

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY  
DAVID J. KEARS, Agency Director



R02856

RAFAT A. SHAHID, Assistant Agency Director

May 19, 1993

Mr. Jack Phar  
Risk Manager  
Oakland Unified School District  
1025 Second Avenue  
Oakland, CA 94606

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

**\*\*\*Notice of Legal Obligation\*\*\***

**Re: Underground Storage Tank Removal at the Willie D. Harper  
Building, 314 E 10th Street, Oakland, CA 94606**

Dear Mr. Phar:

As you are aware on September 22, 1992 contractors for Pacific Bell entered a subterranean vault at the Northeast intersection of 4th Ave and 10th Street and noted visible petroleum product within a vault containing PacBell telephone wiring. Oakland Fire Department (Unit 12) and Alameda County Emergency Response units were called out to the scene. Samples collected from the vault indicated the presence of what appeared to be petroleum compounds mixed with water. The vault was pumped out by a hazardous waste hauler. A day or so later, the vault again contained petroleum hydrocarbon contaminated water which was evacuated.

Since that time we have had conversations regarding a possible source of this contamination from the above noted facility. After diligently researching this matter, you informed to me of the presence of an old fuel oil tank at the subject property in relatively close proximity to the vault location. It was/is unknown if the tank still contained product. You mentioned that it was the school district's intention to either conduct a subsurface investigation or to remove the tank and address any contamination issues following removal.

Sections 2670c, 2711 and 2712 Title 23 of the California Code of Regulations, require that underground storage tanks be either permitted or removed. Additionally, you should be aware that Section 13304 of the California Water Code gives the State of California Regional Water Quality Control Board (RWQCB) the authority to prevent discharges of waste into the waters of the state. Alameda County is acting as the (RWQCB)s agent in making this request.

**You are required to submit, within 45 days of the receipt of this letter a work plan proposal for review by this Division prior to implementation. The work plan should outline the proposed**

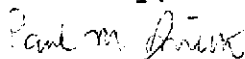
Mr. Phar  
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measures to address the tank removal, soil sampling and delineation of the contamination (if applicable). If product is still contained in the tank, it must be removed as soon as possible.

Finally, a deposit/refund account for this project has not yet been established. Section 3-140.5 of the Alameda County Ordinance allows fees for the regulatory oversight of site remediation projects. You are required to remit a check for \$ 750.00 made payable to Alameda County Treasurer. An account will be established and billed at a rate of \$ 75.00 per hour. Any unused portion of these funds will be returned to you at the completion of the project.

If you have any questions please contact me at (510) 271-4320.

Sincerely,



Paul M. Smith  
Senior Hazardous Materials Specialist

c:

Rich Hiett, Water Resources Control Engineer, SFRWQCB, 2101  
Webster St, Fifth Floor, Oakland, CA 94612  
R.P. Mesa, Superintendent of Schools, 1025 2nd Ave.,  
Oakland, CA 94606  
Dick Weinberg, Pacific Bell, P.O. Box 60377, Sacramento, CA  
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