safety Plan (See Instructions)

18. Submit Worker's Compensation Certificate copy

Name of Insurer _____

19. Submit Plot Plan (See Instructions)

20. Enclose Deposit (See Instructions)

21. **Report any leaks or contamination to this office within 5 days of discovery.** The report shall be made on an Underground Storage Tank Unauthorized Leak/Contamination Site Report form. (see Instructions)

22. Submit a closure report to this office within 60 days of the tank removal. This report must contain all the information listed in item 22 of the instructions.

I declare that to the best of my knowledge and belief the statements and information provided above are correct and true.

I understand that information in addition to that provided above may be needed in order to obtain an approval from the Department of Environmental Health and that no work is to begin on this project until this plan is approved.

I understand that any changes in design, materials or equipment will void this plan if prior approval is not obtained.

I understand that all work performed during this project will be done in compliance with all applicable OSHA (Occupational Safety and Health Administration) requirements concerning personnel and safety. I understand that site and worker safety are solely the responsibility of the property owner or his agent and that this responsibility is not shared nor assumed by the County of Alameda.

Once I have received my stamped, accepted closure plan, I will contact the project Hazardous Materials Specialist at least three working days in advance of site work to schedule the required inspections.

Signature of Contractor

Name (please print) _____

Signature _____

Date _____

Signature of Site Owner or Operator

Name (please print) _____

Signature _____

Date _____

INSTRUCTIONS

General Instructions

- * Three (3) copies of this plan plus attachments and deposit must be submitted to this Department.
- * Any cutting into tanks requires local fire department approval.
- * One complete copy of your approved plan must be at the construction site at all times; a copy of your approved plan must also be sent to the landowner.

Item Specific Instructions

2. SITE ADDRESS
Address at which closure is taking place.
5. EPA I.D. NO. under which the tanks will be manifested
EPA I.D. numbers may be obtained from Cal/EPA Department of Toxic Substances Control, 916/324-1781.
6. CONTRACTOR
Prime contractor for the project.
10. STATE REGISTERED HAZARDOUS WASTE TRANSPORTERS/FACILITIES
 - a) All residual liquids and sludges are to be removed from tanks before tanks are inerted.
 - c) Tanks must be hauled as hazardous waste.
 - d) This is the first place where tanks will be taken for cleaning.
15. TANK HISTORY AND SAMPLING INFORMATION
Use History – This information is essential and must be accurate. Include tank installation date, products stored in the tank, and the date when the tank was last used.

Material to be sampled – e.g., water, oil, sludge, soil, etc.

Location and depth of samples - e.g., beneath the tank a maximum of two feet below the native soil/backfill interface, side wall at the high water mark, etc.
16. CHEMICAL METHODS AND ASSOCIATED DETECTION LIMITS
See attached Table 2.

17. SITE HEALTH AND SAFETY PLAN

A site specific Health and Safety plan must be submitted. We advocate the site health and safety plan include the following items, at a minimum:

- a) The name and responsibilities of the site health and safety officer;
- b) An outline of briefings to be held before work each day to appraise employees of site health and safety hazards;
- c) Identification of health and safety hazards of each work task. Include potential fire, explosion, physical and chemical hazards;
- d) For each hazard, identify the action levels (contaminant concentrations in air) or physical conditions which will trigger changes in work habits to ensure workers are not exposed to unsafe chemical levels or physical conditions;
- e) Description of the work habit changes triggered by the above action levels or physical conditions;
- f) Frequency and types of air and personal monitoring to be used - along with the environmental sampling techniques and instrumentation - to be used to detect the above action levels. Include instrumentation maintenance and calibration methods and frequencies;
- g) Confined space entry procedures (if applicable);
- h) Decontamination procedures;
- i) Measures to be taken to secure the site, excavation and stockpiled soil during and after work hours (e.g., barricades, caution tape, fencing, trench plates, plastic sheeting, security guards, etc.);
- j) Spill containment/emergency/contingency plan. Be sure to include emergency phone numbers, the location of the phone nearest the site, and directions to the hospital nearest the site;
- k) Documentation that all site workers have received the appropriate OSHA approved trainings and participate in appropriate medical surveillance per 29 CFR 1910.120; and
- l) Page for employees to sign indicating they have read and will comply with the site health and safety plan.

The safety plan must be distributed to all employees and contractors working in hazardous waste operations on site. A complete copy of the site health and safety plan along with any standard operating procedures shall be on site and accessible at all times.

NOTE: These requirements are excerpts from 29 CFR Part 1910.120 (b)(4), Hazardous Waste Operations and Emergency Response; Final Rule, March 6, 1989. Safety plans of certain underground tank sites may need to meet the complete requirements of this Rule.

19. PLOT PLAN

The plan should consist of a scaled view of the facility at which the tank(s) are located and should include the following information:

- a) Scale;
- b) North Arrow;
- c) Property Lines;
- d) Location of all Structures;
- e) Location of all relevant existing equipment including tanks and piping to be removed and dispensers;
- f) Streets;
- g) Underground conduits, sewers, water lines, utilities;
- h) Existing wells (drinking, monitoring, etc.);
- i) Depth to ground water; and
- j) All existing tanks and piping in addition to the ones being pulled.

20. DEPOSIT

A deposit, payable to Alameda County for the amount indicated on the Alameda County Underground Storage Tank Fee Schedule, must accompany the plans.

21. Blank Unauthorized Leak/Contamination Site Report forms may be obtained in limited quantities from our office and from the San Francisco Bay Regional Water Quality Control Board (415/464-1255). Larger quantities may be obtained directly from the State Water Resources Control Board at (916) 739-2421.

22. TANK CLOSURE REPORT

The tank closure report should contain the following information:

- a) General description of the closure activities;
- b) Description of tank, fittings and piping conditions. Indicate tank size and former contents; note any corrosion, pitting, holes, etc.;

- c) Description of the excavation itself. Include the tank and excavation depth, a log of the stratigraphic units encountered within the excavation, a description root holes or other potential contaminant pathways, the depth to any observed ground water, descriptions and locations of stained or odor-bearing soil, and descriptions of any observed free product or sheen;
- d) Description of sampling methods;
- e) Description of any remedial measures conducted at the time of tank removal;
- f) To-scale figures showing the excavation size and depth, nearby buildings, sample locations and depths, and tank and piping locations. Include a copy of the plot plan prepared for the Tank Closure Plan under item 19;
- g) Chain of custody records;
- h) Copies of signed laboratory reports;
- i) Copies of "TSDF to Generator" Manifests for all hazardous wastes hauled offsite (sludge, rinsate, tanks and piping, contaminated soil, etc.); and
- j) Tabulation of the volume and final destination of all non-manifested contaminated soil hauled offsite.

EXPLANATION FOR TABLE #2: MINIMUM VERIFICATION ANALYSIS

1. **OTHER METHODOLOGIES** are continually being developed and as methods are accepted by EPA or DHS, they also can be used.
2. For **DRINKING WATER SOURCES**, EPA recommends that the 500 series for volatile organics to be used in preference to the 600 series because the detection limits are lower and the QA/QC is better.
3. **APPROPRIATE STANDARDS** for the materials stored in the tank are to be used for all analyses on Table #2. For instance, seasonally, there may be five different jet fuel mixtures to be considered.
4. To **AVOID FALSE POSITIVE** detection of benzene, benzene-free solvents are to be used.
5. **TOTAL PETROLEUM HYDROCARBONS (TPH)** as gasoline (G) and diesel (D) ranges (volatile and extractable, respectively) are to be analyzed and characterized by GC/FID with a fused capillary column and prepared by EPA method 5030 (purge and trap) for volatile hydrocarbons, or extracted by sonication using 3550 methodology for extractable hydrocarbons. Fused capillary columns are preferred to packed columns; a packed column may be used as a "first cut" with "dirty" samples or once the hydrocarbons have been characterized and proper QA/QC is followed.
6. **TETRAETHYL LEAD (TEL)** analysis may be required if total lead is detected unless the determination is made that the total lead concentration is geogenic (naturally occurring).
7. **CHLORINATED HYDROCARBONS (CL HC) AND BENZENE, TOLUENE, XYLENE AND ETHYLBENZENE (BTX&E)** are analyzed in soil by EPA methods 8010 and 8020 respectively, (or 8240) and in water, 601 and 602, respectively (or 624).
8. **OIL AND GREASE (O & G)** may be used when heavy, straight chain hydrocarbons may be present. Infrared analysis by method 418.1 may also be acceptable for O & G if proper standards are used. "Standard Methods" 17th Edition, 1989, has changed the 503 series to 5520.
9. **PRACTICAL QUANTITATION REPORTING LIMITS** are influenced by matrix problems and laboratory QA/QC procedures. Following are the Practical Quantitation Reporting Limits:

	<u>SOIL PPM</u>	<u>WATER PPB</u>
TPH G	1.0	50.0
TPH D	1.0	50.0
BTX&E	0.005	0.5
O & G	50.0	5,000.0

Based upon a Regional Board survey of Department of Health Services Certified Laboratories, the Practical Quantitation Reporting Limits are attainable by a majority of laboratories with the exception of diesel fuel in soils. The Diesel Practical Quantitation Reporting Limits, shown by the survey, are:

ROUTINE	MODIFIED PROTOCOL
≤ 10 ppm (42%)	≤ 10 ppm (10%)
≤ 5 ppm (19%)	≤ 5 ppm (21%)
≤ 1 ppm (35%)	≤ 1 ppm (60%)

When the Practical Quantitation Reporting Limits are not achievable, an explanation of the problem is to be submitted on the laboratory data sheets.

10. LABORATORY DATA SHEETS are to be signed and submitted and include the laboratory's assessment of the condition of the samples on receipt including temperature, suitable container type, air bubbles present/absent in VOA bottles, proper preservation, etc. The sheets are to include the dates sampled, submitted, prepared for analysis, and analyzed.
11. IF PEAKS ARE FOUND, when running samples, that do not conform to the standard, laboratories are to report the peaks, including any unknown complex mixtures that elute at times varying from the standards. Recognizing that these mixtures may be contrary to the standard they may not be readily identified; however, they are to be reported. At the discretion of the LIA or Regional Board the following information is to be contained in the laboratory report.

The relative retention time for the unknown peak(s) relative to the reference peak in the standard, copies of the chromatogram(s), the type of column used, initial temperature, temperature program is C/minute, and the final temperature.

12. REPORTING LIMITS FOR TPH are: gasoline standard ≤ 20 carbon atoms, diesel and jet fuel (kerosene) standard ≤ 50 carbon atoms. It is not necessary to continue the chromatography beyond the limit, standard, or EPA/DHS method protocol (whichever time is greater).

EPILOGUE

ADDITIVES: Major oil companies are being encouraged or required by the federal government to reformulate gasoline as cleaner burning fuels to reduce air emissions. MTBE (Methyl-tertiary butyl ether), ETHANOL (ethyl alcohol), and other chemicals may be added to reformulate gasolines to increase the oxygen content in the fuel and thereby decrease undesirable emissions (about four percent with MTBE). MTBE and ethanol are, for practical purposes, soluble in water. The removal from the water column will be difficult. Other compounds are being added by the oil companies for various purposes. The refinements for detection and analysis for all of these additives are still being worked out. If you have any questions about the methodology, please call your Regional Board representative.

ALAMEDA COUNTY HAZARDOUS MATERIALS DIVISION
Declaration of Site Account Refund Recipient
SITE OWNER FILLS OUT PER SITE
-- OPTIONAL --

The property owner will use this form to designate someone other than him- or her- self to receive any refund due at the completion of all deposit/refund projects at the site listed below. In the absence of this form, the property owner will receive any refund. Only one person at any one time may be designated to receive any refund.

SITE NUMBER/ADDRESS:

PROPERTY OWNER

Site Number

Company Name

Street Address

City

Zip Code

Owner's Name

Owner's Address

Owner's City

State

Zip Code

I designate the following person to receive any refund due at the completion of all deposit/refund projects:

Name

Street Address

City/Zip Code

Property Owner Signature

Date

Property Owner Name

RETURN FORM TO: Alameda County, Hazardous Materials Div.
1131 Harbor Bay Parkway, Suite 250
Alameda, CA 94502-6577
Phone: (510) 567-6700

ALAMEDA COUNTY HAZARDOUS MATERIALS DIVISION
Acknowledgment of Refund Recipient for Site Account
DEPOSITOR FILLS OUT PER SITE
-- REQUIRED --

The depositor will use this form to acknowledge that the property owner or his or her designee will receive any refund due at the completion of all deposit/refund projects at the site listed below.

SITE NUMBER/ADDRESS:

REFUND RECIPIENT PROPERTY OWNER

Site Number

Company Name

Owner's Name

Street Address

Owner's Address

City

Zip Code

Owner's City

State

Zip Code

I have read the description of the project Deposit/Refund Procedure, and have had an opportunity to ask questions about it. I understand that regardless of who deposits money into the site account, any deposit money remaining at the completion of all projects being conducted at this site will be refunded solely to the property owner or his or her designee.

Signature of Depositor

Date

Depositor Name

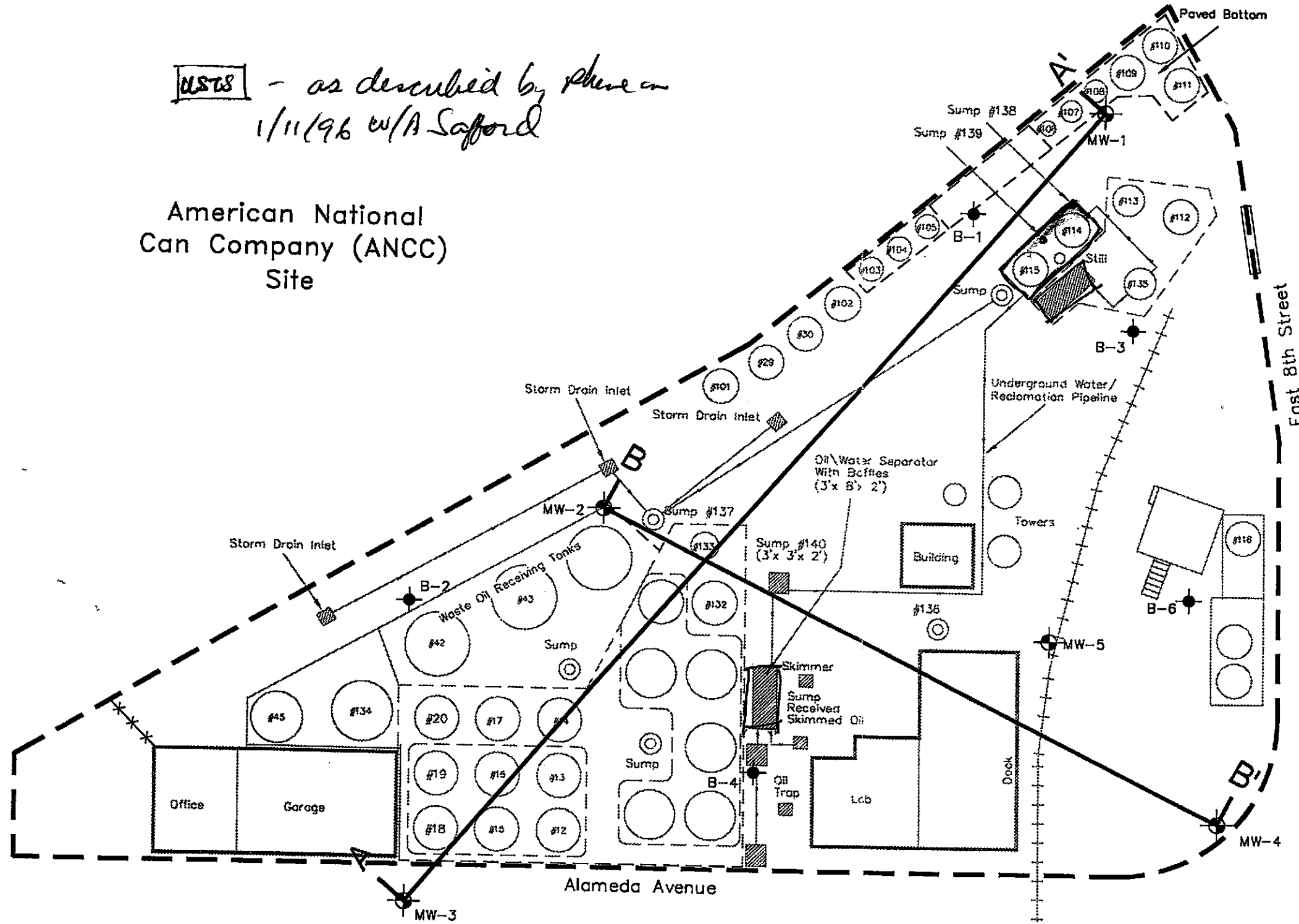
Company Name

Street Address

City/Zip Code

US768 - as described by phone on
1/11/96 w/A Safford

American National
Can Company (ANCC)
Site



0 30 60
(Approximate Scale in Feet)

LEGEND

- Site Boundary
- Above Ground Storage Tank
- ⊙ Below Ground Sump
- ▣ Below Ground Concrete Sump/Tank
- - - Concrete Wall/Berm
- ⊕ Monitoring Well
- Soil Boring
- A A' Location of Cross-Section Lines

Notes:

1. All locations are approximate.

**Erler &
Kalinowski, Inc.**

Cross-Section Locations

4200 Alameda Avenue
Oakland, CA
September 1995
EKI 930040.01
Figure 1

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY

DAVID J. KEARS, Agency Director



RAFAT A. SHAHID, Director

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

July 20, 1995

ATTN: Mr Bill Wick, Esq.

Crosby Heafey Roach & May
1999 Harrison St
Oakland CA 94612

RE: Project # 3274A - M
at 4200 Alameda Ave in Oakland 94601

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 \$2,000.00, 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) 567-6700.

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

RAFAT A. SHAHID, DIRECTOR

DEPARTMENT OF ENVIRONMENTAL HEALTH
1131 Harbor Bay Parkway
Alameda, CA 94502-6577
(510) 567-6777

October 11, 1995

ATTN: Mr Bill Wick, Esq.

Crosby Heafey Roach & May
1999 Harrison St
Oakland CA 94612

RE: Project # 3274A - M
at 4200 Alameda Ave in Oakland 94601

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 \$2,000.00, 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) 567-6700.

Sincerely,

Tom Peacock, Area Manager
Environmental Protection Division

c: files/inspector

**ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY**

DAVID J. KEARS, Agency Director



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

September 29, 1995
SLIC # 4808

Mr. Michael Webster
16371 Ardsley Circle
Huntington Beach, CA 92649

**Re: Comment on September 14, 1995 E & K Preliminary Investigation
Report for 4200 Alameda Ave., Oakland 94601**

Dear Mr. Webster:

Thank you for the submission of the above referenced report as prepared by Erler & Kalinowski, Inc. I have completed the review of this report. The report documents the significant release of petroleum hydrocarbons which have impacted both soil and groundwater. This contamination appears throughout the site. In addition to total petroleum hydrocarbons, halogenated volatile organics have impacted groundwater. Our office concurs with the recommendation of the Executive Summary that an off-site investigation be performed. Also, your eventual site use will determine the ultimate clean-up levels required.

Upon review of Section 7.1 **Off-site Groundwater Investigation** and after discussion with Mr. Andrew Safford of E&K our office has the following concerns/requirements:

1. In order to determine the full extent of both soil and groundwater, we request that off-site borings retain both soil and groundwater samples for analysis. This may require a different boring technique than proposed. At least the locations designated CPT-1, CPT-3 and CPT-4 require both soil and groundwater testing. Should these not detect soil contamination, the borings further downgradient may run water samples only.
2. Since the proposal poses to sample two groundwater samples through the cone penetrometer, please explain how migration of the upper aquifer will be prevented from migrating down along this conduit.
3. Please include the analyte PCBs on the samples based on detection of these compounds in the initial investigation. Samples from CPT-1 through CPT-3 may be initially run and PCBs may be eliminated if not found in these samples.

Please notify this office 48 working hours prior to your field work.

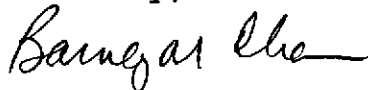
Mr. Micheal Webster
SLIC # 4808 Ekotek Lube Site
4200 Alameda Ave.
September 29, 1995
Page 2.

In regards to the removal of the underground tank, your last letter dated September 11, 1995 stated that you would comply with my request for a tank closure application by September 10, 1995. To date, our office has yet to receive this application. Please submit your application for tank closure **within 30 days or by October 28, 1995**. This will not affect the demolition of the aboveground tanks as these activities can be scheduled to optimize your field work. Should demolition occur immediately, your tank removal may be scheduled to be done shortly thereafter.

Please provide a written comment to the above comments/concerns on the proposed off-site investigation **within 30 days**.

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

Sincerely,



Barney M. Chan
Hazardous Materials Specialist

cc: G. Jensen, Alameda County District Attorney Office
S. Arigala, RWQCB
R. Arulanantham, RWQCB
W. Wick, Crosby, Heafy, Roach & May, Attorneys at Law, 1999
Harrison St., Oakland CA 94612-3573
Mr. T. Erler, Erler & Kalinowski, Inc., 1730 So. Amphlett
Blvd., Suite 320, San Mateo, CA 94402
Mr. Jeff Chew, City of Oakland, 1333 Broadway, Oakland 94612

Mr. A. Clark-Clough, City of Oakland, Office of Public Works,
1333 Broadway, 3rd Floor, Oakland 94612
Ms. Vivian O'Neal, Deputy City Attorney, City of Oakland, One
City Hall Plaza, Oakland CA 94612
Mr. David Bruegel, Dickinson, Wright, et al, 525 North
Woodward Ave., P.O. Box 509, Bloomfield Hills, MI 48303-
0509
Mr. Jim Kessler, The Martin Group, 100 Bush St., 26th Floor,
San Francisco, CA 94104
Mr. Joseph Moran, American National Can, Asst. General
Counsel, 8770 West Bryn Mawr Ave., Chicago, Ill 60631-
3542
G. Young, files

Ekotek3

L. C. Webster
16371 ARDSLEY CIRCLE
HUNTINGTON BEACH, CA 92649

September 11, 1995

Mr. Barney Chan
Department of Environmental Health
1131 Harbor Bay Parkway
Alameda, CA 94502-6577

RE: EKOTECK PROPERTY

337-9432
FAX # 510/337-9335

Dear Mr. Chan,

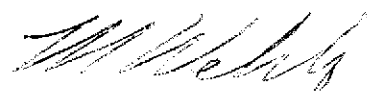
This letter follows our conversation last week wherein you granted an additional 60 day extension to comply with your request originally outlined in your May 25, 1995, letter.

We understand that you need a commitment from us. Therefore we will comply in the sixty days.

As you know, we are currently talking with the prior landlord, adjacent landowner and others to make our final determination on land use. At this time, we are considering a retail use which would mean demolition of the entire plant.

Thank you for the extension.

Sincerely,



Mike Webster

DEPARTMENT OF TOXIC SUBSTANCES CONTROL

REGION 2

700 HEINZ AVE., SUITE 200

BERKELEY, CA 94710-2737

ENVIRONMENTAL
PROTECTION

95 AUG 16 PM 2:00

**CERTIFIED MAIL**

August 14, 1995

Mr. L. C. Webster
16371 Ardsley Circle
Huntington Beach, California 92649

Dear Mr. Webster:

FORMER EKOTEK SITE

During recent meetings with the Oakland Economic Development and Employment Agency regarding a site in Oakland, California, it was brought to the attention of the Department of Toxic Substances Control (Department), that as the land owner of the former Ekotek site at 4200 Alameda Avenue in Oakland, California, you might have the impression that authorization to operate as a treatment, storage, and/or disposal facility still exists at the Ekotek site. According to Department files, Ekotek Lube, Inc. doing business as Bayside Oil submitted an "Application for Operating Permit for Facilities receiving Hazardous Waste" in March of 1979. Based on Health and Safety Code section 25200.5 (i)(1) and 25200.11 (b), Ekotek lost interim status authorization to operate as a treatment, storage, and/or disposal facility effective July 1, 1992 by its failure to submit a final application for a hazardous waste facility permit (Part B) prior to June 30, 1992 for the non-RCRA hazardous waste activities identified in the initial March, 1979 part A application.

If you have any questions regarding the regulatory status of the Ekotek site, please contact Patti Barni at (510) 540-3860.

Sincerely,

Charlene F. Williams

Charlene F. Williams, Chief
Northern California Branch
Statewide Compliance Division

cc: Jeffrey Chew
Office of Economic Development and Employment
1333 Broadway, Suite 900
Oakland, California 94612

Certified Mail No. P 659 118 720



L. C. Webster
August 14, 1995
Page 2

Vivian O'Neil
Office of the City Attorney
505-14th Street
12th floor
Oakland, California 94612

Barney Chan
Department of Environmental Health
Environmental Protection Division
1131 Harbor Bay Parkway #250
Alameda, California 94502-6577

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY

DAVID J. KEARS, Agency Director



RAFAT A. SHAHID, Assistant Agency Director

ALAMEDA COUNTY
ENVIRONMENTAL PROTECTION DIVISION
1131 HARBOR BAY PKWY., #250
ALAMEDA CA 94502-6577 CC4530

HAZARDOUS MATERIALS RELEASE AND NOTIFICATION REPORT (H&SC 25180.7)
EMERGENCY RESPONSE

1 INFORMATION RECEIVED BY: BARNEY CHAN
DATE: 8/14/95 TIME: _____

2 INCIDENT LOCATION: 4200 Alameda Ave.
CITY: Oakland ZIP: 94601

3 DATE OF INCIDENT: 8/14/95 TIME OF INCIDENT: 10:25 am
4 REPORTED BY: S. Crawford AGENCY: OPD/OES
ADDRESS: 505 14th St., 5th Fl CITY, ZIP: Oakland 94612
TELEPHONE: 510-238-3938 CONTACT: _____
PHONE: _____

5 TYPE OF DISCHARGE:
 Discharge from vehicle License Plate No. _____
Manifest/Shipping Information: _____
 Abandoned Material fixed facility
Name: _____ Address: _____
City: _____ Zip Code: _____

Other (specify) Paint chips on + off property from ~~buildings~~ above
ground tanks

6 ESTIMATED QUANTITY DISCHARGED: Unk.
QUANTITY THREATENED TO BE RELEASED: unk

7 NATURE OF MATERIAL:
 Solid Liquid Gas Powder Granular
 Radioactive Other
Chemical Name: lead Common Name: lead paint chip

8 HAZARDOUS PROPERTIES: Corrosive Ignitable TOXIC
 Reactive Other

9 HAZARDOUS MATERIAL WAS RELEASED TO:
 Air Storm Drain San Francisco Bay Sanitary Sewer
 Other Natural Waterway (creek, lake, reservoir) Groundwater
 Groundsurface (soil, road, etc.) Other (specify) _____

10 WEATHER CONDITIONS: FAIR

11 NUMBER OF INJURED PERSONS REQUIRING HOSPITALIZATION: NONE
Names and Addresses of Hospitals Utilized: _____

2 PERSONS PRESENT AT SCENE:
Name: S. Craford Affiliation: OPD/OES Phone: 238-7158

3 RESPONSIBLE PARTY:
Name: Websters - M+M Phone: 310-426-6503
Address: 16371 Ardley Circle, Huntington Beach CA 92649

4 EVIDENCE COLLECTED (samples, photographs, etc.)
PAINT CHIPS

5 CLEAN-UP ACTIONS: NONE YET

Names and Addresses of Persons Doing Clean-up:

Description of Clean-up Actions:

6 TIME INCIDENT CLOSED: _____

7 ELAPSED TIME: _____

DISCHARGE NOT TO BE NOTIFIED:
 Unlikely to Cause Substantial Injury to Public Health & Safety
 Public Knowledge Ongoing Criminal Investigations
 Permitted Discharge Other

DISCHARGE TO BE NOTIFIED:
Factors Determining That This Hazardous Waste Discharge Or
Potential Discharge Is Likely To Cause Substantial Injury To The
Public Health Or Safety:

- NOTIFICATION:
- Board of Supervisors
 - Health Officer
 - Alameda County Press Room
 - Reporting Agency or Individual

By copy of this report to the above listed agencies and officials, we are hereby submitting this information on behalf of all designated employees of the Department of Environmental Health, according to Section 25180.7, Health & Safety Code. The information submitted in this report is based upon the best available information at the time the report was completed.

Inspector's Name: B. Chan Date: 8-17-95
Inspector's Signature: B. Chan

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY

DAVID J. KEARS, Agency Director



RAFAT A. SHAHID, Director

July 31, 1995
SLIC # 4808

Mr. Michael Webster
16371 Ardsley Circle
Huntington Beach, CA 92649

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

**Re: Status of Subsurface Investigation at Former Ekotek Lube
Site, 4200 Alameda Ave., Oakland CA 94601**

Dear Mr. Webster:

This letter serves to update the County's current knowledge and expectations for this site. As you are aware, contractors initiated the field work (monitoring wells and borings) at the site during the third week of July. My latest conversations with Mr. Wick indicates that a report may be ready early September 1995. He anticipated only a brief delay to allow you two to review the document prior to delivering a copy to our office. I look forward to reviewing the report and the recommendations for next actions from your consultant.

Hopefully, you have received the information faxed to you identifying some of the contractors in the Bay Area who can perform underground tank removals. Based on receipt and tank removal application approval, work should commence as soon as possible. One comment is made at this time. Upon review of the documents delivered to our office on your behalf by Mr. William Wick was the July 28, 1988 Jaykim Engineers, Inc. revised work plan. In this work plan two underground 4000 and 6000 gallon slop tanks were mentioned. **Please clarify whether these are underground tanks or not.** Recall, my earlier May 25, 1995 letter requested information on any other underground tanks existing at the site. It would be prudent to have your underground tank contractor perform a site visit and look at site maps and blueprints to determine if other tanks exist which will require removal.

Also recall, my earlier letter requested documentation for the removal and disposal all hazardous and non-hazardous waste generated from the site. Your correspondence with Ravi Arulanantham of our office states that 21,000 gallons of oily waste, approximately 15 cubic yards of oily solid waste, 350 gallons of caustic liquid and approximately 25,000 gallons of non-hazardous water have been generated and disposed from this site. **Please submit copies of receipts and manifests for the disposal of these materials along with your tank removal application.**

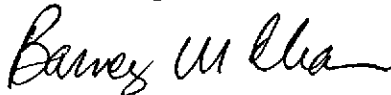
Handwritten notes: 24,000 (next to 21,000), 1000 (next to 350), 40,000 (next to 25,000)

COPY

Mr. M. Webster
SLIC #4808
4200 Alameda Ave.
July 31, 1995
Page 2.

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
S. Arigala, RWQCB
R. Arulanantham, RWQCB
W. Wick, Crosby, Heafy, Roach & May, Attorneys at Law, 1999
Harrison St., Oakland CA 94612-3573
Mr. T. Erler, Erler & Kalinowski, Inc., 1730 So. Amphlett
Blvd., Suite 320, San Mateo, CA 94402
Mr. Jeff Chew, City of Oakland, 1333 Broadway, Oakland 94612
Mr. A. Clark-Clough, City of Oakland, Office of Public Works,
1333 Broadway, 3rd Floor, Oakland 94612
Ms. Vivian O'Neal, Deputy City Attorney, City of Oakland, One
City Hall Plaza, Oakland CA 94612
Mr. David Bruegel, Dickinson, Wright, et al, 525 North
Woodward Ave., P.O. Box 509, Bloomfield Hills, MI 48303-
0509
Mr. Jim Kessler, The Martin Group, 100 Bush St., 26th Floor,
San Francisco, CA 94104
Mr. Joseph Moran, American National Can, Asst. General
Counsel, 8770 West Bryn Mawr Ave., Chicago, Ill 60631-
3542
T. Peacock, files

Ekotek3

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY

DAVID J. KEARS, Agency Director



RAFAT A. SHAHID, Director

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

July 18, 1995
SLIC # 4808

Mr. Michael Webster
16371 Ardsley Circle
Huntington Beach, CA 92649

**Re: Underground Tank Removal at Former Ekotek Lube Site, 4200
Alameda Ave., Oakland CA 94601**

Dear Mr. Webster:

This letter confirms the verbal 60-day extension I granted you for the submittal of your underground tank removal application for the existing tank at the above site. Your due date for submittal was extended to **September 10, 1995**. Please be aware, upon submission and County approval, you should be prepared to remove the tank soon thereafter.

In regards to identifying tank removal contractors, our office recommends contacting firms listed in the phone directory under underground tank removal or underground tank closure contractors.

Our office is aware of the initiation of the field work at this site during the period of July 12-14, 1995. Please submit a copy of the investigation report to our office **within 45 days**. Your report should include a **Recommendation Section for further site characterization**. After you complete your site characterization you should submit your Remedial Action Plan.

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
S. Arigala, RWQCB
R. Arulanantham, RWQCB
W. Wick, Crosby, Heafy, Roach & May, Attorneys at Law, 1999
Harrison St., Oakland CA 94612-3573
Mr. T. Erler, Erler & Kalinowski, Inc., 1730 So. Amphlett
Blvd., Suite 320, San Mateo, CA 94402
Mr. Jeff Chew, City of Oakland, 1333 Broadway, Oakland 94612

Mr. Micheal Webster
SLIC # 4808
4200 Alameda Ave.
July 18, 1995
Page2.

Mr. A. Clark-Clough, City of Oakland, Office of Public Works,
1333 Broadway, 3rd Floor, Oakland 94612
Ms. Vivian O'Neal, Deputy City Attorney, City of Oakland, One
City Hall Plaza, Oakland CA 94612
Mr. David Bruegel, Dickinson, Wright, et al, 525 North
Woodward Ave., P.O. Box 509, Bloomfield Hills, MI 48303-
0509
Mr. Jim Kessler, The Martin Group, 100 Bush St., 26th Floor,
San Francisco, CA 94104
Mr. Joseph Moran, American National Can, Asst. General
Counsel, 8770 West Bryn Mawr Ave., Chicago, Ill 60631-
3542
T. Peacock, files

Ekotek2

white - env. health
yellow - facility
pink - files

ALAMEDA COUNTY, DEPARTMENT OF ENVIRONMENTAL HEALTH

1131 Harbor Bay Pkwy
Alameda CA 94502
510/567-6700

Hazardous Materials Inspection Form

II, III

Site ID # _____ Site Name Bostek Lube Today's Date 7/13/95
Site Address 4200 Alameda
City _____ Zip 94601 Phone _____

_____ MAX AMT stored > 500 lbs, 55 gal., 200 cft.?

Inspection Categories:

- _____ I. Haz. Mat/Waste GENERATOR/TRANSPORTER
_____ II. Hazardous Materials Business Plan, Acutely Hazardous Materials
_____ III. Under ground Storage Tanks

* Calif. Administration Code (CAC) or the Health & Safety Code (HS&C)

Comments:

Stopped by to witness progress of borings & MW installations
Gail Clark of BTK present
Drillers: Spectrum Exploration
@ ~145 pm (5) wells had been installed plus 4 borings (at least) - could locate B-4.
Have encountered some ends of PP in borings
GW encountered - 10' BGS
will run all soil sples for TPH_g, BTEX
- TPH_d, CHC (8010), PCBs + As, Pb + Cr

plus the water sples from the wells + borings from each well will also be run for Semivolatiles
8270
- Normal turnaround being done on samples
∴ wouldn't expect a report until at the earliest end of August

Contact _____
Title _____
Signature _____

Inspector B Chan
Signature _____

II, III

L. C. Webster

16371 ARDSLEY CIRCLE
HUNTINGTON BEACH, CA 92649

ENVIRONMENTAL
PROTECTION
95 JUL 10 PM 2:24

July 5, 1995

Barney Chan
Alameda County Health Agency
Dept. of Environmental Health
1311 Harbor Bay Parkway
Alameda, CA 94502-6577

RE: UNDERGROUND TANK CLOSURE PLAN; ADDITIONAL ENVIRONMENTAL INFORMATION FOR
THE PRELIMINARY SITE INVESTIGATION

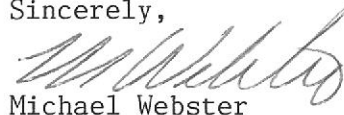
Dear Mr. Chan;

This letter confirms our conversation this morning wherein you granted the Websters a 60 day extension from July 10, 1995 to fulfill your request regarding underground tank(s) located at the Ekotek Lube Site in Oakland California. Your request is outlined in your letter dated May 25, 1995.

Additionally as we discussed, Mr. Wick of Crosby, Heafey, Roach, and May has submitted copies of previously performed environmental information/investigations. So at this time the Websters do not need to submit any further documents. Should you find something lacking please let us know.

We appreciate your support on the above issues.

Sincerely,



Michael Webster

ENVIRONMENTAL
PROTECTION
95 JUN 27 PM 3:02

Erler & Kalinowski, Inc.

Consulting Engineers and Scientists

1730 So. Amphlett Blvd., Suite 320
San Mateo, California 94402
(415) 578-1172
Fax (415) 578-9131

26 June 1995

Mr. Barney M. Chan
Hazardous Materials Specialist
Alameda County Department of
Environmental Health
1131 Harbor Bay Parkway
Alameda, CA 94502-6577

Subject: Approval to Implement Modified Work Plan
Former Ekotek Site, Oakland, California
(EKI 930040.00)

Dear Mr. Chan:

This letter confirms Alameda County Department of Environmental Health's ("ACDEH's") approval to implement Erler & Kalinowski, Inc.'s ("EKI's") work plan, dated 4 May 1995, and entitled *Work Plan for Preliminary Soil and Groundwater Investigation at Former Ekotek Site ("Work Plan")*. ACDEH approval to implement the *Work Plan* was provided during our telephone conversation with Mr. William Wick of Crosby, Heafey, Roach and May on 23 June 1995.

During this call, we discussed comments on the *Work Plan* contained in ACDEH's letter, dated 25 May 1995. On the basis of EKI's responses to comments, the ACDEH approved implementation of the *Work Plan* with minor modifications. EKI's responses to comments and modifications to the *Work Plan* are summarized in the section below.

RESPONSE TO COMMENTS AND MODIFICATIONS TO WORK PLAN

In its 25 May 1995 letter, the ACDEH provided seven comments on EKI's *Work Plan*. Each of these comments was discussed during our telephone call on 23 June 1995. Resolution and/or clarification of each of these comments is as follows:

- 1) *Retain location of boring B-1 as proposed in Work Plan.* EKI selected the proposed location of boring B-1 based on the findings of a site visit and review of historical aerial photographs. The proposed location of boring B-1 is adjacent to a former solvent tank area and will be situated near an area that is covered by gravel as opposed to concrete paving. Consequently, there may be an increased likelihood that petroleum

26 June 1995
Mr. Barney M. Chan
Alameda County Department of
Environmental Health
Page 2

hydrocarbons and solvents migrated deeper in soil in this area. Soil and groundwater chemical data obtained from boring B-1 are intended to assess the magnitude of releases, if any, that may have occurred near the former solvent tanks.

- 2) *Boring B-5 will be converted to a monitoring well (i.e., MW-5) and constructed at the location requested by the ACDEH. The ACDEH requested that groundwater gradient data be gathered from the center of the site as part of the preliminary investigation. This modification to the Work Plan accommodates ACDEH's request.*
- 3) *Soil samples collected from boring B-6 and the boring for monitoring well MW-1 will be analyzed for pH. The ACDEH requested that soil near the former sulfuric acid tanks and treaters be analyzed for pH. This modification to the Work Plan accommodates ACDEH's request.*
- 4) *Clarification of Alcan solvent was provided during the telephone conversation. On the basis of an interview with a former Ekotek employee, Alcan appears to have been a client of Ekotek. "Alcan solvent" was used stoddard solvent received from Alcan. Ekotek evidently treated Alcan's solvent to remove aluminum dust that became mixed with stoddard solvent as part of Alcan's manufacturing operations.*

The ACDEH was concerned that the preliminary investigation of the Ekotek site be capable of detecting impacts from the possible release of Alcan's solvent. Total petroleum hydrocarbon ("TPH") analyses to be conducted on soil and groundwater samples collected as part of the preliminary investigation will encompass the boiling point range of petroleum hydrocarbons (i.e., carbon chain lengths C₈ to C₁₂) that comprise stoddard solvent.

- 5) *Representative chromatograms from TPH analyses will be provided to the ACDEH. This modification to the Work Plan accommodates ACDEH's request for such chromatograms.*

26 June 1995
Mr. Barney M. Chan
Alameda County Department of
Environmental Health
Page 3

Retain numbers and types of analyses as proposed in Work Plan. From the discussion in the *Work Plan*, the ACDEH was uncertain which samples would be analyzed for polychlorinated biphenyls ("PCBs") and semivolatile organic compounds ("SVOCs"). It was clarified that the preliminary investigation is designed to be a broad assessment of the former Ekotek site. Therefore, the five soil samples to be analyzed for PCBs and SVOCs will be collected at locations throughout the site and not from locations concentrated in one area. It currently planned to analyze soil and groundwater samples collected from monitoring wells MW-1, MW-2, MW-3, MW-4, and MW-5 for PCBs and SVOCs.

- 7) *Clarification of the preliminary investigation's objectives was provided during the telephone conversation.* Although no specific request was made, the ACDEH emphasized in its letter that the agency considers subsurface structures such as tanks and oil/water separators to be potential sources that may require investigation. It was clarified that the preliminary investigation is intended to gather information that will be used to identify potential source areas on the former Ekotek site and to focus subsequent phases of investigation and remediation.

SCHEDULE FOR IMPLEMENTATION OF WORK PLAN

On the basis of ACDEH's approval of the *Work Plan*, as modified herein, EKI has begun filing appropriate permits with Alameda County Flood Control and Water Conservation District for drilling borings and constructing monitoring wells at the former Ekotek site. EKI is also in the process of retaining an underground utility locating company and drilling subcontractor to assist in this work. It is anticipated that preliminary investigation field activities will be initiated the week of 10 to 14 July 1995. However, this schedule is contingent upon obtaining necessary permits from the Alameda County Flood Control and Water Conservation District and is subject to change if issuance of the permits is delayed.

26 June 1995
Mr. Barney M. Chan
Alameda County Department of
Environmental Health
Page 4

Please call if you have questions.

Very truly yours,

ERLER & KALINOWSKI, INC.



Andrew N. Safford, P.E.
Project Manager



Theodore G. Erlar, P.E.
President

cc: Mr. Larry Webster

Mr. William Wick, Crosby, Heafey, Roach & May

Mr. Sum Arigala, Regional Water Quality Control Board

Mr. Gil Jensen, Alameda County District Attorney Office

CROSBY, HEAFEY, ROACH & MAY

PROFESSIONAL CORPORATION

ATTORNEYS AT LAW

1999 HARRISON STREET

OAKLAND, CALIFORNIA 94612-3573

(510) 763-2000 • (415) 986-3400

FAX (510) 273-8832

700 SOUTH FLOWER STREET, SUITE 2200

LOS ANGELES, CALIFORNIA 90017

(213) 896-8000

FAX (213) 896-8080

333 BUSH STREET, SUITE 2580
SAN FRANCISCO, CALIFORNIA 94104-2899

(415) 543-8700

FAX (415) 391-8269

MAILING ADDRESS:

POST OFFICE BOX 2084

OAKLAND, CALIFORNIA 94604-2084

Direct Dial (510) 466-6842

June 26, 1995

Via Messenger

Mr. Barney Chan
Alameda County Department of Environmental Health
1131 Harbor Bay Parkway, 2nd Floor
Alameda, CA 94502-6577

Re: Letter to L.C. Webster (May 25, 1995)
Response of Ekotek, Inc.

Dear Mr. Chan:

As you know, we represent Ekotek, Inc., a company which owned property for a brief period more than a decade ago at 4200 Alameda Avenue in Oakland (known as "the former Ekotek site" and as "Bayside Oil"). Ekotek and Larry and Diane Webster, the site owners since 1983, have agreed to perform the Preliminary Soil and Groundwater Investigation at the site.

I am writing to provide Ekotek's response to your letter to Larry Webster dated May 25, 1995.

First, we have reviewed our files to respond to your request for documents related to the site. The accompanying two boxes of documents include documents in our files relating to both the Ekotek site and the American National Can Company site. I understand that Mike Webster will respond separately on behalf of Larry Webster with regard to documents he may have which are responsive to your request.

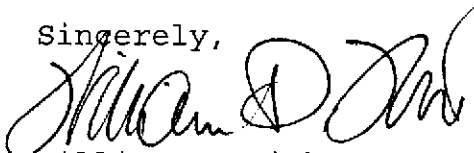
Second, Erler & Kalinowski, Inc. is sending under separate cover today a letter confirming the revisions to the May 4 Workplan developed in our telephone call on June 23. If the appropriate permits are timely issued, EKI expects to begin preliminary field activities in mid-July.

CROSBY, HEAFEY, ROACH & MAY
PROFESSIONAL CORPORATION

Mr. Barney Chan
June 26, 1995
Page 2

If there is any other way in which we can assist,
please give me a call.

Sincerely,

A handwritten signature in cursive script, appearing to read "William D. Wick".

William D. Wick

Enclosures

cc: Gilbert Jensen, Esq. (w/o enclosures)
Sum Arigala, RWQCB (w/o enclosures)
Mike Webster (w/o enclosures)

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY

DAVID J. KEARS, Agency Director



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

May 25, 1995
SLIC # 4808

Mr. L. C. Webster
16371 Ardsley Circle
Huntington Beach CA 94649

**Re: Comment on May 4, 1995 Work Plan for Preliminary Soil and
Groundwater Investigation at Former Ekotek Site, 4200
Alameda Ave., Oakland CA 94601**

Dear Mr. Webster:

Our office has recently met with your son, representatives from the consulting firm Erler and Kalinowski, Mr. William Wick of Crosby, Heafey, Roach and May, Mr. Sum Arigala of the Regional Water Quality Control Board (RWQCB) and Mr. Gil Jensen of the Alameda County District Attorney Office. At this meeting, it was agreed that our office would act as lead agency to oversee the investigation and remediation of the above referenced site. Pursuant to this decision, our office requested and received a deposit for our oversight and also received and reviewed the above referenced work plan for site assessment as prepared by your consultant, Erler and Kalinowski. As was mentioned in our meeting, this work plan is intended to provide only **preliminary** information and cannot be used to extrapolate all other areas of the site. It is hoped that the major areas of potential chemical release will be investigated and help determine if additional characterization is necessary prior to deciding on an appropriate Corrective Action Plan, (CAP).

Our office therefore gives comments on this work plan with the requirement that a supplemental work plan be submitted pending the results of this initial investigation. As more information becomes available, your investigation should be modified to answer any additional concerns which surface.

As you can see, this and all subsequent correspondences from our office will be copied to a number of other interested parties. Should there be any reason that any of these parties not be copied in part or entirety of future correspondences please inform our office immediately as to why this information should be considered confidential.

Prior to commenting on the specifics of your work plan, our office requests the submittal of copies of all previously performed environmental information/investigations from this site. This should include but is not be limited to the following types of information:

Mr. L. C. Webster
4200 Alameda Ave., Former Ekotek Site
May 25, 1995
Page 2.

1. Copies of reports for any groundwater, soil or other materials sampled at this site, I understand that the state (DTSC) and federal EPA have performed assessments;
2. Any information regarding underground storage tanks, existing or former, their installation or removal from this site;
3. Any release of a chemical substance which was or should have been reported to the appropriate regulatory agency which has occurred at this site;
4. All lists of MSDS (material safety data sheets) for chemicals stored or used at this plant; if a Hazardous Materials Business Plan (HMBP) was ever filed for this site, please submit a copy;
5. Copies of manifests and reports for any hazardous materials disposed at this site, including the recently removed liquids from the above ground tanks and subsurface sumps;
6. All maps showing storage of chemicals during the history of this site's existence not included in this work plan; and
7. Copies of any other work plans previously prepared for the investigation of this site. Our office is aware of a 4/12/88 Jaykim Engineering Inc. work plan.

In regards to the existing 3000 gallon underground hydrocarbon tank at this site, you are requested to complete the enclosed **Underground Tank Closure Plan in triplicate and provide a check for \$603.00 made payable to the Alameda County Environmental Health** to cover our tank removal oversight fees. Please submit the requested completed form **within 45 days or by July 10, 1995.** Failure to remove the tank will be considered the improper closure of an underground tank and will subject you to potential civil liability. It was mentioned at the prior May 8, 1995 meeting that you should determine if any other subsurface containers may be considered as underground tanks. If so, they will need to be closed similarly to the 3000 gallon tank.

In regards to the work plan for soil borings and monitoring wells our office has the following comments/concerns:

1. Without commenting on the adequacy of the number of borings being proposed our office requests that boring B-1 be relocated approximately 30 feet west of its original location. This will allow for more equidistant sampling along the former rail spur and gravel driveway. Note additional borings should be considered in areas of obvious visual contamination.

Leave B-1 where it is based on the existence of gravel here for the largest part of time

Mr. L. C. Webster
4200 Alameda Ave., Former Ekotek Site
May 25, 1995
Page 3.

B-5
Convert to a MW.

2. Based on the need to define the groundwater gradient beneath this site, our office requests that an additional monitoring well be installed near the center of the site ie slightly north of proposed boring B-5. We feel that more reliable groundwater gradient will be obtained with a closer network of monitoring wells. Please survey all wells relative to mean sea level.

3. Please include the analysis for pH in the areas where soil borings are advanced near former sulfuric acid tanks or sulfuric acid treaters ie near tank # 111 and southwest of tank # 116. *ok*
accepted

4. Please clarify the chemical composition of Alcan solvent formerly stored in tanks #106-110. Our office would like to be assured that this material is being analyzed for in the suite of proposed analytes. *Standard Solvent Horton*
In TPHg analysis

5. Please submit copies of representative chromatograms from the Total Petroleum Hydrocarbons analyses from each boring/well. To specifically identify the hydrocarbon release, we would like to compare this gas chromatography data against standard fuel data. *ok*
will

6. There appears to be no explanation as to why five soil samples will be selected for analysis via Method 8270 nor is there any explanation as to why five water samples will be determined for PCBs analysis. It appears that there is equal likelihood of detecting these contaminants at all locations at this site, therefore a soil and groundwater sample from each boring/monitoring well should be analyzed for these parameters. *get broad coverage of the entire site*

7. Although some of the areas around oil/water separators and sumps will be investigated by borings, our office considers all such collection containers potential sources for release of chemicals and would eventually like to see all these areas investigated. *still preliminary stage - more work if warranted.*
Acknowledged that this will be done in the future.

Please contact me at (510) 567-6765 if you have any questions regarding our offices requirements or concerns. Otherwise, you may schedule your field work as soon as possible. Please contact me at least 48 working hours prior to your field work so I may arrange to be present if possible.

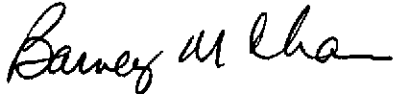
Please provide the requested technical reports/information within 30 days or by June 26, 1995.

Schedule for field work:

Next week will provide a letter documenting this conversation plus a schedule for its implementation.

Mr. L. C. Webster
4200 Alameda Ave., Former Ekotek Site
May 25, 1995
Page 4.

Sincerely,



Barney M. Chan
Hazardous Materials Specialist

enclosure (Mr. Webster)

cc: G. Jensen, Alameda County District Attorney Office
S. Arigala, RWQCB
R. Arulanantham, RWQCB
W. Wick, Crosby, Heafy, Roach & May, Attorneys at Law, 1999
Harrison St., Oakland CA 94612-3573
Mr. T. Erler, Erler & Kalinowski, Inc., 1730 So. Amphlett
Blvd., Suite 320, San Mateo, CA 94402
Mr. Jeff Chew, City of Oakland, 1333 Broadway, Oakland 94612
Mr. A. Clark-Clough, City of Oakland, Office of Public Works,
1333 Broadway, 3rd Floor, Oakland 94612
Ms. Vivian O'Neal, Deputy City Attorney, City of Oakland, One
City Hall Plaza, Oakland CA 94612
Mr. David Bruegel, Dickinson, Wright, et al, 525 North
Woodward Ave., P.O. Box 509, Bloomfield Hills, MI 48303-
0509
Mr. Jim Kessler, The Martin Group, 100 Bush St., 26th Floor,
San Francisco, CA 94104
Mr. Joseph Moran, American National Can, Asst. General
Counsel, 8770 West Bryn Mawr Ave., Chicago, Ill 60631-
3542

Files

Ekotek1

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY

DAVID J. KEARS, Agency Director



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

May 22, 1995
SLIC # 4808

Mr. L. C. Webster
16371 Ardsley Circle
Huntington Beach CA 94649

**Re: Comment on May 4, 1995 Work Plan for Preliminary Soil and
Groundwater Investigation at Former Ekotek Site, 4200
Alameda Ave., Oakland CA 94601**

Dear Mr. Webster:

Our office has recently met with your son, representatives from the consulting firm Erler and Kalinowski, Mr. William Wick of Crosby, Heafey, Roach and May, Mr. Sum Arigala of the Regional Water Quality Control Board (RWQCB) and Mr. Gil Jensen of the Alameda County District Attorney Office. At this meeting, it was agreed that our office would act as lead agency to oversee the investigation and remediation of the above referenced site. Pursuant to this decision, our office received a deposit for our oversight and also received and reviewed the above referenced work plan for site assessment as prepared by your consultant, Erler and Kalinowski. As was mentioned in our meeting, this work plan is intended to provide only preliminary information and cannot be used to extrapolate all other areas of the site. It is hoped that the major areas of potential chemical release will be investigated to determine if additional characterization is necessary prior to deciding on an appropriate Corrective Action Plan, (CAP).

Our office therefore gives comments on this work plan with the requirement that a supplemental work plan be submitted pending the results of this initial investigation. As more information becomes available, your investigation should be modified to answer any additional concerns which surface.

All subsequent correspondences from our office will be copied to a number of other interested parties. Should there be any reason that any of these parties not be copied in parts or entirety of future correspondences please inform our office immediately as to why this information should be considered confidential.

Prior to commenting on the specifics of your work plan, our office requests the submittal of copies of all previously performed environmental investigations from this site. This should include but should not be limited to the following types of information:

Mr. L. C. Webster
4200 Alameda Ave., Former Ekotek Site
May 22, 1995
Page 2.

1. Copies of reports for any groundwater, soil or other materials sampled at this site;
2. Any information regarding underground storage tanks, existing or former, their installation or removal from this site;
3. Any release of a chemical substance which was or should have been reported to any regulatory agency which has occurred at this site;
4. All lists of MSDS (material safety data sheets) for chemicals stored or used at this plant; if a Hazardous Materials Business Plan (HMBP) was ever filed for this site, please submit a copy;
5. Copies of manifests and reports for any hazardous materials disposed at this site, including the recently removed liquids from the above ground tanks and subsurface sumps.

In regards to the existing 3000 gallon underground hydrocarbon tank at this site, you are requested to complete the enclosed **Underground Tank Closure Plan in triplicate and provide a check for \$603.00 made payable to the Alameda County Environmental Health** to cover our tank removal oversight fees. Please submit the requested completed form **within 45 days or by July 3, 1995.** Failure to remove the tank will be considered the improper closure of an underground tank and will subject you to potential civil liability. It was mentioned at the prior May 8, 1995 meeting that you should determine if any other subsurface containers may be considered as underground tanks. If so, they will need to be closed similarly to that of the 3000 gallon tank.

In regards to the work plan for soil borings and monitoring wells our office has the following comments/concerns:

1. Without commenting on the adequacy of the number of borings being proposed our office requests that boring B-1 be relocated approximately 30 feet west of its original location. This will allow for more equidistant sampling along the former rail spur and gravel driveway.
2. Based on the need to define the groundwater gradient beneath this site, our office requests that an additional monitoring well be installed near the center of the site ie slightly north of proposed boring B-5.

Mr. L. C. Webster
4200 Alameda Ave., Former Ekotek Site
May 22, 1995
Page 3.

3. Please include the analysis for pH in the areas where soil borings are advanced near former sulfuric acid tanks or sulfuric acid treaters ie near tank # 111 and southwest of tank # 116.

4. Please clarify the chemical composition of Alcan solvent formerly stored in tanks #106-110. Our office would like to be assured that this material is being analyzed for in the suite of proposed analytes.

5. Please submit copies of representative chromatograms from the Total Petroleum Hydrocarbons analyses from each boring/well. To specifically identify the hydrocarbon release, we would like to compare this gas chromatography data against standard fuel data.

6. There appears to be no explanation as to why five soil samples will be selected for analysis via Method 8270 nor is there any explanation as to why five water samples will be determined for PCBs analysis. It appears that there is equal likelihood of detecting these contaminants at **all** locations at this site, therefore a soil and groundwater sample from **each** boring should be analyzed for these parameters.

7. Although some of the areas around oil/water separators and sumps will be investigated by borings, our office considers **all** such collection containers potential sources for release of chemicals and would eventually like to see all these areas investigated.

Please contact me at (510) 567-6765 if you have any questions regarding our offices requirements or concerns. Otherwise, you may schedule your field work as soon as possible. Please contact me at least **48 working hours prior to your field work** so I may arrange to be present if possible.

Sincerely,

Barney M. Chan
Hazardous Materials Specialist

enclosure (Mr. Webster)

William Wick

CROSBY, HEAFEY, ROACH & MAY

PROFESSIONAL CORPORATION

ATTORNEYS AT LAW

1999 HARRISON STREET

OAKLAND, CALIFORNIA 94612-3573

(510) 763-2000 • (415) 986-3400

FAX (510) 273-8832

700 SOUTH FLOWER STREET, SUITE 2200
LOS ANGELES, CALIFORNIA 90017
(213) 896-8000
FAX (213) 896-8080

333 BUSH STREET, SUITE 2580
SAN FRANCISCO, CALIFORNIA 94104-2899
(415) 543-8700
FAX (415) 391-8289

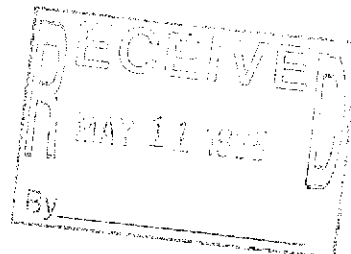
MAILING ADDRESS:

POST OFFICE BOX 2084

OAKLAND, CALIFORNIA 94604-2084

Direct Dial (510) 466-6842

May 11, 1995



Via Messenger

Mr. Barney Chan
Alameda County Department of Environmental Health
1131 Harbor Bay Parkway, 2nd Floor
Alameda, CA 94502-6577

Re: "Former Ekotek Site"

Dear Mr. Chan:

I am writing to confirm that Larry and Diane Webster, the current owners of the property at 4200 Alameda Avenue in Oakland (known as "the former Ekotek site"), and Ekotek, Inc. (my client), the owner of the facility from 1978 to 1983, have agreed to perform the Preliminary Soil and Groundwater Investigation set forth in the Erler & Kalinowski Workplan dated May 4, 1995.

As you know, the facility was operated by others for more than 50 years before Ekotek or the Websters became owners. Those operators and the entities which sent waste to the site are the parties responsible for any contamination. We are proceeding with implementation of the Workplan without in any way waiving our rights to recover from these responsible parties.

At your request, we enclose a check for \$2,000 for County oversight costs in this matter.

Sincerely,

A handwritten signature in black ink that reads "William D. Wick".

William D. Wick

Enclosures



**DRIVER
RECEIPT**

ROUND TRIP	COURIERS, INC. (510) 945-4994 1-800-4-COURIER	JOB #	98954
SAME-DAY		DATE	5-11-95
4 HR. DEL. BY:			

REFERENCE 18920.0001-0

DRIVER	PIECES	WEIGHT	AUTHORIZED BY
<u>695</u>			

CONTACT JANE COBIAN ROOM FLR 26

SHIPPER CROSBY - HENRY

ADDRESS 1999 HARRISON ST.


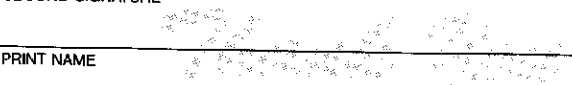
CITY OAK.

CONTACT BARNEY CHAN. ROOM 250

DELIVER TO DPT. ENVIRO.

ADDRESS 1131 HARBOR BAY HWY

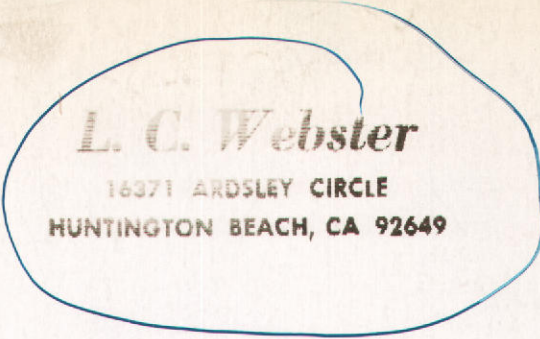
CITY ALAMEDA

RECEIVED IN GOOD CONDITION BY:	TIME
	16.11
PRINT NAME	
SECOND SIGNATURE	
	
PRINT NAME	

WHITE - Shipper CANARY - File PINK - Consignee

In tendering this shipment, Shipper agrees that CCX Couriers, Inc. shall not be liable for special, incidental or consequential damages arising from the carriage hereof. CCX Couriers, Inc. disclaims all warranties, expressed or implied, with respect to this shipment. The liability of CCX Couriers, Inc. for any loss or damage shall be limited to \$50.00.

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FACSIMILE COVER SHEET

TO: Mr. Chan, Haz. Mat Inspector
 FAX #: 510/337-9232 NO. OF PAGES: 3
 (including cover sheet)
 FROM: L.C. WEBSTER DATE: 5/8/95

* RE: EKOTEK FACILITY *

If there are any problems with the above transmission, please call 310/595-5503 FAX # 310/595-0740

L. C. Webster

16371 ARDSLEY CIRCLE
HUNTINGTON BEACH, CA 92649

May 8, 1995

Mr. Barney Chan
Hazardous Materials Inspector
Department of Environmental Protection
Alameda County Department of Environmental Health
1131 Harbor Bay Parkway, Suite 250
Alameda, CA 94502

RE: EKOTEK FACILITY - GABRIEL DEVELOPMENT LETTER/MEETING

Dear Mr. Chan,

I understand that Nicholas Gabriel of Gabriel Development circulated a letter relating to the former Ekotek facility, which we own. I am writing to provide some facts which were omitted from that letter.

This facility is idle but NOT abandoned. The property was purchased in 1983, and has not operated during the time we have owned it. We purchased the facility from Ekotek, Inc., which owned the facility from 1978 to 1983 (although operations ceased in 1981). Other companies owned and operated this waste oil facility during the 50-year-plus period of operation (from the mid-1920's to 1978) which preceded our ownership and that of Ekotek. Those owner/operator companies -- and the entities which shipped oil to the site -- are the parties responsible for any releases on the site. Nevertheless, in conjunction with Ekotek, we have spent a considerable amount of money and effort to take appropriate response actions at the site. We safely and properly removed and disposed of all materials in the tanks and sumps located on the property. The tanks and sumps are secured to prevent the intrusion of rain water into the soil.

Re: Ekotek Facility
May 8, 1995
Page 2

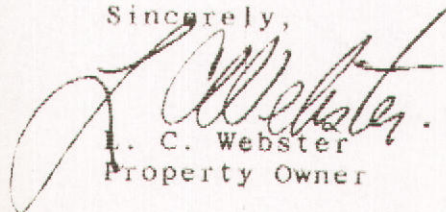
In efforts to help expedite Kmart obtaining occupation permits, hazardous materials in the tanks were properly transferred offsite to permitted treatment, storage, and disposal facilities. These actions were supervised and approved by the Alameda County Health Agency. The Alameda County Health Agency has agreed that no threats to the environment or public health exist on the site due to hazardous materials at the site.

In addition, again in conjunction with Ekotek, we have developed a workplan for soil and groundwater investigation at the site. The workplan has been submitted to the Alameda County Health Agency and the Regional Water Quality Control Board. We and Ekotek have reserved the funds to implement the proposed workplan and intend to do so.

I fear these developers are making us look like "bad guys" in an effort to steam roll us. In actuality, we have made every effort to help Kmart, ANCC, The Martin Group and the local community.

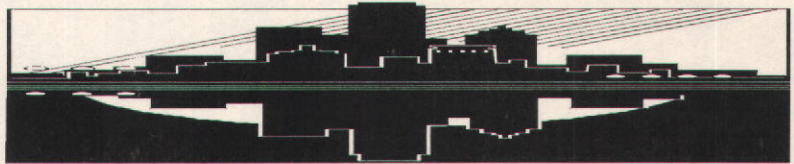
I understand that a site viewing and meeting of various officials and developers is scheduled for May 9, 1995. We were not invited to participate in this meeting but will gladly discuss the property with any of the involved parties.

Sincerely,



L. C. Webster
Property Owner

ENVIRONMENTAL
PROTECTION
GABRIEL DEVELOPMENT



NICHOLAS GABRIEL, JR.
DEVELOPMENT CONSULTANT

April 24, 1995

Mr. Barney Chan
ACDEH
1131 Harbor Bay Parkway, #250
Alameda, CA 94502

RE: Super Kmart Center #4944 - Oakland, CA

Dear Mr. Chan:

Kmart Corporation has asked that I contact you to request your participation at a meeting at **10:00 AM on Tuesday, May 9, 1995** at the location of their new Super Kmart Center in Oakland. Hosting this meeting will be Mr. Richard G. Williams, the Senior Manager of Real Estate Development for Kmart Corporation. Also in attendance will be representatives of the Martin Group, McDonalds and American National Can Company. These firms are concerned about the potential environmental impact to the Kmart and McDonald's developments and to the neighborhood which seems to be negatively affected by the abandoned EKOTEK facility.

The EKOTEK facility is located adjacent to Kmart's property at the intersection of Alameda Avenue and E. 8th Street. We believe that this facility may be adversely impacting the ground and ground water; it certainly is an eye-sore and may be a public safety concern. Kmart is hopeful that the city and county agencies and community leaders may find methods of co-operative efforts to cause an immediate demolition and clean-up of the EKOTEK facility.

EKOTEK is located at the Alameda Avenue off ramp and seems no appropriate "landmark" to designate the "gateway" to Oakland's targeted redevelopment and enterprise area efforts.

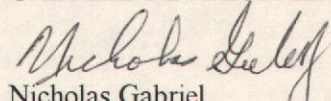
Mr. Williams and his consultants have prepared a concise presentation of the environmental regulatory issues concerning EKOTEK and will update you also about Kmart's and McDonalds' construction schedules.

Your participation will be vital to a successful discussion. We hope to see you at our meeting at the Kmart construction site.

Please RSVP by phone to me at (909) 946-2505.

Very truly yours,

GABRIEL DEVELOPMENT


Nicholas Gabriel
Developer Consultant

Att/Agenda

Amberwick Corp.

P.O. Box 92918, Long Beach, CA 90809-2918
Telephone 310/426-6503
Fax 310/595-0740

January 23, 1995

*Reviewed on
2/21/95
Ravi*

Ravi Arulanantham
Alameda County Health Agency
Department of Environmental Health
1311 Harbor Bay Parkway
Alameda, CA 94502-6577

RE: SUMP SECURING AT THE EKOTEK LUBE SITE

Dear Mr. Arulanantham,

As a follow up to our conversation regarding the securing of sumps at the Ekotek Lube Site, following is the detail on when and how the sumps were secured.

On the site there are four types of sumps. I define each as follows:

- A. Pit - small collection pits (approximately 30 gallons in capacity) these pits drain to large collection sumps. There are approximately 15 small pits. ✓
- B. Sump - large collection pits (approximately 1000 gallons in capacity) the small pits drained to these sumps. There are 5 sumps. ✓
- C. Clarifier - a series of three chambers (approximately 2,000 gallons in capacity) originally used to clean up oily water prior to discharging to the sewer. There is only one on the site.
- D. Vault - large concrete cellar (approximately 3,500 gallons) underneath two above ground tanks. There is only one on the site. ✓

Could this be considered a tank?

All the pits and sumps are constructed of concrete. The vault is also constructed of concrete. Two stages of the clarifier are constructed of steel. The third stage of the clarifier is constructed of concrete. ✓

The small pits could only receive water from two ways. One way is from rain falling or draining directly into them or the second way was from the plumbing connection them to each other and to the sumps. The pits were filled with enough additional concrete to stop water from entering the plumbing which connected the pits to the sumps.

The large sumps could only receive water from two ways. One way was from the pits. As stated above, the pits have been secured. Therefore water can no longer drain into the sumps. The other way to receive water was through an opening on the top of the sump. These openings were covered with wood. The wood was then secured with bolts and caulked.

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The concrete vault had two ways for water entry. One way for water to enter was a large hole which allowed water to drain into the vault. This hole was filled with concrete. The second way for water to enter was from the openings on the top. Around these openings a concrete berm was constructed to prevent water from running into the vault. After constructing the berm, wood was secured across the berm to prevent water from falling directly into the vault.

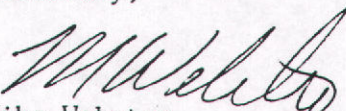
Finally the clarifier had three different compartments. The first compartment (the concrete compartment) had only one way for water to enter which was from water seeping around the steel cover. This steel cover sat firmly because of a notch designed around the edge of the compartment. Hence this compartment was secured by using a water proof insulating foam. This foam was applied around the edge of this compartment then the steel plate was place on top. The foam expands thereby creating a water proof gasket and hence securing this chamber from water entry.

The remaining two chambers could receive water from the first stage (the concrete stage mentioned above) or from water falling or draining directly into them. As mention above water can no longer enter from the first chamber. Therefore to fully secure the remaining stages a concrete berm was constructed around the openings. The berm stops water from draining into the clarifier. On the top of the berm wood was secured creating a "roof". This roof prevents water from falling directly into the clarifier.

All this work was completed during March of 1994. ✓

If you have any questions, please call the above phone number.

Sincerely,


Mike Webster

Amberwick Corp.

P.O. Box 92918, Long Beach, CA 90809-2918
Telephone 310/426-6503
Fax 310/595-0740

January 3, 1995

Ravi Arulanantham
Alameda County Health Agency
Department of Environmental Health
80 Swan Way, Room 210
Oakland, CA 94621

*Received and reviewed
on Jan 20, 1994
Ravi*

RE: EKOTEK LUBE SITE INTERIM REMEDIATION PROJECT COMPLETION NOTIFICATION

Dear Mr. Arulanantham,

This letter serves as Intercoastal Oil Corporation's notice to the Alameda County Health Agency that the Ekotek Lube Site Interim Remediation Project as outlined on Amberwick Corporation's letter dated January 11, 1994 with approved modifications has been completed.

Specifically the following work has been completed at the Ekotek site located at 4200 Alameda Ave, Oakland California:

1. Approximately 24,000 gallons of oily wastes have been shipped off-site for recycling at Gibson Environmental and Evergreen Environmental.
2. Approximately 15 cubic yards (cy) of oily solid wastes have been removed from the tanks and sumps and shipped to Gibson Environmental for recycling.
3. Approximately 1000 gallons of caustic liquid have been shipped to Phibro-Tech (Southern California Chemical) for recycling.
4. Approximately 40,000 gallons of non-hazardous water have been shipped to Evergreen Environmental for recycling.
5. All the sumps have been emptied and secured.

Per our previous correspondence and authorization the following materials remain on-site:

1. Tank 130 contains approximately 10 inches (3 cy) of solidified asphalt solids.
2. Tank 45 contains approximately 5 inches (2.8 cy) of solidified asphalt solids.
3. Tank 134 contains approximately 3 inches (2.0 cy) of solidified asphalt solids.
4. Tank 42 contains approximately 6 inches (3.9 cy) of solidified asphalt solids.
5. Tank 43 contains approximately 4 inches (2.6 cy) of solidified asphalt solids.
6. Tank 131 contains approximately 4 inches (1 cy) of crystallized caustic.
7. Small amounts of materials remain in tank 135, in the sump by tank 135, and in the sump by the storage room. However all possible materials have been pumped out and what remains is un-pumpable. The man ways are too

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Recycling, Treatment, Transportation, Disposal

small for entry and nothing more can be done until demolition of the tanks.

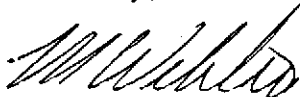
8. There are small amounts of residues (approximately 1 inch) in the various sumps which personnel cannot enter.

// O.K

Enclosed are the shipping papers and manifests for the wastes removed from the site.

If you need any other information, please call. Also please confirm in writing your concurrence that the interim remediation project has been completed.

Sincerely,



Mike Webster



Intercoastal Oil Corp.

POST OFFICE BOX 5309 / LONG BEACH, CALIFORNIA 90805 / (213) 595-5503 / FAX (213) 595-0740

June 8, 1994

Ravi Arulanantham
Alameda County Health Agency
Department of Environmental Health
80 Swan Way, Room 210
Oakland, CA 94621

*Noted
Ravi
6/14/94*

RE: UPDATE ON THE EKOTEK SITE INTERIM REMEDIATION PROJECT

Dear Mr. Arulanantham,

I have called several times over the last few weeks to inform the Alameda County Health Agency that the interim remediation project at the Ekotek Lube site in Oakland, California is complete.

The following materials still remain on site:

1. Per your agreement solidified asphalt remains in the following:
 - a. Tank 130 contains approximately 10 inches (3 cy) solidified asphalt solids.
 - b. Tank 45 contains approximately 5 inches (2.8 cy) solidified asphalt solids.
 - c. Tank 134 contains approximately 3 inches (2.0 cy) solidified asphalt solids.
 - d. Tank 42 contains approximately 4 inches (2.6 cy) solidified asphalt solids.
 - e. Tank 43 contains approximately 4 inches (2.6 cy) solidified asphalt solids.
2. Both tanks 14 and 2 contain the non-hazardous water (approximately 25,000 gallons combined).
3. Small amounts of materials remain in tank 135, in the sump by tank 135, and in the sump by the storage room. However all possible materials have been pumped out and what remains is un-pumpable. The man ways are too small for entry and nothing more can be done until demolition of the tanks.
4. Tank 131 contains approximately 2 inches of crystallized caustic (0.9 cy). Everything which could be pumped with a vacuum truck has been removed.

If you have any question please call. Please give written confirmation that you concur that the interim remediation project is complete and that the property poses no threat from hazardous waste to the public or the environment.

Respectfully,

Mike Webster



Intercoastal Oil Corp.

POST OFFICE BOX 5309 / LONG BEACH, CALIFORNIA 90805 / (213) 595-5503 / FAX (213) 595-0740

March 23, 1994

*Ravi
Noted
3/29/94*

Ravi Arulanantham
Alameda County Health Agency
Department of Environmental Health
80 Swan Way, Room 210
Oakland, CA 94621

RE: ODOR ABATEMENT DEVICE FOR VACUUM TRUCK WORK AT THE EKOTEK
LUBE SITE

Dear Mr. Arulanantham,

I am in receipt of your office's letter dated March 10, 1994 stating there was a noxious odor coming from the Ekotek Lube site. While I agree there was an odor coming from the pumping of one concrete cellar, I disagree that the odor was noxious or harmful.

The material in the concrete cellar had a "stagnant water" smell. This material was 98 percent water and bottom sediments and had been standing for probably 13 years. This stagnant water has been shipped off site with the oily wastes for proper disposal. So again while there may have been an unpleasant smell, it was not noxious or harmful.

As I discussed with you on the phone approximately 20,000 gallons of wastes have been removed from the Ekotek Site. Still remaining is one more truck load of oily waste, which does not have the stagnant smell. So while one more truck load needs to be pumped, I do not feel there will be another odor problem. However in cooperation and to additionally insure there will not be a problem, I will require the vacuum truck to have a fresh filter media in its scrubber. Additionally I am researching adding a concentrated citrus fragrance to the remaining material. And finally I will stop the pumping should a strong odor arise.

We are scheduling to remove the last truck load of oily liquid during the week of March 28, 1994. So will you please confirm that we may proceed as planned and specifically approve the odor abatement plan.

I appreciate all the cooperation we have received from your office.

Sincerely,

Mike Webster

ALCO
HAZMAT
94 MAR 28 PM 2:02

Mr. L. C. Webster
4200 Alameda Ave., Former Ekotek Site
May 22, 1995
Page 4.

cc: G. Jensen, Alameda County District Attorney Office
S. Arigala, RWQCB
R. Arulanantham, RWQCB
W. Wick, Crosby, Heafy, Roach & May, Attorneys at Law, 1999
Harrison St., Oakland CA 94612-3573
Mr. T. Erler, Erler & Kalinowski, Inc., 1730 So. Amphlett
Blvd., Suite 320, San Mateo, CA 94402
Mr. Jeff Chew, City of Oakland, 1333 Broadway, Oakland 94612
Mr. David Bruegel, Dickinson, Wright, et al, 525 North
Woodward Ave., P.O. Box 509, Bloomfield Hills, MI 48303-
0509
Mr. Jim Kessler, The Martin Group, 100 Bush St., 26th Floor,
San Francisco, CA 94104
Mr. Joseph Moran, American National Can, Asst. General
Counsel, 8770 West Bryn Mawr Ave., Chicago, Ill 60631-
3542

Ekotek1

*Mr. Andrew Clark-Clough, City of Oakland, Office of
Public Works, 1333 Broadway, 3rd Floor, Oakland,
CA 94612*

*Ms. Vivian O'Neal, Deputy City Attorney, City of
Oakland, One City Hall Plaza, Oakland, CA 94612*

ALCA
HAZMAT **Amberwick Corp.**

94 FEB 18 PM 5: 08

P.O. Box 92918, Long Beach, CA 90809-2918
Telephone 310/426-6503
Fax 310/595-0740

*Work plan approved.
Please begin necessary field
activities without any delay*
Ravi Arulanantham

February 14, 1994

Ravi Arulanantham
Alameda County Health Agency
Department of Environmental Health
80 Swan Way, Room 210
Oakland, CA 94621

ALAMEDA COUNTY
DEPT. OF ENVIRONMENTAL HEALTH
HAZARDOUS MATERIALS
2/14/94

RE: EKOTEK LUBE SITE INTERIM REMEDIATION PROJECT SUMMARY

Dear Mr. Arulanantham,

This letter summarizes the interim remediation project at the Ekotek Lube site located at 4200 Alameda in Oakland California.

OBJECTIVE:

The objective of this plan is to safely and properly remove and dispose of the materials in the tanks and sumps located on the Ekotek Lube site. All materials to be transported and disposed by approved methods and accounted for by appropriate reports and records.

WASTE REMOVAL:

Hazardous and non hazardous materials have been found in the approximately forty tanks, sixteen collection pits, and eight sumps. These materials and estimated quantities are as follows:

<u>TYPE OF MATERIAL</u>	<u>QUANTITY</u>
OILY MATERIAL CONTAINING LEAD (HAZARDOUS)...	11,500 GALLONS
CORROSIVE LIQUID (HAZARDOUS).....	400 GALLONS
WATER (NON HAZARDOUS).....	35,000 GALLONS

The oily liquid material will be transported off site to Gibson Environmental located at 475 Seaport Blvd. Redwood City, CA 94063 using vacuum truck(s). Gibson's E.P.A. I.D. # is CAD043260702.

Any oily solid material will be sent to Gibson Environmental located at End of Commercial Dr. Bakersfield, CA 93308. This site's E.P.A. I.D. # is CAD980883177. The oily materials (liquids and solids) will be transported by Erickson Inc. located at 255 Parr Blvd. Richmond, CA 94301. Erickson's E.P.A. I.D. # is CAD009466392.

The corrosive liquid will be transferred to drums. These drums will be transported off site to Norris Environmental located at 5215 E. Boyle Los Angeles, CA 90058. Norris' E.P.A. I.D. # is CAD050806850. These drums will be transported by Amberwick Corporation located at 2450 Cerritos Ave. Signal Hill, CA 90806. Amberwick's E.P.A. I.D. # is CA0000035576.

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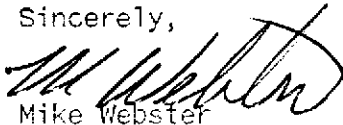
All water (non hazardous) will be consolidated into a cleaned above ground tank. Once consolidated, the water will be re-tested to confirm that it is non hazardous. After confirmation, we will apply for a sewer discharge permit. Once we have received the sewer discharge permit, the water will be discharged as outlined in the permit.

All sumps, collection pits, and tanks will be secured to prevent future rain water from entering.

TIME FRAME

Commencement of the above project will be within ten days after receiving written approval from the Alameda County Health Agency. The off site hazardous waste removal and disposal, the non hazardous water consolidation, and securing the tanks and sumps is expected to take about ten days. Final disposal of the non hazardous water is determined by the time it takes to obtain the necessary permits. The permitting is expected to take 120 days.

Sincerely,

A handwritten signature in cursive script, appearing to read "Mike Webster".

Mike Webster

ALAMEDA COUNTY
HEALTH CARE SERVICES



AGENCY

DAVID J. KEARS, Agency Director

Post-It™ brand fax transmittal memo 7671 # of pages 3	
To: <i>Jim Kessler</i>	From: <i>Roni Oruleva</i>
Co:	Co: <i>Alameda County</i>
Dept:	Phone #: <i>271-4520</i>
Fax #: <i>510-569-0505</i>	Fax #: <i>510-569-4757</i>

December 10, 1993

HAZARDOUS MATERIALS DIVISION
80 Swan Way, Rm. 200
Oakland, CA 94621
(510) 271-4320

Mr. Lester Feldman
Section Leader, Toxics Cleanup Division
Regional Water Quality Control Board
2101 Webster Street, Suite 500
Oakland, CA 94612

**SUBJECT: PROPOSED DEVELOPMENT OF K-MART SUPERSTORE
FORMER AMERICAN NATIONAL CAN COMPANY SITE
3801 EAST 8th STREET, OAKLAND, CALIFORNIA**

Dear Lester:

I have completed the review of the Health Risk Assessment (HRA) report that was prepared as part of the requirement to evaluate the future suitability of the former American National Can Company (ANC) site for a proposed K-Mart store. The HRA was prepared by Soma Environmental Engineering, Inc., and includes a complete environmental fate and transport modeling and risk characterization of several contaminants of concern.

Although there is other UGT related soil and groundwater pollution at this site (Area 1, 2, 4, and 5), this HRA was limited to the subsurface contamination in Area 3. Area 3 is immediately adjacent to an abandoned former waste oil recycling facility (currently known as Ekotek Lube site) and is the area of most concern to this office (as far as the future commercial development was concerned) due to the presence of many carcinogenic volatile compounds in groundwater and the intrusion of this contaminant plume into the ANC property. The proposed main K-Mart store will be considerably far away from this contaminant plume that has spread into the ANC property and only a small warehouse (9000 sq.ft) is planned to be built in Area 3. Therefore, based on these proposed redevelopment plans, several future exposure scenarios were evaluated in this HRA.

The baseline risk (current health risks under proposed commercial development without any mitigation) evaluation indicates that the groundwater contamination in Area 3 will not pose any undue risk to future K-Mart customers, employees or the construction workers. Based on this information, this office is satisfied that Area 3 no longer poses a future threat to the intended construction of the K-Mart superstore on this property. If a warehouse is to be built as planned in Area 3, a vapor barrier (in addition to the standard concrete slab floor) is recommended by this office as an additional precaution to prevent any potential vapor intrusion into the building.

Post-It™ brand fax transmittal memo 7671 # of pages 3	
To: <i>Gail Jensen</i>	From: <i>Jim Kessler</i>
Co:	Co:
Dept:	Phone #
Fax #: <i>(510) 569-0505</i>	Fax #

Proposed Development of K-Mart Superstore
Former American National Can Company Site
December 10, 1993
Page 2 of 3

Prior to any demolition of the existing buildings and the construction of the new K-Mart store, a Health and Safety plan must be submitted to this office, that will address the health and safety issues of the construction workers.

Although the primary purpose of the HRA was to study health risks pertaining to the future land-use issues (not water quality issues), the report briefly describes the status of groundwater in Area 3. I concur with the recommendation of this report that a deed restriction be placed on the ANC property and the groundwater shall not be used as a source of drinking water.

The US-EPA (Region IX) has recently conducted a site assessment at the former Ekotek site and concluded that the remaining liquid in the above ground tanks, as well as in the sumps, remain a potential for continuing release of hazardous materials and therefore recommends that the remaining liquids in the tanks and sumps be emptied. This office concurs with US-EPA and considers the presence of refinery waste at the Ekotek site a potential safety, fire, and nuisance threat to the future users of the K-Mart.

This US-EPA report also identifies the presence of several chemicals that are also detected in Area 3, implying (in addition to the results of the fate and transport modeling) that the source of Area 3 contamination is indeed coming from the former Ekotek site. The capping of the sumps will additionally prevent excess water mounding on the Ekotek site, which now seems to be the prime cause for the spread of contaminants into ANC property against the groundwater flow direction. It is hoped therefore, once this mounding is removed, that the spread of this plume towards the ANC property will gradually recede.


The US-EPA has also provided this office with a work plan to properly remove, clean and dispose of the remaining liquids and cap the sumps on the Ekotek site. The scope of this work plan should be followed accordingly and this office requires a formal closure report on the emptying and capping activities before a final occupancy permit can be issued to K-Mart by the City of Oakland. This requirement however, does not prevent any demolition or construction activities to commence immediately at the subject site.

Please be advised that these recommendations are site specific based on the submitted information and could be revised if new information is received subsequent to this letter.

Proposed Development of K-Mart Superstore
Former American National Can Company Site
December 10, 1993
Page 3 of 3

If you have any questions, please call me at 271-4320.

Sincerely,



Ravi Arulanantham, Ph.D., CHMM
Staff Toxicologist

c: Rafat Shahid, Director, ACDEH
Edgar Howell, Chief, Division of Hazardous Materials, ACDEH
Barney Chan, Local Oversight Program, ACDEH
Steven Ritchie, Executive Officer, RWQCB-SF Bay Region
Donald Dalke, Chief, Toxic Cleanup Division, RWQCB-SF Bay Region
Richard Hiatt, Toxic Cleanup Division, RWQCB-SF Bay Region
Gilbert Jensen, District Attorney, Alameda County
Vivian O'Neal, City of Oakland Attorney's office
James Rinehart, Director, City of Oakland OEDE
Brian Matsumura, Planning and Building, City of Oakland
Anu Raud, Planning and Building, City of Oakland
Marie Banico, City of Oakland Zoning Department
Joseph Moran, Asst. General Counsel, American National Can
James Kessler, Senior Vice President, The Martin Group

DEMETRIOU, DEL GUERCIO, SPRINGER & MOYER, LLP
ATTORNEYS AT LAW

AMERICAN REDEVELOPMENT, L.L.C.
27525 Puerta Real, Suite 100-606, Mission Viejo, CA 92691

GREGORY D. TRIMARCHE

JOSEPH F. SILVEY
Principal

(714) 457-2176
Fax (714) 582-3042

801 SOUTH GRAND AVENUE, 10TH FLOOR
LOS ANGELES, CALIFORNIA 90017
(213) 624-8407
FAX (213) 624-0174

RSI *Remedial Solutions Inc.*

ENVIRONMENTAL CONTRACTORS

A946310

Jeff Deakin

Field Operations Manager

43353 Osgood Road
Suite B
Fremont, CA 94539

510-851-7725
Pager: ~~510-851-7174~~
FAX 510-851-7822
Contractor Lic. #A634555

PATRICK J. CAFFERTY, JR.
ATTORNEY AT LAW

MUNGER, TOLLES & OLSON
33 NEW MONTGOMERY TOWER
NINETEENTH FLOOR
SAN FRANCISCO, CALIFORNIA 94105-9781
FAX (415) 512-4077

(415) 512-4012

Environmental
Liability Management

Mikkel R. Anderson

Principal

11014 Linblade Street
Culver City, CA 90230

Voice/Fax: 310-838-7511

FILE OR] M (SLIC) ENVELOPE
 PER NO.] No. of

OWNER Former Ekotek
 Address 4200 Alameda Ave.
 Oakland 94601 Phone

Contractor
 Address
 Phone

OTHER (Specify)
 Address
 Phone

CONTACT FOR INVESTIGATION

PLAN REVIEW		By	Date
\$	Rec'd.		
No.	Plans Rec'd.		
Plans Approved			
Layout Made			
Rejected			
Applicant Notified			
Plans Returned			
Permit Issued			
CONSTRUCTION PROGRESS ACCEPTANCE			
FOOD	Pre-Plaster/drywall		
	Pre-Final		
	Final		

POCL			By	Date
	Pre-Concrete/Gunite			
	Pre-Plaster			
EXCAVATION	Final			
	Septic Tank			
	Absorption Field			
	Absorption Bed			
FINAL	House Sewer			
	Septic Tank			
	Absorption Field			
OTHER	Absorption Bed			

U.G. TANKS			By	Date
	Pre-Covering			
Final				

SUE
 4808

XR		REMARKS	
Date	By	Date	By

LOCATION

Vicinity Map

ST10 4808
 projects 3274A+B deleted
 P. Smith 6/17/97

RO2803

CLOSED SUC

100 ALAMEDA AVE

OAKLAND ①

STIP # 4808

NO
CLOSURE
LETTER

RO 2803

- Open SUC
- RWQCB # OS0132 (Geo Tracker)
- Global ID # SLO600150413

No Transfer letter sgl
12/11/06

EH

24/1/06

16

WQCB))

OPEN

EH worked PLOP



found in FAU:

- PH 5, d, no
- BTEX
- Lite
- semi volatiles
- (PCB) 1 @ 31ppb

B-6 6.6 ppm Pb(!)

RO2803.

OXFORD CASHAK RD
1538



Ca/EPA

**San Francisco
Bay Regional
Water Quality
Control Board**

1515 Clay Street
Suite 1400
Oakland, CA 94612
(510) 622-2300
FAX (510) 622-2460

ENVIRONMENTAL
PROTECTION

98 SEP 25 PM 3:17



Pete Wilson
Governor

Date: **SEP 22 1998**
File No. 2223.09 (DCL)
SLIC No. 01S0132

**CERTIFIED MAIL NO.
RETURN RECEIPT REQUESTED**

Laurence and Diane Webster
c/o Mike Webster
P.O. Box 92918
Long Beach, CA 90805

Ekotek, Inc.
c/o William Wick
Crosby, Heafey, Roach & May
1999 Harrison Street
Oakland, CA 94612-3573

**Subject: Adoption of Site Cleanup Requirements for the Former Ekotek Lube Site, 4200
Alameda Avenue, Oakland, Alameda County**

Dear Lady and Gentlemen:

Enclosed is a copy of Board Order No. 98-093. This Order contains final site cleanup requirements for the subject site. The Order was adopted by the Board at its meeting of September 16, 1998.

Please contact Derek Lee of my staff at (510) 622-2374 if you have any questions.

Sincerely,

Loretta K. Barsamian
Executive Officer

Enclosure: Board Order No. 98-093
cc w/ enc: Mailing List

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



AC-57
#02803

December 16, 1998
StID # 4808

Mr. Laurence and Diane Webster c/o
Mr. Mike Webster
P.O. Box 92918
Long Beach, CA 90805

Ekotek, Inc. c/o
Mr. William Wick
Crosby, Heafey, Roach & May
1999 Harrison St.
Oakland, CA 94612-3573

Re: Site Cleanup Requirements for the Former Ekotek Lube Site, 4200 Alameda Ave.,
Oakland, CA 94601

Dear Lady and Gentleman:

Our office has been working with the Regional Water Quality Control Board (RWQCB) on the oversight of the above referenced site. Therefore, we are aware of and concur with the August 12, 1998 Water Board Order and all of its elements. Our office does not have any additional requirements beyond that stated in the order. As stated, copies of all correspondence, technical reports, and other documents pertaining with the Order shall be provided to the Water Board and to Alameda County Environmental Health.

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

Sincerely,

Barney M. Chan
Hazardous Materials Specialist

C: B. Chan, files

D. Lee, RWQCB, 1515 Clay St., Suite 1400, Oakland CA 94612

Mr. J. Silvey, American Redevelopment, L.L.C., 27525 Puerta Real, Suite 100-606,
Mission Viejo, CA 92691

Mr. R. Rivetna, American National Can Co., Mail Suite 04D, 8770 W. Bryn Mawr Ave.,
Chicago, IL 60631-3504

Ms. B. Cook, DTSC, 700 Heinz Ave., Suite 200, Berkeley, CA 94710-2737

Mr. L. Griffin, City of Oakland, OES, 505 14th St., 7th Floor, Oakland, CA 94612

Ekotek-order