

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



RAFAT A. SHAHID, Assistant Agency Director

DEPARTMENT OF ENVIRONMENTAL HEALTH
470 - 27th Street, Third Floor
Oakland, California 94612
(415)

February 15, 1990

Mr. Ned Pike
Bedford Properties
P. O. Box 1267
Lafayette, CA 94549

Dear Mr. Pike:

On February 14, 1990, Mr. Dwight Hoenig and Mr. David Leu, Mittelhauser Corporation met at this office concerning your property at 54 Embarcadero, Oakland, CA.

After review of the site history and thorough discussion of the material available, the representatives of Alameda County Environmental Health and Mittelhauser Corp. mutually agreed to proceed with the following:

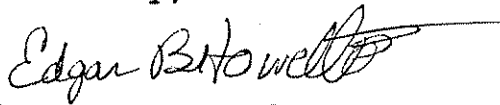
1. A monitoring well downgradient within 10 feet of the underground tank removal.
2. Dr. Leu will be sending to our office his amended calculations on the toxicity of the samples reviewed. Three (3) samples exceeded the LD50 values, per Sec. 66696, Article 11, Title 22 of the California Code of Regulations (CCR).
3. A monitoring plan must be submitted to this Department and the RWQCB for approval of frequency and analysis.
4. According to your consultants, contaminated soil was left at site marked B-11 (Fig. 2-1 attached) while all other contaminated soil was removed, stockpiled and later used as base for the paved parking area. Due to this material left on-site, a monitoring well must be placed at the S.W. corner of the building. Please see attached (Plate 13).
5. By copy of this letter we are referring this site to Regional Water Quality Control Board for their determination if a Waste Discharge Permit will be required.

Please be advised that the wells should not be installed prior to contact with RWQCB and Dennis Byrne of this office.

Mr. Ned Pike
Bedford Properties
February 15, 1990
Page 2 of 2

If you have any questions, please call me at 415/271-4320.

Sincerely,



Edgar B. Howell III
Acting Chief, HazMat Division

EH:mam

cc: Mr. George Vukasin
Rafat A. Shahid, Assistant Agency Director, Alameda County
Department of Environmental Health
Lester Feldman, RWQCB
Howard Hatayama, DHS
Dennis Byrne, Alameda County Hazardous Materials Division
Larry Blazer, Alameda County District Attorney, Consumer and
Environmental Protection Division
Files

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Director



Department of Environmental Health
Hazardous Materials Division
80 Swan Way, Room 200
Oakland, CA 94621

Telephone Number: (415) 271-4320

30 January, 1989

Mr. John Soldering
Deputy Director of Public Works
City of Oakland
1 City Hall Plaza
Oakland, Ca. 94612

Subject: Leaking Storage Tank at 54 Embarcadero St. Oakland

Dear Mr. Soldering:

On the 22nd of December, 1988, representatives of the Oakland Fire Department, Oakland Police Department, U.S. Coast Guard and our office responded to an emergency at 54 Embarcadero Street in Oakland. An underground storage tank at this location was leaking gasoline which was entering the storm drain system with runoff rain water.

Title 23 of the California Code of Regulations requires that a leaking underground storage tank must be removed. The Oakland Assessor's Office reported the owner of the property to be a Mr. George Vukasin of Alamo, California. Mr. Vukasin has been contacted by our office in regards to this matter, but he insists that correcting this problem is not his responsibility. It is Mr. Vukasin's contention that the tank in question occupies land which is owned by the City of Oakland.

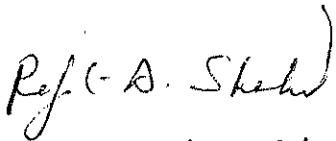
The tank is located along Fallon Street approximately seventy-five feet Northeast of the Embarcadero railroad tracks. The drawing of Assessor's Parcel Number 0-435-10-5, shows the area in question.

Mr. John Soldering
Deputy Director of Public Works
City of Oakland
1 City Hall Plaza
Oakland, Ca. 94612
30 January, 1989
Page 2 of 2.

It is the desire of our office to see that all actions required to address this problem be conducted in an expedient and responsible manner. Consequently, we would appreciate a decision from the City of Oakland in regards to this issue.

If you have any questions, please feel free to contact Dennis Byrne, Hazardous Materials Specialist, at (415)271-4320.

Sincerely,



Rafat A. Shahid, Chief,
Hazardous Materials Division

RAS:DB

cc: Gil Jensen, Alameda County District Attorney, Consumer and
Environmental Protection Agency.
Norm Healy, Alameda County, Consumer and Environmental
Protection Agency.
Jerry Blueford, Fire Marshal, Oakland Fire Prevention Bureau.
Lt. David Fletcher, Oakland Fire Department.
M. Hosain Kazemi, SFBRWQCB.

ALAMEDA COUNTY
HEALTH CARE SERVICES

DAVID J. KEARS, AGENCY
CARL N. LESTER, Agency Director
XXXXXXXXXXXX



Department of Environmental Health
Hazardous Materials Division
80 Swan Way, Room 200
Oakland, CA 94621

Certified Mailer # P 833 981 155

AGENCY HEADQUARTERS
~~499 Fifth Street~~
~~Oakland, California 94607~~
(415) 271-4320

28 December, 1988

George J. Vukasin
2410 Royal Oaks Dr.
Alamo, Ca. 94507

****NOTICE OF VIOLATION****

Dear Mr. Vukasin:

On the 22nd of December, 1988, a representative from our office, the Oakland Fire Department and the U.S. Coast Guard responded to an emergency taking place at 54 Embarcadero Street in Oakland. The City of Oakland lists you as being the owner of this property.

An underground fuel tank on this property was leaking gasoline. The heavy rains and exceptionally high tide conditions in effect at the time were resulting in the gasoline rising to the ground surface where it drained into the storm sewer system. A Registered Hazardous Waste Hauler was brought to the scene to absorb the floating product from the surface of the water pooled on your property and pump accumulated gasoline from the storm sewer system.

Within the State of California, underground storage tanks are administered under Title 23 of the California Code of Regulations. This letter is to inform you of legal responsibilities which you, as the owner of the property, are required to fulfill.

Section 2652 (c) of the CCR, Title 23, states that the owner of an underground storage tank must report to the local regulatory agency that a release has occurred and specify the quantity and nature of the material involved. By law, this report must be submitted to the local agency within five working days of the date on which the release was discovered.

A blank copy of an Underground Storage Tank Unauthorized Release Report is included with this letter for your use. Please complete and submit this document to our office within five days of the date on which you receive this letter.

George J. Vukasin
2410 Royal Oaks Dr.
Alamo, Ca. 94507
28 December, 1988
Notice of Violation
Page 2 of 3

Two additional documents are also included with this letter, Underground Storage Tank Permit Application Forms A and B. As per Section 2711 (a) of the CCR, Title 23, all underground storage tanks within the State of California must be registered with the local regulatory agency and operated in a manner consistent with the law. Please complete and return these documents to our office with the Unauthorized Release Report.

A visual inspection of your property during the emergency response revealed the presence of a number of fifty-five gallon drums. Witnesses at the scene stated that an environmental audit was being conducted on this property and that these drums contained boring wastes. If you are in the process of conducting any analytical evaluation to detect soil contamination on this site, please submit any derived data to our office for review. This will assist us in evaluating the nature and extent of any problem posed by this situation and fulfill your reporting requirements to the local regulatory agency as specified in Section 2652 (d) of the CCR, Title 23.

Please give this matter your immediate attention. Sections 25189 and 25191 of the California Health and Safety Code provide for civil and criminal penalties of up to \$25,000.00 per day, per violation.

George J. Vukasin
2410 Royal Oaks Dr.
Alamo, Ca. 94507
28 December, 1988
Notice of Violation
Page 3 of 3

We at the Alameda County Department of Environmental Health, Hazardous Materials Division, are eager to assist you in ensuring that this situation is resolved in an expedient and responsible manner. If you have any questions or require further clarification concerning the actions needed to address this issue, please contact, Dennis Byrne, Hazardous Materials Specialist, at (415) 271-4320.

Sincerely,

Rafat A. Shahid

Rafat A. Shahid, Chief,
Hazardous Materials Division

RAS:DB

cc: Gil Jensen, Alameda County District Attorney, Consumer and Environmental Protection Agency.
Norm Healy, Alameda County Consumer and Environmental Protection Agency.
Dwight Hoening, DOHS.
M. Hosain Kazemi, SFBRWQCB.
Lisa McCann, SFBRWQCB.
Jerry Blueford, Fire Marshal, Oakland Fire Prevention Bureau.
Lt. D. Fletcher, Oakland Fire Department.
Sgt. Alan Whitman, Oakland Police Department.
Lt. D. Switzer, U.S. Coast Guard.