

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



804
08-0406

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

August 3, 2006

Mr. Steven Zachs
Hanson Aggregates Mid-Pacific, Inc.
681 Aspen Circle
Oxnard, CA 93030

Mr. W. M. Calvert
Mission Valley Rock Company
7999 Athenour Way
Sunol, CA 94586

Subject: Fuel Leak Case No. RO0000207, Mission Valley Rock and Asphalt, 7999 Athenour Way, Sunol, CA

Dear Mr. Zachs and Mr. Calvert:

Alameda County Environmental Health (ACEH) staff has reviewed the fuel leak case file for the above-referenced site and the reports entitled, "Additional Investigation at the Asphalt Plant, Hanson Aggregates Mission Valley Rock Facility," dated July 10, 2006, prepared on your behalf by LFR Inc, and "Second Quarter 2006 Groundwater Monitoring and Sampling Report," dated July 27, 2006, prepared on your behalf by Tait Environmental Management, Inc. The additional investigation report describes the results from the installation and sampling of 12 additional monitoring wells. Elevated concentrations of petroleum hydrocarbons were detected and free-phase product was observed in the northernmost and southernmost monitoring wells. Elevated concentrations of petroleum hydrocarbons were also detected in the lowermost water-bearing unit investigated at the site, which is interpreted to be the Livermore Formation. These results indicate that the lateral and vertical extent of contamination at the site has not been defined. Therefore, we request that you **submit a Work Plan by October 10, 2006** to complete site characterization. As discussed in technical comment 5 below, soil and groundwater remediation will be required for this site due to the presence of free product and elevated concentrations of fuel hydrocarbons in soil and groundwater. Therefore, please include plans for interim remediation or pilot testing in the Work Plan.

We request that you address the following technical comments, perform the proposed work, and send us the technical reports requested below.

TECHNICAL COMMENTS

1. **Lateral Extent of Fuel Hydrocarbons to the North.** Free phase product was observed in the boring for well MW-9D, which is the boring farthest north at the site. Total petroleum hydrocarbons as gasoline (TPHg) were detected in groundwater collected from well MW-9D at concentrations up to 88,000 micrograms per liter ($\mu\text{g/L}$), which is also indicative of free phase product. The extent of free product and elevated concentrations of petroleum

hydrocarbons in groundwater to the north must be characterized. Therefore, we request that you submit a scope of work to complete characterization of the lateral extent of fuel hydrocarbons to the north in the Work Plan requested below. We recommend that you consider soil borings or cone penetrometer borings and depth-discrete grab groundwater sampling to define the extent of fuel hydrocarbons prior to installation of additional monitoring wells. The use of grab groundwater sampling to define plume extent may be particularly applicable for this site given the potential for variable groundwater flow directions over time.

2. **Lateral Extent of Fuel Hydrocarbons to the South.** Possible free phase product was observed in the boring for well MW-11D, which is the boring farthest south at the site. Total petroleum hydrocarbons as gasoline (TPHg) were detected in groundwater from well MW-11D at a concentration of 13,000 µg/L. The extent of free product and elevated concentrations of petroleum hydrocarbons to the south must be characterized. Therefore, we request that you propose a scope of work to complete characterization of the lateral extent of fuel hydrocarbons to the south in the Work Plan requested below. MTBE has been detected in soil and groundwater in the southern portion of the site but not detected in the northern portion of the site. We recommend that you consider soil borings or cone penetrometer borings and depth-discrete grab groundwater sampling to define the extent of fuel hydrocarbons prior to installation of additional monitoring wells.
3. **Vertical Extent of Fuel Hydrocarbons.** TPHg was detected at a concentration of 5,400 µg/L in groundwater collected from well MW-9LF, which is screened from 33.3 to 38.3 feet below TOC. TPHg was also detected at a concentration of 1,300 µg/L in groundwater collected from well MW-11LF, which is screened from 32.8 to 37.8 feet below TOC. No data have been collected below these depths to assess whether deeper soil and groundwater has been impacted. Therefore, we request that you proposed additional sampling to define the vertical extent of soil and groundwater contamination in the Work Plan requested below. Collection of grab groundwater samples may be sufficient to assess whether the deeper intervals have been affected.
4. **Other Potential Sources of Fuel Hydrocarbons.** MTBE is present in soil and groundwater in the southern portion of the site but was not detected in soil and groundwater in the northern portion of the site. In the Work Plan requested below, please identify other potential sources of fuel hydrocarbons in addition to the known USTs and piping at the site and discuss the potential for the observed contamination to be from multiple sources. Please identify the contents of the two 25,000-gallon ASTs shown on the site plan.
5. **Interim Remediation and Pilot Testing.** Remediation of soil and groundwater will be required for this site due to the presence of free product and elevated concentrations of fuel hydrocarbons in soil and groundwater. In the Work Plan requested below, please propose pilot testing and additional site characterization as needed to select and implement interim remedial alternatives for the site.
6. **Quarterly Groundwater Monitoring.** Quarterly groundwater monitoring is to be continued for the site. Groundwater samples are to be analyzed for TPHg, TPHd, BTEX, and fuel oxygenates (MTBE, TBA, ETBE, DIPE, and TAME). Laboratory analysis for chlorinated

hydrocarbons by a full scan EPA Method 8260B is not required. Lead scavengers were apparently not detected in groundwater samples collected during the 2006 additional investigation. Based on these results, analysis for ethylene dibromide and 1,2-dichloroethane is not required during future groundwater monitoring events.

7. **Hydrogeologic Cross Sections.** The cross sections presented in the Additional Investigation report are useful for interpretation of the hydrogeology of the site. Please include the cross sections, updated with new data as new data are acquired, in future reports and work plans. Please correct the elevations shown along the left side of Figures 5 and 6; the depicted elevations are currently not consistent.
8. **Geotracker EDF Submittals** - A review of the case file and the State Water Resources Control Board's (SWRCB) Geotracker website indicate that submittals of electronic copies of analytical data are not complete for your site. Pursuant to CCR Sections 2729 and 2729.1, beginning September 1, 2001, all analytical data, including monitoring well samples, submitted in a report to a regulatory agency as part of the LUFT program, must be transmitted electronically to the SWRCB Geotracker website via the internet. Additionally, beginning January 1, 2002, all permanent monitoring points utilized to collect groundwater samples (i.e. monitoring wells) and submitted in a report to a regulatory agency, must be surveyed (top of casing) to mean sea level and latitude and longitude accurate to within 1-meter accuracy, using NAD 83, and transmitted electronically to the SWRCB Geotracker website. Beginning July 1, 2005, electronic submittal of a complete copy of all reports is required in Geotracker (in PDF format). In order to remain in regulatory compliance, please upload all analytical data (collected on or after September 1, 2001), to the SWRCB's Geotracker database website in accordance with the above-cited regulation.

TECHNICAL REPORT REQUEST

Please submit technical reports to Alameda County Environmental Health (Attention: Jerry Wickham), according to the following schedule:

- **October 10, 2006** – Work Plan
- **November 15, 2006** – Quarterly Monitoring Report for the Third Quarter 2006
- **February 15, 2007** – Quarterly Monitoring Report for the Fourth Quarter 2006

These reports are being requested pursuant to California Health and Safety Code Section 25296.10. 23 CCR Sections 2652 through 2654, and 2721 through 2728 outline the responsibilities of a responsible party in response to an unauthorized release from a petroleum UST system, and require your compliance with this request.

ELECTRONIC SUBMITTAL OF REPORTS

Effective **January 31, 2006**, the Alameda County Environmental Cleanup Oversight Programs (LOP and SLIC) require submission of all reports in electronic form to the county's ftp site. Paper copies of reports will no longer be accepted. The electronic copy replaces the paper copy and

will be used for all public information requests, regulatory review, and compliance/enforcement activities. Instructions for submission of electronic documents to the Alameda County Environmental Cleanup Oversight Program ftp site are provided on the attached "Electronic Report Upload (ftp) Instructions." Please do not submit reports as attachments to electronic mail.

Submission of reports to the Alameda County ftp site is an addition to existing requirements for electronic submittal of information to the State Water Resources Control Board (SWRCB) Geotracker website. Submission of reports to the Geotracker website does not fulfill the requirement to submit documents to the Alameda County ftp site. In September 2004, the SWRCB adopted regulations that require electronic submittal of information for groundwater cleanup programs. For several years, responsible parties for cleanup of leaks from underground storage tanks (USTs) have been required to submit groundwater analytical data, surveyed locations of monitor wells, and other data to the Geotracker database over the Internet. Beginning July 1, 2005, electronic submittal of a complete copy of all necessary reports was required in Geotracker (in PDF format). Please visit the SWRCB website for more information on these requirements (http://www.swrcb.ca.gov/ust/cleanup/electronic_reporting).

PERJURY STATEMENT

All work plans, technical reports, or technical documents submitted to ACEH must be accompanied by a cover letter from the responsible party that states, at a minimum, the following: "I declare, under penalty of perjury, that the information and/or recommendations contained in the attached document or report is true and correct to the best of my knowledge." This letter must be signed by an officer or legally authorized representative of your company. Please include a cover letter satisfying these requirements with all future reports and technical documents submitted for this fuel leak case.

PROFESSIONAL CERTIFICATION & CONCLUSIONS/RECOMMENDATIONS

The California Business and Professions Code (Sections 6735, 6835, and 7835.1) requires that work plans and technical or implementation reports containing geologic or engineering evaluations and/or judgments be performed under the direction of an appropriately registered or certified professional. For your submittal to be considered a valid technical report, you are to present site specific data, data interpretations, and recommendations prepared by an appropriately licensed professional and include the professional registration stamp, signature, and statement of professional certification. Please ensure all that all technical reports submitted for this fuel leak case meet this requirement.

UNDERGROUND STORAGE TANK CLEANUP FUND

Please note that delays in investigation, later reports, or enforcement actions may result in your becoming ineligible to receive grant money from the state's Underground Storage Tank Cleanup Fund (Senate Bill 2004) to reimburse you for the cost of cleanup.

AGENCY OVERSIGHT

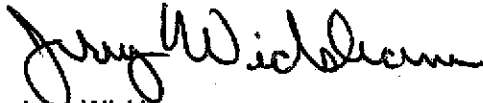
If it appears as though significant delays are occurring or reports are not submitted as requested, we will consider referring your case to the Regional Board or other appropriate agency, including the County District Attorney, for possible enforcement actions. California Health and Safety

Steven Zachs
W.M. Calvert
August 3, 2006
Page 5

Code, Section 25299.76 authorizes enforcement including administrative action or monetary penalties of up to \$10,000 per day for each day of violation.

If you have any questions, please call me at (510) 567-6791.

Sincerely,



Jerry Wickham
Hazardous Materials Specialist

Attachment: Requested Revisions to Proposed Well Cluster Locations

Enclosure: ACEH Electronic Report Upload (ftp) Instructions

cc: Matt Katen, QIC 80201, Zone 7 Water Agency, 100 North Canyons Parkway, Livermore, CA 94551

Katrin Schliewen, LFR, 1900 Powell Street, 12th Floor, Emeryville, CA 94608-1827

Paul McCarter, Tait Environmental Management, 701 North Parkcenter Drive, Santa Ana, CA 92705

Donna Drogos, ACEH
Jerry Wickham, ACEH
File

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



05-17-06

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

May 17, 2006

Mr. W. M. Calvert
Mission Valley Rock Company
7999 Athenour Way
Sunol, CA 94586

Subject: Fuel Leak Case No. RO0000207, Mission Valley Rock and Asphalt, 7999 Athenour Way, Sunol, CA – Schedule Extension

Dear Mr. Calvert:

Alameda County Environmental Health (ACEH) staff has reviewed the fuel leak case file for the above-referenced site including the correspondence entitled, "Request for Extension to Well Installation Report Due Date, Former Mission Valley Rock Facility, Sunol, California," dated May 15, 2006 and submitted on your behalf by LFR Environmental Management & Consulting Engineering. Based on the request for an extension, the schedule for submittal of a Subsurface Investigation Report is extended 30 days from June 9, 2006 to July 10, 2006.

Two points made within the May 15, 2006 correspondence require correction. The Work Plan appears to imply that the "Work Plan for Additional Investigation at the Asphalt Plant," dated January 17, 2006, proposed nested wells and that ACEH approved the installation of nested wells based on review of the Work Plan. Section 4.2.1 of the Work Plan, which is entitled "Proposed Monitoring Well Locations," states, "A total of four multiple-completion monitoring wells clusters will be installed in specific locations to fill data gaps, in concurrence with the ACEH letter dated November 3, 2005. Each monitoring well cluster will contain three individual wells screened from 8 to 13 feet below ground surface (bgs), 25 to 30 feet bgs, and 45 to 50 feet bgs." ACEH approved well clusters consisting of individual wells and did not approve nested wells based on the January 17, 2006 Work Plan. The term, "nested well," does not appear in Section 4.2 of the Work Plan, which is entitled, "Proposed Groundwater Monitoring Well Installation."

The second point requiring correction is the statement, "the ACHSA agreed that the current nested wells were acceptable installations and that no action regarding these wells would be necessary." ACEH indicated that if water level and analytical data from the existing nested wells indicated there was hydraulic separation between the shallow, middle, and deep zones, the existing nested wells would not need to be replaced. We are not aware of any problems that would require replacement of the existing wells and anecdotal information indicating that there is hydraulic separation between some of the nested wells was discussed during a telephone conversation of May 25, 2006; however, a complete analysis has not been conducted. ACEH did not state that all existing nested well installations are acceptable.

TECHNICAL REPORT REQUEST

Please submit technical reports to Alameda County Environmental Health (Attention: Jerry Wickham), according to the following schedule:

- **July 10, 2006** – Subsurface Investigation Report
- **August 15, 2006** – Quarterly Groundwater Monitoring Report – Second Quarter 2006

These reports are being requested pursuant to California Health and Safety Code Section 25296.10. 23 CCR Sections 2652 through 2654, and 2721 through 2728 outline the responsibilities of a responsible party in response to an unauthorized release from a petroleum UST system, and require your compliance with this request.

ELECTRONIC SUBMITTAL OF REPORTS

Effective **January 31, 2006**, the Alameda County Environmental Cleanup Oversight Programs (LOP and SLIC) require submission of all reports in electronic form to the county's ftp site. Paper copies of reports will no longer be accepted. The electronic copy replaces the paper copy and will be used for all public information requests, regulatory review, and compliance/enforcement activities. Instructions for submission of electronic documents to the Alameda County Environmental Cleanup Oversight Program ftp site are provided on the attached "Electronic Report Upload (ftp) Instructions." Please do not submit reports as attachments to electronic mail.

Submission of reports to the Alameda County ftp site is an addition to existing requirements for electronic submittal of information to the State Water Resources Control Board (SWRCB) Geotracker website. Submission of reports to the Geotracker website does not fulfill the requirement to submit documents to the Alameda County ftp site. In September 2004, the SWRCB adopted regulations that require electronic submittal of information for groundwater cleanup programs. For several years, responsible parties for cleanup of leaks from underground storage tanks (USTs) have been required to submit groundwater analytical data, surveyed locations of monitor wells, and other data to the Geotracker database over the Internet. Beginning July 1, 2005, electronic submittal of a complete copy of all necessary reports was required in Geotracker (in PDF format). Please visit the SWRCB website for more information on these requirements (http://www.swrcb.ca.gov/ust/cleanup/electronic_reporting).

PERJURY STATEMENT

All work plans, technical reports, or technical documents submitted to ACEH must be accompanied by a cover letter from the responsible party that states, at a minimum, the following: "I declare, under penalty of perjury, that the information and/or recommendations contained in the attached document or report is true and correct to the best of my knowledge." This letter must be signed by an officer or legally authorized representative of your company. Please include a cover letter satisfying these requirements with all future reports and technical documents submitted for this fuel leak case.

PROFESSIONAL CERTIFICATION & CONCLUSIONS/RECOMMENDATIONS

The California Business and Professions Code (Sections 6735, 6835, and 7835.1) requires that work plans and technical or implementation reports containing geologic or engineering

evaluations and/or judgments be performed under the direction of an appropriately registered or certified professional. For your submittal to be considered a valid technical report, you are to present site specific data, data interpretations, and recommendations prepared by an appropriately licensed professional and include the professional registration stamp, signature, and statement of professional certification. Please ensure all that all technical reports submitted for this fuel leak case meet this requirement.

UNDERGROUND STORAGE TANK CLEANUP FUND

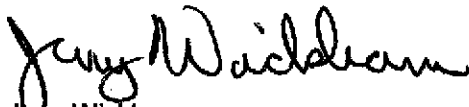
Please note that delays in investigation, later reports, or enforcement actions may result in your becoming ineligible to receive grant money from the state's Underground Storage Tank Cleanup Fund (Senate Bill 2004) to reimburse you for the cost of cleanup.

AGENCY OVERSIGHT

If it appears as though significant delays are occurring or reports are not submitted as requested, we will consider referring your case to the Regional Board or other appropriate agency, including the County District Attorney, for possible enforcement actions. California Health and Safety Code, Section 25299.76 authorizes enforcement including administrative action or monetary penalties of up to \$10,000 per day for each day of violation.

If you have any questions, please call me at (510) 567-6791.

Sincerely,



Jerry Wickham
Hazardous Materials Specialist

Enclosure: ACEH Electronic Report Upload (ftp) Instructions

cc: Matt Katen, QIC 80201, Zone 7 Water Agency, 100 North Canyons Parkway, Livermore, CA 94551

Katrin Schliewen, LFR, 1900 Powell Street, 12th Floor, Emeryville, CA 94608-1827

Donna Drogos, ACEH
Jerry Wickham, ACEH
File

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



SENT
02-06-03

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

February 3, 2006

Mr. W. M. Calvert
Mission Valley Rock Company
7999 Athenour Way
Sunol, CA 94586

Subject: Fuel Leak Case No. RO0000207, Mission Valley Rock and Asphalt, 7999 Athenour Way, Sunol, CA – Work Plan Approval

Dear Mr. Calvert:

Alameda County Environmental Health (ACEH) staff has reviewed the fuel leak case file for the above-referenced site and the reports entitled, "Work Plan for Additional Investigation at the Asphalt Plant, Hanson Aggregates Mission Valley Rock Facility," dated January 17, 2006 and "Fourth Quarter 2005 Groundwater Monitoring and Sampling Report," dated January 23, 2006. The Fourth Quarter 2005 Groundwater Monitoring Report," presents the results of groundwater monitoring conducted at the site in December 2005. The Work Plan describes a scope of work to install four clusters of monitoring wells to further delineate the lateral and vertical extent of groundwater contamination at the site. ACEH concurs with the proposed scope of work in the Work Plan provided that the technical comments below are addressed during the field investigation.

We request that you address the following technical comments, perform the proposed work, and send us the technical reports requested below.

TECHNICAL COMMENTS

- 1. Hydraulic Gradient.** The Work Plan indicates that there has not been a recent change in groundwater flow direction and the groundwater currently flows to the east. Interpretation of the hydraulic gradient at the site is difficult since there is a significant downward vertical gradient and the wells are screened over various depth intervals. ACEH concurs that the apparent groundwater flow direction within the deeper interval approximately 20 to 30 feet bgs is to the east. However, at least seasonally, the hydraulic gradient within the shallow interval appears to be to the west. During the December 12, 2005 gauging of the monitoring wells, the groundwater elevation in well MW-4S was 1.91 feet higher than the groundwater elevation in well MW-5S, indicating at least a transient hydraulic gradient to the west in the shallow zone.
- 2. Plume Delineation to the East.** Because the predominant hydraulic gradient is apparently to the east, we request that proposed monitoring well cluster MW-10S/10D/10LF be moved to a location east of the former underground storage tanks (USTs) as shown on the attached figure.

3. **Plume Delineation to the West.** We request that proposed monitoring well cluster MW-12S/12D/12LF be moved to a location west of the former underground storage tanks (USTs) and monitoring well MW-7D. During recent groundwater monitoring events, elevated concentrations of petroleum hydrocarbons have been detected in groundwater samples from well MW-7D. The screen interval for well MW-8 is too shallow to monitor the deeper water-bearing zone. Therefore, we request that well cluster 12S/12D/12LF be installed to define plume extent to the west as shown on the attached figure.
4. **Continuous Soil Logging and Depths of Screen Intervals.** The Work Plan indicates that continuous soil logging will be conducted in each boring. However, continuous soil logging may be conducted in only one boring within each well cluster to select the depth intervals for well screens. ACEH generally concurs with the proposed depth intervals for well screens but the depth intervals for well screens are to be selected in the field based on encountered soil conditions to monitor the significant coarse-grained, water-bearing zones in the subsurface.
5. **Integrity of Well MW-7S/D.** The Work Plan indicates that well MW-7S/D may have been damaged. Please take the necessary steps to repair the well to assure the integrity of the well and well seals. Present the results of the repair in the Subsurface Investigation Report requested below.
6. **Detailed Well Survey.** Please complete a detailed well survey to identify all wells within ½ mile of the subject site. ACEH requests that you locate all wells (monitoring and production wells: active, inactive, standby, decommissioned, abandoned and dewatering, drainage and cathodic protection wells) within ½ mile of the subject site. Please provide a table that includes the well designation, location, total depth, diameter, screen interval, date of well installation, current status, historic use, and owner of the wells. In addition, please provide well logs and completion records for wells downgradient from the site that are potential receptors. Present the results in the Subsurface Investigation Report requested below.
7. **Hydrogeologic Cross Sections.** In future reports and work plans, please include analytical data from soil samples and groundwater samples for each of the borings and wells shown on the cross sections. The cross sections are to illustrate the lateral and vertical extent of soil layers, where groundwater was first encountered in borings and the static water levels, observations of free product, staining, and odor, and sample locations and results. In addition, please show the screen intervals for all wells. Please present the cross sections in the Subsurface Investigation Report requested below.
8. **Figure 2.** Figure 2 depicts the former 2,000-gallon UST as a diesel UST although the text and historical records indicate the UST was used to store gasoline. Please revise Figure 2 or the text accordingly in future reports.

TECHNICAL REPORT REQUEST

Please submit technical reports to Alameda County Environmental Health (Attention: Jerry Wickham), according to the following schedule:

- **May 1, 2006** – Quarterly Monitoring Report for the First Quarter 2006
- **June 9, 2006** – Subsurface Investigation Report

These reports are being requested pursuant to California Health and Safety Code Section 25296.10. 23 CCR Sections 2652 through 2654, and 2721 through 2728 outline the responsibilities of a responsible party in response to an unauthorized release from a petroleum UST system, and require your compliance with this request.

ELECTRONIC SUBMITTAL OF REPORTS

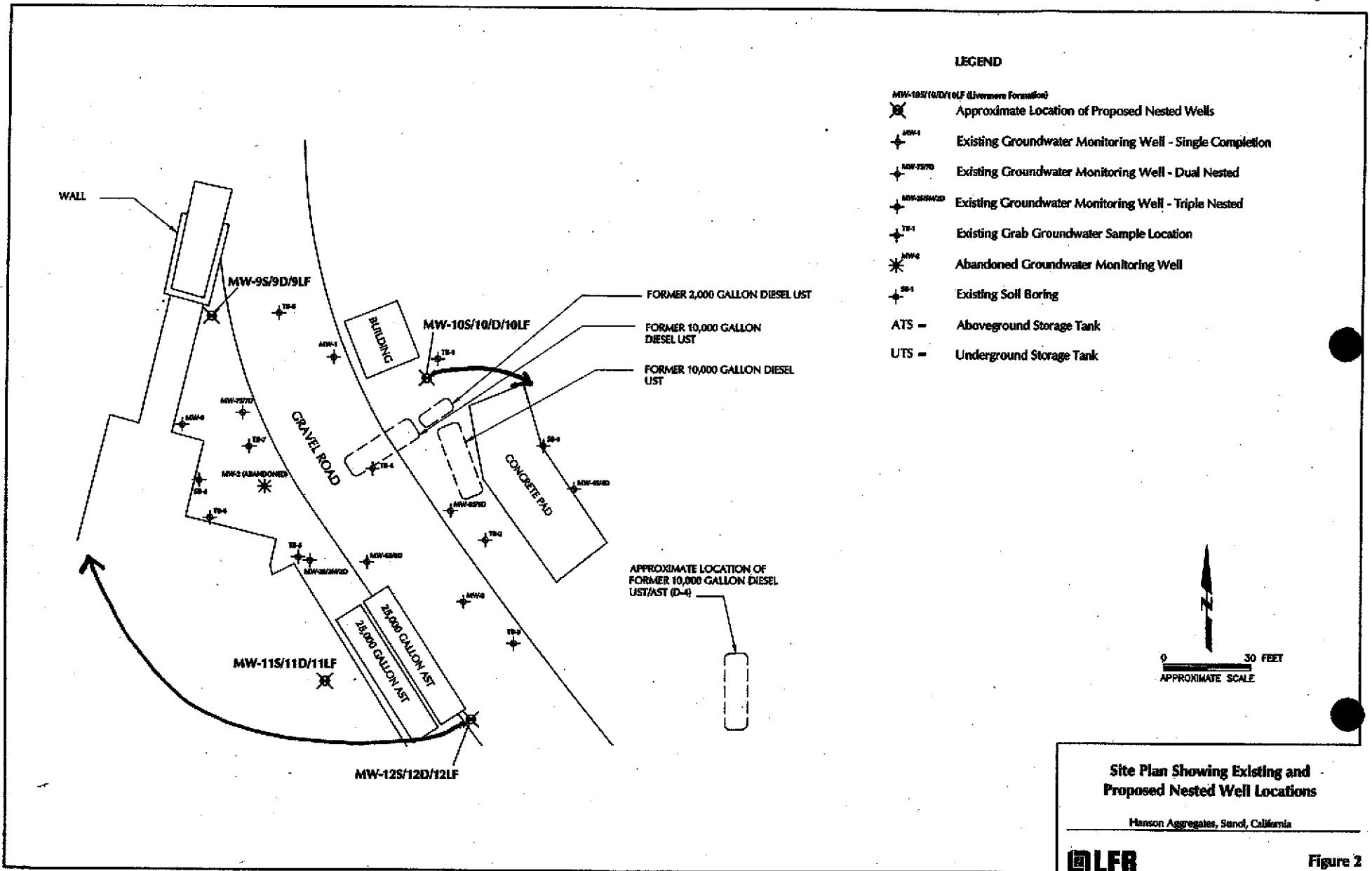
Effective **January 31, 2006**, the Alameda County Environmental Cleanup Oversight Programs (LOP and SLIC) require submission of all reports in electronic form to the county's ftp site. Paper copies of reports will no longer be accepted. The electronic copy replaces the paper copy and will be used for all public information requests, regulatory review, and compliance/enforcement activities. Instructions for submission of electronic documents to the Alameda County Environmental Cleanup Oversight Program ftp site are provided on the attached "Electronic Report Upload (ftp) Instructions." Please do not submit reports as attachments to electronic mail.

Submission of reports to the Alameda County ftp site is an addition to existing requirements for electronic submittal of information to the State Water Resources Control Board (SWRCB) Geotracker website. Submission of reports to the Geotracker website does not fulfill the requirement to submit documents to the Alameda County ftp site. In September 2004, the SWRCB adopted regulations that require electronic submittal of information for groundwater cleanup programs. For several years, responsible parties for cleanup of leaks from underground storage tanks (USTs) have been required to submit groundwater analytical data, surveyed locations of monitor wells, and other data to the Geotracker database over the Internet. Beginning July 1, 2005, electronic submittal of a complete copy of all necessary reports was required in Geotracker (in PDF format). Please visit the SWRCB website for more information on these requirements (http://www.swrcb.ca.gov/ust/cleanup/electronic_reporting).

In order to facilitate electronic correspondence, we request that you provide up to date electronic mail addresses for all responsible and interested parties. Please provide current electronic mail addresses and notify us of future changes to electronic mail addresses by sending an electronic mail message to me at jerry.wickham@acgov.org.

PERJURY STATEMENT

All work plans, technical reports, or technical documents submitted to ACEH must be accompanied by a cover letter from the responsible party that states, at a minimum, the following: "I declare, under penalty of perjury, that the information and/or recommendations contained in the attached document or report is true and correct to the best of my knowledge." This letter must be signed by an officer or legally authorized representative of your company. Please include a cover letter satisfying these requirements with all future reports and technical documents submitted for this fuel leak case.



Site Plan Showing Existing and Proposed Nested Well Locations

Hanson Aggregates, Sand, California



Figure 2

D:\Design\1004680\0001\DWG\Site Plan - Existing and Proposed Monitors.dwg, Layout1, 1/17/2006 11:28:20 AM

Attachment:
 Requested Revisions to Proposed Well Cluster Locations

PROFESSIONAL CERTIFICATION & CONCLUSIONS/RECOMMENDATIONS

The California Business and Professions Code (Sections 6735, 6835, and 7835.1) requires that work plans and technical or implementation reports containing geologic or engineering evaluations and/or judgments be performed under the direction of an appropriately registered or certified professional. For your submittal to be considered a valid technical report, you are to present site specific data, data interpretations, and recommendations prepared by an appropriately licensed professional and include the professional registration stamp, signature, and statement of professional certification. Please ensure all that all technical reports submitted for this fuel leak case meet this requirement.

UNDERGROUND STORAGE TANK CLEANUP FUND

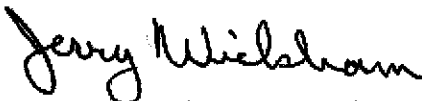
Please note that delays in investigation, later reports, or enforcement actions may result in your becoming ineligible to receive grant money from the state's Underground Storage Tank Cleanup Fund (Senate Bill 2004) to reimburse you for the cost of cleanup.

AGENCY OVERSIGHT

If it appears as though significant delays are occurring or reports are not submitted as requested, we will consider referring your case to the Regional Board or other appropriate agency, including the County District Attorney, for possible enforcement actions. California Health and Safety Code, Section 25299.76 authorizes enforcement including administrative action or monetary penalties of up to \$10,000 per day for each day of violation.

If you have any questions, please call me at (510) 567-6791.

Sincerely,



Jerry Wickham
Hazardous Materials Specialist

Attachment: Requested Revisions to Proposed Well Cluster Locations

Enclosure: ACEH Electronic Report Upload (ftp) Instructions

cc: Matt Katen, QIC 80201, Zone 7 Water Agency, 100 North Canyons Parkway, Livermore, CA 94551

Katrin Schliewen, LFR, 1900 Powell Street, 12th Floor, Emeryville, CA 94608-1827

Donna Drogos, ACEH
Jerry Wickham, ACEH
File

ALAMEDA COUNTY
HEALTH CARE SERVICES



AGENCY

DAVID J. KEARS, Agency Director

sent
11-4-05

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

November 3, 2005

Mr. W. M. Calvert
Mission Valley Rock Company
7999 Athenour Way
Sunol, CA 94586

Subject: Fuel Leak Case No. RO000207, Mission Valley Rock and Asphalt, 7999 Athenour Way, Sunol, CA

Dear Mr. Calvert:

Alameda County Environmental Health (ACEH) staff has reviewed the fuel leak case file for the above-referenced site and the reports entitled, "Site Assessment & First Quarter 2005 Groundwater Monitoring Report," dated April 1, 2005 and "Second Quarter 2005 Groundwater Monitoring and Sampling Report," dated July 29, 2005, prepared on your behalf by Tait Environmental Management, Inc. The "Site Assessment & First Quarter 2005 Groundwater Monitoring Report," presents the results of a soil and groundwater investigation conducted in January 2005. The report recommends a study of remedial options and continued groundwater monitoring on a quarterly basis.

The "Second Quarter 2005 Groundwater Monitoring and Sampling Report," presents the results of groundwater sampling conducted in May 2005. The Recommendations section of the report states that Tait Environmental Management, Inc. has proposed a combination of conventional pump-and-treat, and in-situ submerged oxygen curtain (iSOC) technologies to remediate the soil and groundwater beneath the site. However, ACEH has not received a proposal to conduct remediation at the site to date and no documents that describe a remediation proposal are identified in the References section of the report.

The site has not been sufficiently characterized to implement full-scale site remediation. The lateral and vertical extent of contamination has not been fully defined for the site. In addition, contaminant transport at the site does not appear to be well understood. The highest concentrations of fuel hydrocarbons have been reported from locations that are cross gradient or upgradient from the former USTs. In order to implement full-scale remediation, these data gaps must be addressed. However, ACEH has no objection to the implementation of an interim remediation on a pilot scale within areas of known contamination. Please see technical comment #10 below regarding interim remediation.

We request that you address the following technical comments, perform the proposed work, and send us the technical reports requested below.

TECHNICAL COMMENTS

- 1. Tables 2 through 6 – Historical Data.** Tables 2 through 6 are useful compilations of water level and analytical results for soil and groundwater. ACEH appreciates the presentation of these data in a comprehensive tabular format that allows the reader to more easily review site data. However, analytical data from grab groundwater samples collected in 2002 (TB-1 through TB-8) were omitted. Please include these data in future presentations of historical data.
- 2. Base Map.** In the future reports requested below, please include an additional map or aerial photo or expand the existing base map to show the former location of UST D-4 and the locations of any drainage or surface water features that potentially affect groundwater flow near the site. Boring and well locations as well as the positions of features on the base map appear to differ between the current base map and base maps used in previous reports, including the 2002 and 2003 groundwater monitoring reports and reports produced by other consultants prior to 2002. In the Work Plan requested below, please clarify why the base maps have changed significantly and whether the current boring and well locations are based on a single surveying event. Please note that the USTs are in different locations on Figure 5 of the "Site Assessment & First Quarter 2005 Groundwater Monitoring Report," than in the remaining figures in the report.
- 3. Cross Sections.** In future reports and work plans, please include analytical data from soil samples and groundwater samples for each of the borings and wells shown on the cross sections. The cross sections are to illustrate the lateral and vertical extent of soil layers, where groundwater was first encountered in borings and the static water levels, observations of free product, staining, and odor, and sample locations and results. In addition, please show the screen intervals for all wells. Please correct the depth of well MW-5 on east-west cross-section B-B' to be consistent with the total depth shown on the boring log for MW-5.
- 4. Sampling Well MW-7D.** Well MW-7D was not sampled during the second quarter 2005 sampling event. Groundwater samples collected from this well have historically had the highest concentrations of total petroleum hydrocarbons as gasoline and benzene in groundwater at the site. Figure 5 of the Second Quarter 2005 Groundwater Monitoring and Sampling Report shows TPHg concentration contours centered on well MW-1 and less than 100 micrograms per liter ($\mu\text{g/L}$) in the area of well MW-7D. The TPHg contours shown on Figure 5 are inconsistent with previous data and are most likely not an accurate depiction of TPHg concentrations in the deep zone. Please collect and analyze groundwater samples from well MW-7D during future groundwater monitoring events and report the results in the quarterly monitoring reports requested below.
- 5. Hydraulic Gradient.** Figure 3 of the "Site Assessment & First Quarter 2005 Groundwater Monitoring Report," indicates that the hydraulic gradient for the site is to the southeast at 0.016 ft/ft. Sunol Valley is a largely northwest-southeast trending valley that drains to the northwest. Regional groundwater flow is generally to the northwest. The highest concentrations of total petroleum hydrocarbons as gasoline and benzene in groundwater at the site are typically detected in wells MW-7S/D and MW-1, which are west northwest to northwest of the former underground storage tanks (UST). Please provide a further evaluation and discussion of the local hydraulic gradient and features, such as surface

- water bodies and pumping from the gravel pits or silt ponds that may affect groundwater flow in the vicinity of the site. Please show these features on a map and conduct research to identify groundwater pumping or discharge that may occur in the area surrounding the site. We encourage you to develop a site conceptual model (SCM) as discussed in technical comment #11 below to summarize the regional and site geology and hydrogeology and evaluate data gaps that may affect contaminant transport at the site. This evaluation is to be presented in the Work Plan and Site Conceptual Model requested below.
6. **Lateral Extent of Contamination.** The lateral extent of soil and groundwater contamination has not been fully defined for the site. Specifically, the lateral extent of contamination has not been defined southwest of boring TB-5 and monitoring well MW-2S/M/D, south of MW-6S/D, and northwest of well MW-7S/D. Free product was reported in well MW-2 prior to destruction of well MW-2 but the extent of free product, soil contamination, and dissolved phase contamination southwest of MW-2 has not been defined. Methyl tert-butyl ether (MTBE) was detected at a concentration of 360 µg/L in well MW-6D but no data have been collected to define the extent of MTBE in groundwater south of MW-6D. The highest concentrations of TPHg and BTEX in groundwater have typically been detected in well MW-7S/D; however, no data have been collected northwest of MW-7S/D. In addition, no data have apparently been collected northeast or east of the former gasoline UST. Please present plans to define the lateral extent of contamination in the Work Plan requested below.
 7. **Vertical Extent of Contamination.** The vertical extent of contamination has not been defined for the site. No soil or groundwater samples have apparently been collected at depths greater than 30.5 feet bgs. During the first quarter 2005 groundwater sampling event, the highest concentrations of TPHg and BTEX in groundwater at the site were detected in well MW-7D, which is screened from 20 to 25 feet bgs. No data have been collected below 25 feet bgs in this area to define the vertical extent of contamination. Soil sampling and depth-discrete groundwater sampling is necessary to define the vertical extent of contamination. Please present plans to fully define the vertical extent of soil and groundwater contamination in the Work Plan requested below.
 8. **Detailed Well Survey.** ACEH requests that you locate all wells (monitoring and production wells: active, inactive, standby, decommissioned, abandoned and dewatering, drainage and cathodic protection wells) within ½ mile of the subject site. As part of your detailed well survey, please perform a background study of the historical land uses of the site and properties in the vicinity of the site. Use the results of your background study to determine the existence of unrecorded/unknown (abandoned) wells, which can act as pathways for migration of contamination at and/or from your site. Please review historical sources such as Sanborn maps, aerial photos, etc., when performing the background study. Include appropriate photographic prints, in stereo pairs, of historic aerial photos used as part of your study. We also request that you list by date all aerial photographs available for the site from the aerial survey company or library you use during your study. Please refer to the Regional Board's guidance for identification, location, and evaluation of potential deep well conduits when conducting your preferential pathway study. Please include the Well Survey in the Work Plan and SCM requested below.

9. **Lead Scavengers.** Ethylene dibromide (EDB) and 1,2-dichloroethane (1,2-DCA) were added to leaded gasoline prior to about 1988. These compounds are persistent in groundwater and have low MCLs. Based on the possible age of the fuel releases at the site, lead scavengers are potential contaminants. However, no analyses appear to have been performed for lead scavengers in soil and groundwater at the site. Please present plans to evaluate lead scavengers at the site in the Work Plan requested below.
10. **Interim Remediation.** No remediation has been proposed for the site to date. Full-scale remediation cannot be conducted until the lateral and vertical extent of contamination has been defined. However, interim remediation may be proposed on a limited or pilot-scale within areas of known contamination.
11. **Site Conceptual Model.** The development of a Site Conceptual Model (SCM) for this site is encouraged in order to provide a framework for understanding the site conditions affecting the fate and transport of contaminants in the subsurface. A SCM is a set of working hypotheses pertaining to all aspects of the contaminant release, including site geology, hydrogeology, release history, residual and dissolved contamination, attenuation mechanisms, pathways to nearby receptors, and likely magnitude of potential impacts to receptors. The SCM is used to identify data gaps that are subsequently filled as the investigation proceeds. As the data gaps are filled, the working hypotheses are modified, and the overall SCM is refined and strengthened. Subsurface investigations continue until the SCM no longer changes as new data are collected. At this point, the SCM is said to be "validated." The validated SCM then forms the foundation for developing the most cost-effective corrective action plan to protect existing and potential receptors.

When performed properly, the process of developing, refining and ultimately validating the SCM effectively guides the scope of the entire site investigation. We have identified, based on our review of existing data, some key data gaps in this letter and have described several tasks that we believe will provide important new data to refine the SCM. We request that your consultant develop a SCM for this site, identify data gaps, and propose specific supplemental tasks for future investigations. There may need to be additional phases of investigations, each building on the results of the prior work, to validate the SCM. Characterizing the site in this way will improve the efficiency of the work and limit its overall cost.

The SCM approach is endorsed by both industry and the regulatory community. Technical guidance for developing SCMs is presented in API's Publication No. 4699 and EPA's Publication No. EPA 510-B-97-001 both referenced above; and "Guidelines for Investigation and Cleanup of MTBE and Other Ether-Based Oxygenates, Appendix C," prepared by the State Water Resources Control Board, dated March 27, 2000.

The SCM for this project shall incorporate, but not be limited to, the following:

- a) A concise narrative discussion of the regional geologic and hydrogeologic setting obtained from your background study. Include a list of technical references you reviewed, and copies (photocopies are sufficient) of regional geologic maps, groundwater contours, cross-sections, etc.

b) A concise discussion of the on-site and off-site geology, hydrogeology, release history, source zone, plume development and migration, attenuation mechanisms, preferential pathways, and potential threat to downgradient and above-ground receptors. Be sure to include the vapor pathway in your analysis. Maximize the use of large-scale graphics (e.g., maps, cross-sections, contour maps, etc.) and conceptual diagrams to illustrate key points. Include structural contour maps (top of unit) and isopach maps to describe the geology at your site.

c) Identification and listing of specific data gaps that require further investigation during subsequent phases of work.

d) Proposed activities to investigate and fill data gaps identified above.

e) The SCM shall include an analysis of the hydraulic flow system at and downgradient from the site. Include rose diagrams for groundwater gradients. The rose diagram shall be plotted on groundwater contour maps and updated in all future reports submitted for your site. Include an analysis of vertical hydraulic gradients. Note that these likely change due to seasonal precipitation and pumping.

f) Temporal changes in the plume location and concentrations are also a key element of the SCM. In addition to providing a measure of the magnitude of the problem, these data are often useful to confirm details of the flow system inferred from the hydraulic head measurements. Include plots of the contaminant plumes on your maps, cross-sections, and diagrams.

g) Other contaminant release sites exist in the vicinity of your site. Hydrogeologic and contaminant data from those sites may prove helpful in testing certain hypotheses for your SCM. Include a summary of work and technical findings from nearby release sites and incorporate the findings from nearby site investigations into your SCM.

Report the information discussed above in your initial SCM and include it in the Work Plan requested below. Include updates to your SCM in the Soil and Groundwater Investigation Report requested below.

12. **Geotracker EDF Submittals** - A review of the case file and the State Water Resources Control Board's (SWRCB) Geotracker website indicate that electronic copies of analytical data have not been submitted for your site. Pursuant to CCR Sections 2729 and 2729.1, beginning September 1, 2001, all analytical data, including monitoring well samples, submitted in a report to a regulatory agency as part of the LUFT program, must be transmitted electronically to the SWRCB Geotracker website via the internet. Additionally, beginning January 1, 2002, all permanent monitoring points utilized to collect groundwater samples (i.e. monitoring wells) and submitted in a report to a regulatory agency, must be surveyed (top of casing) to mean sea level and latitude and longitude accurate to within 1-meter accuracy, using NAD 83, and transmitted electronically to the SWRCB Geotracker website. Beginning July 1, 2005, electronic submittal of a complete copy of all reports is required in Geotracker (in PDF format). In order to remain in regulatory compliance, please upload all analytical data (collected on or after September 1, 2001), to the SWRCB's Geotracker database website in accordance with the above-cited

regulation. Please perform the electronic submittals for applicable data and submit verification to this Agency by **December 3, 2005**.

TECHNICAL REPORT REQUEST

Please submit technical reports to Alameda County Environmental Health (Attention: Jerry Wickham), according to the following schedule:

- **January 17, 2005 - Work Plan and Initial Site Conceptual Model**
- **February 1, 2006 – Quarterly Monitoring Report for the Fourth Quarter 2005**
- **May 1, 2006 – Quarterly Monitoring Report for the First Quarter 2006**
- **120 days after ACEH approval of Work Plan – Soil and Groundwater Investigation Report**

These reports are being requested pursuant to California Health and Safety Code Section 25296.10. 23 CCR Sections 2652 through 2654, and 2721 through 2728 outline the responsibilities of a responsible party in response to an unauthorized release from a petroleum UST system, and require your compliance with this request.

ELECTRONIC SUBMITTAL OF REPORTS

ACEH's Environmental Cleanup Oversight Programs (LOP and SLIC) now request submission of reports in electronic form. The electronic copy is intended to replace the need for a paper copy and is expected to be used for all public information requests, regulatory review, and compliance/enforcement activities. Instructions for submission of electronic documents to the Alameda County Environmental Cleanup Oversight Program FTP site are provided on the attached "Electronic Report Upload Instructions." Submission of reports to the Alameda County FTP site is an addition to existing requirements for electronic submittal of information to the State Water Resources Control Board (SWRCB) Geotracker website. In September 2004, the SWRCB adopted regulations that require electronic submittal of information for groundwater cleanup programs. For several years, responsible parties for cleanup of leaks from underground storage tanks (USTs) have been required to submit groundwater analytical data, surveyed locations of monitoring wells, and other data to the Geotracker database over the Internet. Beginning July 1, 2005, electronic submittal of a complete copy of all reports is required in Geotracker (in PDF format). Please visit the State Water Resources Control Board for more information on these requirements (http://www.swrcb.ca.gov/ust/cleanup/electronic_reporting).

PERJURY STATEMENT

All work plans, technical reports, or technical documents submitted to ACEH must be accompanied by a cover letter from the responsible party that states, at a minimum, the following: "I declare, under penalty of perjury, that the information and/or recommendations contained in the attached document or report is true and correct to the best of my knowledge." This letter must be signed by an officer or legally authorized representative of your company. Please include a cover

letter satisfying these requirements with all future reports and technical documents submitted for this fuel leak case.

PROFESSIONAL CERTIFICATION & CONCLUSIONS/RECOMMENDATIONS

The California Business and Professions Code (Sections 6735, 6835, and 7835.1) requires that work plans and technical or implementation reports containing geologic or engineering evaluations and/or judgments be performed under the direction of an appropriately registered or certified professional. For your submittal to be considered a valid technical report, you are to present site specific data, data interpretations, and recommendations prepared by an appropriately licensed professional and include the professional registration stamp, signature, and statement of professional certification. Please ensure all that all technical reports submitted for this fuel leak case meet this requirement.

UNDERGROUND STORAGE TANK CLEANUP FUND

Please note that delays in investigation, later reports, or enforcement actions may result in your becoming ineligible to receive grant money from the state's Underground Storage Tank Cleanup Fund (Senate Bill 2004) to reimburse you for the cost of cleanup.

AGENCY OVERSIGHT

If it appears as though significant delays are occurring or reports are not submitted as requested, we will consider referring your case to the Regional Board or other appropriate agency, including the County District Attorney, for possible enforcement actions. California Health and Safety Code, Section 25299.76 authorizes enforcement including administrative action or monetary penalties of up to \$10,000 per day for each day of violation.

If you have any questions, please call me at (510) 567-6791.

Sincerely,



Jerry Wickham
Hazardous Materials Specialist

Enclosure: ACEH Electronic Report Upload (ftp) Instructions

cc: Colleen Winey, QIC 80201, Zone 7 Water Agency, 100 North Canyons Parkway,
Livermore, CA 94551

Gregory Buchanan, Tait Environmental Management, 701 North Parkcenter Drive, Santa
Ana, CA 92705

Donna Drogos, ACEH
Jerry Wickham, ACEH
File

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



SENT
11-17-04

November 16, 2004

W.M. Calvert
Mission Valley Rock Company
7999 Athenour Way
Sunol, CA 94586

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

Subject: Fuel Leak Case No. RO0000207, Mission Valley Rock and Asphalt, 7999
Athenour Way, Sunol, California

Dear Mr. Calvert:

Alameda County Environmental Health (ACEH) has reviewed your September 30, 2004 *Additional Site Assessment Workplan* and the case file for the above-referenced site. ACEH discussed the proposed scope of work and our requested revisions to your March 22, 2004 workplan with your consultant, Tait Environmental Management, on September 14, 2004. We concur with your September 30, 2004 workplan provided the following conditions are met:

1. All soil borings be continuous-core drilled;
2. Groundwater samples collected from temporary borings need to be depth-discrete with a maximum screening interval of 5 ft;
3. In addition to your proposed analytes, we request that sample analysis include quantification of TPH in each of the following carbon ranges: i) C₄ through C₁₂, ii) C₁₃ through C₂₂, and iii) C₂₃ through C₄₀. We request that you provide copies of the chromatograms for each analysis with your next investigation report. We recommend that you consider using silica gel cleanup on groundwater samples to be analyzed for extractable range hydrocarbons.
4. Proposed monitoring wells MW-4 S/D be located in the apparent downgradient direction from the former USTs, as proposed on March 22, 2004 (see attached figure);
5. Proposed wells MW-5S and MW-6S be screened across a 5 ft interval (maximum), within the range specified in the September 30, 2004 workplan;
6. Samples from i) all of the existing monitoring wells, ii) all proposed monitoring wells (each depth interval), and iii) all temporary soil borings be analyzed (15 groundwater samples total) as part of the current investigation phase;
7. Because SPH was previously detected in existing well MW-2, abandonment needs to include over-drilling to total depth.
8. To expedite delineation of the dissolved MTBE and hydrocarbon plumes, we recommend that you consider performing a dynamic investigation, and collect additional depth-discrete groundwater samples as necessary to fully define the plume, prior to demobilization from the site or submittal of your final investigation report.

Please implement the proposed investigation and submit the requested report following the schedule below. In addition, we request that you address the following technical comments in your report.

TECHNICAL COMMENTS

1. Lateral and Vertical Definition

Both the horizontal extent and the vertical thickness of your groundwater plume need to be defined. The isoconcentration maps submitted in Tait's March 26, 2003 site assessment report demonstrate limited comprehension of the horizontal extent of contamination. To date, no vertical delineation of the groundwater contamination has been attempted. We recommend that you evaluate the investigation data prior to compiling a summary report, and if necessary, collect additional samples to fully define the extent of contamination. Should additional sampling be necessary, we recommend that you submit a brief workplan addendum indicating locations and screening intervals for the additional proposed samples and your proposed schedule for completion of the work.

2. Summary of Existing Data, Final Report

Please compile summary figures and cumulative data tables presenting all historical sampling locations and analytical data. We request two tables, one for soil and one for groundwater, that present all data for the site including sample identification, sampling dates, sample depths, depth to water measurement, analytical results, etc. To simplify reporting, please report soil results in mg/kg (ppm) and groundwater results in ug/L (ppb). Please update your isoconcentration maps (depth and contaminant specific) and cross-sections to include the data from the current investigation, as well as all historical site lithologic and contaminant distribution data. To substantiate interpretations made in your cross-sections, please compile and submit copies of all historical boring logs for the site. As part of your final investigation report, we request that you include recommendations for any necessary work to complete characterization of the groundwater contamination, and other appropriate corrective action to progress this case towards regulatory closure. This request is made in the interest of minimizing the number of iterations of field work performed at leaking UST sites, and to thereby reduce both the time period and costs for a case to progress to closure. Please include the summary data tables, figures, boring logs and recommendations in the investigation report requested below.

3. Groundwater Monitoring

Quarterly sampling needs to be performed in the third month of each quarter and reports submitted within the first month of the subsequent quarter, until approved otherwise. All wells need to be sampled and analyzed for TPH (residual fuel range), TPH (middle distillate range), TPH (gasoline range), BTEX, and MTBE until sufficient baseline data is collected.

4. Quarterly Status Reporting

Pursuant to 23 CCR section 2652(d), you are required to submit quarterly reports which include an update of the information required in section 2652(c), including current UST and property owner/operator contact information and the results of all investigation, monitoring or other corrective actions which have occurred during the reporting period. Updates are required every three months. Please submit your quarterly reports following the schedule specified below.

TECHNICAL REPORT REQUEST

Please submit reports to ACEH according to the following schedule:

- February 16, 2005 – Soil and Water Investigation Report
- End of First Month of Each Quarter - Quarterly Reports

ACEH makes this request pursuant to California Health & Safety Code Section 25296.10. CCR Title 23 Sections 2652 through 2654, and 2721 through 2728 outline the responsibilities of a responsible party in response to a reportable unauthorized release from a petroleum UST system, and require your compliance with this request.

Professional Certification

The California Business and Professions Code (Sections 6735, 6835, and 7835.1) requires that work plans and technical or implementation reports containing geologic or engineering evaluations and/or judgments be performed under the direction of an appropriately registered or certified professional. For your submittal to be considered a valid technical report, you are to present site specific data, data interpretations, and recommendations prepared by an appropriately licensed professional and include the professional registration stamp, signature, and statement of professional certification. Please ensure all that all technical reports submitted for this fuel leak case meet this requirement.

Perjury Statement

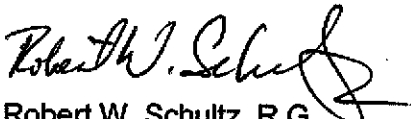
All work plans, technical reports, or technical documents submitted to ACEH must be accompanied by a cover letter from the responsible party that states, at a minimum, the following: "I declare, under penalty of perjury, that the information and/or recommendations contained in the attached document or report is true and correct to the best of my knowledge." This letter must be signed by an officer or legally authorized representative of your company. Please include a cover letter satisfying these requirements with all future reports and technical documents submitted for this fuel leak case.

AGENCY OVERSIGHT

If it appears as though significant delays are occurring or reports are not submitted as requested we will consider referring your case to the County District Attorney or other appropriate agency, for enforcement. California Health and Safety Code, Section 25299.76 authorizes ACEH enforcement including administrative action or monetary penalties of up to \$10,000 per day for each day of violation.

Please call me at (510) 567-6719 with any questions regarding this case.

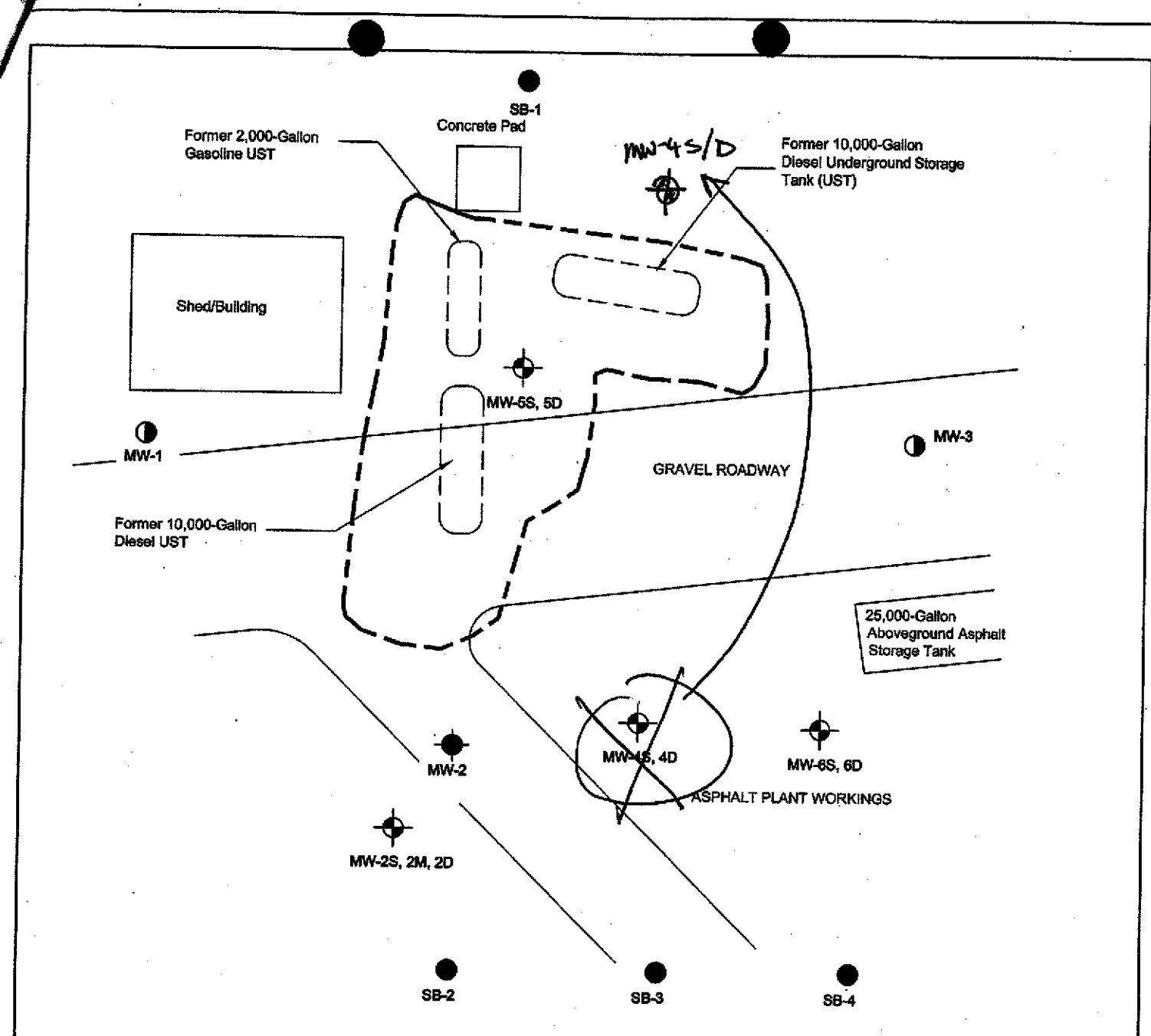
Sincerely,



Robert W. Schultz, R.G.
Hazardous Materials Specialist

Mr. Calvert
November 16, 2004
RO-207

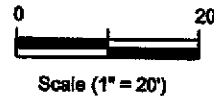
cc: Gregory Buchanan, Tait Environmental Management, Inc., 701 Parkcenter Dr.,
Santa Ana, CA 92705
Matt Katen, Zone 7 Water District, QIC 80201
Donna Drogos, ACEH
Robert W. Schultz, ACEH




LEGEND

Base map referenced from Tank Protect Engineers

All locations and dimensions are approximate



- MW-4S, 4D Proposed location of soil boring/ dual completion monitoring wells
- MW-1 Existing groundwater monitoring well location
- MW-2 Destroyed monitoring well to be abandoned
- SB-2 Proposed Soil Boring
- - - - - Approximate limits of former UST excavation



TAM
TAM Environmental Management, Inc.
Engineering • Environmental Compliance

SITE PLAN WITH SOIL BORING LOCATIONS/
GROUNDWATER MONITORING WELL LOCATIONS
MISSION VALLEY ROCK CO.
7999 ATHENOUR WAY
SUNOL, CALIFORNIA

| | |
|----------------------|----------|
| PROJECT NO. EM-5009A | FIGURE 2 |
|----------------------|----------|

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



9-11-02

September 10, 2002

RO 207

Mr. Robert A. Saia
Mission Valley Rock Company
7999 Athenour Way
Sunol, CA 94586

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

RE: MISSION VALLEY ROCK COMPANY, 7999 ATHENOUR WAY, SUNOL

Dear Mr. Saia:

This office has completed a review of the July 22, 2002 Tait Environmental Management (Tait) work plan for further assessment of the subject site. The cited work plan proposes the installation of three (3) new monitoring wells. However, a revised work plan dated August 19, 2002, was submitted by Tait in response to a telephone conversation I shared with Tait's Scott Ek on August 7th. This work plan revision proposes the installation of several GeoProbe[®] soil borings in lieu of permanent monitoring wells.

The referenced Tait work plan, as revised, is accepted with the following conditions/additions:

1. Water samples are to be collected using a "mini" bailer to minimize potential loss of dissolved volatile constituents.
2. Water and soil analyses using EPA Method 8260 shall be expanded to include ethylene dibromide and ethylene dichloride (1,2-Dichloroethane), in addition to those target compounds already proposed.
3. Water and soil samples shall also be analyzed for the presence of semi-volatile organic compounds (SVOC) using EPA Method 8270.

The approved work plan shall be implemented within 60 days of the date of this letter.

Please contact me at (510) 567-6783 should you have any questions about the content of this letter, and to inform when field work has been scheduled.

Sincerely,



Scott O. Seery, CHMM
Hazardous Materials Specialist

c: Chuck Headlee, RWQCB
Scott Ek, Tait Environmental Management
701 North Parkcenter Dr., Santa Rosa, CA 92705

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



06-04-02

June 3, 2002

RO 0000207

Mr. Robert A. Saia
Mission Valley Rock Company
7999 Athenour Way
Sunol, CA 94586

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

RE: MISSION VALLEY ROCK COMPANY, 7999 ATHENOUR WAY, SUNOL

Dear Mr. Saia:

This office has completed a review of the case file, up to and including a review of the May 2, 2002 Tait Environmental Management (Tait) groundwater monitoring report for the first quarter of 2002.

The referenced Tait report notes that free-phase product (FP) continues to accumulate in well MW-2. This and previous Tait reports do not indicate to what extent such FP is removed from this well, and the cumulative quantities removed to date. Reference is made to the February 18, 1999 correspondence from this office where cumulative FP recovery tabulation was a requested component of each quarterly technical report. Please provide this information in all future reports.

In addition, Tait recommends further assessment of the site to determine the extent of FP and to better delineate the extent of groundwater contamination at the site. Tait further recommends the repair of well boxes and associated repairs or upgrades to the current well network. This office concurs with both of these recommendations.

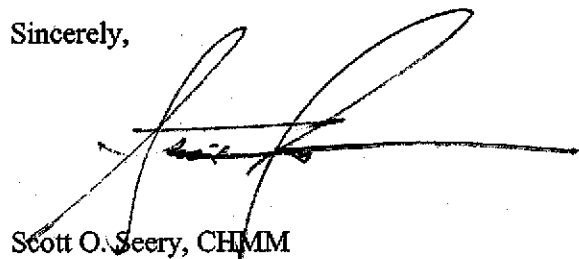
At this time, please have your consultant submit a workplan for the further assessment of this site. We recommend the use of so-called "rapid site assessment tools" (e.g., GeoProbe[®]) for this phase of work as a cost-effective method to accomplish this task.

This workplan is due within 60 days of the date of this letter, or by the close of business on August 2, 2002.

You may contact me at (510) 567-6783 should you have any questions about the content of this letter.

Mr. Robert Saia
Re: 7999 Athenour Way, Sunol
June 3, 2002
Page 2 of 2

Sincerely,

A handwritten signature in black ink, appearing to read 'Scott O. Seery', is written over a horizontal line. The signature is stylized with large loops and a long horizontal stroke extending to the right.

Scott O. Seery, CHMM
Hazardous Materials Specialist

c: Chuck Headlee, RWQCB
Scott Ek, Tait Environmental Management
701 N. Parkcenter Dr., Santa Rosa, CA 92705
SOS/files

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



SENT 10-26-99
including cc's

20207

Certified mailer # P 143 589 297

October 26, 1999

STID 2786

Mr. Robert A. Saia
Mission Valley Rock Company
7999 Athenour Way
Sunol, CA 94586

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

NOTICE OF VIOLATION

RE: MISSION VALLEY ROCK COMPANY, 7999 ATHENOUR WAY, SUNOL

Dear Mr. Saia:

(Note: This is the second mailing of this NOV – the original dated 10/05/99 was not received by the addressee as it was sent to a former mailing address. This notice is revised from the original. The original is enclosed.)

In correspondence from this office dated February 18, 1999 (attached), you were advised that your monitoring wells must be sampled and monitored following a quarterly schedule. Well MW-2 was also to be checked for the presence of free-phase product, and such product removed if encountered, following a monthly schedule. Further, technical reports documenting well sampling and monitoring, and free-phase product removal status, were to be submitted to this agency within 60 days of the completion of field activities associated with the reporting quarter.

To date, no reports have been received for the 1st and 2nd quarters of this year. **(Note: 1st quarter report received 10/14/99.)** The 3rd quarter report is now due in only 34 days.

In correspondence from this office dated May 4, 1999 (also attached), you were also directed to comply with a request to inform this office of all current owners of fee title to the site. This request for title information was pursuant to Section 25297.15 of the Health & Safety Code. You were given 20 days to respond. To date, you have not responded.

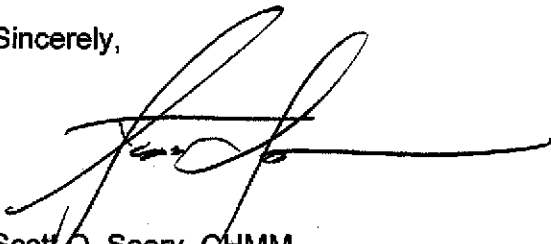
You are currently in violation of Section 2652(d) of Title 23, California Code of Regulations for failure to submit technical reports, and Section 25297.15 of the Health & Safety Code for failure to respond to the fee title record request. Section 25299(b) of the Health & Safety Code provides for penalties of up to \$5000 per day *per violation* for such violations.

Mr. Robert A. Saia
Re: 7999 Athenour Way, Sunol - N.O.V.
October 26, 1999
Page 2 of 2

The 2nd quarter 1999 report is to be submitted within 20 days, and the 3rd quarter report within 34 days, of the date of this letter. Further, the requested fee title information is also to be submitted within 20 days. Referral of this case to the District Attorney's Office may follow should you fail to comply with this latest request.

You may contact me at (510) 567-6783 should you have any questions about the content of this letter.

Sincerely,



Scott O. Seery, CHMM
Hazardous Materials Specialist

Attachments (3)

cc: Bob Chambers, Alameda County District Attorney's Office (w/o)
Robert Weston, ACDEH (w/o)
Chuck Headlee, RWQCB (w/o)
Louis Travis, Tank Protect Engineering, Inc. (w/o)
2821 Whipple Rd., Union City, CA 94587
SOS/files

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



20207

Certified mailer # P 062 128 289

October 5, 1999

STID 2786

Mr. Robert A. Saia
Mission Valley Rock Company
P.O. Box 567
Sunol, CA 94586

ENVIRONMENTAL HEALTH SERVICES

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

NOTICE OF VIOLATION

RE: MISSION VALLEY ROCK COMPANY, 7999 ATHENOUR WAY, SUNOL

Dear Mr. Saia:

In correspondence from this office dated February 18, 1999 (attached), you were advised that your monitoring wells must be sampled and monitored following a quarterly schedule. Well MW-2 was also to be checked for the presence of free-phase product, and such product removed if encountered, following a monthly schedule. Further, technical reports documenting well sampling and monitoring, and free-phase product removal status, were to be submitted to this agency within 60 days of the completion of field activities associated with the reporting quarter.

To date, no reports have been received for the 1st and 2nd quarters of this year. The 3rd quarter report will be due in 55 days.

in correspondence from this office dated May 4, 1999 (also attached), you were also directed to comply with a request to inform this office of all current owners of fee title to the site. This request for title information was pursuant to Section 25297.15 of the Health & Safety Code. You were given 20 days to respond. To date, you have not responded.

You are currently in violation of Section 2652(d) of Title 23, California Code of Regulations for failure to submit technical reports, and Section 25297.15 of the Health & Safety Code for failure to respond to the fee title record request. Section 25299(b) of the Health & Safety Code provides for penalties of up to \$5000 per day *per violation* for such violations.

Your case will be referred to the Alameda County District Attorney's Office to initiate enforcement action should the 1st and 2nd quarter 1999 reports not be submitted within 20 days of the date of this letter. Further, the requested fee title information is also to be submitted within 20 days.

Mr. Saia
Re: 7999 Athenour Way, Sunol - N.O.V.
October 5, 1999
Page 2 of 2

You may contact me at (510) 567-6783 should you have any questions about the content of this letter.

Sincerely,



Scott O. Seery, CHMM
Hazardous Materials Specialist

Attachments (2)

cc: Bob Chambers, Alameda County District Attorney's Office (w/ attachments)
Robert Weston, ACDEH (w/o)
Chuck Headlee, RWQCB (w/o)
Louis Travis, Tank Protect Engineering, Inc. (w/o)
2821 Whipple Rd., Union City, CA 94587

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



R0201

May 4, 1999

STID 2786

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

Mr. Robert Saia
Mission Valley Rock Company
7999 Athenour Way
Sunol, CA 94586

RE: Mission Valley Rock, 7999 Athenour Way, Sunol

LANDOWNER NOTIFICATION AND PARTICIPATION REQUIREMENTS

Dear Mr. Saia:

This letter is to inform you of new legislative requirements pertaining to cleanup and closure of sites where an unauthorized release of hazardous substance, including petroleum, has occurred from an underground storage tank (UST). Section 25297.15(a) of Ch. 6.7 of the Health & Safety Code requires the primary or active responsible party to notify all current record owners of fee title to the site of: 1) a site cleanup proposal, 2) a site closure proposal, 3) a local agency intention to make a determination that no further action is required, and 4) a local agency intention to issue a closure letter. Section 25297.15(b) requires the local agency to take all reasonable steps to accommodate responsible landowners' participation in the cleanup or site closure process and to consider their input and recommendations.

For purposes of implementing these sections, you have been identified as the primary or active responsible party. Please provide to this agency, within twenty (20) calendar days of receipt of this notice, a complete mailing list of all current record owners of fee title to the site. You may use the enclosed "list of landowners" form (sample letter 2) as a template to comply with this requirement. If the list of current record owners of fee title to the site changes, you must notify the local agency of the change within 20 calendar days from when you are notified of the change.

If you are the sole landowner, please indicate that on the landowner list form. The following notice requirements do not apply to responsible parties who are the sole landowner for the site.

LANDOWNER NOTIFICATION

Re: 7999 Athenour Way, Sunol

May 4, 1999

Page 2 of 2

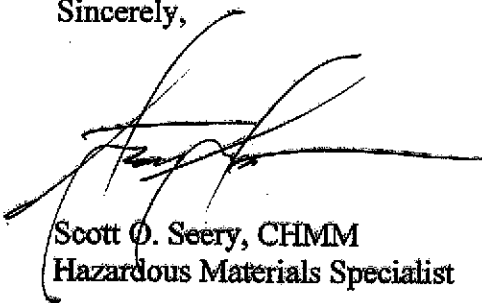
In accordance with Section 25297.15(a) of Ch. 6.7 of the Health & Safety Code, you must certify to the local agency that all current record owners of fee title to the site have been informed of the proposed action before the local agency may do any of the following:

- 1) consider a cleanup proposal (corrective action plan)
- 2) consider a site closure proposal
- 3) make a determination that no further action is required
- 4) issue a closure letter

You may use the enclosed "notice of proposed action" form (sample letter 3) as a template to comply with this requirement. Before approving a cleanup proposal or site closure proposal, determining that no further action is required, or issuing a closure letter, the local agency will take all reasonable steps necessary to accommodate responsible landowner participation in the cleanup and site closure process and will consider all input and recommendations from any responsible landowner.

Please call me at (510) 567-6783 should you have any questions about the content of this letter.

Sincerely,



Scott O. Seery, CHMM
Hazardous Materials Specialist

Attachments

cc: Chuck Headlee, RWQCB

ALAMEDA COUNTY
HEALTH CARE SERVICES



AGENCY
DAVID J. KEARS, Agency Director

0207

May 4, 1999

STID 2786

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

Mr. Robert Saia
Mission Valley Rock Company
7999 Athenour Way
Sunol, CA 94586

RE: Mission Valley Rock, 7999 Athenour Way, Sunol

LANDOWNER NOTIFICATION AND PARTICIPATION REQUIREMENTS

Dear Mr. Saia:

This letter is to inform you of new legislative requirements pertaining to cleanup and closure of sites where an unauthorized release of hazardous substance, including petroleum, has occurred from an underground storage tank (UST). Section 25297.15(a) of Ch. 6.7 of the Health & Safety Code requires the primary or active responsible party to notify all current record owners of fee title to the site of: 1) a site cleanup proposal, 2) a site closure proposal, 3) a local agency intention to make a determination that no further action is required, and 4) a local agency intention to issue a closure letter. Section 25297.15(b) requires the local agency to take all reasonable steps to accommodate responsible landowners' participation in the cleanup or site closure process and to consider their input and recommendations.

For purposes of implementing these sections, you have been identified as the primary or active responsible party. Please provide to this agency, within twenty (20) calendar days of receipt of this notice, a complete mailing list of all current record owners of fee title to the site. You may use the enclosed "list of landowners" form (sample letter 2) as a template to comply with this requirement. If the list of current record owners of fee title to the site changes, you must notify the local agency of the change within 20 calendar days from when you are notified of the change.

If you are the sole landowner, please indicate that on the landowner list form. The following notice requirements do not apply to responsible parties who are the sole landowner for the site.

LANDOWNER NOTIFICATION

Re: 7999 Athenour Way, Sunol

May 4, 1999

Page 2 of 2

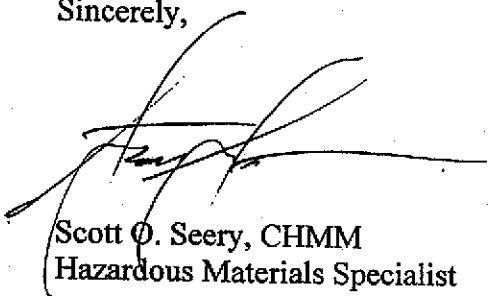
In accordance with Section 25297.15(a) of Ch. 6.7 of the Health & Safety Code, you must certify to the local agency that all current record owners of fee title to the site have been informed of the proposed action before the local agency may do any of the following:

- 1) consider a cleanup proposal (corrective action plan)
- 2) consider a site closure proposal
- 3) make a determination that no further action is required
- 4) issue a closure letter

You may use the enclosed "notice of proposed action" form (sample letter 3) as a template to comply with this requirement. Before approving a cleanup proposal or site closure proposal, determining that no further action is required, or issuing a closure letter, the local agency will take all reasonable steps necessary to accommodate responsible landowner participation in the cleanup and site closure process and will consider all input and recommendations from any responsible landowner.

Please call me at (510) 567-6783 should you have any questions about the content of this letter.

Sincerely,



Scott O. Seery, CHMM
Hazardous Materials Specialist

Attachments

cc: Chuck Headlee, RWQCB

SAMPLE LETTER (2): LIST OF LANDOWNERS FORM

Name of local agency
Street address
City

SUBJECT: CERTIFIED LIST OF RECORD FEE TITLE OWNERS FOR (*Site Name and Address*)

(Note: Fill out item 1 if there are multiple site landowners. 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 Health & Safety Code, I, (*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:

2. In accordance with section 25297.15(a) of Chapter 6.7 of the Health & Safety Code, I, (*name of primary responsible party*), certify that I am the sole landowner for the above site.

Sincerely,

Signature of primary responsible party

Name of primary responsible party

SAMPLE LETTER 3: NOTICE OF PROPOSED ACTION SUBMITTED TO LOCAL AGENCY

Name of local agency
Street address
City

SUBJECT: NOTICE OF PROPOSED ACTION SUBMITTED TO LOCAL AGENCY
FOR (*Site Name and Address*)

In accordance with section 25297,15(a) of Chapter 6.7 of the Health & Safety Code, I, (*name of primary responsible party*), certify that I have notified all responsible landowners of the enclosed proposed action. Check space for applicable proposed action(s):

- cleanup proposal (corrective action plan)
- site closure proposal
- local agency intention to make a determination that no further action is required
- local agency intention to issue a closure letter

Sincerely,

Signature of primary responsible party

Name of primary responsible party

cc: Names and addresses of all record fee title owners

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



RO# 207

February 18, 1999

ENVIRONMENTAL HEALTH SERVICES

1131 Harbor Bay Parkway, Suite 250

Alameda, CA 94502-6577

(510) 567-6700

(510) 337-9335 (FAX)

STID 2786

Mr. Robert A. Saia
Mission Valley Rock Company
P.O. Box 567
Sunol, CA 94586

RE: MISSION VALLEY ROCK COMPANY, 7999 ATHENOUR WAY, SUNOL

Dear Mr. Saia:

I have completed review of the October 30, 1998 Tank Protect Engineering *Preliminary Site Assessment Report*, presented under Mission Valley Rock Company cover dated December 11, 1998. This report was later amended in a submittal dated February 8, 1999 after a conversation I shared several weeks ago with Mr. Richard S. Dressen Jr., the contract geologist on this project. Mr. Dressen clarified some issues regarding initial depths to water encountered during the drilling of the well borings, among other issues addressed.

At this time, please adhere to the following sampling, monitoring, and free-product removal schedule:

1. All wells are to be sampled and monitored following a quarterly schedule, commencing the 1st quarter of 1999. (**Note:** This initial work must be completed before April 1, 1999 in order to comply with this schedule.)

All samples are to be analyzed for total petroleum hydrocarbons as gasoline (TPH-gas); TPH-diesel; benzene, toluene, ethylbenzene, and total xylenes (BTEX); and, methyl tert butyl ether (MtBE)

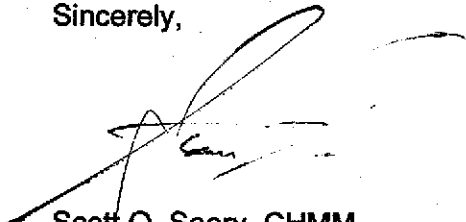
2. Well MW-2 shall be checked monthly for the presence of free-product (FP). Should FP be discovered, it shall be removed, collected, stored, and disposed of in an acceptable fashion. When FP has been reduced to the extent that it can no longer be removed, this task may be performed during normal quarterly sampling and monitoring events.

Technical reports summarizing all tasks that occurred during a given quarter shall be submitted within 60 days following completion of field activities associated with that quarter. Each report shall include, among other elements, tabulated results of laboratory analyses, depth-to-water and water elevations, and cumulative product recovery to date. Each report shall also present maps depicting ground water flow and contaminant isoconcentrations.

Mr. Robert Saia
RE: 7999 Athenour Way, Sunol
February 18, 1999
Page 2 of 2

Data presented over the next several quarters shall be applied in determining the next appropriate actions with this case. Please contact me at (510) 567-6783 should you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read 'Scott O. Seery', with a large, sweeping flourish extending upwards and to the right.

Scott O. Seery, CHMM
Hazardous Materials Specialist

cc: Robert Weston, ACDEH
Chuck Headlee, RWQCB
Louis Travis, Tank Protect Engineering, Inc.
2821 Whipple Rd., Union City, CA 94587

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



20207

February 18, 1999

ENVIRONMENTAL HEALTH SERVICES

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

STID 2786

Mr. Robert A. Saia
Mission Valley Rock Company
P.O. Box 567
Sunol, CA 94586

RE: MISSION VALLEY ROCK COMPANY, 7999 ATHENOUR WAY, SUNOL

Dear Mr. Saia:

I have completed review of the October 30, 1998 Tank Protect Engineering *Preliminary Site Assessment Report*, presented under Mission Valley Rock Company cover dated December 11, 1998. This report was later amended in a submittal dated February 8, 1999 after a conversation I shared several weeks ago with Mr. Richard S. Dressen Jr., the contract geologist on this project. Mr. Dressen clarified some issues regarding initial depths to water encountered during the drilling of the well borings, among other issues addressed.

At this time, please adhere to the following sampling, monitoring, and free-product removal schedule:

1. All wells are to be sampled and monitored following a quarterly schedule, commencing the 1st quarter of 1999. (Note: This initial work must be completed before April 1, 1999 in order to comply with this schedule.)

All samples are to be analyzed for total petroleum hydrocarbons as gasoline (TPH-gas); TPH-diesel; benzene, toluene, ethylbenzene, and total xylenes (BTEX); and, methyl tert butyl ether (MtBE)

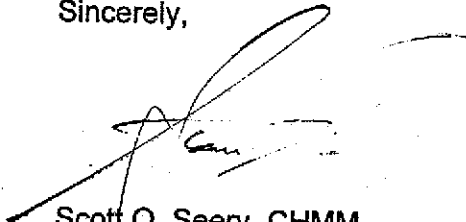
2. Well MW-2 shall be checked monthly for the presence of free-product (FP). Should FP be discovered, it shall be removed, collected, stored, and disposed of in an acceptable fashion. When FP has been reduced to the extent that it can no longer be removed, this task may be performed during normal quarterly sampling and monitoring events.

Technical reports summarizing all tasks that occurred during a given quarter shall be submitted within 60 days following completion of field activities associated with that quarter. Each report shall include, among other elements, tabulated results of laboratory analyses, depth-to-water and water elevations, and cumulative product recovery to date. Each report shall also present maps depicting ground water flow and contaminant isoconcentrations.

Mr. Robert Saia
RE: 7999 Athenour Way, Sunol
February 18, 1999
Page 2 of 2

Data presented over the next several quarters shall be applied in determining the next appropriate actions with this case. Please contact me at (510) 567-6783 should you have any questions.

Sincerely,



Scott O. Seery, CHMM
Hazardous Materials Specialist

cc: Robert Weston, ACDEH
Chuck Headlee, RWQCB
Louis Travis, Tank Protect Engineering, Inc.
2821 Whipple Rd., Union City, CA 94587

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



RO# 207

August 13, 1998

ENVIRONMENTAL HEALTH SERVICES

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

STID 2786

Mr. Robert Saia
Mission Valley Rock
P.O. Box 567
Sunol, CA 94586

RE: Mission Valley Rock Company, 7999 Athenour Way, Sunol – Soil and Water Investigation

Dear Mr. Saia:

In correspondence from this office dated March 20, 1998, the well installation element of the February 13, 1998 Tank Protect Engineering (TPE) soil and water investigation (SWI) work plan was accepted. The installation of three (3) permanent groundwater monitoring wells was proposed, among other tasks.

This office has been awaiting notification from either you or your agent of the schedule for the installation of the monitoring wells. To date, no such notification has been received.

Please contact me by August 21, 1998 to inform me when fieldwork is scheduled to begin. I may be reached at (510) 567-6783.

Sincerely,



Scott O. Seery, CHMM
Hazardous Materials Specialist

cc: Mee Ling Tung, Director, Environmental Health
Chuck Headlee, RWQCB
Robert Weston, ACDEH
Lee Huckins, Tank Protect Engineering

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



R0# 207

March 20, 1998

STID 2786

Mr. Robert A. Saia
Mission Valley Rock Company
P.O. Box 567
Sunol, CA 94586

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

RE: MISSION VALLEY ROCK COMPANY, 7999 ATHENOUR WAY, SUNOL -
SOIL AND WATER INVESTIGATION

Dear Mr. Saia:

I have reviewed the February 13, 1998 Tank Protect Engineering, Inc. (TPE) soil and water investigation (SWI) work plan, as submitted under Mission Valley Rock Company cover dated March 5, 1998. The TPE work plan, among other elements, calls for the installation of three (3) permanent ground water monitoring wells, the locations of which are based on the results of the preliminary site assessment performed in January 1997.

The cited TPE work plan also calls for the excavation of soil material from around the former underground storage tank (UST) complex. Excavated soil is proposed for treatment on-site with eventual reintroduction to the UST excavation once treatment has been completed.

At this time, only the well installation element of the TPE work plan is accepted. However, as soil removal constitutes "corrective action," the need for such work has not yet been demonstrated. Therefore, the excavation and soil treatment element is not accepted officially at this time.

Please call me at (510) 567-6783 should you have any questions regarding the SWI, and when field work has been scheduled.

Sincerely,



Scott O. Seery, CHMM
Hazardous Materials Specialist

cc: Mee Ling Tung, Director
Robert Weston, ACDEH
Stephen Hill, RWQCB
Lee Huckins, Tank Protect Engineering, Inc.

ALAMEDA COUNTY
HEALTH CARE SERVICES



AGENCY
DAVID J. KEARS, Agency Director

Ro# 207

January 19, 1998

STID 2786

Mr. Robert A. Saia
Mission Valley Rock Company
P.O. Box 567
Sunol, CA 94586

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

RE: MISSION VALLEY ROCK COMPANY, 7999 ATHENOUR WAY, SUNOL

Dear Mr. Saia:

I recently reviewed the October 20, 1997 Tank Protect Engineering, Inc. (TPE) report entitled "*Stockpile Soil Remediation and Exploratory Trenching Report*" and the case history for the previous underground storage tank (UST) work performed elsewhere at this site. The cited TPE report documents trenching and sampling activities in the area of former UST D-4, in addition to presenting soil stockpile sampling and treatment data. UST D-4 was removed from the site sans permit during 1995.

Based on information presented in the cited TPE report, and observations made in the field on September 10, 1997, no further environmental assessment work appears warranted at this time with respect to the UST D-4 area. However, I am in the process of consulting with Mr. Robert Weston of this office to determine whether additional information documenting the transport and disposal of UST D-4 is still needed to finalize the compliance file for this tank.

Previous assessment work associated with the remaining UST site (located several hundred feet west of tank D-4) is documented in the March 13, 1997 TPE report entitled "*Preliminary Site Assessment*." Six (6) exploratory soil borings were advanced about the former UST excavation from which soil and "grab" ground water samples were collected.

Up to 2500 parts per million (ppm) total petroleum hydrocarbons as diesel (TPH-D), 230 ppm TPH-gasoline (TPH-G), and 1.9 ppm benzene, among other detected fuel compounds, were identified in soil sampled from depths ranging from 6.0 to 10.5' below grade (BG). In addition, up to 500,000 micrograms per liter (ug/l) TPH-D, 400,000 ug/l TPH-G, 310 ug/l benzene, and 710 ug/l MtBE (tentative), among other compounds detected, were identified in water sampled from various boreholes.

These data corroborate sample data from the June 1996 UST closure effort, and demonstrate that an unauthorized release has occurred.


Mr. Robert Saia
RE: 7999 Athenour Way, Sunol
January 19, 1998
Page 2 of 2

At this time, you are directed to performed a soil and water investigation (SWI) consistent with provisions of Article 11 *Corrective Action Requirements*, Section 2725 et seq., Title 23, California Code of Regulations. The SWI is the next step in evaluating the extent of the pollution associated with this UST release, eventually leading to a final corrective action plan (CAP). To facilitate the SWI, a work plan must be submitted under seal of a California-registered geologist/engineer proposing actions in completion of this phase of work at the site. Permanent monitoring wells, among other elements, are commonly associated with a SWI.

The SWI work plan is due within 90 days of the date of this letter.

Please call me at (510) 567-6783 should you have any questions regarding the SWI. Please contact Mr. Weston at 567-6781 regarding UST compliance issues, including those associated with tank D-4.

Sincerely,



Scott O. Seery, CHMM
Hazardous Materials Specialist

cc: Mee Ling Tung, Director
Robert Weston, ACDEH
Stephen Hill, RWQCB
Jim Ferdinand, Alameda County Fire Department
Fred Moss, Tank Protect Engineering, Inc.

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



R0207

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

September 12, 1997

ATTN: Mort Calbert

Mission Valley Rock Co
7999 Athenour Way
Sunol CA 94586

RE: Project # 4400B - Type R
at 7999 Athenour Way in Sunol 94586

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 \$376.00, payable to Alameda County, Environmental Health Services.

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

The deposit refund mechanism is authorized in Section 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 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 Scott O Seery at (510) 567-6783.

Sincerely,

Tom Peacock, Manager
Environmental Protection

c: files/inspector

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



RO# 207

August 25, 1997

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

STID 2786

Mr. Robert A. Saia
Mission Valley Rock Company
P.O. Box 567
Sunol, CA 94586

RE: MISSION VALLEY ROCK COMPANY, 7999 ATHENOUR WAY, SUNOL -
FORMER TANK LOCATION D-4

Dear Mr. Saia:

I have reviewed (1) a July 8, 1997 Tank Protect Engineering, Inc. (TPE) work plan for the assessment of former underground storage tank (UST) location D-4, (2) a photocopied set of air photos depicting the location of tank D-4 and surrounding site features, as submitted under TPE cover dated June 27, 1997, and (3) a 1992 revision to a site map showing the location of all former UST locations, including tank D-4.

The July 8, 1997 TPE work plan proposes the excavation of a minimum of two shallow exploratory trenches across the former UST site, and the collection of soil samples for subsequent laboratory analyses for the presence of diesel fuel constituents. Additional trenches will be excavated should field observations indicate such work is necessary to adequately evaluate the site.

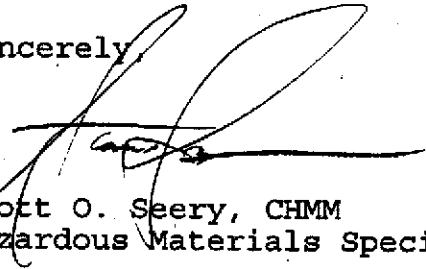
The cited work plan has been accepted with the following conditions:

- 1) Appropriateness of trench locations shall be confirmed in the field by Mission Valley Rock personnel with knowledge of the exact location and orientation of tank D-4 on the day trenching is scheduled to commence; and,
- 2) Samples shall also be analyzed for fuel aromatic components (i.e., BTEX) in those soil samples in which the presence of diesel-range compounds are identified in initial laboratory tests.

Mr. Saia
RE: 7999 Athenour Way, Sunol
August 25, 1997
Page 2 of 2

Please call me at (510) 567-6783 when field work is scheduled to begin.

Sincerely,



Scott O. Seery, CHMM
Hazardous Materials Specialist

cc: Mee Ling Tung, Director
Bob Chambers, Alameda County District Attorney's Office
Robert Weston, ACDEH
Jim Ferdinand, Alameda County Fire Department
Fred Moss, Tank Protect Engineering, Inc.

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEAHS, Agency Director



R0#207

June 13, 1997

ENVIRONMENTAL HEALTH SERVICES

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

STID 2786

Mr. Robert A. Saia
Mission Valley Rock Company
P.O. Box 567
Sunol, CA 94586

SECOND NOTICE OF VIOLATION

RE: MISSION VALLEY ROCK COMPANY, 7999 ATHENOUR WAY, SUNOL -
UNPERMITTED REMOVAL OF UNDERGROUND STORAGE TANK

Dear Mr. Saia:

This letter follows the May 9, 1997 Notice of Violation (NOV) issued from this office, and my June 11, 1997 voice mail message to you. The May 9 NOV was issued in response to the unpermitted closure of an underground storage tank (UST) in 1995. A soil sampling plan was requested for this former UST site within 30 days, among other requests. The June 11 voice mail message inquired about the status of this sampling plan as the 30 day time frame had elapsed. To date, neither the requested sampling plan nor return phone call have been received.

Please be advised that this case will be referred to the Alameda County District Attorney's Office for enforcement action should the requested sampling plan not be received by this office within 15 days of the date of this letter, or by the close of business on June 30, 1997. Please be further advised that California Health and Safety Code Section 25299 provides for civil penalties of up to \$5000 per day per violation upon conviction.

Please call me at (510) 567-6783 should you have any questions regarding the content of this letter.

Sincerely,


Scott O. Seery, CHMM
Senior Hazardous Materials Specialist

Mr. Saia
RE: 7999 Athenour Way, Sunol
June 13, 1997
Page 2 of 2

cc: Mee Ling Tung, Director
Bob Chambers, Alameda County District Attorney's Office
Robert Weston, ACDEH
Jim Ferdinand, Alameda County Fire Department

ALAMEDA COUNTY
HEALTH CARE SERVICES



AGENCY
DAVID J. KEARS, Agency Director

RO#207

May 9, 1997

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

STID 2786

Mr. Robert A. Saia
Mission Valley Rock Company
P.O. Box 567
Sunol, CA 94586

NOTICE OF VIOLATION

RE: MISSION VALLEY ROCK COMPANY, 7999 ATHENOUR WAY, SUNOL -
UNPERMITTED REMOVAL OF UNDERGROUND STORAGE TANK

Dear Mr. Saia:

This letter follows our telephone conversation today during which we discussed the 1995 removal of a single 10,000 gallon underground storage tank (UST) from your facility. The removal occurred without our knowledge and without issuance of a "permit" from this office.

Unpermitted UST closures and ancillary activities are violations of Article 7, Section 2670 et seq., Title 23, California Code of Regulations (CCR).

I understand that the subject UST was transported off-site by Sierra-West Environmental (Madera, CA) without a *Uniform Hazardous Waste Manifest*, a requirement under current law as USTs are considered hazardous waste until "certified" by a state-licensed Treatment, Storage and Disposal (TSD) facility. Only one such facility (Erickson - Richmond, CA) is currently licensed in northern California for rendering USTs nonhazardous.

Mr. John Mendrin of Sierra-West informed me yesterday that the UST was taken to an unspecified "scrap yard" in the Fresno area, that he had assumed all permits were not only in order, but not his responsibility, and that his sole function was to transport an empty, clean tank. He also informed me that the tank was reportedly "triple-rinsed" prior to his arrival, and that the rinsate was placed into Mission Valley's above-ground waste oil tank. You informed me today that this waste material was eventually taken to Evergreen Oil (Newark, CA) for disposal.

Mr. Saia
RE: 7999 Athenour Way, Sunol
May 9, 1997
Page 2 of 2

We request at this time that Mission Valley Rock Company submit the following information:

- 1) Copies of the shipping papers which accompanied the subject UST to its ultimate destination.
- 2) Copies of the receipt for disposal of the UST at its ultimate location.

Pursuant to Title 23 CCR provisions and the county's UST closure requirements, soil samples are required to be collected from the former site of the subject UST and analyzed for target compounds specific to the product previously stored in the tank. You are required, therefore, to hire an experienced environmental consultant to submit a sampling plan to this office and perform the work specified therein. Sampling activities will be scheduled with this office so that an inspector may be present at that time. Finally, the consultant will compile and submit a report documenting the sampling results:

You are directed to submit the requested sampling plan within 30 days of the date of this letter. The remaining information may be compiled and submitted with the final sampling report once the project is completed.

To facilitate the oversight of this project, you are required to submit a deposit for \$630. Checks are to be made payable to "Alameda County." This check may be submitted along with your sampling plan (Attn: Scott Seery).

Please call me at (510) 567-6783 should you have any questions.

Sincerely,



Scott O. Seery, CHMM
Senior Hazardous Materials Specialist

cc: Mee Ling Tung, Director
Robert Weston, ACDEH
Jim Ferdinand, Alameda County Fire Department

ALAMEDA COUNTY
HEALTH CARE SERVICES



AGENCY
DAVID J. KEARS, Agency Director

RO# 207

December 13, 1996

STID 2786

Mr. William M. Calvert
Mission Valley Rock
✓ 7999 Athenour Way
Sunol, CA 94586

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

RE: MISSION VALLEY ROCK, SUNOL FACILITY

Dear Mr. Calvert:

Thank you for submitting a copy of the December 4, 1996 Tank Protect Engineering (TPE) work plan for conducting a preliminary site assessment (PSA) and soil stockpile treatment. This work plan, submitted in response to the October 28, 1996 request from this office for such, proposes, in addition to the stockpile treatment and sampling plan, the advancement of 5 soil borings about the former underground storage tank (UST) cluster with soil and water samples collected from each.

After review of the case file, a determination was made to: 1) add an additional soil boring (SB-6) at the south end of the former UST cluster; and, 2) modify the spatial orientation of the remaining borings. Both modifications to the original scope of the TPE work plan are intended to provide the coverage necessary to better reflect observations made at the time of UST closures. These issues were discussed and agreed to today during a conversation with Mr. Lee Huckins, TPE's registered geologist for this project.

Therefore, the December 4, 1996 TPE work plan has been accepted as modified herein. Please contact me at (510) 567-6783 when field work is slated to begin.

Sincerely


Scott O. Seery, CHMM
Senior Hazardous Materials Specialist

cc: Mee Ling Tung, Director, Environmental Health
Kevin Graves, RWQCB
Rob Weston, ACDEH
Jim Ferdinand, Alameda County Fire Department
Lee Huckins, Tank Protect Engineering

ALAMEDA COUNTY
HEALTH CARE SERVICES



AGENCY
DAVID J. KEARS, Agency Director

RO# 207

October 28, 1996

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

STID 2786.

Mr. William M. Calvert
Mission Valley Rock
✓ 799 Athenour Way
Sunol, CA 94586

RE: MISSION VALLEY ROCK, SUNOL FACILITY - REQUEST FOR
PRELIMINARY SITE ASSESSMENT WORK PLAN

Dear Mr. Calvert:

Thank you for submitting a copy of the August 12, 1996 Tank Protect Engineering (TPE) report documenting the June 18 and 19, 1996 closures of three (3) fuel underground storage tanks (UST) from the referenced site. Data presented in this report in context with observations made during UST closure activities confirm that an unauthorized release from one or more of the UST systems has occurred at the site.

Current regulations codified under Article 11 *Corrective Action Requirements*, Title 23, California Code of Regulations (CCR), Section 2720 et seq., require environmental investigations to be conducted whenever an unauthorized release is discovered at an UST site. Initial investigations are in the form of a Preliminary Site Assessment (PSA). The information derived from a PSA is used to determine the apparent severity of the release and whether additional investigation is required before an appropriate corrective action plan (CAP) can be developed. Projects must be conducted in conformance with the California Regional Water Quality Control Board's (RWQCB) Staff Recommendations for the Initial Evaluation and Investigation of Underground Tanks, the State Water Resources Control Board Leaking Underground Fuel Tank (LUFT) Field Manual, and Article 11, 23 CCR.

A PSA is required at this site. To proceed, you should obtain the professional services of a reputable environmental consultant. Your responsibility is to have the consultant submit a PSA work plan which outlines planned activities conforming to the criteria described in the referenced guidance documents. These criteria are broadly outlined in the attached **Appendix A** from the RWQCB.

The PSA work plan is due within 60 days of the date of this letter. Work should commence within 60 days of work plan approval.

Mr. William M. Calvert
RE: 7999 Athenour Way, Sunol
October 28, 1996
Page 2 of 2

All reports and proposals must be submitted under seal of a California-registered geologist or civil engineer with the appropriate environmental assessment background. Please include a statement of qualifications for each lead professional involved with this project.

Please be advised that this letter constitutes a formal request to undertake corrective action pursuant to California Health and Safety Code Section 25299.37(c)(1).

Please call me at (510) 567-6783 should you have any questions.

Sincerely,



Scott O. Seery, CHMM
Senior Hazardous Materials Specialist

attachment

cc: Mee Ling Tung, Director, Environmental Health
Kevin Graves, RWQCB
Rob Weston, ACDEH
Jim Ferdinand, Alameda County Fire Department

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



R0207

RAFAT A. SHAHID, DIRECTOR

November 27, 1995

DEPARTMENT OF ENVIRONMENTAL HEALTH

1131 Harbor Bay Parkway
Alameda, CA 94502-6577
(510) 567-6777

Mort Calvert
Mission Valley Rock Company
7999 Athenour Way
Sunol, CA 94586

**Subject: Timeline and Prioritization of Environmental Compliance
Issues at Mission Valley Rock, Sunol**

Dear Mr. Calvert:

There are several serious environmental compliance issues currently pending resolution at the subject site. You have been provided the necessary forms and paperwork by this office in prior correspondence in order to begin the process of compliance. As we have discussed the issues relate to the following:

- A. Three unpermitted and abandoned underground storage tanks.
- B. Notice of Intent and site specific storm water protection plan not filed with the Regional Water Quality Control Board.
- C. Above ground tanks being operated but not registered with the State Water Board.
- D. Hazardous materials business plan not submitted to this Department.

The above deficiencies represent significant violations and non-compliance issues. This letter is a formal request for a timeline and a specific workplan for the correction of the above noted items. A response from Mission Valley Rock is requested within 10 days of receipt of this letter. If you any questions related to this matter please contact me at (510) 567-6781.

Sincerely,

Robert Weston
Sr. Hazardous Materials Specialist

c: Bill Reynolds, East Area Manager, ACDEH
Bruce Jensen, Planning Department, Alameda County

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



R0207

RAFAT A. SHAHID, Assistant Agency Director

December 14, 1993

Robert Saia
Mission Valley Rock Asphalt Co
7999 Athenour Way
Sunol CA 94586

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

Re: FIVE-YEAR PERMIT FOR OPERATION OF FOUR UNDERGROUND
STORAGE TANKS (UST'S) AT 7999 ATHENOUR WAY SUNOL

Dear Mr Saia :

According to our records your facility referenced above has not received a five-year permit to operate UST's. In order to obtain a permit you must complete the following items marked below and return them within 30 DAYS. The necessary forms are enclosed. You may complete a "Consolidated Underground Tank Management Plan" which will assist you in preparing a monitoring plan, site plot plan and spill response plan for your tank(s). If supplemental information or forms are required, please submit it to this office with the completed questionnaire and application forms:

- 1. An accurate and complete plot plan.
- 2. A written spill response plan. (enclosed)
- 3. A written tank monitoring plan. (enclosed)
- 4. Results of precision tank test(s) (initial and annual).
- 5. Results of precision pipeline leak detector tests (initial and annual).
- 6. Complete UST PERMIT FORM A-one per facility. (enclosed)
- 7. Complete UST PERMIT FORM B-one per tank. (enclosed)
- 8. Complete UST PERMIT FORM C-one per tank if information is available. (enclosed)
- 9. Letter stating how the tank is to be maintained during one year closure.

Be advised that Title 23 of the California Code of Regulation prohibits the operation of ANY UST without a permit. If our records are in error, you must contact this office immediately to avoid possible enforcement action. Please feel free to contact me at (510) 271-4320; to answer any questions which may arise in completing the mandatory five-year permit process.

Sincerely,

Kevin Tinsley
Hazardous Materials Specialist

c: Edgar Howell, Chief, Hazardous Materials Division (KT-files)

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



R0207

RAFAT A. SHAHID, Assistant Agency Director

October 2, 1992

Bert Smith
Mission Valley Asphalt Co.
7999 Athenour Way
Sunol, Ca 94586

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

**Re: FIVE-YEAR PERMITS FOR OPERATION OF UNDERGROUND STORAGE
TANK(S) [USTs] AT 7999 Athenour Way, Sunol**


This is in regard to a letter which was sent to you in the past. In that letter you were asked to submit to this office all pertinent information regarding your underground storage tank(s). This information is necessary for permitting of your tanks. To this date this office has not received any response from you. Please complete the following items and return them to me within 30 days:

1. Complete UST PERMIT FORM A-one per facility.
2. Complete UST PERMIT FORM B-one per tank.
3. Complete UST PERMIT FORM C-one per tank if information is available.
4. A written tank monitoring plan.
5. Results of precision tank test(s) (initial and annual).
6. Results of precision pipeline leak detector tests (initial and annual).
7. An accurate and complete plot plan.
8. A written spill response plan.
9. A copy of your inventory reconciliation statement for this year which indicates that all of your inventory reconciliation data are within "allowable variations" or which indicates a list of the periods of times and the corresponding variations when the allowable variation is exceeded. Allowable variation is 1% of the monthly deliveries plus 130 Gallons. Item 9 is necessary only if inventory reconciliation is used to monitor your tank(s).

Forms A, B, and C as well as examples of items 4, 7, and 8 indicated above were provided to you in the first letter.

Please be advised that Title 23 of the California Code of Regulation prohibits the operation of ANY UST without a permit. Please feel free to contact me at (510) 271-4320, if you have any questions regarding the mandatory five-year permit process.

Sincerely,


Amir K. Gholami, REHS
Hazardous Materials Specialist

cc: Gil Jensen, Alameda County District Attorney