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3:36 pm, Aug 25, 2010

Alameda County
Environmental Health

August 18, 2010

Ms. Barbara Jakub and Ms. Donna Drogos
Alameda County Health Care Services Agency
Department of Environmental Health – Local Oversight Program
1131 Harbor Bay Parkway, Suite 250
Alameda, CA 94502-6577

Subject: Documentation of Monitoring Well Destruction: 387 Orange Street, Oakland, CA,
Alameda County Case No. RO002921; GeoTracker Global ID T06019730058
DWR Well Completion Report No. e0087773

Dear Ms. Jakub and Ms. Drogos:

INTRODUCTION AND WORK SUMMARY

Stellar Environmental Solutions, Inc. (SES) is pleased to provide you with this report documenting the closure of groundwater monitoring well located at 387 Orange Street, Oakland, California in response to the Alameda County Environmental Health Services (ACEH) letter, dated July 12, 2010. The work was performed in accordance with our proposal of July 21, 2010 on behalf of Ms. Mary Kranz, Personal Representative of the Estate of David Sabino Ulibarri and the property owners: Ms. Luella Penserga, Mr. Michael L. Rabanal and Ms. Setareh Sarrafan. The ACEH List of Landowners Form is attached herein.

The project site is a multiple residential building at 387 Orange Street, Oakland, Alameda County, California (site). Figure 1 is a site location map. Figure 2 is a site plan showing the location of historical borings, the former monitoring well and the former UFST excavation. This closure report, along with all previous site documents and data, has been uploaded to the ACEH and CA GeoTracker electronic servers. Previous site investigations are summarized as follows:

- **March - December 2006.** An initial site boring investigation by Clearwater Group documented soil contamination, including a maximum of 15,000 milligrams per kilogram (mg/kg), of total extractable hydrocarbons as diesel (TEHd) and trace amounts of ethylbenzene and total xylenes at a depth of 13.5 to 14 feet below ground surface (bgs). ACEH requested in their letter dated December 20, 2006, an investigation of the extent of soil contamination and potential groundwater contamination.

- **April - May 2007.** SES conducted a soil and groundwater sampling boring investigation which revealed significant hydrocarbon concentrations—2,400 milligrams per liter (mg/L) of TEHd in the groundwater at a depth of about 25 feet below which precluded the idea of closing the UFST in place. SES completed a technical documentation report, dated May 31, 2007.
- **July - August 2007.** ACEH responded to the SES report with a letter, dated July 16, 2007 requesting a workplan to remove the UFST and mitigate the “soil and groundwater contamination.” SES submitted to Alameda County Health a technical workplan, dated July 26, 2007 for removal of the UST and associated contaminated soil. The UST and accessible contaminated soil to 15 feet below ground surface were removed in August 2007. Site building constraints and overhead power lines prevented contaminated soil removal below 15 feet bgs, the maximum reach of the excavator that could fit and operate in this situation.
- **January – December 2008.** ACEH responded to the SES report with a letter, dated January 29, 2008 requesting a workplan to evaluate the extent of dissolved phase petroleum hydrocarbon downgradient of the site that was documented in the April 2007 investigation. SES submitted to ACEH a technical workplan, dated February 11, 2008 entitled: Further Investigation and Interim Remediation Related to Underground Fuel Storage Tank. ACEH responded to the SES workplan with a letter, dated July 14, 2008 with approval and technical comments. Implementation on the workplan entailed installation of one site monitoring well, pre and post-purge sampling of the well, injection into surrounding bores of Oxygen Release Compound (ORC™), waste disposal, data reduction, preparation of technical report, dated December 11, 2008.
- **January 2009 to June 2010.** Conduct quarterly monitoring data reduction and reporting. Uploading of reports, field and laboratory data to regulatory agencies.
- **June 2010.** Conduct Q2-2010 groundwater monitoring and prepare groundwater monitoring report and petition for Case Closure. Respond to regulatory agency request for data clarification related to case closure.

Quarterly monitoring from November 2008 to May 2010 showed a significant drop in TEHd, the only contaminant detected in site groundwater. The May 2010 monitoring results detected 2,600 µg/L TEHd, above the applicable regulatory criteria of 100 µg/L, but because the residual concentration had been observed to be stabilizing, and there being no measurable BTEX or MTBE, no vapor intrusion concern, and no downgradient sensitive receptors in the proximity, the site was deemed a good candidate for regulatory closure. Therefore, case closure was requested in the June 2010 monitoring event. In a letter from the ACEH dated July 12, 2010, it

was concluded that no further action/remediation on the site is needed. A copy of the ACEH letter dated July 12, 2010 requesting the well destruction is included in Attachment A.

This letter report provides the final documentation of the monitoring well decommissioning. SES' scope of work to decommission the one site well included:

- Obtaining the Alameda County Public Works Agency (ACPW) water resources well destruction permit and City of Oakland excavation and obstruction permits, and acting as a liaison with ACPW on the behalf of Ms. Mary Kranz;
- Closing the monitoring well in accordance with ACPW specifications;
- Preparing, and submitting to the ACPW [who submits a copy to the Department of Water Resources (DWR)], the DWR Well Destruction Report Form;
- Completing this documentation report for the ACEH and Ms. Mary Kranz; and
- Submit a request to the City of Oakland to rescind the encroachment permit (ENMI 08179) for the well because it was installed on City of Oakland property in the planter strip between the sidewalk and street curb.

MONITORING WELL DESCRIPTION

The well was installed on November 17, 2008 by RSI Drilling (C-57 license number 802334) under the oversight of SES and ACPW permit number W2008-0607. The well identification (ID) and specifications are summarized in Table 1.

Table 1: Monitoring Well Description

Well ID	DWR ID	Well Depth	Well Casing (ID)
MW-1	e0087773	30 feet	2-inch PVC

WELL CLOSURE ACTIVITIES

Prior to well closure, we obtained the required City of Oakland permits and the ACPW well destruction permit and scheduled the required ACPW onsite inspection. Copies of the permits are included in Attachment A. Attachment B contains photodocumentation of the well closure activities. A copy of the original DWR Well Completion Report and the DWR Well Destruction

Report are included as Attachment C. The attached Figure 2 shows the location of the decommissioned well.

The monitoring well decommissioning was conducted August 17, 2010 by RSI Drilling, a licensed well driller (C-57 license number 802334), as required by ACPW, under the oversight of SES. The first step was to insert a tremie pipe to the bottom of the well casing and grout the well from the bottom up with neat cement until the cement spilled over the top of the PVC well casing. Immediately following installation of the cement, approximately 25 pounds per square inch pressure was applied to the grouted PVC casing for 5 minutes, to ensure the cement permeates the well filter. The next task utilized an 8-inch diameter hollow stem auger equipped with a 10-inch diameter drill bit to remove the steel well box and overdrill the PVC well casing and boring to a depth of approximately 5 feet below the ground surface. The overdrilled bore was backfilled with cement grout to approximately 3 feet below ground surface and filled to surface with soil that was compacted to match the surrounding planter. ACPW was notified beforehand of the well closure activities and Ms. Vicky Hamlin of ACPW arrived on site to conduct the well closure inspection. There was no significant wastewater or soil generated during the well closure.

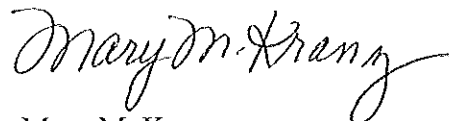
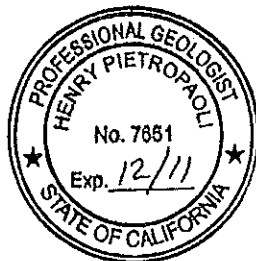
The conditions of the site closure have been met. A request for rescission of the monitoring well encroachment permit (ENMI 08179) has been submitted to the City of Oakland. SES understands that the monitoring well closure is the final step in achieving site closure, and subsequently Ms. Mary Kranz, Personal Representative of the Estate of David Sabino Ulibarri and the current the property owners: Ms. Luella Penserga, Mr. Michael L. Rabanal and Ms. Setareh Sarrafan can look forward to receiving the "No Further Action" letter from ACEH and the Regional Water Quality Control Board (Water Board). Once the "No Further Action" letter is issued, the case is officially closed on the Water Board's public GeoTracker database.

We declare, under penalty of perjury, that the information and/or recommendations contained in this report and attached documents are true and correct to the best of my knowledge. If you have any questions regarding this report, please contact us at (510) 644-3123.

Sincerely,



Henry Pietropaoli, P.G.
Project Manager



Mary M. Kranz
Personal Representative of the
Estate of David Sabino Ulibarri

FIGURES

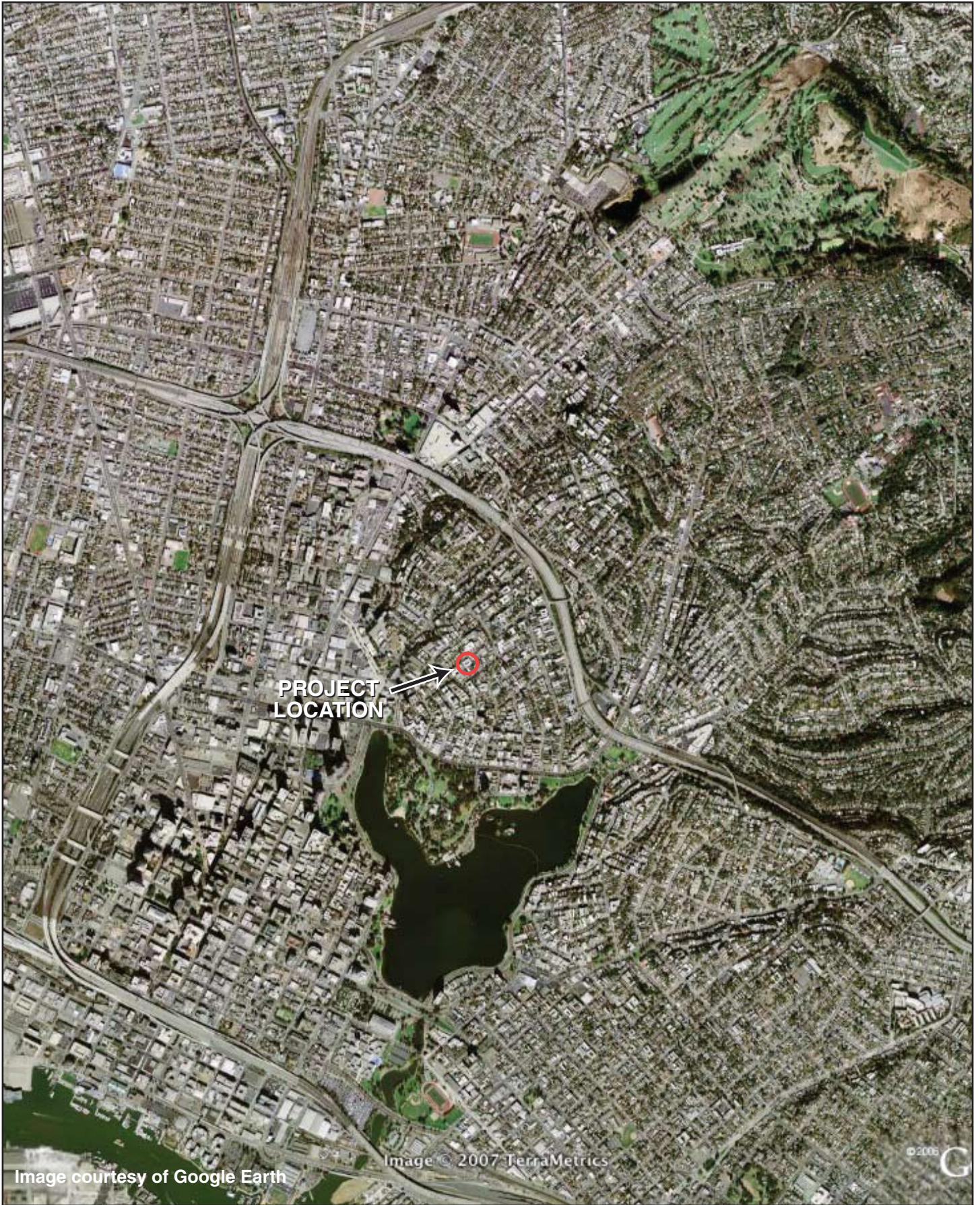


Image courtesy of Google Earth

Image © 2007 TerraMetrics

© 2008



SITE LOCATION ON AERIAL PHOTO

385-387 Orange St.
Oakland, CA

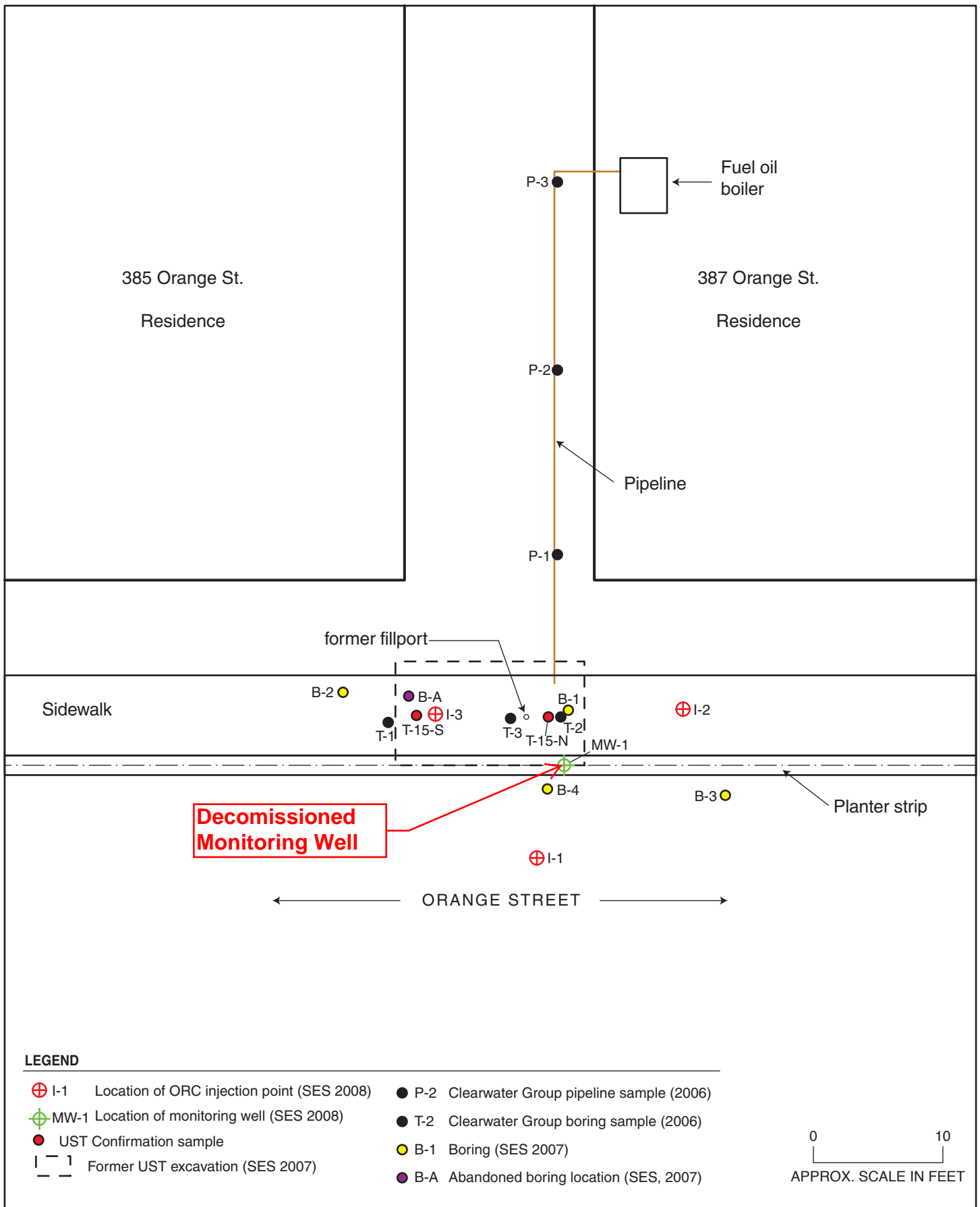
By: MJC

SEPTEMBER 2007

Figure 1



2007-09-01



2007-09-23



SITE PLAN SHOWING LOCATION OF BORINGS, MONITORING WELL AND FORMER UST EXCAVATION

**385-387 Orange St.
Oakland, CA**

By: MJC

MAY 2010

Figure 2



ATTACHMENT A

**Well Closure Permits,
ACEH Case Closure Letter
and
List of Landowners Form**

Alameda County Public Works Agency - Water Resources Well Permit



399 Elmhurst Street
Hayward, CA 94544-1395
Telephone: (510)670-6633 Fax:(510)782-1939

Application Approved on: 07/28/2010 By jamesy

Permit Numbers: W2010-0578
Permits Valid from 08/09/2010 to 08/20/2010

Application Id: 1280266380781
Site Location: 385-387 Orange Street
Project Start Date: 08/09/2010
Assigned Inspector: Contact Vicky Hamlin at (510) 670-5443 or vickyh@acpwa.org

City of Project Site:Oakland

Completion Date:08/20/2010

Applicant: Stellar Environmental Solutions - Teal Glass
2198 6th Street, Ste 201, Berkeley, CA 94710
Property Owner: Luella and Michael Penserga and Rabana
385 and 387 Orange Street, Oakland, CA 94610
Client: David Estate of Ulibarri
10106 Coronado Avenue, NE, Albuquerque, NM 87122

Phone: 510-644-3123

Phone: --

Phone: --

Receipt Number: WR2010-0267	Total Due:	\$397.00
Payer Name : Teal N Glass	Total Amount Paid:	\$397.00
	Paid By: VISA	PAID IN FULL

Works Requesting Permits:

Well Destruction-Monitoring - 1 Wells

Driller: RSI Drilling - Lic #: 802334 - Method: press

Work Total: \$397.00

Specifications

Permit #	Issued Date	Expire Date	Owner Well Id	Hole Diam.	Casing Diam.	Seal Depth	Max. Depth	State Well #	Orig. Permit #	DWR #
W2010-0578	07/28/2010	11/07/2010	MW-1	6.00 in.	2.00 in.	18.00 ft	30.00 ft		W2008-0607	e0113831

Specific Work Permit Conditions

1. Drilling Permit(s) can be voided/ cancelled only in writing. It is the applicant's responsibility to notify Alameda County Public Works Agency, Water Resources Section in writing for an extension or to cancel the drilling permit application. No drilling permit application(s) shall be extended beyond ninety (90) days from the original start date. Applicants may not cancel a drilling permit application after the completion date of the permit issued has passed.
2. Prior to any drilling activities, it shall be the applicant's responsibility to contact and coordinate an Underground Service Alert (USA), obtain encroachment permit(s), excavation permit(s) or any other permits or agreements required for that Federal, State, County or City, and follow all City or County Ordinances. No work shall begin until all the permits and requirements have been approved or obtained. It shall also be the applicants responsibilities to provide to the Cities or to Alameda County an Traffic Safety Plan for any lane closures or detours planned. No work shall begin until all the permits and requirements have been approved or obtained.
3. Compliance with the well-sealing specifications shall not exempt the well-sealing contractor from complying with appropriate State reporting-requirements related to well construction or destruction (Sections 13750 through 13755 (Division 7, Chapter 10, Article 3) of the California Water Code). Contractor must complete State DWR Form 188 and mail original to the Alameda County Public Works Agency, Water Resources Section, within 60 days. Including permit number and site map.
4. Applicant shall submit the copies of the approved encroachment permit to this office within 60 days.
5. Permittee shall assume entire responsibility for all activities and uses under this permit and shall indemnify, defend and save the Alameda County Public Works Agency, its officers, agents, and employees free and harmless from any and

Alameda County Public Works Agency - Water Resources Well Permit

all expense, cost and liability in connection with or resulting from the exercise of this Permit including, but not limited to, property damage, personal injury and wrongful death.

6. Applicant shall contact Vicky Hamlin for an inspection time at 510-670-5443 or email to vickyh@acpwa.org at least five (5) working days prior to starting, once the permit has been approved. Confirm the scheduled date(s) at least 24 hours prior to drilling.

7. Permittee, permittee's contractors, consultants or agents shall be responsible to assure that all material or waters generated during drilling, boring destruction, and/or other activities associated with this Permit will be safely handled, properly managed, and disposed of according to all applicable federal, state, and local statutes regulating such. In no case shall these materials and/or waters be allowed to enter, or potentially enter, on or off-site storm sewers, dry wells, or waterways or be allowed to move off the property where work is being completed.

8. Remove the Christy box or similar structure.

Destroy well by grouting neat cement with a tremie pipe or pressure grouting (25 psi for 5min.) to the bottom of the well and by filling with neat cement to three (3-5) feet below surface grade. Allow the sealing material to spill over the top of the casing to fill any annular space between casing and soil.

After the seal has set, backfill the remaining hole with concrete or compacted material to match existing conditions.

9. Copy of approved drilling permit must be on site at all times. Failure to present or show proof of the approved permit application on site shall result in a fine of \$500.00.

Applications for which no permit is issued within 180 days shall expire by limitation. No refund after 180 days when expired.

Appl# X1001049 Job Site 387 ORANGE ST Parcel# 010 -0794-006-00

Descr Abandon well on Orange Street. Alameda County Permit Issued 08/06/10
documentation provided. Call PWA INSPECTION prior to
start: 510-238-3651. well on Orange St
Work Type EXCAVATION-PRIVATE P

USA # Util Co. Job # Acctg#:
Util Fund #:

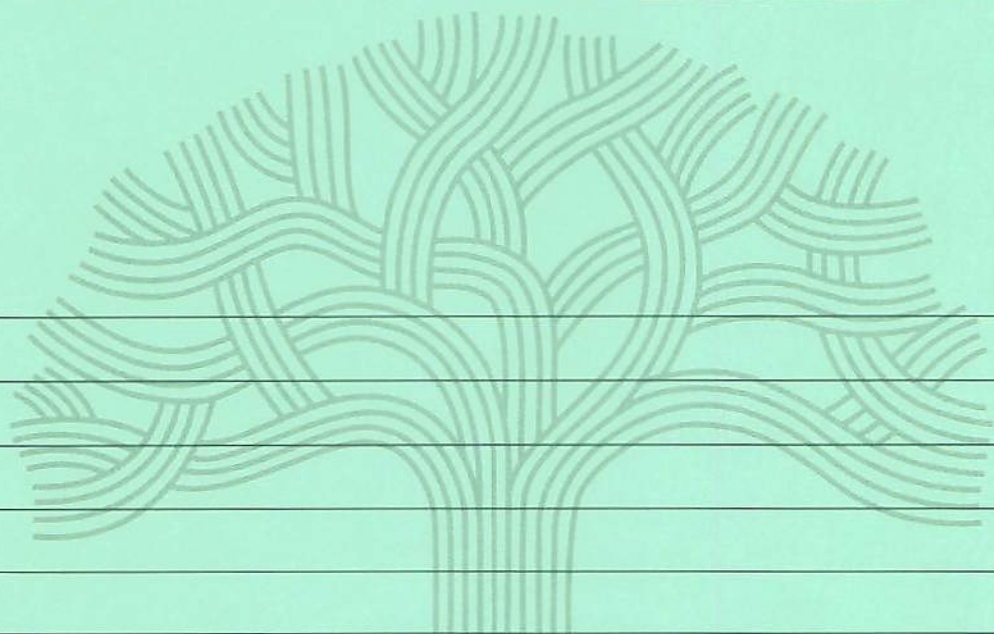
	Applcmt	Phone#	Lic#	--License Classes--
Owner LUELLA PENSERGA, MICHAEL RABANA		(415) 377-8558		
Contractor RESONANTSONIC	X	(530) 668-2424	802334	C57 A
Arch/Engr				
Agent STELLAR/ T GLASS		(510) 644-3123		
Applic Addr 220 N EAST ST., WOODLAND CA, 95776				

JOB SITE

\$436.05 TOTAL FEES PAID AT ISSUANCE	
\$71.00 Applic	\$309.00 Permit
\$.00 Process	\$36.10 Rec Mgmt
\$.00 Gen Plan	\$.00 Invstg
\$.00 Other	\$19.95 Tech Enh

Permit Issued By *[Signature]* Date: _____

Finalled By _____ Date: _____



ADDRESS:

DIST:

CITY OF OAKLAND

PAID
[Signature]

Applications for which no permit is issued within 180 days shall expire by limitation. No refund after 180 days when expired.

Permit No. X1001049 Parcel #: 010 -0794-006-00
Project Address: 387 ORANGE ST

Page 2 of 2

Licensed Contractors' Declaration

I hereby affirm under penalty of perjury that I am licensed under provisions of Chapter 9 (commencing with Section 7000) of Division 3 of the Business and Professions Code, and my license is in full force and effect.

Construction Lending Agency Declaration

I hereby affirm under penalty of perjury that there is a construction-lending agency for the performance of the work for which this permit is issued, as provided by Section 3097 of the Business and Professions Code. N/A under Lender implies No Lending Agency.

Lender _____ Address _____

Workers' Compensation Declaration

I hereby affirm under penalty of perjury one of the following declarations:

I have and will maintain a certificate of consent to self-insure for workers' compensation, as provided for by Section 3700 of the Labor Code, for the performance of the work for which this permit is issued.

I have and will maintain workers' compensation insurance, as required by Section 3700 of the Labor Code, for the performance of the work for which this permit is issued.

CARRIER: _____ POLICY NO. _____

I certify that in the performance of the work for which this permit is issued, I shall not employ any person in any manner so as to become subject to the workers' compensation laws of California, and agree that if I should become subject to the workers' compensation provisions of Section 3700 of the Labor Code, I shall forthwith comply with those provisions.

WARNING: FAILURE TO SECURE WORKERS' COMPENSATION COVERAGE IS UNLAWFUL, AND SHALL SUBJECT AN EMPLOYER TO CRIMINAL PENALTIES AND CIVIL FINES UP TO ONE HUNDRED THOUSAND DOLLARS, IN ADDITION TO THE COST OF COMPENSATION, DAMAGES AS PROVIDED FOR IN SECTION 3707 OF THE LABOR CODE, INTEREST, AND ATTORNEY'S FEES.

Hazardous Materials Declaration

I hereby affirm that the intended occupancy WILL WILL NOT use, handle or store any hazardous, or acutely hazardous, materials. (Checking "WILL" acknowledges that Sections 25505, 25533, & 25534 of the Health & Safety Code, as well as filing instructions, were made available to you.)

I HEREBY CERTIFY THE FOLLOWING: That I have read this document; that the above information is correct; and that I have truthfully affirmed all applicable declarations contained in this document. I agree to comply with all city and county ordinances and state laws relating to building construction, and hereby authorize representatives of this city to enter upon the above-mentioned property for inspection. I am fully authorized by the owner and to perform the work authorized by this permit.

DIST: ADDRESS:

Jeal Glass [Signature] 8-6-2010
PRINT NAME Signature Contractor, or Agent Date

APPLICATION FOR TRAFFIC CONTROL PLAN

Transportation Services Fee: \$123/hour
(Check or Money Order Only)



City of Oakland

Check the box that apply:

- New Application (Utility, Excavation)
- Renewal Application
- New Development w/ Mgmt Plan
- City of Oakland Project

Community & Economic Development Agency
Transportation Services Division

Please Read the Following Statements Below:

1. Processing time for a Traffic Control Application is a minimum of 10 business days.
2. Traffic Control review is scheduled only on Tuesdays and Thursdays from 8:30am thru 11:30am by appointment only.
3. A scheduled appointment by phone or email with a TSD staff member is necessary to discuss any and all traffic control application and plans.
4. Please call ahead to confirm that the traffic control application is ready for pickup @ 510-238-3467.
5. Businesses and residences adjacent to the work area must be provided 72 hour advance notice.
6. A completed traffic control application may be faxed to (510) 238-7415.
7. Incomplete traffic control applications will not be processed and returned to applicant immediately.
8. The initial approval for a traffic control plan is 1 month, the renewal submittal may be approved up to 3 months.
9. The traffic control provision dates cannot be changed or extended if work has already commenced.
10. After receiving TSD approval of the traffic control application, contractor shall proceed to the Permit Center to obtain an obstruction permit.

10 JUL 27 PM 1:38
CITY OF OAKLAND
TRANSPORTATION SERVICES DIVISION

Contact Person: Teal Glass Phone: 510-644-3123
 Name of Company: Stellar Environmental Solutions Fax: 510-644-3859
 Address of Company: 2198 16th Street Ste 201 Berkeley, CA
 Describe type of work to be performed: groundwater monitoring well destruction

Location of work: 385-387 Orange Ave. Between Pearl St. And Perkins St.
 Work date (s): 8/19/2010 - 8/20/2010 Mon-Fri Sat-Sun Work Hours: 8am to 3pm

Please Follow these Steps in Order to Complete a Traffic Control Plan:

- A. Drawing Area: The full width of all streets adjacent to the site MUST be included in the drawing. Include the entire block in which your work is located for every street that is adjacent to your site.
- B. Include Street Names, Direction of Traffic on the Street, and North Arrow
- C. Show Existing Number of Lanes in all Directions (with any pavement arrows)
- D. Check the Box(s) that Apply: All checked items MUST be shown on the drawing

<input type="checkbox"/> Lane Closure	<input type="checkbox"/> Use of Median	<input checked="" type="checkbox"/> Sidewalk Closure (must provide pedestrian walk way)
<input type="checkbox"/> Street Closures (must provide detour plan)	<input type="checkbox"/> Use Parking Lane	
- E. Show All Dimensions of street widths (curb to curb), lane widths, sidewalk widths, and work area dimension.
(Note: Traffic Control Application / Plans missing the above information will not be accepted or processed.)
- F. Show the Name and Locations of all advanced warning devices, flaggers, delineators, warning and construction signs to be used.

RENEWAL PROCESS: Resubmit a completed Traffic Control Application with the old approved plan (with the necessary modifications / changes to the plans)

FOR HELP: In preparing a traffic control plan, see Temporary Traffic Control Pocket Reference Guide 2007, Work Area Traffic Control Handbook 2006, or the California Manual on Uniform Traffic Control (MUTCD) 2003, Chapter 6.
http://www.dot.ca.gov/hq/traffops/signtech/mutcdsupp/ca_mutcd.htm
For City website: <http://www.oaklandpw.com/Page548.aspx>

* Name the streets that are the boundaries of your work area

SPECIAL PROVISION 7-10.1 TRAFFIC REQUIREMENTS

Project Name: _____
 Project Number: TSD-10-0053
 Reviewed By: J.Watson *J. Watson*
 Date: 8/4/2010
 Permit good from 8/17/2010
 to 8/20/2010

ADD NEW SUBSECTION TO READ:
SP 7-10.1.4 Vehicular Traffic

Attention is directed to Section 7-10. Public Convenience and Safety, of the City of Oakland Standard Specification for Public Works Construction, 2006 Edition (Include this paragraph for p-jobs, excavation permits or obstruction permits).

The Contractor shall conduct its work in such a manner as to provide public convenience and safety and according to the provisions in this subsection. The provisions shall not be modified or altered without written approval from the Engineer.

Standard traffic control devices shall be placed at the construction zone according to the latest edition of the Work Area Traffic Control Handbook or Manual on Uniform Traffic Control Devices (MUTCD), Chapter 6 – "Traffic Controls for Construction and Maintenance Work Zone," or as directed by the Engineer.

All trenches and excavations in any public street or roadway shall be back filled and opened to traffic, or covered with suitable steel plates securely placed and opened to traffic at all times except during actual construction operations unless otherwise permitted by the Engineer.

Each section of work shall be completed or temporarily paved and open to traffic in not more than 5 days after commencing work unless otherwise permitted in writing by the Engineer.

Where construction encroaches into the sidewalk area, a minimum of 5 ½ feet of unobstructed sidewalk shall be maintained at all times for pedestrian use. Pedestrian barricades, shelter, and detour signs per Caltrans standards may be required.

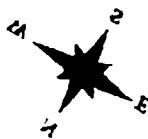
The contractor shall conduct its operation in such a manner as to leave the following traffic lanes unobstructed and in a condition satisfactory for vehicular travel during the Obstruction Period. At all times traffic lanes will be restricted and reopened to travel. Emergency access shall be provided at all times.

Street Name Limits	Obstruction Period	North Bound	South Bound	East Bound	West Bound
Orange Street between Pearl and Perkins	Mon. – Fri. 9am – 4pm	Sidewalk Closure	N/A	N/A	N/A

The Contractor Shall Also include all check item:

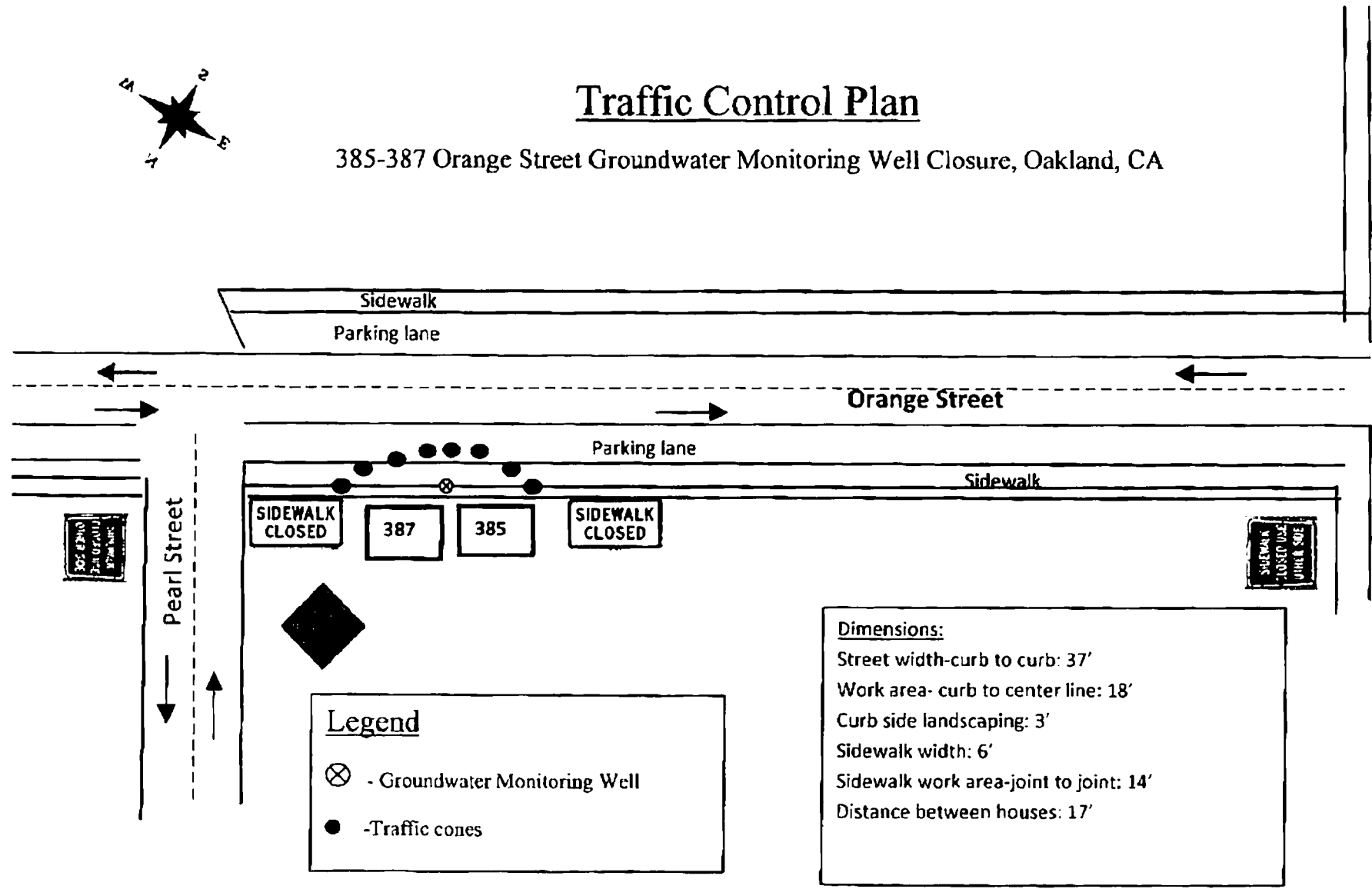
1. Design a construction traffic control plan and submit (2) copies to the Engineer for approval prior to starting any work.
2. Replace all signs, pavement markings, and traffic detector loops damaged or removed due to construction within 3 days of completion of work or the final pavement lift.
3. Provide advance notice to Oakland Police at (510) 777-3333 (24-hrs) and Oakland Fire at (510) 238-3331 (2-rhs) when a single lane of traffic or less is provided on any street.
4. Provide 72-hour advance notice to AC Transit at (510) 891-4909 when affecting a bus stop.
5. For Caltrans roadways, ramps, or maintained facilities, the Contractor shall obtain appropriate permits and notify the Traffic Management Center 24 hours in advance of any work.
6. Flagger control is required. Certified Flagger is required.
7. Pedestrian walkway by K-rail, Canopy or Plywood is required. (See detour plan)
8. Pedestrian traffic shall be maintained and guided through the project at all times.
9. Provide advance notice to Business and Residence within 72-hours.
10. Allow all traffic movement at intersection.

Nothing specified herein shall prohibit emergency work and/or repair necessary to ensure public health and safety.



Traffic Control Plan

385-387 Orange Street Groundwater Monitoring Well Closure, Oakland, CA



Perkins Street

Approved *[Signature]* 7/28/2010
 [Illegible text]



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

July 12, 2010

Michael Rabanal
1077 Mississippi St.
San Francisco, CA 94107

Setareh Sarrafan and Luella Penserga
397 Orange St. #2
Oakland, CA 94610

David Ulibarri Heir of Estate, Mary Kranz (Via e-mail: mkranz@asrt.org)
10106 Coronado Ave., NE,
Albuquerque, NM 87122

Subject: Monitoring Well Destruction for Case Closure of Fuel Leak Case No. RO0002921
Global ID # T06019730058, Ulibarri Property, 397 Orange Street, Oakland, CA 94610

Dear Ladies and Gentlemen:

Alameda County Environmental Health (ACEH) and California Regional Water Quality Control Board staff have reviewed the fuel leak case file and case closure summary for the above-referenced site and concur that no further action related to the underground storage tank fuel release is required at this time. Prior to issuance of a remedial action completion certificate, the monitoring well at the site must be properly destroyed, per California Water Code and all current record owners of fee title to the site must be notified by the primary or active responsible party of the proposed closure action.

ACEH requests that you address the following technical comments, perform the proposed work, and send us the technical reports requested below. Upon receipt of the requested documents a remedial action completion certificate will be sent to the responsible party.

TECHNICAL COMMENTS

1. **Industrial Well Destruction** – ACEH is requesting that you contact Alameda County Public Works Agency at (510) 567-6791, obtain the necessary permits, destroy the well, and electronically upload the well destruction report to ACEH's ftp server and the State Water Resources Control Board's GeoTracker website within ninety (90) days from the date of this letter (August 10, 2010). Electronic reporting is described in detail below.
2. **Landowner Notification Form** – As you may be aware, an investigation resulting from underground storage tank leaks was performed at the subject property to which you are named as the primary or active responsible party. Pursuant to Section 25297.15 (a), Alameda County Environmental Health (ACEH), the local agency, shall not consider cleanup or site closure proposals from the primary or active responsible party, issue a closure letter, or make a determination that no further action is required with respect to a site upon which there was an unauthorized release of hazardous substances from an underground storage tank subject to this chapter unless all current record owners of fee title to the site of the proposed action have been notified of the proposed action by the primary or active responsible party. ACEH is required to notify the primary or active responsible party of their requirement to certify in writing to the local agency that the notification requirement in the

Ladies and Gentlemen
RO0002921
July 12, 2010, Page 2

above-mentioned regulation has been satisfied and to provide the local agency with a complete mailing list of all record fee title owners.

To satisfy the above-mentioned requirement, please complete the enclosed "List of Landowners Form," and mail it back to ACEH within thirty (30) days from the date of this letter. Also your comments, if any, must be considered prior to the proposed cleanup or closure. Please respond within 30 days from the date of this letter for your comments to be considered.

Upon our receipt of the completed Landowner Notification Form and report of well decommissioning , (which includes confirmation of investigation derived waste disposal) this office will issue you the remedial action completion certificate.

NOTIFICATION OF FIELDWORK ACTIVITIES

Please schedule and complete the fieldwork activities by the date specified below and provide ACEH with at least three (3) business days notification prior to conducting the fieldwork.

TECHNICAL REPORT REQUEST

Please submit technical reports to ACEH (Attention: Barbara Jakub), according to the following schedule:

- **August 10, 2010** – Completed Landowner Notification Form
- **September 10, 2010** – Well Destruction Report

Thank you for your cooperation. Should you have any questions or concerns regarding this correspondence or your case, please call me at (510) 639-1287 or send me an electronic mail message at barbara.jakub@acgov.org.

Sincerely,

Barbara J. Jakub, P.G.
Hazardous Materials Specialist

Enclosures: Responsible Party(ies) Legal Requirements/Obligations
ACEH Electronic Report Upload (ftp) Instructions
Landowner Notification Form

cc: Henry Pietropaoli, Stellar Environmental Solutions, Inc., 2198 Sixth St., Suite 201, Berkeley, CA 94546 (*Sent via E-mail to: hpietropaoli@stellar-environmental.com*)
Leroy Griffin, Oakland Fire Department, 250 Frank H. Ogawa Plaza, Ste. 3341, Oakland, CA 94612-2032 (*Sent via E-mail to: lgriffin@oaklandnet.com*)
Donna Drogos, ACEH (*Sent via E-mail to: donna.drogos@acgov.org*)
Barbara Jakub, ACEH (*Sent via E-mail to: barbara.jakub@acgov.org*)
GeoTracker, file

LIST OF LANDOWNERS FORM

County of Alameda
Environmental Health Services
Environmental Protection
1131 Harbor Bay Parkway, Suite 250
Alameda, CA 94502-6577

CERTIFIED LIST OF RECORD FEE TITLE OWNERS FOR:

Site Name: Ulibarri Property
Address: 387 Orange St.
City, State, Zip: Oakland, CA 94610
Record ID #: RO0002921

Please fill out item 1 if there are multiple site landowners (attach an extra sheet if necessary). If you are the sole site landowner, skip item 1 and fill out item 2.

1. In accordance with Section 25297.15(a) of Chapter 6.7 of the California Health & Safety Code, I, Mary M. Kranz as Administrator* (name of primary responsible party), certify that the following is a complete list of current record fee title owners and their mailing addresses for the above site:

Name: Luella Penserga
Address: 387 Orange St. #2
City, State, Zip: Oakland, CA 94610
E-mail Address: ?

Name: Setareh Sarrafan
Address: 387 Orange St #2
City, State, Zip: Oakland, CA 94610
E-mail Address: ?

Name: Michael L. Rabanel
Address: 387 Orange St #2
City, State, Zip: Oakland, CA 94610
E-mail Address: ?

2. In accordance with Section 25297.15(a) of Chapter 6.7 of the California Health & Safety Code, I, certify that I am the sole landowner for the above site.

Sincerely,

Mary M. Kranz as Administrator*
Mary M. Kranz, Administrator*
8-1-2010
mkranz@asrt.org

* Administrator for the Estate of David Sabino Ulibarri

Property Owners:
Ms. Luella Penserga, Mr. Michael L. Rabanal, and Ms. Setareh Sarrafan
387 Orange Street, Oakland, CA ~~94607~~ 94610

August 19, 2010

Engineering Services
City of Oakland, Building Services Department
250 Frank H. Ogawa Plaza, 2nd Floor
Oakland, CA 94612

Subject: Rescission of Minor Encroachment Permit (No. ENMI 08179) for the one (1) monitoring well located in the sidewalk planter in front of 387 Orange Street, Oakland, CA

Dear Engineering Services,

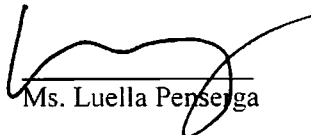
We are the owners of the property located at 387 Orange Street, Oakland, CA. The environmental monitoring work at the subject property site has been completed and as per the Alameda County Environmental Health Department directive, dated July 12, 2010, the site groundwater monitoring well was removed/destroyed on August 17, 2010 and the disturbed surface restored. The work was conducted in accordance with Alameda County Public Works Permit No. W2010-0578 which is included in the attached well closure report

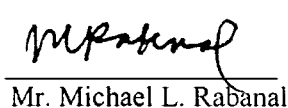
We are hereby requesting that the City of Oakland rescind the encroachment permit (ENMI 08179) for the well (MW-1) in the planter fronting 387 Orange Street, Oakland, CA. This request is being coordinated by our environmental consultant (Stellar Environmental Solutions, Inc.). Attached are the documents specified in the rescission procedure package:

- A. Letter of case closure and request to destroy wells from Alameda County Environmental Health Care Services Agency, dated July 12, 2010;
- B. A copy of the final monitoring report, dated May 14, 2010;
- C. Copy of well closure report;
- D. Site map of the well location; and
- E. Receipt for permit fee for rescission of encroachment (\$382.12)

We trust that this meets the needs of your agency. If you have any questions, please contact our designated consultant, Stellar Environmental Solutions, Inc., at 510-644-3123.

Sincerely,


Ms. Luella Penserga


Mr. Michael L. Rabanal


Ms. Setareh Sarrafan

Telephone No's. 510-917-0836

415-377-8558

510-917-0773

ATTACHMENT B

Photodocumentation



Subject: Grouting well from bottom up using tremie pipe

Site: 387 Orange Street, Oakland, CA

Date Taken: : August 17, 2010

Project No.: SES 2007-09

Photographer: H. Pietropaoli

Photo No.: 01



Subject: Removing well box with auger

Site: 387 Orange Street, Oakland, CA

Date Taken: August 17, 2010

Project No.: SES 2007-09

Photographer: H. Pietropaoli

Photo No.: 02



Subject: Overdrilling upper five feet of well casing

Site: 387 Orange Street, Oakland, CA

Date Taken: : August 17, 2010

Project No.: SES 2007-09

Photographer: H. Pietropaoli

Photo No.: 03



Subject: Surface completion with soil in planter strip

Site: 387 Orange Street, Oakland, CA

Date Taken: August 17, 2008

Project No.: SES 2007-09

Photographer: H. Pietropaoli

Photo No.: 04

ATTACHMENT C

DWR Well Completion Reports

CONFIDENTIAL

STATE OF CALIFORNIA DWR
WELL COMPLETION REPORT
(WELL LOGS)

REMOVED

CONFIDENTIAL

STATE OF CALIFORNIA DWR
WELL COMPLETION REPORT
(WELL LOGS)

REMOVED