

Wickham, Jerry, Env. Health

To: Katie Welbourn
Cc: panindhar@eis1.net; 'Peter Littman'
Subject: RE: RO# 0000311 Report Upload (461 McGraw Ave- Livermore) "Call Mac Transportation"

I have briefly reviewed the "Site Investigation Results and Workplan for Further Site Investigation," report referenced below and have no comments on the proposed scope of work. As noted in the Soil Gas Analytical Results section of the report, additional soil gas investigation will likely be required in a future phase of investigation.

Regards,
Jerry Wickham
Alameda County Environmental Health
1131 Harbor Bay Parkway
Alameda, CA 94502-6577
510-567-6791 phone
510-337-9335 fax
jerry.wickham@acgov.org

From: Katie Welbourn [<mailto:katie@eis1.net>]
Sent: Tuesday, December 04, 2007 3:59 PM
To: dehloptoxic, Env. Health
Cc: Wickham, Jerry, Env. Health; panindhar@eis1.net; 'Peter Littman'
Subject: RO# 0000311 Report Upload (461 McGraw Ave- Livermore) "Call Mac Transportation"

Dear Mr. Wickham:

EIS has uploaded 717-E "Further Site Investigation Workplan" to the FTP site for 461 McGraw Avenue, Livermore (Call Mac Transportation).
Please contact Peter Littman at the below office number if you have any questions.

Regards,

Katie Welbourn
Environmental Assessor
Environmental Investigation Services, Inc.
170 Knowles Drive, Suite 212
Los Gatos, California 95032
mobile (408) 596- 0966
office (408) 871- 1470
fax: (408) 871- 1520

12/4/2007

R0311



November 21, 2007

Administrator Whitney Newland
Estate of Crandal Mackey
C/o Weldon & Hass
205 East Anapamu Street
Santa Barbara, CA 93101

Alameda County

NOV 23 2007

Environmental Health

Subject: Above Ground Removal of Hazardous Materials and Wastes, Call Mack
Transportation Site, Located at 461 McGraw Ave, Livermore CA

Mr. Whitney Newland:

This letter provides a brief summary of the site history from the Livermore-Pleasanton Fire Department (LPFD) files, and a conditional, "no further action" statement related to the removal of aboveground hazardous materials and wastes from the site.

Site History

Since the early 1970's, site activities have included commercial truck and automobile storage, fueling, repair, dismantling and cleaning. Site use and storage of hazardous materials and wastes have included motor vehicle fuels, oils and lubricants, antifreeze/coolants, degreasing agents, welding and other compressed gases, paint products, tires and batteries.

Surface soil stainage was observed in a number of locations at the site. The sources include leakage from motor vehicles, aboveground storage tanks and tank trailers, and the drum and small container storage of automotive related hazardous materials and wastes. In addition, recent vehicle dismantling operations resulted in spillage of diesel fuel and lubricants to soil at various locations.

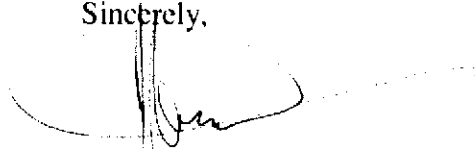
In December of 2006, oversight of the surface and subsurface investigation, and related cleanup activities was transferred to Alameda County Health Care Services (ACHCS), Environmental Health Division.

Aboveground Hazardous Materials Closure

Based upon the removal activities conducted to date, disposal documents submitted, and with the provision that the information submitted to this agency is accurate and representative of site conditions; no further action related to the aboveground removal of hazardous materials and wastes is required at this time by the Livermore-Pleasanton Fire Department.

If you have any questions concerning this letter, please contact me directly at 925-454-2337. Thank you for your cooperation in this matter.

Sincerely,



John Rigter
Hazardous Materials Inspector
Livermore-Pleasanton Fire Department

Cc: Scott Fooks, Weldon & Hass
✓ Jerry Wickham, PG, CHG, ACHCS, Environmental Health Division
Eric Carlson, Fire Marshal, LPFD
Scott Deaver, Assistant Fire Marshal, LPFD
Danielle Stefani, Hazardous Materials Coordinator, LPFD
Kevin Young, Assistant City Attorney, City of Livermore
Colleen Winey, Alameda County Zone 7 Water Agency

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



F

November 21, 2007

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

Administrator Whitney Newland
Estate of Crandal Mackey
C/o Weldon & Hass
205 East Anapamu Street
Santa Barbara, CA 93101

Subject: SLIC Leak Case No. RO0000311 and Geotracker Global ID T0600102204, Call Mac Transportation, 461 McGraw Avenue, Livermore, CA 94550

Dear Whitney Newland:

Alameda County Environmental Health (ACEH) staff has reviewed the Spills, Leaks, Investigations, and Cleanups (SLIC) case file for the above-referenced site including the recently submitted document entitled, "Additional Site Investigation Workplan, 461 McGraw Avenue, Livermore, California 94550," dated November 20, 2007, prepared on your behalf by Environmental Investigation Services, Inc. The Additional Site Investigation Workplan proposes eight soil borings in the vicinity of monitoring well MW-1 in order to evaluate the extent of tetrachloroethene (PCE) detected in a groundwater sample from well MW-1. The proposed scope of work and methods are acceptable with the clarification in technical comment 1 below. The clarification in technical comment 1 was requested in a November 20, 2007 electronic mail message from Mr. Peter Littman of Environmental Investigation Services, Inc. and was also discussed during a telephone conversation between Mr. Littman and myself.

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

TECHNICAL COMMENTS

- 1. Proposed Laboratory Analyses.** Soil and groundwater samples may be analyzed only for volatile organic compounds (VOC) if soil screening results do not indicate staining, odor, or elevated PID readings. If staining, odor, or elevated PID readings are observed in a soil boring, we request that soil and groundwater samples from that boring be analyzed for total petroleum hydrocarbons (TPH) as diesel and TPH as motor oil using EPA Method 8015 and TPH as gasoline and VOCs using EPA Method 8260. Please present the results from the soil borings in the Site Investigation Report requested below.

TECHNICAL REPORT REQUEST

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

- **January 29, 2008** – Site Investigation and Remedial Action 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

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

Estate of Crandal Mackey
RO0000311
November 21, 2007
Page 3

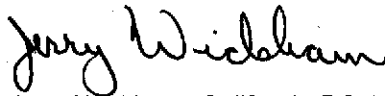
present site specific data, data interpretations, and recommendations prepared by an appropriately licensed professional and include the professional registration stamp, signature, and statement of professional certification. Please ensure all that all technical reports submitted for this fuel leak case meet this requirement.

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 or send me an electronic mail message at jerry.wickham@acgov.org.

Sincerely,



Jerry Wickham, California PG 3766, CEG 1177, and CHG 297
Hazardous Materials Specialist

Enclosure: ACEH Electronic Report Upload (ftp) Instructions

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

Danielle Stefani, Livermore-Pleasanton Fire Department, 3560 Nevada Street,
Pleasanton, CA 94566

John Rigter, Livermore-Pleasanton Fire Department, 3560 Nevada Street
Pleasanton, CA 94566

Peter Littman, Environmental Investigation Services, Inc., 170 Knowles Drive, Suite 212,
Los Gatos, CA 95032

Scott Fooks, Weldon & Hass, 205 East Anapamu Street, Santa Barbara, CA 93101

Donna Drogos, ACEH
Jerry Wickham, ACEH
File

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



F

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

November 8, 2007

Administrator Whitney Newland
Estate of Crandal Mackey
C/o Weldon & Hass
205 East Anapamu Street
Santa Barbara, CA 93101

Subject: SLIC Leak Case No. RO0000311 and Geotracker Global ID T0600102204, Call Mac Transportation, 461 McGraw Avenue, Livermore, CA 94550

Dear Whitney Newland:

Alameda County Environmental Health (ACEH) staff has reviewed the Spills, Leaks, Investigations, and Cleanups (SLIC) case file for the above-referenced site including the recently submitted documents entitled, "Soil Gas Survey Work Plan, 461 McGraw Avenue, Livermore, California 94550," dated November 2, 2007 and "Historical Review Report," dated October 31, 2007. Both reports were prepared on your behalf by Environmental Investigation Services, Inc. The Soil Gas Survey Work Plan proposes soil gas probe installation and sampling at four locations within the southern portion of the site. The proposed scope of work and methods are acceptable. However, we request that two of the proposed soil vapor sampling locations be modified as discussed in technical comment 1. The proposed soil vapor survey may be implemented provided that technical comment 1 below is addressed during the field investigation. Submittal of a revised Work Plan is not required unless an alternate scope of work outside that described in the Work Plan and technical comment below is proposed.

The Historical Review Report presents historic ownership, activities, review of aerial photographs, review of city directories, historical topographic maps, well information, an Environmental Data Resources database report, and a well survey. The Historical Review Report identified former structures from previous uses in the southern portion of the site as areas for proposed soil vapor sampling.

The Historical Review Report also summarized results from a report prepared by Clayton Environmental Services in 1991. Prior to our review of the Historical Review Report, ACEH was not aware the 1991 Clayton Environmental Services report. We requested and received a copy of this report from Environmental Investigation Services, Inc. on November 7, 2007. Based on our review of the Clayton Environmental Services report entitled, "Report of Sampling and Identification of Materials at Call Mac Transportation, Inc., 461 McGraw Avenue, Livermore, California," dated June 3, 1991, we request modification of the proposed soil vapor sampling locations as discussed in technical comment 1 below.

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

TECHNICAL COMMENTS

1. **Soil Vapor Sampling Locations.** Review of the Clayton Environmental Services report entitled, "Report of Sampling and Identification of Materials at Call Mac Transportation, Inc., 461 McGraw Avenue, Livermore, California," dated June 3, 1991, indicates that tetrachloroethene was detected at a concentration of 0.31 milligrams per kilogram (mg/kg) in a soil sample (D-1-2) collected from soil under pallets containing waste oil and polymer drums. The concentration of tetrachloroethene detected in soil sample D-1-2 exceeds the Environmental Screening Level for vapor emissions to indoor air for commercial land use. In order to evaluate the potential for vapor intrusion in this area, we request that you revise the locations of proposed soil vapor sampling locations S-3 and S-4. The location of sample D-1-2 can only be approximated from the figures shown in the June 3, 1991 Clayton Environmental Services, Inc. report since the figures are not to scale. Based on the grid shown on Figure 1 of the 1991 report, we request that proposed soil vapor sampling point S-3 be advanced at the approximate location of sample D-1-2, which is estimated to be 145 feet north of the south property line and 50 feet west of the east property line (see attached Revised Figure 2). We request that proposed soil vapor sampling point S-4 be advanced approximately 200 feet north of the south property boundary and 40 feet west of the east property boundary. Please present the results of the soil gas survey in the Site Investigation and Remedial Action Report requested below. The Site Investigation and Remedial Action Report requested below is also to include results from the excavation and disposal of arsenic-impacted soil from the building pad, excavation and disposal of soil from excavation DO3, decommissioning of water supply well in T4, and monitoring well installation and sampling as requested in our previous September 7, 2007 correspondence.

TECHNICAL REPORT REQUEST

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

- **January 29, 2008** – Site Investigation and Remedial Action 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

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.

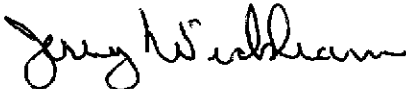
AGENCY OVERSIGHT

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.

Estate of Crandal Mackey
RO0000311
November 8, 2007
Page 4

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

Sincerely,



Jerry Wickham, California PG 3766, CEG 1177, and CHG 297
Hazardous Materials Specialist

Attachment: Revised Locations for Soil Vapor Sampling Locations S-3 and S-4

Enclosure: ACEH Electronic Report Upload (ftp) Instructions

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

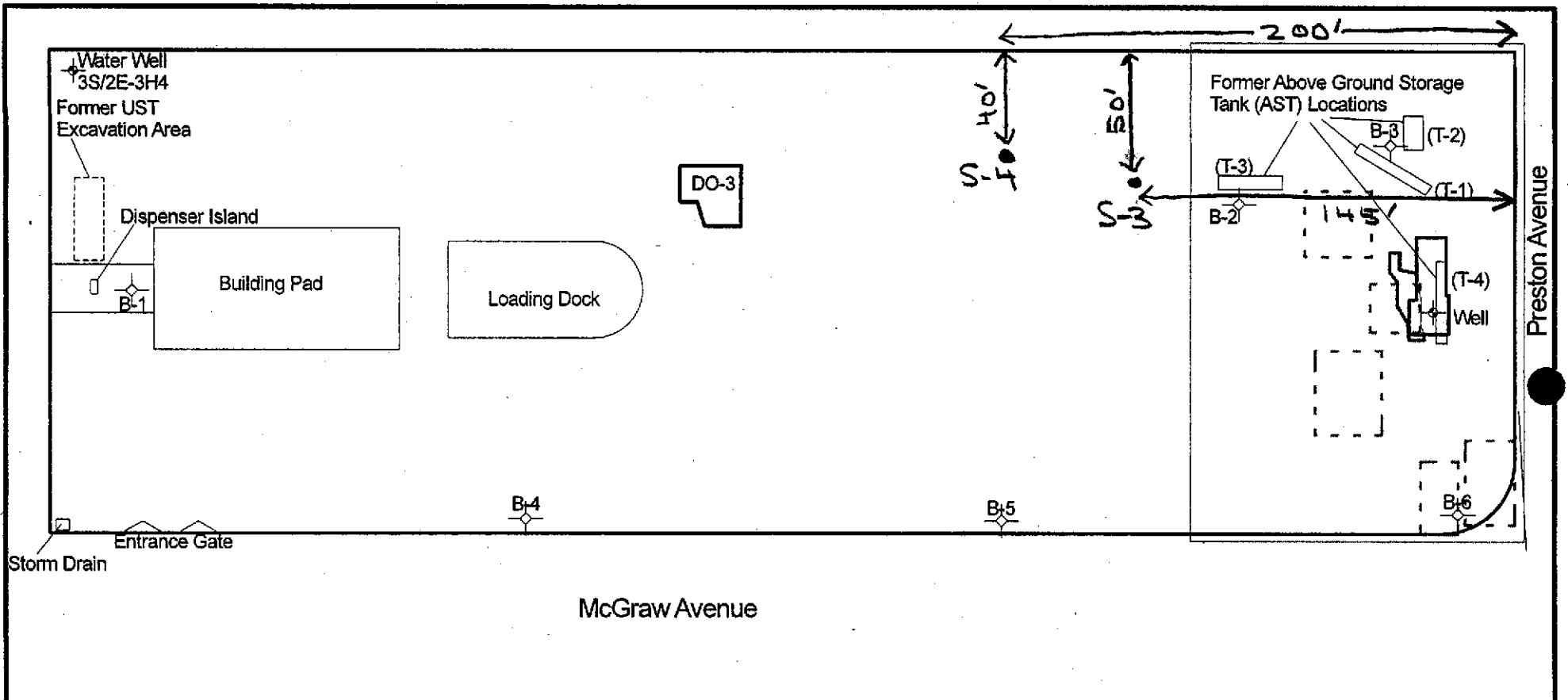
Danielle Stefani, Livermore-Pleasanton Fire Department, 3560 Nevada Street,
Pleasanton, CA 94566

John Rigter, Livermore-Pleasanton Fire Department, 3560 Nevada Street
Pleasanton, CA 94566

Peter Littman, Environmental Investigation Services, Inc., 170 Knowles Drive, Suite 212,
Los Gatos, CA 95032

Scott Fooks, Weldon & Hass, 205 East Anapamu Street, Santa Barbara, CA 93101

Donna Drogos, ACEH
Jerry Wickham, ACEH
File



Revised Locations for
Soil Vapor Sampling
Locations S-3 and S-4

LEGEND	
	See Detail Map with Proposed Soil Gas Locations in Figure 3
	Water Well
	Previous Soil Boring
	Former Farm Structures
	Debris Excavation Area

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



F

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

September 7, 2007

Administrator Whitney Newland
Estate of Crandal Mackey
C/o Weldon & Hass
205 East Anapamu Street
Santa Barbara, CA 93101

Subject: Fuel Leak Case No. RO0000311 and Geotracker Global ID T0600102204, Call Mac Transportation, 461 McGraw Avenue, Livermore, CA 94550

Dear Whitney Newland:

Alameda County Environmental Health (ACEH) staff has reviewed the fuel leak case file for the above-referenced site including the recently submitted document entitled, "Site Investigation and Remedial Action Work Plan: Excavation of Impacted Soils, Groundwater Investigation, Well Closure, and Historical Review, 461 McGraw Avenue, Livermore, California 94550," dated August 30, 2007. The Work Plan proposes:

- Historical review of the property.
- Excavation and disposal of approximately 300 tons of arsenic-impacted soil in the area of the Building Pad.
- Excavation and disposal of approximately 90 tons of soil from Excavation DO3.
- Waste profiling of stockpiled soil.
- Installation, development, and sampling of three monitoring wells.
- Decommissioning of the unknown water supply well in Excavation T4.
- Report preparation.
- Preparation of a work plan for soil vapor sampling.

The proposed scope of work is generally adequate and may be implemented provided that the technical comments below are addressed and incorporated during the proposed field investigation. Submittal of a revised Work Plan is not required unless an alternate scope of work outside that described in the Work Plan and technical comments below is proposed.

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

TECHNICAL COMMENTS

1. **Historical Review.** The proposed historical review of the property is acceptable. We request that you include a well survey in the historical review; however, we request that you include a well survey with the historical review. Please locate all water supply wells (active, inactive, standby, decommissioned, abandoned, dewatering, and drainage wells) within 2,000 ft of the subject site. We recommend that you obtain well information from the Zone

7 Water Agency. Submittal of maps showing the location of all wells identified in your study, and the use of tables to report the data, including well construction details, collected as part of your survey are required. Well construction details are to include the well ID, well diameter, use, address, owner, total depth, depths of the screened or perforated intervals, year of installation and destruction, and other construction details that may be relevant. The status of the water supply well, whether active, decommissioned, or unknown is to be included where known. Please present your results in the Historical Site Review Report and Soil Vapor Sampling Plan requested below.

2. **Excavation and Disposal of Arsenic-impacted Soil from the Building Pad.** The proposed excavation and disposal of arsenic-impacted soil from the Building Pad and proposed confirmation sampling from the base of the excavation are acceptable. Please present the results from the soil removal and confirmation sampling in the Site Investigation and Remedial Action Report requested below.
3. **Excavation and Disposal of Soil from Excavation DO3.** The proposed excavation and disposal of soil from Excavation DO3 and proposed confirmation sampling are acceptable. Please present the results from the soil removal in the Site Investigation and Remedial Action Report requested below. The excavation is to be extended as necessary in any areas where the analytical results from confirmation soil samples exceed relevant Environmental Screening Levels (San Francisco Bay Regional Water Quality Control Board 2005). Please present the results from the soil removal and confirmation sampling in the Site Investigation and Remedial Action Report requested below.
4. **Reuse of Loading Dock Soil.** The Work Plan proposes using soil from the loading dock that is free from debris as backfill for open excavations on site. All soil that is intermixed with debris is to be disposed off-site. Based on the analytical results from previous soil samples collected from the Loading Dock, we have no objection to this proposal. During excavation of the Loading Dock soil for reuse, any Loading Dock soil that exhibits staining, odor, or other discoloration is not to be used for on-site backfill. Soil exhibiting staining, odor, or other discoloration potentially indicative of chemical contamination is to be segregated and stockpiled for waste profiling prior to off-site disposal. Please describe soil backfilling and reuse of soil in the Site Investigation and Remedial Action Report requested below.
5. **Decommissioning of Water Supply Well in T4.** The proposal to decommission the water supply well in Excavation T4 according to Zone 7 Water Agency requirements is acceptable. A permit to decommission the well must be obtained from the Zone 7 Water Agency. Results from decommissioning of the well are to be reported to both ACEH and the Zone 7 Water Agency.
6. **Monitoring Well Installation.** We concur with the proposed locations of the three monitoring wells. We request that soils be sampled continuously for logging and screening purposes during drilling. Soil samples are to be submitted for analyses for all depth intervals where staining, odor, debris, or elevated PID readings are observed. If staining, odor, debris, or elevated PID readings are observed over an interval of several feet, a sufficient number of soil samples should be submitted for laboratory analyses to characterize the contamination within this interval. The proposed laboratory analyses for soil samples are acceptable; however, we request that analysis for volatile organic

compounds using EPA Method 8260 be added for soils with elevated PID readings. If no visible soil staining, odor, debris, or elevated PID readings is observed during drilling of boring MW-1, we request that one soil sample be collected from the capillary fringe or upper portion of the screen interval for laboratory analysis for TPH as diesel using EPA Method 8015 and Title 22 metals using EPA Method 6010B. If no visible soil staining, odor, debris, or elevated PID readings is observed during drilling of borings MW-2 and MW-3, we request that one soil sample be collected from a silt or coarser-grained layer between 10 feet bgs and the bottom of the boring and analyzed for Title 22 metals using EPA Method 6010B. Please present the results from well installation including soil boring logs and soil sampling results in the Site Investigation and Remedial Action Report requested below.

7. **Groundwater Sampling.** We request that you use low flow sampling methods to sample the proposed monitoring wells in order to optimize data quality for metals analysis. We also request that the groundwater samples be analyzed for Title 22 metals using EPA Method 6010B, TPH as gasoline and diesel by EPA Method 8015, volatile organic compounds including BTEX and chlorinated solvents by EPA Method 8260, fuel oxygenates by EPA Method 8260, and ethylene dibromide and 1,2-dichloroethane by EPA Method 8260. Please present the results from the groundwater sampling in the Site Investigation and Remedial Action Report requested below.
8. **Soil Vapor Survey.** The Work Plan indicates that a soil gas sampling plan will be submitted following completion of the historical review. We recommend that you accelerate the historical review and soil vapor sampling plan in order to complete this work prior to or in conjunction with the scope of work proposed in the August 30, 2007 Work Plan. We request that the soil vapor survey include a minimum of four to eight soil vapor sampling locations in the southern portion of the site to investigate the potential for additional debris areas to be present. Please present the historic site review and plans for soil vapor sampling in the Historical Site Review Report and Soil Vapor Sampling Plan requested below.
9. **Report Format.** Please include page numbers and section numbers in future reports.

TECHNICAL REPORT REQUEST

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

- **November 7, 2007** – Historical Site Review Report and Soil Vapor Sampling Plan
- **January 9, 2008** – Site Investigation and Remedial Action 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

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.

AGENCY OVERSIGHT

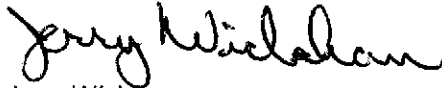
If it appears as though significant delays are occurring or reports are not submitted as requested, we will consider referring your case to the Regional Board or other appropriate agency, including the County District Attorney, for possible enforcement actions. California Health and Safety

Estate of Crandal Mackey
RO0000311
September 7, 2007
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

Enclosure: ACEH Electronic Report Upload (ftp) Instructions

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

Wyman Hong, QIC 80201, Zone 7 Water Agency, 100 North Canyons Parkway
Livermore, CA 94551

Danielle Stefani, Livermore-Pleasanton Fire Department, 3560 Nevada Street,
Pleasanton, CA 94566

John Rigter, Livermore-Pleasanton Fire Department, 3560 Nevada Street
Pleasanton, CA 94566

Jennifer Morris, Environmental Investigation Services, Inc., 170 Knowles Drive, Suite 212,
Los Gatos, CA 95032

Scott Fooks, Weldon & Hass, 205 East Anapamu Street, Santa Barbara, CA 93101

Donna Drogos, ACEH
Jerry Wickham, ACEH
File

ESTATE OF CRANDAL MACKEY III
WHITNEY NEWLAND ADMINISTRATOR
P.O. BOX 2013
SANTA BARBARA, CA 93120

90-2059
1222 3000
0100068998

1035

DATE 8/2/07

PAY TO THE ORDER OF

Alameda County Environmental Health

\$ 6,000.00

Six thousand & 00/100

DOLLARS

SLIC, AR #0320013
SANTA BARBARA BANK & TRUST

20 East Carrillo Street • Santa Barbara, CA 93101 • 888.400.7228
Member of the Network of Preferred Community Banks™

MEMO

Environmental Oversight - (61) me from Whitney G. Newland Admin.

⑆ 22220593⑆ 1035⑆ 0100068998⑆

REMISSAL WALLET OR DUPLICATE SAFETY PAPER

Security Features
Included
Details on Back

ENVIRONMENTAL HEALTH
FINANCE
2007 AUG -7 AM 9:39

WELDON & HASS

ATTORNEYS AT LAW
205 EAST ANAPAMU STREET
SANTA BARBARA, CALIFORNIA 93101
(805) 965-7014 FAX (805) 962-3557

SCOTT B. FOOKS
ROBERT CROTEAU (OF COUNSEL)

HUGH J. WELDON
(1890-1978)
JOHN K. HASS
(1906-1997)
JEREMY D. HASS
(INACTIVE)
MICHAEL J. HASS
(INACTIVE)

August 2, 2007

Environmental Health Services
Attn: Finance Department
1131 Harbor Bay Parkway, Suite 250
Alameda, CA 94502-6577

Re: Environmental Oversight - 461 McGraw Avenue, Livermore, CA

Dear Financial Department Official,

As requested in your recent letter to my client, Administrator Whitney Newland, enclosed, please find payment of an initial deposit in the amount of \$6,000, made to Alameda County Environmental Health, for oversight costs incurred at 461 McGraw Avenue, Livermore, California (SLIC, AR#0320013).

Please give me a call if you have any questions regarding this matter.

Very Truly Yours,
Scott Fooks
Scott B. Fooks

CALL MAC, 461 MCGRAW, LIVERMORE
 MEETING SIGN-IN SHEET
 AUGUST 22, 2007

Date and Time: August 22, 2007, 10:30 am

Attendees:

Name	Company/Agency
DONNA DROGOS	ACEH
JOHN MAHONEY	Buyer - Antrim-Hiest - Mahoney LLC
Rob White	City of Livermore
Jennifer Morris	EIS Consultant
Peter Littman	EIS Consultant
Sean McCormick	Macy Resources - Environmental Contractor
BOB KUMNICK	LEE & ASSOCIATES
Scott Fooks	Weldon & Hays
Sunny Wickham	ACEH

FOR SALE

AUTO SERVICE UNITS



461 McGRAW AVENUE, LIVERMORE

*FOR FURTHER
INFORMATION, CONTACT:*

BOB KUMNICK
925.737.4146

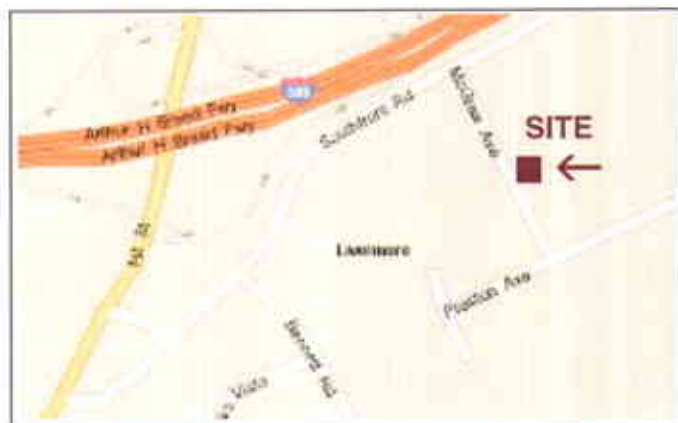
BKUMNICK@LEE-ASSOCIATES.COM

- FIFTEEN (15) UNITS (1,998± - 2,960± SF)
- RECEPTION/OFFICE PLUS RESTROOM
- LIGHTED AND INSULATED WAREHOUSE
- FENCED PARKING (2 - 5 STALLS) IN REAR
- COMMERCIAL SERVICE ZONING
- PRICE: \$548,000 - \$768,000 / UNIT

**LEE & ASSOCIATES
EAST BAY, INC.**

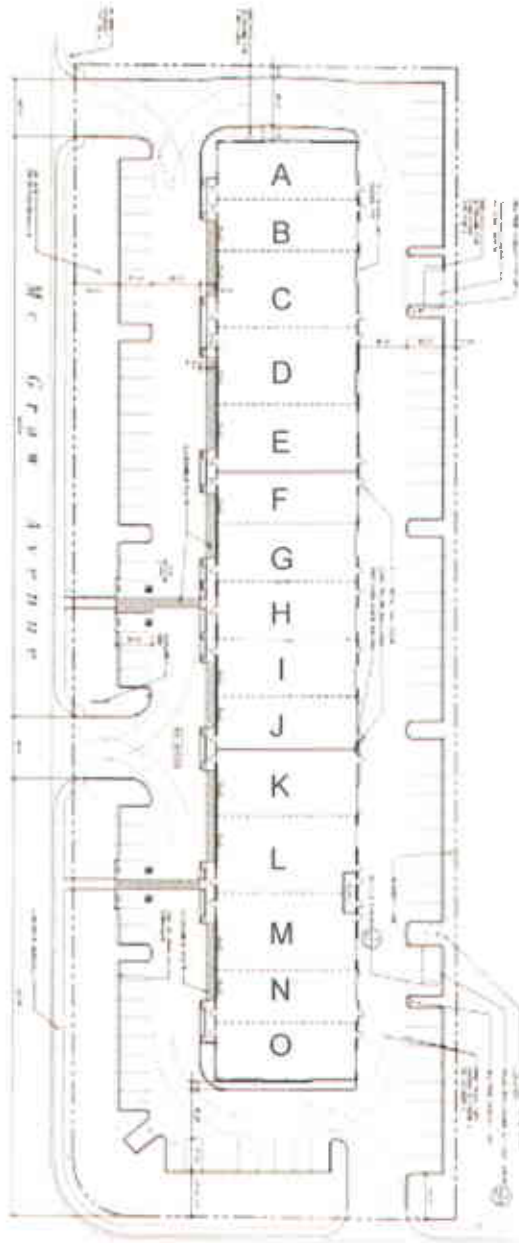
5890 STONEYBROOK DRIVE #210
PLEASANTON, CA 94588

PHONE: 925.460.6200
FAX: 925.460.6210
WWW.LEE-ASSOCIATES.COM



Lee & Associates®

461 MCGRAW AVENUE, LIVERMORE



Preston Avenue

*FOR FURTHER
INFORMATION, CONTACT:*

BOB KUMNICK
925.737.4146

BKUMNICK@LEE-ASSOCIATES.COM



ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



F

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

August 3, 2007

Administrator Whitney Newland
Estate of Crandal Mackey
C/o Weldon & Hass
205 East Anapamu Street
Santa Barbara, CA 93101

Subject: Fuel Leak Case No. RO0000311 and Geotracker Global ID T0600102204, Call Mac Transportation, 461 McGraw Avenue, Livermore, CA 94550

Dear Whitney Newland:

Alameda County Environmental Health (ACEH) staff has reviewed the fuel leak case file for the above-referenced site including the recently submitted document entitled, "Soil Removal and Site Investigation Report, 461 McGraw Avenue, Livermore, California 94550," dated July 26, 2007. The Soil Removal and Site Investigation Report describes the results from soil removal and site investigation activities conducted in May and June 2007. The following soil removal and site investigation activities were conducted at the 2.75-acre site:

- Removal of Former Pump Island and Excavation of Impacted Soil
- Soil Sampling in Building Pad, Battery Storage Area, and Loading Dock
- Excavation of Surface Soil Contamination from Oil and Fuel Leaks in Central Portion of Site
- Excavation of Stained Soil in Former AST Locations
- Excavation of Debris Area Adjacent to Excavation T-4
- Soil Borings
- Sampling and Repair of Water Well

The site is currently vacant without structures and was formerly used by Call Mac Transportation Company as a truck and trailer storage yard.

A separate report on the closure of three aboveground storage tanks, which is entitled, "Aboveground Storage Tank Closure Report," was submitted to Mr. John Rigter of the Livermore-Pleasanton Fire Department. The three ASTs were removed from the site under the direction of Livermore-Pleasanton Fire Department prior to soil and confirmation soil sampling at the locations of the ASTs.

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

TECHNICAL COMMENTS

1. **Former Pump Island and USTs.** The former pump island and concrete pad were removed and the underlying soil was excavated to a depth of approximately 4 feet bgs. Based on the results of soil confirmation sampling and soil and groundwater sampling in adjacent soil boring B-1, no further investigation of the former pump island or USTs is required at this time.
2. **Elevated Concentrations of Arsenic in Building Pad.** Arsenic was detected at concentrations of 36 to 51 milligrams per kilogram in the four soil samples collected from the building pad and storage container area. These concentrations significantly exceed the U.S. Environmental Protection Agency Preliminary Remediation Goal (PRG) and San Francisco Bay Area Regional Water Quality Control Board Environmental Screening Level (ESL) for arsenic and also exceed arsenic concentrations detected in soil elsewhere at the site. Corrective action is required to address the elevated concentrations of arsenic in the building pad soils. Please propose a cleanup goal for arsenic and present plans for soil removal in the Work Plan requested below.
3. **Former Lead-Acid Battery Storage Area.** Based on the results of the soil sampling conducted in the former battery storage area, no further investigation is required in this area of the site.
4. **Soil Loading Dock.** Arsenic and cobalt were detected in soil from the loading dock at concentrations that exceed the ESLs for residential and commercial land use. No other metals or petroleum hydrocarbons were detected at concentrations that exceed the ESLs. The report concludes that the arsenic and cobalt concentrations are consistent with background concentrations in the area. We generally concur with this conclusion. However, the loading dock soils also include debris and other refuse, which may constitute a nonhazardous nuisance. In the Work Plan described below, please describe the future use of or disposal of the material in the soil loading dock and whether the debris will be separated out from the loading dock soil and disposed.
5. **Excavation of Stained Surface Soil.** Stained surface soil resulting from spills and leaks during vehicle demolition were excavated in 34 small stain areas and 7 large stain areas. Based on the results presented in the report, no further investigation or soil removal is required for the surface stain areas at this time with the exception of area DO3. However, the adequacy of the removals is to be confirmed by a future inspection of the site by ACEH or the Livermore-Pleasanton Fire Department.
6. **Additional Excavation of Area DO3.** We concur with the recommendations to extend the depth of the Area DO3 excavation and evaluate the western and southwestern lateral extent of the Area DO3 excavation. Please present plans to conduct these activities in the Work Plan requested below.
7. **AST Area Excavations.** No further soil sampling or excavation is requested in former AST locations T-1 through T-3 at this time. However, please see technical comment 8 below regarding the need for further investigation in the T-4 excavation area and technical comments 11 and 12 below regarding further groundwater investigation.

- 8. Debris Area Adjacent to Excavation T-4 and Historic Uses of Site.** During the excavation of soil beneath former AST T-4, debris and a buried water well were encountered. The debris was excavated to its full extent based on visual observation. Following completion of the debris excavation, confirmation soil samples were collected. TPH as diesel and motor oil were not detected in the confirmation soil samples and metals were not detected at concentrations exceeding ESLs or background concentrations. An odor was observed during a portion of the excavation, indicating that volatile organic compounds were likely present in the soil. No odor was observed during the latter stages of the excavation. The source of the debris is unknown. Given these factors, we request that you conduct a review of historic uses of the property and soil vapor sampling to assess whether additional debris areas may exist in this area of the site. The review of historic uses of the property is to identify historic ownership and types of site activities conducted prior to the use by Call Mac Transportation. A Preliminary Site Assessment (Phase I Modified) dated June 7, 2006 and prepared by Remedy Environmental Services LLC did not include a review of historic uses of the property. The review must include a review of historic aerial photographs of the site. We request that you conduct a soil vapor survey that includes a minimum of four to eight soil vapor sampling locations in the southern portion of the site to investigate the potential for additional debris areas to be present. Please present the historic site review and plans for soil vapor sampling in the Work Plan requested below.
- 9. Water Supply Well in Northeast Corner of Site.** Based on the analytical results from sampling of the water supply well in the northeast corner of the site, no further sampling or investigation of the well is required. The report indicates that the surface completion of the well was repaired in compliance with Zone 7 requirements. No further work is requested at this time.
- 10. Water Supply Well in Excavation Area T-4.** The buried water supply well in Excavation Area T-4 is to be decommissioned according to Zone 7 requirements. At this time, we request that you install and sample one monitoring well immediately northwest (presumed downgradient) of the buried water supply well (see technical comment 12 below). Further assessment of the water supply well potentially may be required based upon information obtained during the decommissioning of the well.
- 11. Elevated Concentrations of Metals in Groundwater.** Elevated concentrations of chromium and vanadium were detected in grab groundwater samples collected from several soil borings. In order to assess whether the elevated concentrations are significant, we request that you install and sample groundwater monitoring wells in the southern portion of the site. Grab groundwater samples are generally not of sufficient quality to definitively assess metals concentrations in groundwater. Please see technical comment 12 below regarding monitoring well installation.
- 12. Groundwater Monitoring Wells.** We request that a minimum of three monitoring wells be installed to evaluate: 1) potential impacts to groundwater from fuel hydrocarbons in the Area of DO3, 2) potential groundwater contamination originating from the buried well or debris encountered in Excavation T-4, 3) elevated concentrations of metals detected in grab groundwater samples, and 4) the hydraulic gradient for the site. We suggest a minimum of three monitoring wells with one well installed northwest of the Area DO3 excavation, one well installed northwest of the buried well and debris excavation adjacent

to T-4, and one well installed northwest of B-3. Please present plans for monitoring well installation and sampling in the Work Plan requested below.

TECHNICAL REPORT REQUEST

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

- **October 3, 2007 – Work Plan**

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

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

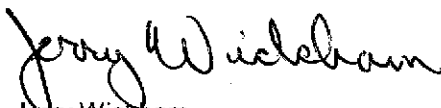
Please note that delays in investigation, later reports, or enforcement actions may result in your becoming ineligible to receive grant money from the state's Underground Storage Tank Cleanup Fund (Senate Bill 2004) to reimburse you for the cost of cleanup.

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

Wyman Hong, QIC 80201
Zone 7 Water Agency
100 North Canyons Parkway
Livermore, CA 94551

Estate of Crandal Mackey
RO0000311
August 3, 2007
Page 6

Danielle Stefani
Livermore-Pleasanton Fire Department
3560 Nevada Street,
Pleasanton, CA 94566

John Rigter
Livermore-Pleasanton Fire Department
3560 Nevada Street
Pleasanton, CA 94566

Jennifer Morris
Environmental Investigation Services, Inc.
170 Knowles Drive, Suite 212
Los Gatos, CA 95032

Scott Fooks
Weldon & Hass
205 East Anapamu Street
Santa Barbara, CA 93101

Donna Drogos, ACEH
Jerry Wickham, ACEH
File

ALAMEDA COUNTY
HEALTH CARE SERVICES



F

AGENCY
DAVID J. KEARS, Agency Director

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

July 17, 2007

Administrator Whitney Newland
Estate of Crandal Mackey
C/o Weldon & Hass
205 East Anapamu Street
Santa Barbara, CA 93101

Subject: Fuel Leak Case No. RO0000311 and Geotracker Global ID T0600102204, Call Mac Transportation, 461 McGraw Avenue, Livermore, CA 94550 – Change in Regulatory Oversight Funding

Dear Whitney Newland:

Fuel leak case RO0000311 is being transferred from the Alameda County Environmental Health (ACEH) Local Oversight Program (LOP) to the Spills, Leaks, Investigations, and Cleanup (SLIC) Program due to the source and nature of contamination at the site. Contamination has been detected from other sources outside the former underground storage tank fuel system. Therefore, regulatory oversight under the SLIC Program is more appropriate for this site. Funding for regulatory oversight on the LOP is provided by federal funding of the LOP. The SLIC program is funded by responsible party funds.

In order to continue to provide regulatory oversight, we are requesting the submittal of a check made payable to Alameda County Environmental Health in the amount of \$6,000.00. Please send your check to the attention of our Finance Department.

This initial deposit may or may not be sufficient to provide all necessary regulatory oversight. ACEH will deduct actual costs incurred based upon the hourly rate specified below. If these funds are insufficient, additional deposit will be requested. Otherwise, any unused monies will be refunded to you or your designee.

The deposit is authorized in Section 6.92.040L of the Alameda County Ordinance Code. Work on this project is being debited at the Ordinance specified rate, currently \$166.00 per hour.

Please write "SLIC" (the type of project), the site address, and the AR#0320013 on your check.

If you have any questions, please contact Jerry Wickham at (510) 567-6791.

Sincerely,

Ariu Levi
Director

Estate of Crandal Mackey
RO0000311
July 17, 2007
Page 2

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

Danielle Stefani
Livermore-Pleasanton Fire Department
3560 Nevada Street,
Pleasanton, CA 94566

John Rigter
Livermore-Pleasanton Fire Department
3560 Nevada Street
Pleasanton, CA 94566

Scott Fooks
Weldon & Hass
205 East Anapamu Street
Santa Barbara, CA 93101

Jennifer Morris
Environmental Investigation Services, Inc.
170 Knowles Drive, Suite 212
Los Gatos, CA 95032

Donna Drogos, ACEH
Jerry Wickham, ACEH
File

Wickham, Jerry, Env. Health

To: Jennifer Morris
Subject: RE: Potential Plans B/C

Jennifer,

The quality of a water sample from an open pit would not be good enough for our purposes so the second option of collecting a shallow water sample from the excavation is not one we could accept. As far as collecting a grab water table sample from the well if it were only cleaned out to a shallow depth, there may be sample quality issues with that option as well. If it is not feasible to collect a good quality sample from the well due to the efforts required to remove slough, collecting good quality samples from a nearby boring or well that was constructed for purpose of groundwater sampling is a much better option. With regard to deeper intervals, you may wish to consider the option you discussed the other day of using the supply well across the street.

Regards,
Jerry Wickham
Alameda County Environmental Health
1131 Harbor Bay Parkway
Alameda, CA 94502-6577
510-567-6791 phone
510-337-9335 fax
jerry.wickham@acgov.org

-----Original Message-----
From: Jennifer Morris [mailto:jmorris@eis1.net]
Sent: Wednesday, June 20, 2007 10:13 AM
To: Wickham, Jerry, Env. Health
Subject: Potential Plans B/C

Jerry,

Last night, as I was getting ready for bed, I thought of two possible solutions to the mystery well sampling problem. I can't explain the timing -- it's just one of those things, I suppose.

One possibility would be to see whether we could clear the well out just deep enough to get water without using the drill, then we could get a grab sample of the water at the top of the well, but it'll probably be a water table sample. I think this option would be the more difficult of the two, but I could talk to the drillers and see what they think.

The other option would be to clear a pothole in the excavation right next to the well and get a grab sample there. We saw groundwater at 12' in the pit, but there's slough in the pit now. Before the contractor backfills the pit, I could have them clear out an area at the bottom and I could toss a bailer down. I think this would be the better option. Either way, I'd be sampling the unconfined aquifer. Also, the water at the base of the excavation is a sure thing, whereas waiting for any possibility of a sample from the well, which is probably pretty slim, would be a gamble.

I'd suggest running the same set of analyses we've run for the other samples (8015, 8260, 6010B), plus I could talk to the lab about getting a sample for hexavalent chromium -- I got the impression that there was a certain method for which one could preserve the sample and extend the holding time. Depending on what that holding time is, we could possibly even hold that sample until we know whether there's elevated Cr in the water there at all.

Jennifer

--
Jennifer Morris
Staff Geologist

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



F

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

May 23, 2007

Administrator Whitney Newland
Estate of Crandal Mackey
C/o Weldon & Hass
205 East Anapamu Street
Santa Barbara, CA 93101

Subject: Fuel Leak Case No. RO0000311 and Geotracker Global ID T0600102204, Call Mac Transportation, 461 McGraw Avenue, Livermore, CA 94550 – Work Plan Approval

Dear Whitney Newland:

Alameda County Environmental Health (ACEH) staff has reviewed the fuel leak case file for the above-referenced site including the recently submitted document entitled, "Revised Work Plan for Site Investigation and Remedial Action, 461 McGraw Avenue, Livermore, California 94550," dated May 18, 2007. The work plan proposes a scope of work that addresses the technical comments contained in ACEH's April 11, 2007 correspondence. In general, the proposed scope of work adequately addresses our technical comments. The Work Plan may be implemented provided that the technical comments below regarding laboratory analyses are addressed and incorporated during the proposed field investigation. Submittal of a revised Work Plan is not required unless an alternate scope of work outside that described in the Work Plan and technical comments below is proposed.

A second Work Plan entitled, "Work Plan to Remove the Three Remaining Storage Tanks," was submitted to Mr. John Rigter of the Livermore-Pleasanton Fire Department. The three ASTs are to be removed from the site under the direction of Livermore-Pleasanton Fire Department prior to removal of soil and confirmation soil sampling at the locations of the ASTs. Comments and/or approval of the "Work Plan to Remove the Three Remaining Storage Tanks," are provided in separate correspondence from Livermore-Pleasanton Fire Department.

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

TECHNICAL COMMENTS

- Laboratory Analyses for Confirmation Soil Samples beneath Larger, Diesel/Motor Oil Spill and Stained Areas.** The text of the Work Plan (page 6, 4th paragraph) proposes that soil samples collected from the seven larger areas of petroleum-hydrocarbon stained surface soils (DO-1 through DO-7) will be analyzed for total petroleum hydrocarbons (TPH) as diesel and motor oil by EPA Method 8015M. Table 1 – Summary of Proposed Soil Samples and Associated Analyses indicates that samples DO-1 through DO-7 will be analyzed for TPH as diesel and motor oil by EPA Method 8015M, VOCs by EPA Method

8260B, Title 22 metals by EPA Method 6010B, SVOCs by EPA Method 8270C, and PCBs by EPA Method 8082A. Based on the known petroleum contamination, analysis for TPH as diesel and motor oil are the only analyses required. Please correct Table 1 to be consistent with the text for field implementation of the proposed work.

2. **Laboratory Analyses for Soil Samples from Soil Borings.** The text of the Work Plan (page 8, 4th paragraph) proposes that soil samples collected from the soil borings will be analyzed for TPH as diesel and motor oil by EPA Method 8015M, VOCs by EPA Method 8260B, and lead by EPA Method 6010B. Table 1 – Summary of Proposed Soil Samples and Associated Analyses indicates that soil samples from the soil borings will be analyzed for TPH as diesel and motor oil by EPA Method 8015M, VOCs by EPA Method 8260B, and Title 22 metals by EPA Method 6010B. For clarification, we request that soil samples from the soil borings be analyzed for TPH as diesel and motor oil by EPA Method 8015M, VOCs by EPA Method 8260B, and Title 22 metals by EPA Method 6010B. In addition, if SVOCs or PCBs are detected at greater than trace concentrations in the confirmation soil samples collected during removal of the ASTs, we request that soil samples from the soil borings also be analyzed for SVOCs by EPA Method 8270C and PCBs by EPA Method 8082A. Please collect and hold soil samples from the soil borings at the laboratory for SVOC and PCB analyses pending results from the confirmation soil samples collected during removal of the ASTs.
3. **Laboratory Analyses for Groundwater Samples.** The Work Plan currently proposes that grab groundwater samples from the soil borings will be analyzed for TPH as diesel and motor oil by EPA Method 8015M, VOCs by EPA Method 8260B, and Title 22 metals by EPA Method E200.8. We request that grab groundwater samples from the soil borings also be analyzed for SVOCs by EPA Method 8270C and PCBs by EPA Method 8082A if SVOCs or PCBs are detected at greater than trace concentrations in the confirmation soil samples. Please collect and hold grab groundwater samples from the soil borings at the laboratory for SVOC and PCB analyses pending results from the confirmation soil samples collected during removal of the ASTs.

TECHNICAL REPORT REQUEST

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

- **September 23, 2007** – Soil Removal and Site 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

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

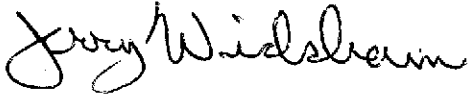
Please note that delays in investigation, later reports, or enforcement actions may result in your becoming ineligible to receive grant money from the state's Underground Storage Tank Cleanup Fund (Senate Bill 2004) to reimburse you for the cost of cleanup.

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

Danielle Stefani
Livermore-Pleasanton Fire Department
3560 Nevada Street,
Pleasanton, CA 94566

John Rigter
Livermore-Pleasanton Fire Department
3560 Nevada Street
Pleasanton, CA 94566

Scott Fooks
Weldon & Hass
205 East Anapamu Street
Santa Barbara, CA 93101

Jennifer Morris
Environmental Investigation Services, Inc.
170 Knowles Drive, Suite 212
Los Gatos, CA 95032

Donna Drogos, ACEH
Jerry Wickham, ACEH
File

RO311

Wickham, Jerry, Env. Health

To: Mark Williams
Subject: RE: Livermore site

Mark,

The sampling requirements described in the ACEH April 11, 2007 technical comments should be clear. Providing written comments avoids confusion.

Regards,
Jerry Wickham
Alameda County Environmental Health
1131 Harbor Bay Parkway
Alameda, CA 94502-6577
510-567-6791 phone
510-337-9335 fax
jerry.wickham@acgov.org

-----Original Message-----
From: Mark Williams [mailto:markwilliams-env@hotmail.com]
Sent: Monday, April 16, 2007 12:36 PM
To: Wickham, Jerry, Env. Health
Subject: Re: Livermore site

Jerry,

Here is an excerpt from an email I received. A couple of the parties are confused as to the diesel sampling requirement now. Any thoughts?

-mark

>Hi Mark,
>
>When you and I had our walk through with Jerry, he agreed that the
>spills had just taken place verified by John and both said we only had
>to dig to clean dirt and smell.

Exercise your brain! Try Flexicon.
http://games.msn.com/en/flexicon/default.htm?icid=flexicon_hmemailtaglineapril07

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



F

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

April 11, 2007

Administrator Whitney Newland
Estate of Crandal Mackey
C/o Weldon & Hass
205 East Anapamu Street
Santa Barbara, CA 93101

Subject: Fuel Leak Case No. RO0000311 and Geotracker Global ID T0600102204, Call Mac Transportation, 461 McGraw Avenue, Livermore, CA 94550.

Dear Whitney Newland:

Alameda County Environmental Health (ACEH) staff has reviewed the fuel leak case file for the above-referenced site including the recently submitted document entitled, "Proposed Work Plan to Conduct Field Oversight and Confirmation Soil Sampling for the Excavation of Soils at the Former Diesel UST Dispenser Island, below the Former Above Ground Storage Tanks, and at the Recent Diesel Spill Areas, 461 McGraw Avenue, Livermore, California 94550," dated April 2, 2007. The work plan proposes removal of the petroleum-contaminated soil in the area of the former dispensers, removal of impacted soil below former aboveground storage tanks (ASTs), and excavation of recent diesel-impacted soil in the area of former demolition activities.

A second Work Plan entitled, "Work Plan to Remove the Three Remaining Storage Tanks," was submitted to Mr. John Rigter of the Livermore-Pleasanton Fire Department. The three ASTs are to be removed from the site under the direction of Livermore-Pleasanton Fire Department prior to removal of soil and confirmation soil sampling at the locations of the ASTs. Comments and/or approval of the "Work Plan to Remove the Three Remaining Storage Tanks," is to be provided in separate correspondence from Livermore-Pleasanton Fire Department.

We request that you address the following technical comments on the "Proposed Work Plan to Conduct Field Oversight and Confirmation Soil Sampling for the Excavation of Soils at the Former Diesel UST Dispenser Island, below the Former Above Ground Storage Tanks, and at the Recent Diesel Spill Areas, 461 McGraw Avenue, Livermore, California 94550," dated April 2, 2007 and prepare a Revised Work Plan as requested below.

TECHNICAL COMMENTS

1. **Reference to Diesel/Oil Staining from Recent Demolition Activity (Page 2 of 8, 5th paragraph).** The text refers to unauthorized releases of diesel fuel during "dismantling and removal of the former tanks at the site." It is our understanding that the diesel fuel and motor oil releases were from the crushing of vehicles. Please revise the text in the Revised Work Plan requested below to state, "during Golden State Metal's dismantling and removal of vehicles at the site."

2. **Estimated Volumes of Soil (Page 4 of 8).** The estimated volumes of soil discussed in Task 2 – Field Work in the Work Plan may be considered reasonable estimates based on known conditions. However, additional soil removal beyond the estimated volumes may be necessary if a larger volume of impacted soil is encountered during excavation. The volume of soil removed is to be based upon encountered conditions and confirmation sample results and not limited by a predetermined maximum.
3. **Soil Removal in Area of Former Dispenser (Page 5 of 8).** The proposal to remove the concrete pad, piping, and contaminated soil in the area of the former dispenser is generally acceptable. However, the excavation is to be extended to the extent necessary to remove contaminated soil. Additional excavation may be required if confirmation soil sample results indicate that contaminated soils with concentrations that exceed California Regional Water Quality Control Board Environmental Screening Levels remain in place.
4. **Confirmation Soil Sampling in Area of Former Dispenser (Page 6 of 8).** The proposed confirmation soil sampling beneath the former dispenser is generally acceptable. However, additional soil sampling may be requested based upon field inspection by either Livermore Pleasanton Fire Department or ACEH. Additional confirmation soil samples will be required if any backfilled utility trenches that could potentially act as preferential pathways are encountered or the excavation is expanded beyond the currently estimated extent. Please add this clarification to the Revised Work Plan requested below. During a July 17, 2003 inspection of the site by the Livermore-Pleasanton Fire Department, batteries and drums were observed in the dispenser area. In addition to the proposed analytes, please include ethylene dibromide and 1,2-dichloroethane using EPA Method 8260 and lead using EPA Method 6010B or equivalent as analytes for confirmation soil samples in the area of the former dispenser island.
5. **Confirmation Soil Samples beneath Former ASTs (Page 6 of 8).** The Work Plan currently proposes the collection of one confirmation soil sample from the base of each AST excavation. We request that two confirmation soil samples be collected from the base of AST excavations T-1, T-3, and T-4. The collection of one confirmation soil sample from the base of the T-2 excavation is acceptable. The confirmation soil samples are to be collected directly below the area where the highest degree of staining or odor was observed during the soil removal or as directed during field inspection by either Livermore-Pleasanton Fire Department or ACEH. Additional confirmation soil samples may be required if requested during field inspection by Livermore Pleasanton Fire Department or ACEH or if the excavations are expanded beyond the currently estimated extent. We request that the confirmation soil samples be collected within two working days of the removal of the ASTs. In addition to the proposed analyses, the confirmation soil samples collected beneath the former ASTs are to be analyzed for semivolatile organic compounds by EPA Method 8270. Please include this addition and provide additional information on the analyses to be performed as part of the proposed "Waste Used Oil Suite" in the Revised Work Plan requested below.
6. **Recent Diesel/Motor Oil Spill and Stained Areas (Page 6 of 8).** The Work Plan currently proposes excavation of 7 "larger" and 34 "smaller" areas of diesel/motor oil staining. Field observations including screening with a PID are proposed to confirm that soil excavation is complete. Visual observation and screening with the PID meter are acceptable for the

smaller areas but we request that one soil sample be collected from the base of each of the "larger" excavations. The soil samples are to be collected directly below the area where the highest degree of staining or odor was observed during the soil removal. The soil samples are to be analyzed for total petroleum hydrocarbons as diesel and motor oil by EPA Method 8015. Each area excavated is to be shown on a detailed map of the site. A table, cross referenced to the map, that includes the volume of soil removed, a summary of the observations prior to and following excavation, screening results, and documentation of any soil samples collected is also to be prepared. Please add the confirmation sampling in the 7 "larger" excavations to the Revised Work Plan requested below.

7. **Soil/Debris Piles.** Soil and debris piles were placed in one or more areas of the site; the origin of these materials is unknown. Please collect a minimum of four surface soil samples and four subsurface (2 to 3 feet bgs) soil samples from the soil/debris pile shown on Figure 2 in the central portion of the site. Please propose soil sampling from any other soil/debris piles of unknown origin on the site. The soil samples are to be analyzed, at a minimum, for TPH as diesel and motor oil by EPA Method 8015 and metals by EPA Method 6010B or equivalent. Please present plans for sampling these soil/debris piles in the Revised Work Plan requested below.
8. **Storage of Unknown Materials in Area of Storage Container and Building Pad.** Drums and other containers with unknown contents were stored in the area of the shipping container that is located on the building pad in the northern portion of the site. In order to assess whether these materials were released to the surface soil in the area of the storage container, we request that you collect a minimum of two surface or near surface soil samples in the area of the storage container. Two additional surface or near surface soil samples are to be collected from the remaining area of the building pad north of the storage container. The soil samples are to be analyzed, at a minimum, for TPH as diesel and motor oil by EPA Method 8015 and metals by EPA Method 6010B or equivalent. Please include these additional sampling locations and analyses in the Revised Work Plan requested below.
9. **Lead/Acid Batteries.** During the July 17, 2003 inspection of the site by Livermore-Pleasanton Fire Department and November 13, 2003 inspection of the site by the California Department of Toxic Substances Control (DTSC) and Livermore-Pleasanton Fire Department, lead/acid batteries with cracked casings were observed in several locations at the site, including the former dispenser island and on the ground outside a trailer near the building pad. The DTSC Inspection Report dated December 2, 2003 is included as an attachment to this letter. In order to assess whether lead has been released to surface soils in the areas surrounding the building pad, we request that you collect surface or near surface soil samples from the battery storage area noted in the December 2, 2003 DTSC Inspection Report and surrounding areas where releases may have occurred. The soil samples are to be analyzed for lead using EPA Method 6010B or equivalent. Please include these additional sampling locations and analyses in the Revised Work Plan requested below.
10. **Soil Borings and Groundwater Sampling in Dispenser/UST and AST Areas.** We request that a minimum of three soil borings be advanced to assess whether subsurface soil and groundwater have been impacted in areas of the former dispensers/USTS and

ASTs. Additional soil borings may be required if significant subsurface contamination is observed during excavation in the area of the former dispenser or ASTs. At a minimum, one soil boring is to be initially advanced in the area of the former UST and dispenser, tank car, and former ASTs. Each of the soil borings is to be extended to a depth of approximately 5 feet below first encountered groundwater. The soils are to be continuously sampled and logged and screened in the field using a photoionization detector (PID). Soil samples are to be submitted for analyses for all depth intervals where staining, odor, or elevated PID readings are observed. If staining, odor, or elevated PID readings are observed over an interval of several feet, a sufficient number of soil samples should be submitted for laboratory analyses to characterize the fuel hydrocarbon concentrations within this interval. If no visible soil staining, odor, or elevated PID readings are observed, a minimum of three soil samples are to be collected for laboratory analysis from each soil boring with one soil sample collected from a depth of 5 feet bgs, one soil sample collected at a lithologic change between 10 to 20 feet bgs, and one soil sample collected from the capillary fringe. Boring logs will be required for each boring. Grab groundwater samples are to be collected from first-encountered groundwater using a Hydropunch® or similar device for depth-discrete groundwater sampling or a temporary well screen. Please present plans for the soil borings and groundwater sampling in the Revised Work Plan requested below.

11. **Groundwater Quality Assessment.** Storage and use of chemicals and hazardous materials took place throughout much of the site. Unauthorized releases of chemicals potentially could have occurred from several of these storage areas. In order to assess whether groundwater quality has been impacted by releases from areas other than the dispenser/UST and AST areas, we request that you advance a minimum of three soil borings along the western property boundary adjacent to McGraw Avenue. The purpose of the soil borings is to collect grab groundwater samples along the downgradient property boundary. Each of the soil borings is to be extended to a depth of approximately 5 feet below first encountered groundwater. The soils are to be continuously sampled and logged and screened in the field using a photoionization detector (PID). Soil samples are to be submitted for analyses for all depth intervals where staining, odor, or elevated PID readings are observed. If no visible soil staining, odor, or elevated PID readings are observed, laboratory analysis of soil samples is not required. Grab groundwater samples are to be collected from first-encountered groundwater using a Hydropunch® or similar device for depth-discrete groundwater sampling or a temporary well screen. The groundwater samples are to be analyzed for TPH as gasoline and diesel by EPA Method 8015, volatile organic compounds including BTEX and chlorinated solvents by EPA Method 8260, fuel oxygenates by EPA Method 8260, and ethylene dibromide and 1,2-dichloroethane by EPA Method 8260. Please present plans for the soil borings and groundwater sampling in the Revised Work Plan requested below.
12. **Existing Water Well.** The purpose of sampling the existing water well in the northern corner of the site is to assess whether chemicals or wastes have been discharged into the well. During a 2003 inspection of the site by DTSC and Livermore-Pleasanton Fire Department, the well consisted of an 8-inch diameter metal pipe covered by a 5-gallon metal can. In the Revised Work Plan requested below, please describe the method for purging and collecting a water sample from the water well. The water sample is to be analyzed for TPH as gasoline and diesel by EPA Method 8015, volatile organic compounds

including BTEX and chlorinated solvents by EPA Method 8260, fuel oxygenates by EPA Method 8260, ethylene dibromide and 1,2-dichloroethane by EPA Method 8260, and metals by Method E200.8 or equivalent. The water well currently consists of an open casing extending above ground surface. Please consult with the Zone 7 Water Agency regarding requirements for repairing the surface completion to prevent contamination from entering the well and borehole or for abandoning the well if no future use of the well is planned.

TECHNICAL REPORT REQUEST

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

- **May 23, 2007** – Revised Work Plan

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

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

Estate of Crandal Mackey
RO0000311
April 11, 2007
Page 6

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

Attachment: DTSC Inspection Report dated December 2, 2003

Enclosure: ACEH Electronic Report Upload (ftp) Instructions

Wickham, Jerry, Env. Health

From: Wickham, Jerry, Env. Health
Sent: Friday, April 06, 2007 8:06 AM
To: 'Mark Williams'
Cc: asghuman@aremtech.com
Subject: RE: 461 Mcgraw Avenue



ftpUploadInstructions_2005_121...

Mark,

Please be sure to upload the work plan to the Alameda County ftp site and Geotracker. The Geotracker Global ID for this case is T0600102204.

Regards,
Jerry Wickham
Alameda County Environmental Health
1131 Harbor Bay Parkway
Alameda, CA 94502-6577
510-567-6791 phone
510-337-9335 fax
jerry.wickham@acgov.org

-----Original Message-----

From: Mark Williams [mailto:markwilliams-env@hotmail.com]
Sent: Thursday, April 05, 2007 4:47 PM
To: Wickham, Jerry, Env. Health
Cc: asghuman@aremtech.com
Subject: 461 Mcgraw Avenue

jerry,

the workplan has been uploaded to the geo tracker site - let me know when you have comment so we can address and then get approval to break ground.

John R. has his plan and a copy of yours - has already commented informally and we are awaiting his final approval.

thanks again

-mark

The average US Credit Score is 675. The cost to see yours: \$0 by Experian.
<http://www.freecreditreport.com/pm/default.aspx?sc=660600&bcd=EMAILFOOTERAVERAGE>

Wickham, Jerry, Env. Health

From: Wickham, Jerry, Env. Health
Sent: Tuesday, March 13, 2007 4:28 PM
To: 'Mark Williams'; jrigter@lpfire.org
Cc: asghuman@aremtech.com; Warrentas@aol.com
Subject: RE: Proposed Workplans for review



ftpUploadInstructions_2005_121...

Mark,

Alameda County Environmental Health requires electronic submittal of all work plans and reports. Please submit the work plans to the Alameda County ftp site per the attached instructions.

Regards,
Jerry Wickham
Alameda County Environmental Health
1131 Harbor Bay Parkway
Alameda, CA 94502-6577
510-567-6791 phone
510-337-9335 fax
jerry.wickham@acgov.org

-----Original Message-----

From: Mark Williams [mailto:markwilliams-env@hotmail.com]
Sent: Tuesday, March 13, 2007 1:16 PM
To: Wickham, Jerry, Env. Health; jrigter@lpfire.org
Cc: asghuman@aremtech.com; Warrentas@aol.com
Subject: Proposed Workplans for review

Jerry and John,

Here are the workplans for your review, submitted on behalf of the property owner. Attached, please find a cover letter and

- 1) the workplan for the dispenser island, ast and diesel spill excavation areas (Jerry)
- 2) the AST removal - (John)

Ive included both of you on this email, but you only have one plan to review and to approve of each

sincerely

mark

Rates near 39yr lows! \$430K Loan for \$1,399/mo - Paying Too Much? Calculate new payment
<http://www.lowermybills.com/lre/index.jsp?sourceid=lmb-9632-18226&moid=7581>



Mr. Scott Fooks,
Attorney at Law
Weldon & Hass
205 East Anapamu Street
Santa Barbara, CA 93101

December 6, 2006
Alameda County
DEC 13 2006
Environmental Health

Subject: Surface and Subsurface Contamination - Call Mack Transportation, 461 McGraw Ave, Livermore CA

Mr. Fooks,

Per our discussions and observations, there a number of locations at this site where the surface soils have been stained by petroleum hydrocarbon materials. The sources include leakage from motor vehicles and fuel tanks, aboveground storage tanks and trailers, and the storage of automotive related hazardous materials and wastes. In addition, recent vehicle dismantling operations resulted in spillage of diesel fuel and lubricants to soil at various locations.

Livermore-Pleasanton Fire Department (LPFD) records indicate that since the early 1970's, site activities have included commercial truck and automobile storage, fueling, repair, dismantling, cleaning and freight dispatch. Above ground storage and use of hazardous materials and wastes have included new and used motor oil, transmission and drive-train lubricants, degreasing agents, paint products, and motor vehicle fueling. Underground Storage Tank systems were used for dispensing diesel fuel. These were removed in 1996, and Alameda County Health Care Services has oversight of the investigation (a separate case).

Since 2003, several site inspections and a sampling investigation have been conducted. All included visual observations of surface stainage. Soil sample analytical results found elevated levels of Total Petroleum Hydrocarbons at various locations. Concentrations ranged from 110 to 23,000 mg/kg. For more detailed information, please refer to the following attached documents.

- Hazardous Materials Inspection, Livermore-Pleasanton Fire Department, July 17, 2003
- Inspection Report, Department of Toxic Substances Control, December 2, 2003
- Sampling Report, Department of Toxic Substances Control, January 6, 2004
- Preliminary Site Assessment, Phase I (Modified), Remedy Environmental, June 7, 2006

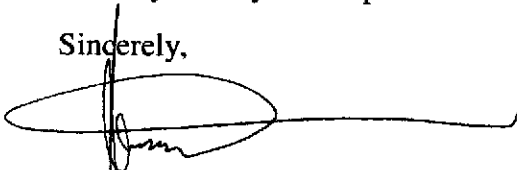
Based upon site history, observations and analytical results, the extent of petroleum hydrocarbon contamination at the site needs to determined, and any resulting cleanup implemented.

To move this forward, the surface and subsurface investigation part of this closure case has been referred to the Alameda County Health Care Services, Environmental Health Division for oversight. For additional information, please contact Ms. Donna Drogos, PE, at:

Alameda County Health Care Services (ACHCS)
1131 Harbor Bay Parkway
Alameda, CA 94502
510-567-6700

If you have any questions concerning this letter, please contact me directly at 925-454-2337. Thank you for your cooperation in this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "John Rigter", with a long horizontal flourish extending to the right.

John Rigter
Hazardous Materials Inspector
Livermore-Pleasanton Fire Department

Cc: Kevin Young, Assistant City Attorney, City of Livermore (w/o attachments)
Danielle Stefani, Hazardous Materials Coordinator, LPFD (w/o attachments)
Donna Drogos, PE, ACHCS, Environmental Health Division (w/o attachments)
Jerry Wickham, PG, CHG, ACHCS, Environmental Health Division (attachments provided 12/6/06)
Colleen Winey, Alameda County Zone 7 Water Agency (w/o attachments)

LIVERMORE - PLEASANTON FIRE DEPARTMENT

3560 Nevada Street, Pleasanton, CA 94566

Contaminated Site Case Transfer Form

Referral To:

Date	December 6, 2006		
By (name)	D. Drogos, LOP/TOXICS Manager	Phone	510-567-6700
Agency	Alameda County Environmental Health, 1131 Harbor Bay Parkway, Alameda, CA 94502		
Attention	Jerry Wickham, Hazardous Materials Specialist		
Transferred as:	<input type="checkbox"/> LOP	<input checked="" type="checkbox"/> SLIC	<input type="checkbox"/> TOXICS
Level of Update requested:	<input type="checkbox"/> distribution list <input type="checkbox"/> all meetings <input type="checkbox"/> all site visits <input type="checkbox"/> closure sign off <input checked="" type="checkbox"/> all the above		

Site Information:

Site Name	Call Mack Transportation
Site Address	461 McGraw Ave., Livermore CA
Site Phone	None—Contact Scott Fooks, (Probate Attorney) 805-965-7014
Site Contractor/Consultant (if available)	
Site DBA	

Site Conditions:

UST	
Initiating Event	<input type="checkbox"/> Closure <input type="checkbox"/> Other
If UST(s) removed: # removed: ___ Date removed: _____	
Contents:	<input type="checkbox"/> gasoline <input type="checkbox"/> diesel <input type="checkbox"/> waste oil <input type="checkbox"/> heating oil <input type="checkbox"/> solvents <input type="checkbox"/> kerosene <input type="checkbox"/> stoddard solvent <input checked="" type="checkbox"/> other (specify)
Observations of system (holes, leaks)?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Observed contamination (free product, smell, soil/water discoloration)?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Unauthorized Release Form filed?	<input type="checkbox"/> Yes <input type="checkbox"/> No
NON-UST	
Former industrial use?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Former Use Specify: Trucking/transport yard (storage repair, fueling, restoration, cleaning.....)	
ALL REFERRALS	
Detectable concentrations of soil and/or groundwater contamination? o Highest Concentration Detected in surface Soil Contaminant (specify) TPH (Extractable) Concentration 110-23,000 mg/kg o Highest Concentration Detected in Water Contaminant (specify) Concentration ppb Unknown	X <input type="checkbox"/> Yes <input type="checkbox"/> No
Future intended use if known? If Yes, specify	X <input type="checkbox"/> Yes <input type="checkbox"/> No
Purported to be automotive repair – should be confirmed with Mr. Fooks	
<i>If available, attach pertinent reports</i>	

ACCEPTED TRANSFER  12/13/06

Wickham, Jerry, Env. Health

To: Williams, Mark
Subject: RE: 461 McGraw Avenue, Livermore, CA

Mark,

With regard to soil sampling below areas re-excavated from releases that resulted from the dismantling activity, my comments to Golden State were to excavate visibly stained soil and screen with a PID during excavation. Soil samples were to be collected from any area with extensive excavation. Soil samples were to be analyzed for TPH as diesel and total oil and grease. All excavations and sampling locations were to be located on a legible map. A table that was cross-referenced to the map was to describe the volume of soil removed, why the soil was removed, observations when excavation was complete, number of samples collected or reason why no samples were collected (example: less than one cubic yard of stained soil removed), and any screening information from PID meter.

Soil sample analyses will be required below the ASTs to supplement field observations, particularly since the contents of some ASTs were not known.

Regards,
Jerry Wickham
Alameda County Environmental Health
1131 Harbor Bay Parkway
Alameda, CA 94502-6577
510-567-6791 phone
510-337-9335 fax
jerry.wickham@acgov.org

-----Original Message-----

From: Williams, Mark [mailto:Mark_Williams@efiglobal.com]
Sent: Friday, January 05, 2007 4:38 PM
To: Wickham, Jerry, Env. Health
Subject: 461 McGraw Avenue, Livermore, CA

Jerry,

we are finalizing the work plans for the site as noted above. There are three plans as follows

- 1) the pump islands and piping
- 2) diesel release areas and other petroleum spots around the tree by Golden State
- 3) ASTs

For the pump islands and piping were are likely to collect the soil samples for confirmation as part of the UST closure. Did you require any confirmation samples below the areas to be re-excavated from the diesel release area during the dismantling work by Golden State? or just visually/field observations clean.

Also, I have provisions for collecting soil samples below areas of staining below each of the ASTs - will you also require this or will field observations suffice.

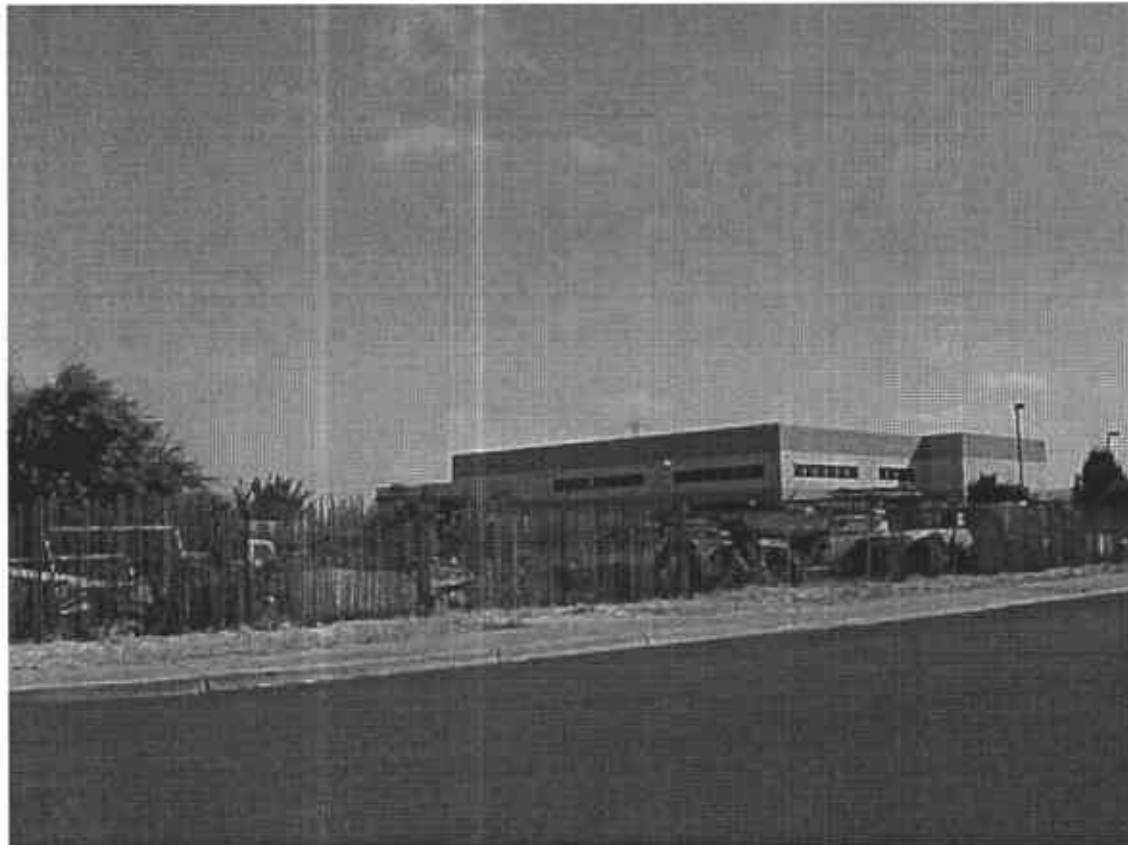
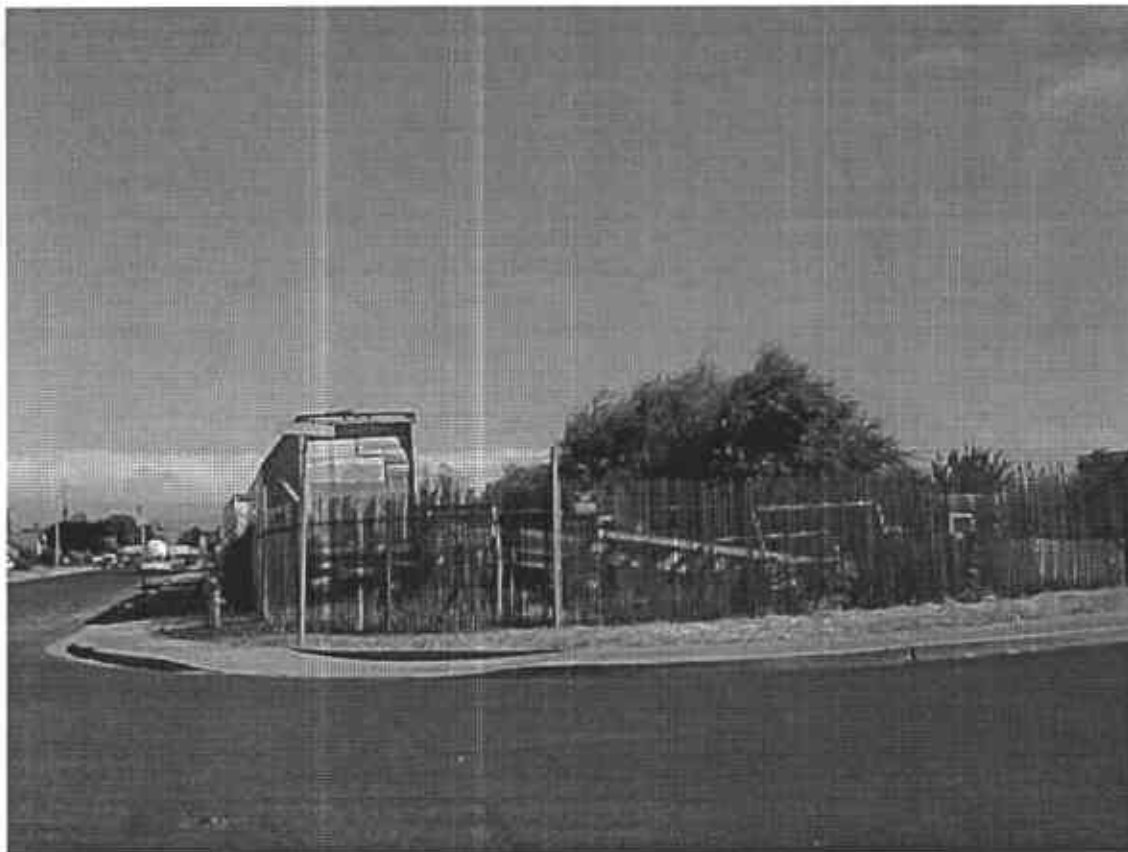
Let me know are your earliest convenience.

sincerely
Mark Williams
District Manager

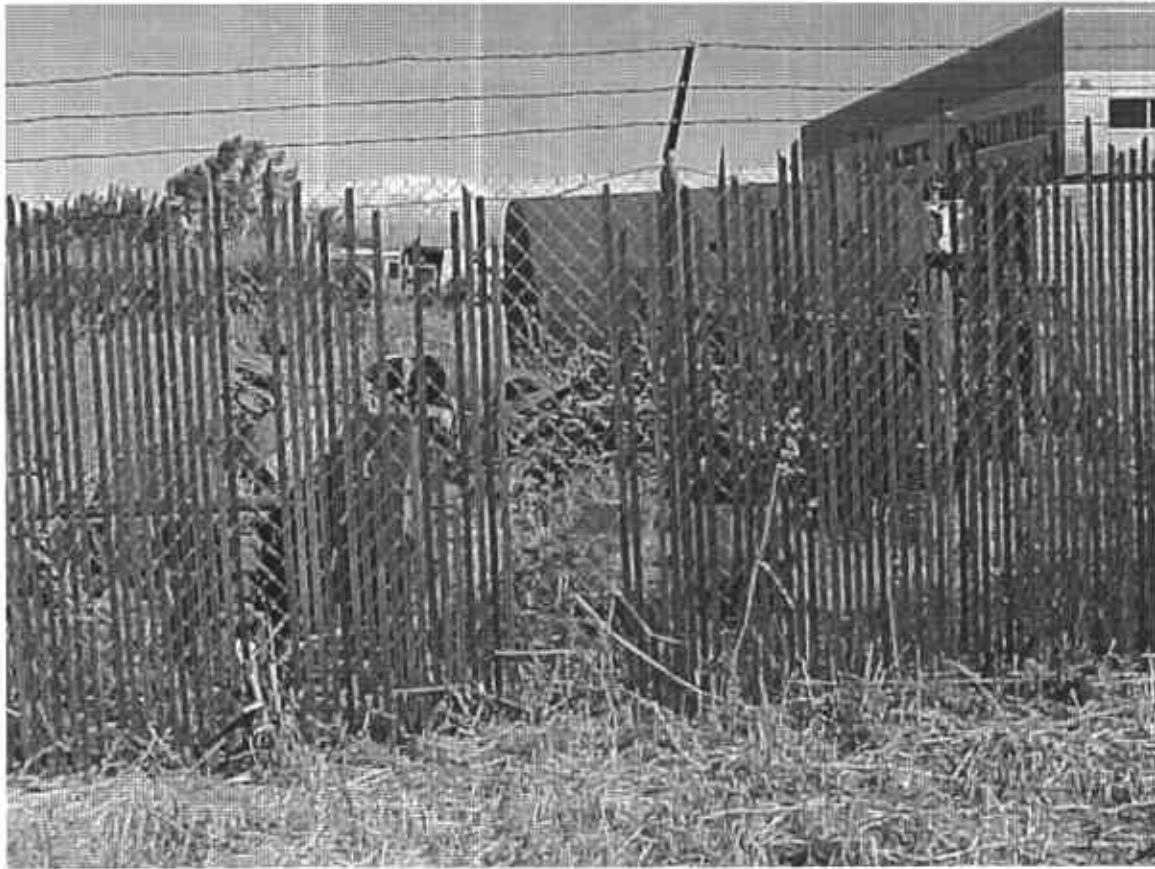
EFI Global
111 Deerwood Road, Suite 195
San Ramon, CA 94583

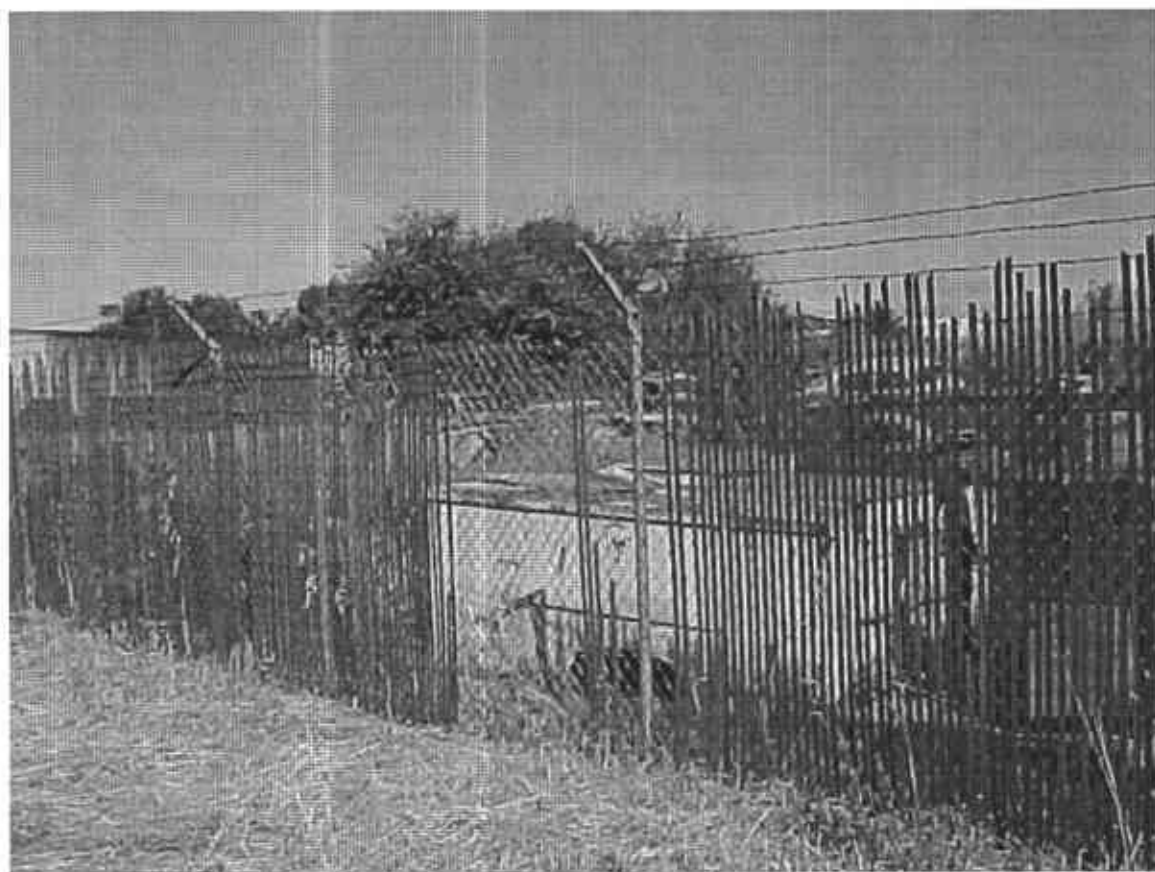
Office Phone 925-820-9580
Office Fax 925-820-9587

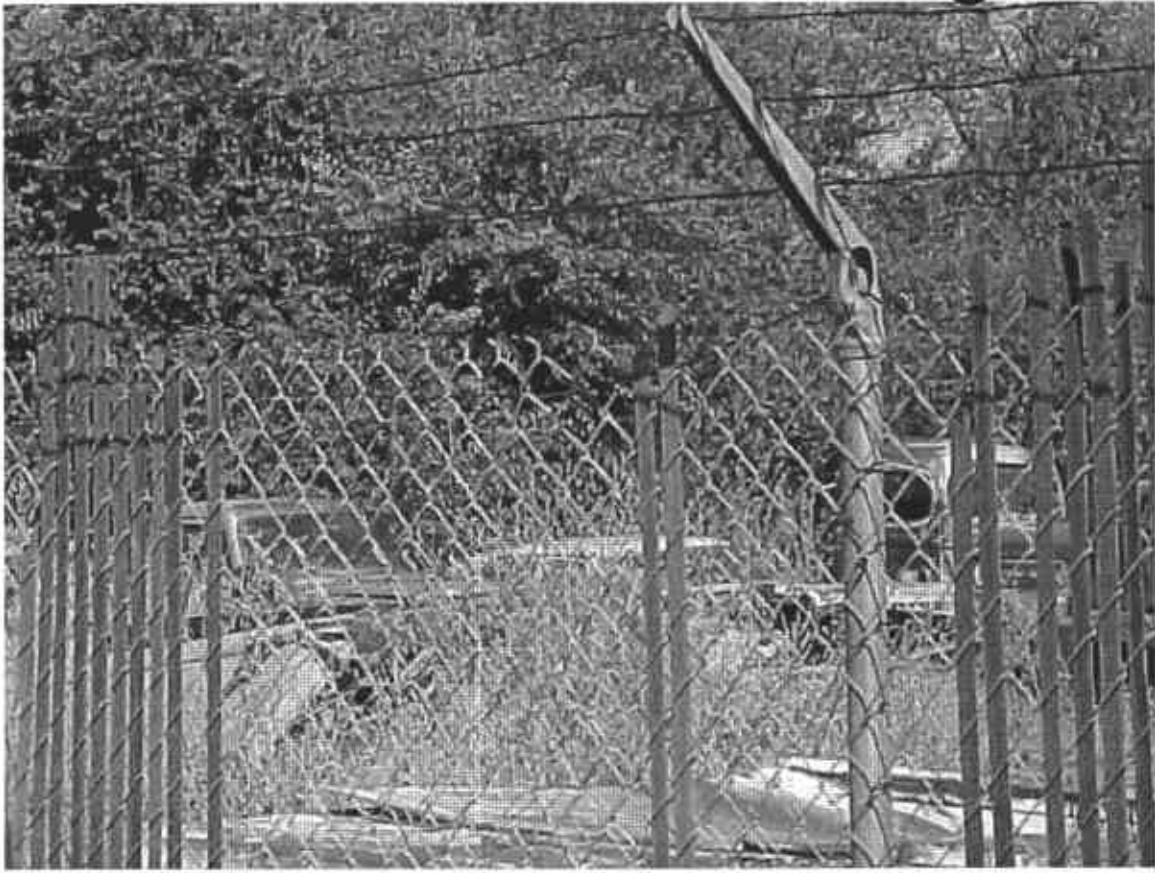
461 McGraw Avenue – photos taken 7-07-03

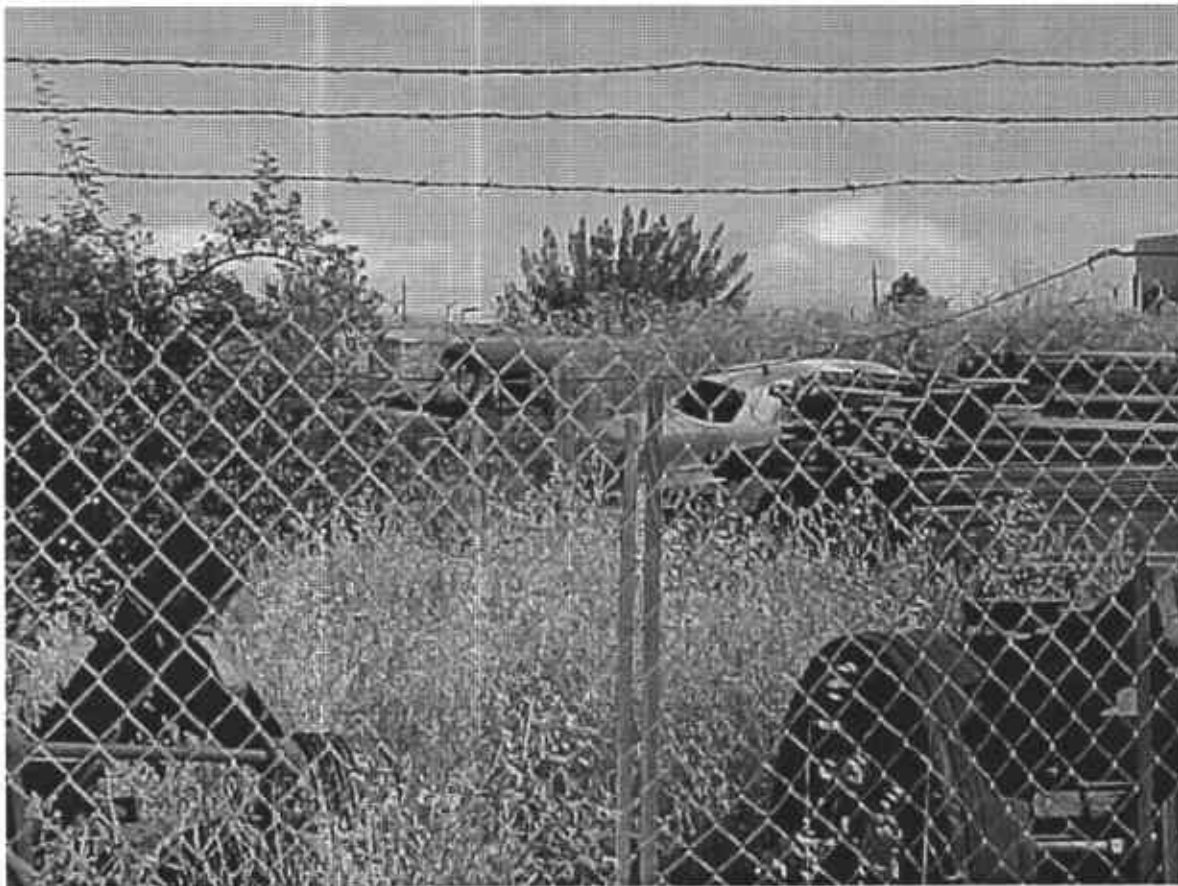




















Terry Tamminen
Agency Secretary
Cal/EPA



Department of Toxic Substances Control

Edwin F. Lowry, Director
700 Heinz Avenue, Suite 200
Berkeley, California 94710-2721



Arnold Schwarzenegger
Governor

INSPECTION REPORT

Call Mac Transportation
461 McGraw Road
Livermore, California 94551
EPA ID Number CAC002567140

Report Completed by: Robert Aragon, P.E., MS

Investigation Date: November 13, 2003

Report Date: December 2, 2003

I. PURPOSE

The Alameda County Office of the District Attorney requested assistance from the Department of Toxic Substances Control's Task Force Support/Special Investigations Branch (TFS/SIB) in their investigation of illegal activity at Call Mac Transportation. The purpose of the inspection was to take inventory of hazardous waste in tanks and trailers on the property. The inventory will be used to select sampling points for a future site visit. The inspection was coordinated with the Livermore/Pleasanton Fire Department.

II. REPRESENTATIVES PRESENT

Call Mac Transportation:
Joe Estrade
Tom Mackey

Livermore-Pleasanton Fire Department:
John Rigter, Hazardous Materials Inspector

Department of Toxic Substances Control (DTSC):
Michael Pixton, Senior Hazardous Substances Scientist

The energy challenge facing California is real. Every Californian needs to take immediate action to reduce energy consumption. For a list of simple ways you can reduce demand and cut your energy costs, see our website at www.dtsc.ca.gov.

Robert Aragon, Senior Hazardous Substances Engineer

III. OBSERVATIONS

I used aerial photos from the October 3, 2003 flyover to keep track of the inspection. I numbered the trailers and tanks as shown in photos no. 1, 2 and 3, below. We opened all of the trailers except for one, no. 39. It was “back to back” with another trailer so we couldn’t get into it.

We observed a pallet of lead acid batteries outside of trailer no. 2. Some of them had cracks in them (photo no. 4).

We walked over to the area that previously had an underground storage tank (photo no. 5) and another area that had an underground well (photo no. 6).

Listed below are the observations we made from each trailer. The purpose was to look for hazardous waste. I only made a few notes of what was in each trailer so the list below is not a complete inventory.

Trailer no. 1 is one of two trailers that have been moved since the aerial photos were taken on October 3. The other one is trailer no. 34. Trailer no. 1 contained engine parts (photo no. 7).

Trailer no. 2 is used by Mr. Estrade and Mr. Mackey to hold usable products and tools.

Trailer no. 3 is used to store drums (photo no. 8). It contained five drums of product, ten drums of dry product labeled “Dowex Ion Exchange Resin”, four drums of old differential grease, and eight drums of used oil filters.

Trailer no. 4 had 36 drums containing white solid material (photo no. 9). The drums were corroded and in poor condition.

Trailer no. 5 contained eight empty drums (photo no. 10).

Trailer no. 6 was empty.

Trailer no. 7 contained old parts and furniture (photo no. 11).

Trailer no. 8 is a mobile home or office trailer.

Trailer no. 9 contained one empty drum.

Trailer no. 10 contained interior panels for trucks and some lead acid batteries.

Trailer no. 11 was empty.

Call Mac Transportation – November 13, 2003 Inspection Report
Page 3 of 15

Trailer no. 12 contained tires and parts.

Trailer no. 13 contained office furniture.

Trailer no. 14 was empty.

Trailer no. 15 contained insulation and debris.

Trailer no. 16 was empty.

Trailer no. 17 contained old engine parts, an engine analyzer and an empty fuel tank.

Trailer no. 18 contained tubes of adhesive and some small cans of old paint (photo no. 12).

Trailer no. 19 contained large truck parts, a differential, a cab, an empty gas tank and furniture.

Trailer no. 20 contained metal debris.

Trailer no. 21 was empty.

Trailer no. 22 contained two empty drums and an acetylene cylinder.

Trailer no. 23 was used as a storage shed by Mr. Estrade. It contained some solvents and tools.

Trailer no. 24 was empty.

Trailer no. 25 was empty.

Trailer no. 26 was a mobile home containing debris.

Trailer no. 27 contained old wheels without tires.

Trailer no. 28 contained wheel balancing equipment and a scale.

Trailer no. 29 was empty.

Trailer no. 30 was empty.

Trailer no. 31 contained air brake hoses and related equipment.

Trailer no. 32 contained a lot of old tires.

Trailer no. 33 contained some tires and parts.

Call Mac Transportation – November 13, 2003 Inspection Report
Page 4 of 15

Trailer no. 34 was one of two trailers that were moved. It contained engine blocks and parts.

Trailer no. 35 was empty.

Trailer no. 36 was empty.

Trailer no. 37 was empty.

Trailer no. 38 was empty.

Trailer no. 39 was the only trailer we couldn't get into.

Trailer no. 40 contained truck parts.

Trailer no. 41 contained parts.

Trailer no. 42 was empty.

Trailer no. 43 contained an empty drum and some parts.

Trailer no. 44 contained a diesel engine.

Trailer no. 45 was empty.

Trailer no. 46 contained some wood.

Trailer no. 47 contained old wheels and a drill press.

Trailer no. 48 contained an old Ford Mustang.

Trailer no. 49 contained chairs.

Trailer no. 50 contained a welding generator.

Trailer no. 51 contained precast concrete blocks.

Trailer no. 52 contained a hot water heater and some partitions.

Trailer no. 53 contained wheels and empty drums.

Trailer no. 54 contained lots of wood.

Trailer no. 55 contained engines, parts, tires, a welder, three 20-gallon drums of product grease and one 55-gallon drum of waste oil (photo no. 13).

Call Mac Transportation – November 13, 2003 Inspection Report
Page 5 of 15

Trailer no. 56 contained debris.

Trailer no. 57 contained debris and branches.

Trailer no. 58 contained empty drums and a sandblaster.

Trailer no. 59 contained debris and metal shelves.

Trailer no. 60 contained old furniture.

Trailer no. 61 contained debris and parts.

Trailer no. 62 contained pallets and debris.

Trailer no. 63 contained wheel hubs, wood debris and car parts.

Trailer no. 64 is an old truck with some parts in the back.

Trailer no. 65 contained wood and two generators.

Trailer no. 66 was an empty truck.

Trailer no. 67 was empty.

Trailer no. 68 contained insulation.

Trailer no. 69 was an empty truck.

Trailer no. 70 contained parts and an old arc welder.

Trailer no. 71 was an old flatbed truck. It had one drum in it that had a lot of holes in it.

There were five large tanks on the property. I labeled them T-1 through T-5 on the aerial photos.

Tank T-1 was a long tank that looked like an old fuel tank, possibly from a rail car or fuel delivery truck (photo no. 14). It was sitting on the ground. It was rusty and it had holes in it. It contained a dark solid waste and it was approximately half full.

Tank T-2 was a large round tank lying on its side (photo no. 15). It contained a small amount of amber colored liquid.

Tanks T-3, T-4 and T-5 were empty fuel trucks.

Two small house trailers, one north of trailer no. 23 and one south of trailer no. 51 have been moved off the property.

IV. PHOTOGRAPHS

Photos no. 1-3 were taken on October 3, 2003 while the rest of the photographs were taken on November 13, 2003.



Photo no. 1: Aerial photo looking south with trailers labeled
(photo taken on Oct. 3, 2003).



Photo no. 2: Aerial photo with trailers labeled
(photo taken on Oct. 3, 2003).



Photo no. 3: Aerial photo looking north with trailers labeled
(photo taken on Oct. 3, 2003).



Photo no. 4: Lead acid batteries on a pallet next to trailer no. 2.



Photo no. 5: The area on the north side of the property where an underground tank was removed.



Photo no. 6: A well located in the northeast corner of the property.



Photo no. 7: Engine parts inside of trailer no. 1



Photo no. 8: Drums inside of trailer no. 3.



Photo no. 9: Drums inside of trailer no. 4.

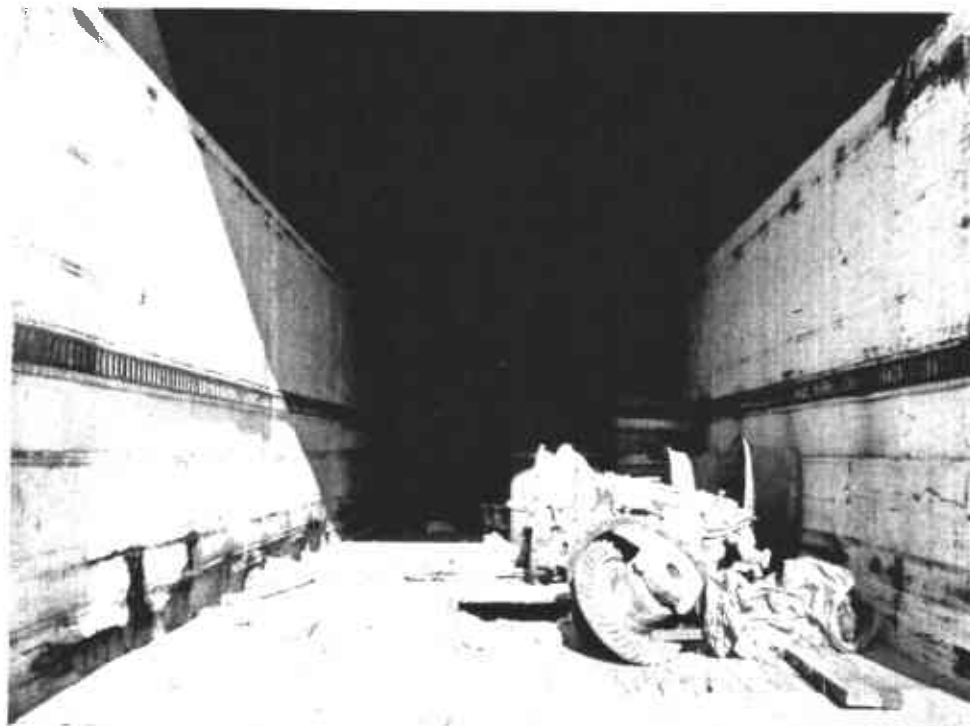


Photo no. 10: Inside of trailer no. 5.



Photo no. 11: The inside of trailer no. 7.



Photo no. 12: The inside of trailer 18.

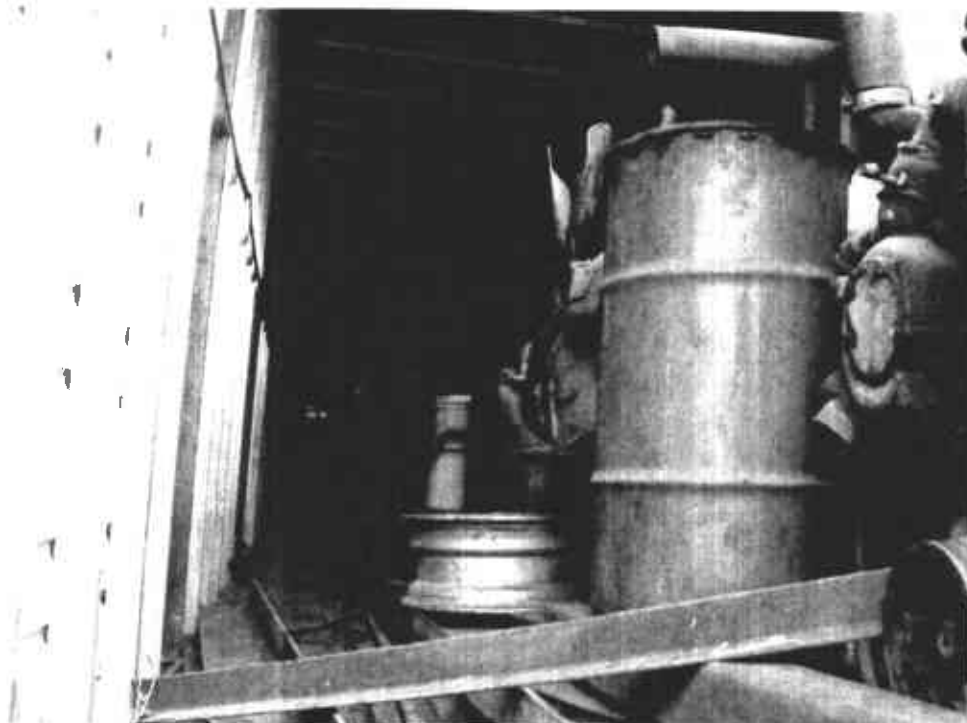


Photo no. 13: The inside of trailer 55.



Photo no. 14: Tank T-1 on the south side of the property.

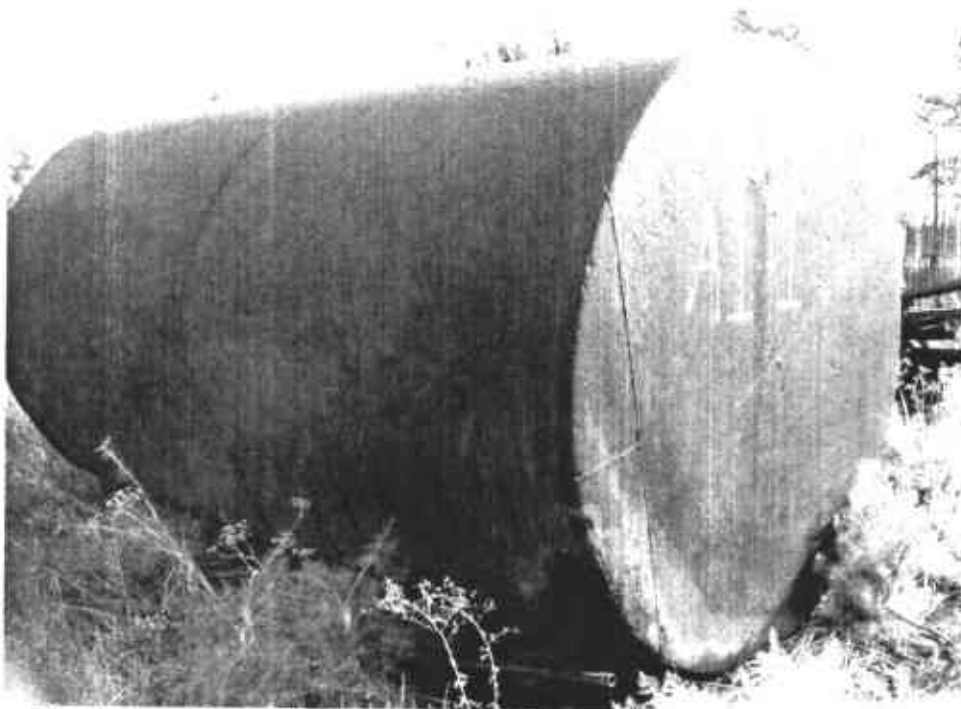
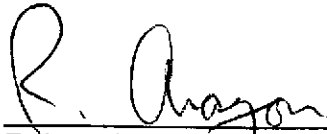


Photo no. 15: Tank T-2 on the southeast corner of the property.



Robert A. Aragon, P.E., MS
Senior Hazardous Substances Engineer
Task Force Support/Special Investigations Branch

Dec. 2, 2003
Date



Hazardous Materials Inspection Report Narrative

Facility Name: Call Mac Transportation

Address: 461 McGraw Ave., Livermore

Contact Person: Juliet Mackey, Conservator for Crandal Mackey
(Owner of Call Mac Transportation)
P.O. Box 5116, Santa Barbara CA 93150 (805) 969-2066

Inspectors: John Rigter and Paul Smith

Inspection Date: July 17, 2003

Attendees Included:

Juliet Mackey and Joe Mackey - Call Mac Transportation, Inc.
Ann Prinz - City of Livermore, Neighborhood Preservation
Alex Paredes - City of Livermore, Water Resources
Scott Deaver, John Rigter, Tim Simpkins and Paul Smith - Livermore-Pleasanton Fire Department
Kevin Young - City of Livermore, City Attorney's Office

Brief Site History and File Review:

Livermore-Pleasanton Fire Department records indicate that site activities have centered around commercial truck storage, fueling, repair, dismantling, cleaning and dispatch since the early 1970's.

Above ground storage and use of hazardous materials and wastes have included new and used motor oil, transmission and gearbox lubricants; grease products; degreasing agents; and paint products. Underground Storage Tanks were used for the dispensing of motor vehicle fuel, primarily diesel fuel. These were removed in 1996.

Historically there have been numerous regulatory violations related to the improper storage and use of hazardous materials and waste at the site. Release of these materials to the environment has been an ongoing concern. The Regulatory Agencies with concerns have included the Alameda County District Attorney's Office, Alameda County Department of Environmental Health, City of Livermore, Livermore-Pleasanton Fire Department, and US Environmental Protection Agency.

Inspection Process:

The inspection started in the north end of the site (from the main gate going east), then moving south down the eastern side and central sections, and then north up the western side. This inspection included those parts of the site that could be reasonably and safely reached at the time. There were several areas, trailers, tanks,

and intermodal shipping containers that could not be inspected (see page 6 for site aerial view). Issues that limited our access included:

- Significant amounts and density of vegetation;
- Locked trailers and containers;
- Location or position of trailers (blocked doors); and
- Concerns related to personnel safety; i.e., unknown chemicals located in areas with limited access/egress, condition of the trailers and shipping containers, and the condition of individual drums, tanks, etc.

To help determine the approximate volume of individual material containers; the container sides were gently "tapped" while listening for a change in density. In cases where a limited number of drums were accessible, these were the ones selected.

When existing labels were legible and accessible, this was used to determine the contents of the containers. In many instances, we suspected the contents were petroleum products, lubricants, and/or their associated wastes. This was based upon the appearance of the residue on, or adjacent to the container; or proximity to other containers of known petroleum materials; and the types of activities conducted at the site.

Photographs were taken of many of the areas and storage practices observed at the site. These are attached to this document and referenced throughout the observations section. An annotated aerial photo of the site is also attached with approximate locations indicated for the storage areas, trailers, tanks, and shipping containers observed.

Observations:

The following materials and storage practices were observed in the locations indicated below.

1. 55-gallon drums and 5-gallon pails located in the dispenser island area:
 - A. Closed drum, approximately 1/2 full of unknown liquid; no evidence of leakage noted; drum was not labeled for contents or hazards (picture number 1).
 - B. Open drum (without lid), almost full with what appeared to be waste oil, leaking product was observed on the fuel dispenser slab around the drum, and in the surrounding soil area. Drum not labeled for contents or hazards (picture numbers 2 and 3).
 - C. Adjacent to the above drum were two, open 5 gallon buckets also containing what appeared to be waste oil. Leaked product/residue was again observed in the slab area. Pails were not labeled for contents or hazards (picture numbers 3 and 4).
2. Truck fuel tanks appeared to have leaked diesel fuel from the open lower ports in a number of locations. According to Ms. Mackey, some of the tanks had been stolen for their scrap value and their contents emptied onto the adjacent soil areas. We observed this in several areas at the site. Additionally, she indicated that many of the remaining tanks still may have fuel in them, some as much as 50% of their volume; this would allow the vehicles to be moved if necessary (picture numbers 5 and 6).

3. Drums and containers of hazardous materials and waste were observed to be stored inside trailers, intermodel containers, and out in the weather at various locations at the site. These included:
 - A. Paints, lubricating oils, greases, used oil and filters, and other unknown products/wastes. Material containers included 100 plus, 1-gallon cans; 21, 55-gallon drums; and various smaller fiber and metal drums, pails, pans, etc. A number of the drums, containers, and pans were open; and some were labeled for contents. These were located inside an intermodel shipping container located in the northern section of the property (picture numbers 7 through 11).
 - B. Unknown materials; 6, 55-gallon drums located outside the above mention intermodel shipping container, on the Southside. The drums were on the ground, behind a tire and partially covered with a tarp. No identifying labels were observed (picture number 12).
 - C. Unknown materials; 1, 7-gallon pail, 4, 5-gallon pails with lids in-place; no labels were observed; stored inside a semi-trailer (plate # YC1167), located in the northeast section of the property.
 - D. Unknown materials; 9, 55-gallon drums; no labels were observed; located inside a semi-trailer (plate # YG5431), located in the north-central section of the property.
 - E. Unknown material(s) that appeared to be corrosive; 33, 55-gallon drums; inside over-pack drums; leakage from the primary containers was observed; no labels observed; located inside a semi-trailer (plate # J41887), located in the north-central section of the property. A white powder/crystal material was observed on the floor of the trailer adjacent to the drums (picture numbers 13 and 14).
 - F. Grease and other unknown materials; 2, 16-gallon drums; and 2, 55-gallon drums (respectively); some labeled as grease; located inside a semi-trailer (plate # VB5118); located in the southwest section of the property.
4. Several tanks are stored on the site. These included tank trailers; and two large metal tanks. All were rusty, and in various configurations, age and condition. The individual tanks observed include:
 - A. 4,000-plus gallon, tank trailer located in south central section of the site. The tank contains an unknown quantity of what appears to be an oil/tar/water mixture. This material was observed seeping from a valve located on the bottom part of the tank. A 5-gallon bucket had been placed directly below the leaking valve assembly, and the bucket was full. The ground area below a majority of the tank trailer was heavily stained with black product. No labels or signage were observed on the tank (picture numbers 15 and 16).
 - B. 2,000-plus gallon, bare-steel tank located on the southeast end of the site. This appears to be an old underground storage tank (based upon port location, configuration). The ground at the northwest end of the tank was stained with what appears to be an oil product such as diesel fuel. A weathered and barely legible Hazardous Waste label was attached to the west end of the tank. No additional labeling or signage indicating contents or hazards was observed (picture numbers 17 through 19).
 - C. 2,500-plus gallon, painted steel tank located on the southeast end of the site. This appears to be an old trailer tank, less the trailer frame, axles and wheels. It is currently resting approximately one

- foot above the ground surface, and is in poor condition (with holes, large cracks and structural damage). The ground directly below the tank was stained. The contents of this tank are not known. A weathered and barely legible Hazardous Waste label was attached to the north sidewall of the tank. No additional labeling or signage indicating contents or hazards was observed (picture numbers 20 and 21).
- D. 3,000-plus gallon, tank trailer located in south central section of the site. Direct inspection of this tank was not made due to site access issues. According to Mr. Joe Mackey, the tank contained an unknown quantity of rusty water. No labels or signage could be observed on the tank, or were attached to the tractor.
 - E. 1,500-plus gallon, tank truck located in south central section of the site. Again, direct inspection of this tank was not made due to site access issues. According to Mr. Joe Mackey, the tank was empty. No labels or signage could be observed on the tank, or in the cab area.
5. Tires (mostly the large truck type) were observed throughout the site. Some were stored inside semi-trailers (Safeway, and trailer plate # WZ7985), with the remainder being stored outside at various locations on the site (approximately 60/40% respectively). We counted approximately 180 tires, and estimate the total number of tires at the site to be 300-plus (picture numbers 22 and 23).
 6. Lead /acid batteries were observed in several locations at the site. Some had broken cases, and/or were stored out in the weather. No containment was observed.
 - A. 15-plus were stored outside (adjacent to fuel dispenser area, along the west side, etc.)
 - B. 44-plus were stored inside trailers (plate #'s YC1167, and IV39876)
 7. Stockpiled soil, possibly from the removal of the Underground Storage Tank systems (1996) was observed in the center section of the property. The area is raised approximately three feet above the site grade, and surrounded by vehicles, trailers and containers (picture numbers 24 through 27).
 8. An 8-inch metal pipe, that appeared to be a well casing was observed in the northeast corner of the site. Water could be seen below, however, the distance below the surface could not be determined. A 5-gallon metal can had been placed over the pipe (picture number 28). All activity associated with wells and subsurface borings need to be approved and permitted through the Alameda County, Zone 7, Water and Conservation District. To determine any requirements they may have, they can be contacted at (925) 484-2600. Please ensure that LPFD is copied on all communication with (and by) the district.

Summary:

Based upon our inspection observations, and review of the site files, LPFD has several areas of concern. These include:

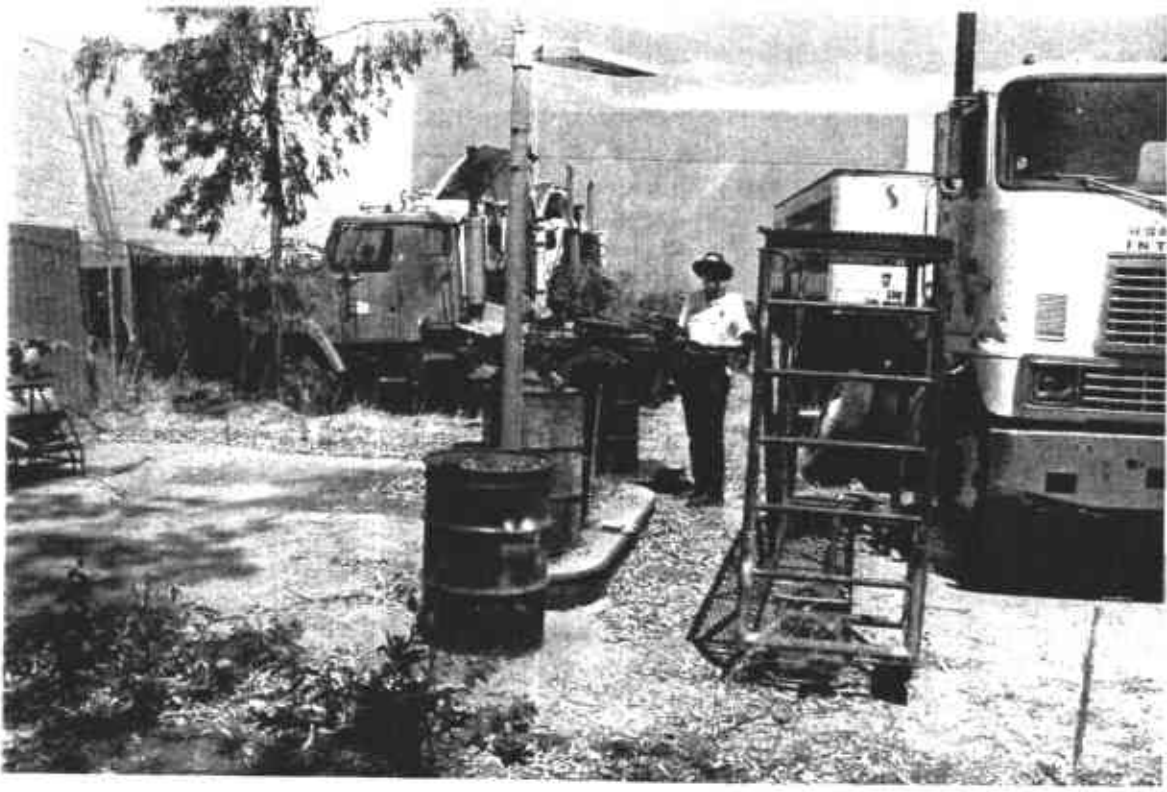
1. Currently it is not known if additional hazardous materials and/or wastes are being stored onsite at locations that have yet to be identified. This is due to the site accessibility problems discussed above.

2. This site has had security problems in the past and may continue to in the future. This led to the release of hazardous materials and wastes at several locations. There are likely other releases that have yet to be identified. Again, this is due to problems with accessibility during our inspection.
3. Many of the materials have been onsite for 5-plus years; and the condition of the containers is poor. Most, if not probably all are currently classified as hazardous waste, and need to be managed as such.
4. The extent of the reported release from the underground storage tank systems previously located at the site (last known to contain diesel fuel), has yet to be determined. Impacts to soil and ground water beneath the site and adjacent properties is not currently known.
5. Improper storage practices, combined with the bare ground (covering a majority of the site surface); has, and will continue to provide sources and pathways through which hazardous materials and waste will be released to the environment.
6. Known hazardous materials and waste violations observed during the inspection include:
 - Lack of container labeling – for contents, hazards, waste, etc.
 - Condition of containers - many are in very poor condition, and some are leaking.
 - Secondary containment – has not provided where required.
 - Containers are not sealed – many are missing lids and “bunges”.
 - Accumulation time has been exceeded – for most, if not all, of the hazardous wastes.
7. Since the site contains a large amount of dry vegetation, combustible liquid, and tires, there is a significant increase in the risk of a fire. This is increased further by the storage of potentially incompatible hazardous materials and wastes located inside enclosed areas such as a trailers or shipping containers. A fire at this site, will release hazardous materials, wastes and their byproducts of combustion to the community and the environment. This would include adjacent businesses and Interstate Highway 580.

Aerial Photograph Legend
461 McGraw Ave., Livermore CA
(Approximate Locations Indicated)

1. Dispenser island area drums and 5-gallon containers.
2. Intermodal shipping container:
 - Inside; paints, lubricating oils, greases, used oil and filters, and other unknown products/wastes.
 - Outside; drums with unknown contents.
3. Semi-trailer with plate number YC1167 – unknown materials, and lead/acid batteries.
4. Semi-trailer with plate number YG5431 – unknown materials.
5. Semi-trailer with plate number J41887 – what appears to be unknown corrosive materials.
6. Semi-trailer with plate number VB5118 – grease and other unknown materials.
7. 4,000-plus gallon, tank trailer – what appears to be an oil/tar/water mixture.
8. 2,000-plus gallon, bare-steel tank - appears to be an old underground storage tank.
9. 2,500-plus gallon, painted steel tank - appears to be an old trailer tank (less carriage assembly).
10. 3,000-plus gallon, tank trailer - reported to contain rusty water.
11. 1,500-plus gallon, tank truck - reported to be empty.
12. Semi-trailer "Safeway" – tire storage.
13. Semi-trailer with plate number WZ7985 – tire storage.
14. Stockpiled soil area.
15. 8-inch metal pipe that appears to be a well casing.





Picture 1



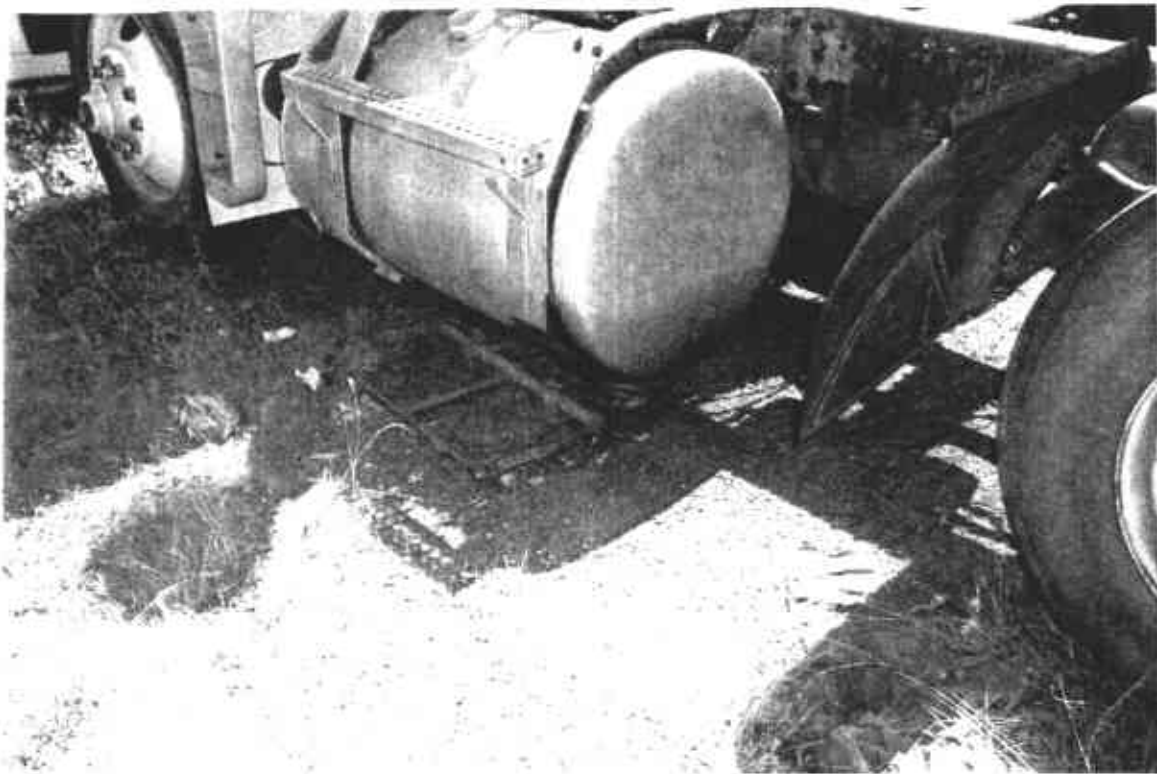
Picture 2



Picture 3



Picture 4



Picture 5



Picture 6



Picture 7



Picture 8



Picture 9



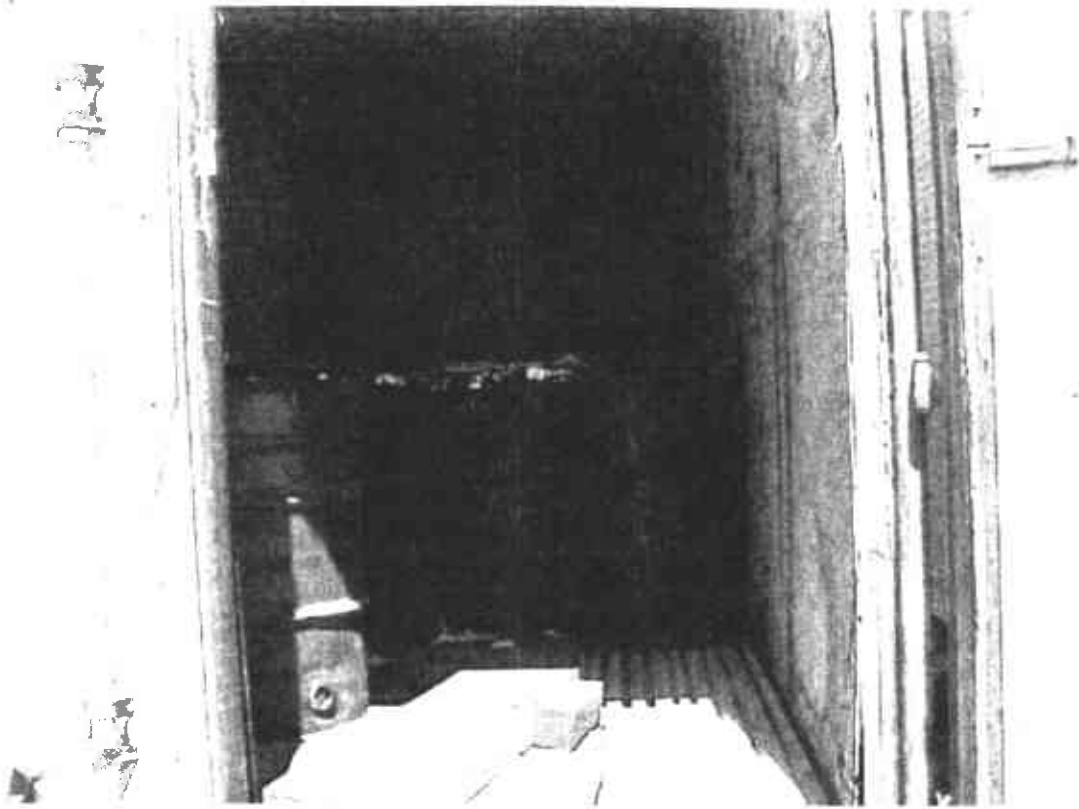
Picture 10



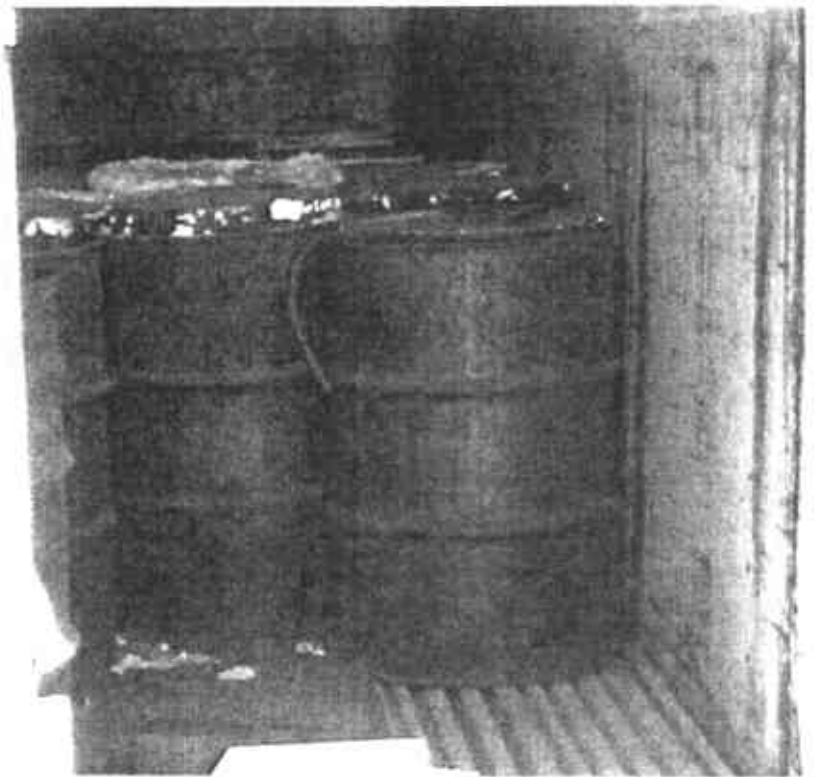
Picture 11



Picture 12



Picture 13



Picture 14



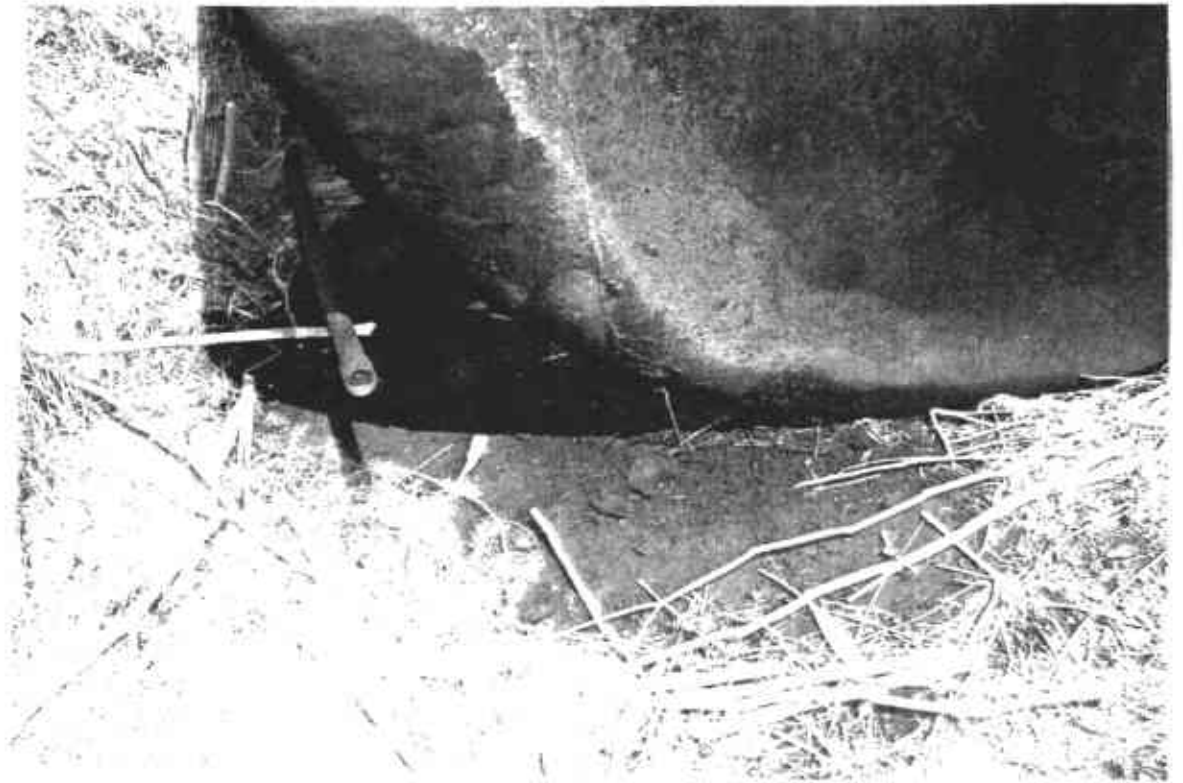
Picture 15



Picture 16



Picture 17



Picture 18



Picture 19



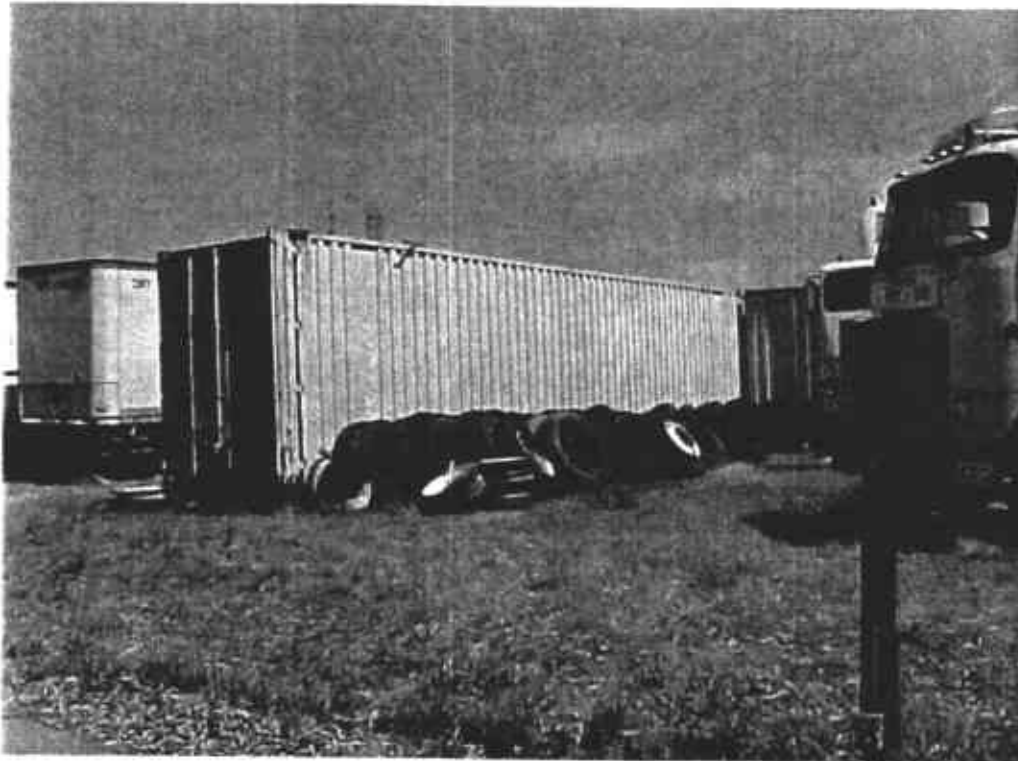
Picture 20



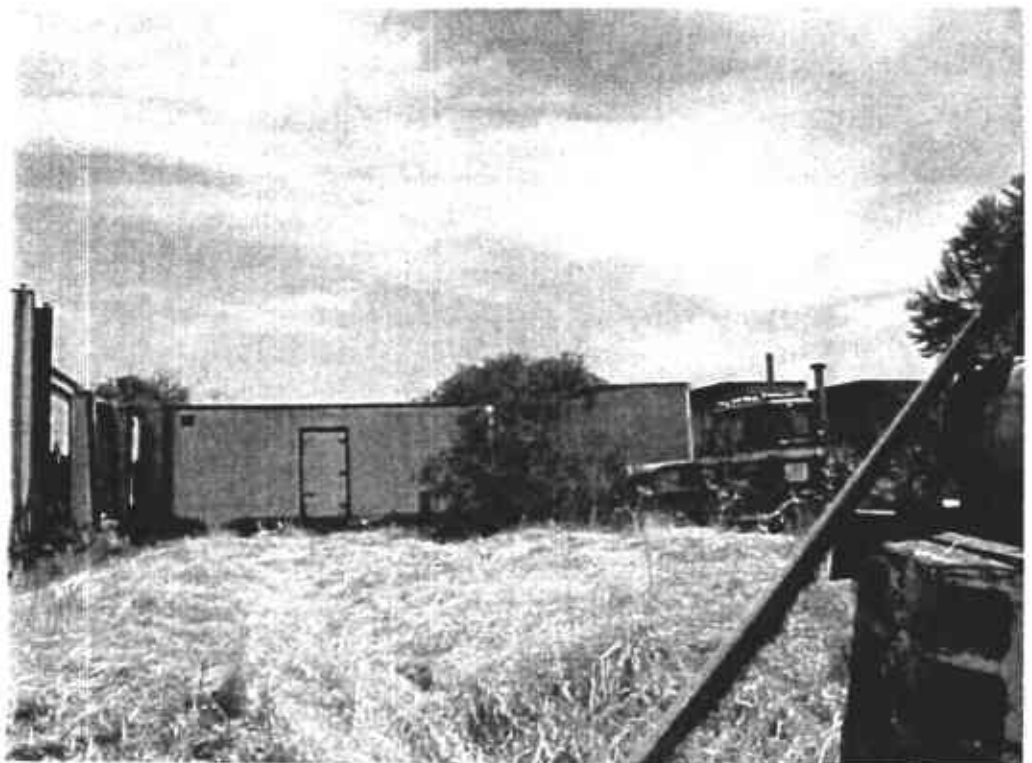
Picture 21



Picture 22



Picture 23



Picture 24



Picture 25



Picture 26



Picture 27



Picture 28

1 Lawrence T. Sorensen, Esq. (State Bar No. 108752)
2 MULLEN & HENZELL L.L.P., Attorneys at Law
3 112 East Victoria Street, Post Office Drawer 789
4 Santa Barbara, CA 93102-0789
5 Telephone: (805) 966-1501
6 Facsimile: (805) 966-9204

FILED
SANTA BARBARA
SUPERIOR COURT

JUN 26 2003

7 Attorneys for Co-Conservator KATHLEEN CROW

GARY M. BLAIR, EXEC. OFFICER

By Robert A. Villegas
ROBERT A. VILLEGAS, Deputy Clerk

8 SUPERIOR COURT OF THE STATE OF CALIFORNIA
9 FOR THE COUNTY OF SANTA BARBARA, ANACAPA DIVISION

Alameda County
JUL 13 2003
Environmental Health

10 Conservatorship of the Person
11 and Estate of

No. 00222121

12 CRANDAL MACKEY,

13 ORDER APPROVING RESIGNATION OF
14 KATHLEEN CROW AS CO-
15 CONSERVATOR OF PERSON AND
16 ESTATE AND AUTHORIZING
17 ISSUANCE OF SECOND AMENDED
18 LETTERS OF CONSERVATORSHIP

19 Conservatee.

Date of Hearing: 06/12/03
Time of Hearing: 8:30 a.m.
Place of Hearing: Department 6
The Honorable DENISE DE BELLEFEUILLE

20 The verified petition of KATHLEEN CROW for approval of her resignation as a Co-
21 Conservator of the Person and Estate of CRANDAL MACKEY, Conservatee, and for an order
22 authorizing the issuance of second amended *Letters of Conservatorship* was regularly heard on
23 June 12, 2003, in Department 6, the Honorable DENISE DE BELLEFEUILLE, Judge
24 presiding. LAWRENCE T. SORENSEN, Esq. of MULLEN & HENZELL L.L.P. appeared on
25 behalf of Co-Conservator KATHLEEN CROW. ANNA KARZAG, Esq. Appeared as
26 counsel for Co-Conservator JULIET MACKEY.

27 ///

28 ///

1 After examining the petition and considering the evidence, the Court finds that notices
2 of the hearing have been given as required by law, that all allegations of the petition are true,
3 and grants the petition. Good cause appearing,

4 **IT IS ORDERED** that:

5 1. The resignation of KATHLEEN CROW as a Co-Conservator of the Person and
6 Estate of CRANDAL MACKEY, Conservatee, is approved and she is discharged as a Co-
7 Conservator of the Person and Estate.

8 2. The Clerk of the Santa Barbara County Superior Court is directed to issue
9 second amended *Letters of Conservatorship* naming JULIET MACKEY as the sole
10 Conservator of the Person and Estate of CRANDAL MACKEY, Conservatee, with all the
11 independent powers granted by Court order dated February 25, 1998.

12 DATED: June 25, 2003

DENISE de BELLEFEUILLE

The Honorable DENISE DE BELLEFEUILLE
Judge of the Superior Court

13
14
15
16
17
18
19
20
21
22
23 GA173670001\PLEAD\751817.DOC
24
25
26
27
28

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, state bar number, and address):

After recording return to: ANNA S. KARZAG, 103737
15 West Carrillo, #213,
Santa Barbara, CA 93101

TELEPHONE NO.: (805) 564-8055

FAX NO. (Optional): (805) 564-6548

E-MAIL ADDRESS (Optional): akarczag@sblawoffices.com

ATTORNEY FOR (Name): JULIET MACKEY

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SANTA BARBARA

STREET ADDRESS: 1100 ANACAPA STREET

MAILING ADDRESS: P.O. BOX 21107

CITY AND ZIP CODE: SANTA BARBARA, CA

BRANCH NAME: ANACAPA

CONSERVATORSHIP OF (Name):

CRANDAL MACKEY
SECOND AMENDED

CONSERVATEE

FOR RECORDER'S USE ONLY

CASE NUMBER:

222121 (Dept 6)

LETTERS OF CONSERVATORSHIP

Person Estate Limited Conservatorship

FOR COURT USE ONLY

FILED

SUPERIOR COURT OF CALIFORNIA
COUNTY OF SANTA BARBARA

JUN 18 2003

GARY M. BLAIR, EXEC OFFICER

By Martha G. Henderson
MARTHA G. HENDERSON, Deputy Clerk

1. (Name): JULIET MACKEY is the appointed
 conservator limited conservator of the person estate
of (name): CRANDAL MACKEY

2. (For conservatorship that was on December 31, 1980, a guardianship of an adult
or of the person of a married minor) (Name):
was appointed the guardian of the person estate by order
dated (specify): and is now the conservator of

3. Other powers have been granted or conditions imposed as follows:

- a. Exclusive authority to give consent for and to require the conservatee to receive medical treatment that the conservator in good faith based on medical advice determines to be necessary even if the conservatee objects, subject to the limitations stated in Probate Code section 2356.
 - (1) This treatment shall be performed by an accredited practitioner of the religion whose tenets and practices call for reliance on prayer alone for healing of which the conservatee was an adherent prior to the establishment of the conservatorship.
 - (2) (If court order limits duration) This medical authority terminates on (date):
- b. Authority to place conservatee in a care or nursing facility described in Probate Code section 2356.5(b).
- c. Authority to authorize the administration of medications appropriate for the care and treatment of dementia described in Probate Code section 2356.5(c).
- d. Powers to be exercised independently under Probate Code section 2590 as specified in Attachment 3d (specify powers, restrictions, conditions, and limitations).
- e. Conditions relating to the care and custody of the property under Probate Code section 2402 as specified in Attachment 3e.
- f. Conditions relating to the care, treatment, education, and welfare of the conservatee under Probate Code section 2358 as specified in Attachment 3f.
- g. (For limited conservatorship only) Powers of the limited conservator of the person under Probate Code section 2351.5 as specified in Attachment 3g.
- h. (For limited conservatorship only) Powers of the limited conservator of the estate under Probate Code section 1830(b) as specified in Attachment 3h.
- i. Other (specify):

- 4. The conservator is not authorized to take possession of money or any other property without a specific court order.
- 5. Number of pages attached: 1

WITNESS, clerk of the court, with seal of the court affixed.

Date: JUN 18 2003

Clerk, by MARTHA G. HENDERSON, Deputy

- (a) The power to contract for the guardianship of conservatorship and to perform outstanding contracts and thereby bind the estate.
- (b) The power to operate at the risk of the estate a business, farm, or enterprise constituting an asset of the estate.
- (c) The power to grant and take options.
- (d) The power to sell at public or private sale real or personal property of the estate.
- (e) The power to create by grant or otherwise easements and servitudes.
- (f) The power to borrow money and give security for the repayment thereof.
- (g) The power to purchase real or personal property.
- (h) The power to alter, improve, and repair or raze, replace, and build property of the estate.
- (i) The power to let or lease property of the estate for any purpose (including exploration for and removal of gas, oil, and other minerals and natural resources) and for any period, including a term commencing at a future time.
- (j) The power to lend money on adequate security.
- (k) The power to exchange property of the estate.
- (l) The power to sell property of the estate on credit if any unpaid portion of the selling price is adequately secured.
- (m) The power to commence and maintain an action for partition.
- (n) The power to exercise stock rights and stock options.
- (o) The power to participate in and become subject to and to consent to the provisions of a voting trust and of a reorganization, consolidation, merger, dissolution, liquidation, or other modification or adjustment affecting estate property.
- (p) The power to pay, collect, compromise, arbitrate, or otherwise adjust claims, debts, or demands upon the guardianship or conservatorship.
- (q) The power to employ attorneys, accountants, investment counsel, agents, depositories, and employees and to pay the expense.

CONSERVATORSHIP OF (Name):
CRANDAL MACKEY

CONSERVATEE

CASE NUMBER:

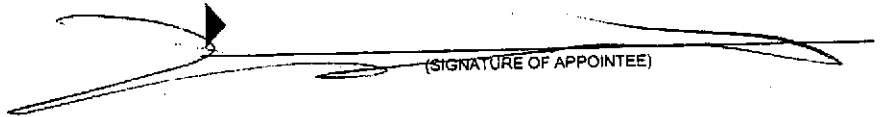
222121 (Dept 6)

LETTERS OF CONSERVATORSHIP

AFFIRMATION

I solemnly affirm that I will perform according to law the duties of conservator limited conservator.

Executed on (date): JUNE 2003, at (place): SANTA BARBARA, CA

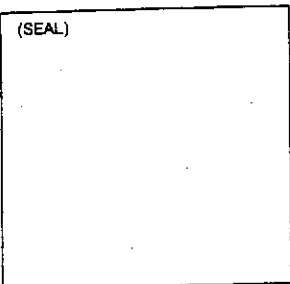

(SIGNATURE OF APPOINTEE)

CERTIFICATION

I certify that this document and any attachments is a correct copy of the original on file in my office, and that the letters issued to the person appointed above have not been revoked, annulled, or set aside, and are still in full force and effect.

Date: _____ Clerk, by _____, Deputy

(SEAL)





bt msg w/ Tom P.
8/19/98 11:00 A



Fax Cover Sheet
Board of Equalization
Fuel Taxes Division
P.O. Box 942879
Sacramento, CA 94279 - 0030

One UST Removed 7/25/95
 Think owner;
 Call Mac Transportation Co

FAX (916) 323-9352

Company Name	Alameda County
Contact Name	Rob Weston
FAX Number	510-337-9335

Sender	Tom Pisarek	Phone # (916) 324-3049
Description	UST Closure Records for 461 McGraw Ave. Livermore	
Do you have any records indicating when the UST tanks at 461 McGraw Ave. in Livermore were removed? I also need to know who the owner was when they were removed. The owner should be "Call Mac" Transportation.		

Number of Pages (including Cover):	1
Date this facsimile sent:	8-18-98
If there are any problems with this transmission, please call: (916) 324-2300 immediately.	

**ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY**

DAVID J. KEARS, Agency Director



RAFAT A. SHAHID, Director

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

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



Post-it® Fax Note 7671		Date 2/14	# of pages 8
To ANN TRINZ	From S. SEERY		
Co./Dept. City of Livermore	Co. ACDCH		
Phone #	Phone #		
Fax # 925-760-4448	Fax # 510-337-9335		

StID 2978

June 30, 1998

Mr. Crandal Mackey
Call Mac Transportation
P.O.Box 50067
Palo Alto, CA 94303

829 Cieneguitas Rd
Santa Barbara, CA 93110-1104

FINAL NOTICE OF VIOLATION

Dear Mr. Mackey:

On May 14, 1997, the Alameda County Department of Environmental Health, Hazardous Materials Division, sent you a Notice of Violation requesting that you implement the approved work plan to excavate diesel-impacted soil beneath the former fuel dispenser at **6207 Sierra Court, Dublin**. As of the date of this letter, however, we have not received any communication from you on this matter. Therefore, this letter constitutes a **Final Notice** that you are in violation of specific laws and that the extent of soil contamination must be delineated.

According to Section 25298 of the California Health and Safety Code, underground storage tank closure is incomplete until the responsible party characterizes and remediates the contamination resulting from product discharge. Therefore, you, as the responsible party, are in violation of this section of the Code, for which Section 25299 specifies civil penalties of up to \$5,000, for each day of violation, upon conviction. Also, failure to furnish technical reports regarding documented or potential groundwater contamination violates Section 13267(b) of the California Water Code. The Regional Water Quality Control Board (RWQCB) can impose civil penalties of up to \$1,000 per day that such a violation continues.

You are required to submit a technical report documenting field work and soil sampling results to this office **within 30 days** from the date of this letter. **Failure to respond will result in referral of this case to the RWQCB or Alameda County District Attorney to consider for enforcement action.** Modification of required tasks or extensions of stated deadlines must be confirmed in writing by either this agency or the RWQCB.

If you have any questions, I can be reached at (510) 567-6762.

eva chu
Hazardous Materials Specialist

c: Danielle Stefani, Livermore-Pleasanton Fire Dept
Robert Chambers, Alameda County District Attorney's Office

COM No.	REMOTE STATION	START TIME	DURATION	PAGES	RESULT	USER ID	REMARKS
931	925 960 4448	07-14 12:59	02' 47	03/03	OK		

7499402046

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



Post-It® Fax Note	7671	Date	7/14	# of pages	8
To	ANN PRINZ	From	S. SEERY		
Co./Dept.	City of Livermore	Co.	ACDEH		
Phone #		Phone #			
Fax #	925-760-4448	Fax #	510-337-9335		

ENVIRONMENTAL HEALTH SERVICES

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

StID 2978

June 30, 1998

Mr. Crandal Mackey
Call Mac Transportation
P.O.Box 50067
Palo Alto, CA 94303

829 Cieneguitas Rd
Santa Barbara, CA 93110-1104

FINAL NOTICE OF VIOLATION

Dear Mr. Mackey:

On May 14, 1997, the Alameda County Department of Environmental Health, Hazardous Materials Division, sent you a Notice of Violation requesting that you implement the approved work plan to excavate diesel-impacted soil beneath the former fuel dispenser at **6207 Sierra Court, Dublin**. As of the date of this letter, however, we have not received any communication from you on this matter. Therefore, this letter constitutes a **Final Notice** that you are in violation of specific laws and that the extent of soil contamination must be delineated.

According to Section 25298 of the California Health and Safety Code, underground storage tank closure is incomplete until the responsible party characterizes and remediates the contamination resulting from product discharge. Therefore, you, as the responsible party, are in violation of this section of the Code, for which Section 25299 specifies civil penalties of up to \$5,000, for each day of violation, upon conviction. Also, failure to furnish technical reports regarding documented or potential groundwater contamination violates Section 13267(b) of the California Water Code. The Regional Water Quality Control Board (RWQCB) can impose civil penalties of up to \$1,000 per day that such a violation continues.

You are required to submit a technical report documenting field work and soil sampling results to this office **within 30 days** from the date of this letter. **Failure to respond will result in referral of this case to the RWQCB or Alameda County District Attorney to**

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



ENVIRONMENTAL HEALTH SERVICES

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

StID 2978

May 14, 1997

Mr. Crandal Mackey
Call Mac Transportation
7400 E. Slauson Ave
Los Angeles, CA 90040

SECOND NOTICE OF VIOLATION

Dear Mr. Mackey:

On July 29, 1996, the Alameda County Department of Environmental Health, Hazardous Materials Division, sent you a letter approving the workplan to overexcavate diesel-impacted soil under the former diesel dispenser at **461 McGraw Ave, Livermore, CA**. As of the date of this letter, however, we have not received any communication from you on this matter. Therefore, this letter constitutes a **Second Notice** that you are in violation of specific laws and that field work must commence to delineate the extent of soil, and possibly groundwater, contamination.

According to Section 25298 of the California Health and Safety Code, underground storage tank closure is incomplete until the responsible party characterizes and remediates the contamination resulting from product discharge. Therefore, you, as the responsible party are in violation of this section of the Code, for which Section 25299 specifies civil penalties of up to \$5,000, for each day of violation, upon conviction. Also, failure to furnish technical reports regarding documented or potential groundwater contamination violates Section 13267(b) of the California Water Code. The Regional Water Quality Control Board (RWQCB) can impose civil penalties of up to \$1,000 per day that such a violation continues.

You are required to implement the workplan **within 45 days** from the date of this letter. **Failure to respond will result in referral of this case to the RWQCB or Alameda County District Attorney to consider for enforcement action. Modification of required tasks or extensions of stated deadlines must be confirmed in writing by either this agency or the RWQCB.**

It is also my understanding that other surface contamination at the site still needs to be addressed. And that a Hazardous Materials Business Plan must be submitted for the facility.

Crandal Mackey
NOV - 461 McGraw Ave, Livermore, CA
May 14, 1997

Page 2

If you have any questions, I can be reached at (510) 567-6762.



eva chu
Hazardous Materials Specialist

c: Bob Chambers, Alameda County District Attorney's Office
Kevin Graves, RWQCB
Danielle Stefani, Livermore-Pleasanton Fire
Robert Weston

ALAMEDA COUNTY
HEALTH CARE SERVICES



AGENCY
DAVID J. KEARS, Agency Director

RAFAT A. SHAHID, DIRECTOR

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

StID 2978

July 29, 1996

Mr. Crandal Mackey
Call Mac Transportation
P.O. Box 50067
Palo Alto, CA 94303

RE: Overexcavation at 461 McGraw Ave, Livermore, CA 94550


Dear Mr. Mackey:

In December 27, 1995 a workplan for the overexcavation of diesel-impacted soil at the former diesel dispenser at the above referenced site was approved by this agency. To date we have not received communication from you that this work has been completed.

Be advised that the California Health and Safety Code (CHSC), Section 25298, states that underground storage tank closure is incomplete until the responsible party characterizes and remediates the contamination resulting from product discharge. Therefore, the approved workplan should be implemented within 45 days of the date of this letter, or by **September 13, 1996**.

Failure to respond will result in referral of this case to the Alameda County District Attorney to consider for enforcement action. Modification of required tasks or extensions of stated deadlines must be confirmed in writing by this agency.

If you have any questions, I can be reached at (510) 567-6762.


eva chu
Hazardous Materials Specialist

c: Gil Jensen, Alameda County district Attorney's Office
Robert Weston, ACDEH
files

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



ARNOLD PERKINS, DIRECTOR
RAFAT A. SHAHID, DEPUTY DIRECTOR

Alameda County Environmental Health Dept.
Environmental Protection Division
1131 Harbor Bay Parkway, Room 250
Alameda CA 94502-6577
(510)567-6700 fax: (510)337-9335

StID 2978

December 27, 1995

Mr. Crandal Mackey
Call Mac Transportation
P.O. Box 50067
Palo Alto, CA 94303

Re: Workplan Approval for 461 McGraw Ave, Livermore 94550

Dear Mr. Mackey:

I have completed review of Remediation Risk Management, Inc's December 1995 Workplan to Excavate Diesel Impacted Soil Adjacent to the Former Diesel Dispenser for the above referenced site. The workplan is acceptable and field work should commence within 45 days of the date of this letter. Verification soil samples should be analyzed for TPH as diesel. The sample with the highest concentration of diesel, if any, should also be analyzed for polynuclear aromatic compounds.

Please notify me at least 72 hours prior to the start of field activities, as I should be present for the sampling of soil within the excavation. If you have any questions, I can be reached at (510) 567-6762.

eva chu
Hazardous Materials Specialist

cc: Steve Krcik, RRM, P.O. Box 1262, Aptos, CA 95001
Robert Weston, ACDEH
Gil Jensen, Alameda County District Attorney's Office
files

MEMORANDUM

DATE: December 15, 1995

TO: Gil Jensen, District Attorney's Office

FROM: Rob Weston ^{RW} Environmental Protection

SUBJ: Call Mac Transportation Co. Inc., Livermore

Enclosed please find documents that pertain to the continued failure of the Call Mac Transportation Co. Inc., 461 McGraw Road, Livermore, to fulfill the ordered clean-up. A pre-enforcement review panel was held on March 28, 1995 to discuss the on-going violations of Title 22 and Title 23 and the California Health and Safety Code.

In order to comply with the actions required in the notice of violation the diesel underground storage tank was removed on July 25, 1995. The closure report has been submitted but not accepted. A Preliminary Site Assessment has been requested in order to determine if this is a soils only case or if groundwater was impacted by the release.

As far as the clean-up of the property and mitigation of the hazardous wastes very little action has taken place. The most comprehensive work was an inventory of the contents of the trailers in storage on the site. Much work remains to be done.

Federal EPA has been involved in the enforcement of a debarment action against Call Mac Transportation. However, the threat of debarment has not motivated Mr. Mackey to fulfill the terms of the clean-up.

I have been in contact with Mr. Mackey, president of the company, at least once a week since this project started last spring. He insists that the work will be completed by December 31, 1995 in spite of all the evidence to the contrary.

Your assistance with further enforcement action in this case is appreciated. Please contact me when you need more information.

C: EWA CHU

ALAMEDA COUNTY
HEALTH CARE SERVICE
AGENCY

DAVID J. KEARS, Agency Director



RAFAT A. SHAHID, DIRECTOR

DEPARTMENT OF ENVIRONMENTAL HEALTH
State Water Resources Control Board
Division of Clean Water Programs
UST Local Oversight Program
1131 Harbor Bay Parkway
Alameda, CA 94502-6577
(510) 567-6700

StID 2978

November 9, 1995

Mr. Crandal Mackey
Call Mac Transportation
P.O. Box 50067
Palo Alto, CA 94303

RE: PSA for 461 McGraw Ave, Livermore, CA 94550.

Dear Mr. Mackey:

I have completed review of Remediation Risk Management, Inc's October 1995 Tank Removal and Sampling Report for the above referenced site. Soil samples collected from beneath the 12K gallon diesel underground storage tank (UST) did not detect total petroleum hydrocarbons as diesel (TPH-D). A soil sample collected from two feet below grade surface beneath the former dispenser island exhibited up to 17,000 parts per million TPH-D. Clearly, an unauthorized release of fuel products have occurred resulting from the operation of the former UST.

At this time, additional investigations are required to determine the extent and severity of soil and possibly groundwater contamination at the site. Such an investigation shall be in the form of a **Preliminary Site Assessment**, or PSA. The information gathered by the PSA will be used to determine an appropriate course of action to remediate the site, if deemed necessary. The PSA must be conducted in accordance with the RWQCB Staff Recommendations for the Initial Evaluation and Investigation of Underground Tanks, and Article 11 of Title 23, California Code of Regulations. The major elements of such an investigation are summarized in the attached Appendix A.

The PSA proposal is due **within 45 days** of the date of this letter. Once the proposal is approved, field work should commence within 60 days. A report must be submitted within 45 days after the completion of this phase of work at the site. Subsequent reports are to be submitted quarterly until this site qualifies for RWQCB "sign off." All reports and proposals must be submitted under seal of a California Registered Geologist, Certified Engineering Geologist, or Registered Civil Engineer.

Please be advised that this is a formal request for technical reports pursuant to Title 23, CCR, Section 2722(c). Any extensions of the stated deadlines, or modifications of the required tasks, must be confirmed in writing by this agency.

Crandel Mackey
re: PSA for 461 McGraw Av, Livermore
November 9, 1995

Page 2

Should you have any questions about the content of this letter,
please contact me at (510) 567-6762.

Sincerely,



eva chu
Hazardous Materials Specialist

cc: Chris Peoples, P.O. Box 1362, Aptos, CA 95001
files

REMEDIATION RISK MANAGEMENT, Inc.

▲ An Environmental Contracting Firm

ENVIRONMENTAL PROTECTION
95 OCT 30 PM 2:55

23 October 1995

① should verify around diesel VST
dispenser.
② should check around T2, T3

Mr. Robert Weston
Senior Hazardous Materials Specialist
Alameda County - Environmental Health Department
Environmental Protection Division
1131 Harbor Bay Parkway, #250
Alameda, CA 94502-6577

RE: Call Mac Transportation Co. Inc.
461 McGraw Avenue
Livermore, CA 94550

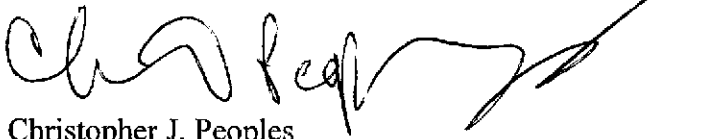
11/3/95
ask Rob if he
wants this as SLIC
case. or should
I make it an
LSP site - then notify

Dear Mr. Weston,

Please find the enclosed the Underground and Above Ground Storage Tank Removal and Sampling Report for your reference. If you have any questions please do not hesitate to call.

Sincerely,

Remediation Risk Management, Inc.



Christopher J. Peoples
Project Manager

cc: Crandel Mackey, Call Mac Transportation

Enclosure

white -env.health
 yellow -facility
 pink -files

ALAMEDA COUNTY, DEPARTMENT OF
ENVIRONMENTAL HEALTH
 Hazardous Materials Inspection Form

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

II, III

Site ID # _____ Site Name Call Mac Today's Date 7/25/95

Site Address 461 McGraw

City Westmore Zip 94 Phone _____

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

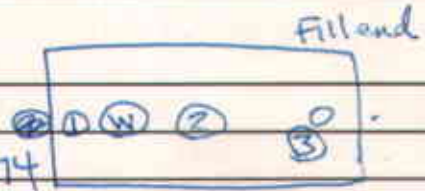
Inspection Categories:

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

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

Comments:

CO₂ ~ 2% O₂ ~ 8%
 HHH - Hauling UST
 12 K bare steel UST for diesel, manf in '74
 Johns excavation # 301828 doing
 manual water in pit.
 Stockpiled soil will be put back into pit, covered w/ 15' screen,
 and clean imported fill on top of that, until soil analyses
 return



12K Tank appeared in good condition, some rust, but no holes noted

- ④ Grab GW sample at ~ 16-17'
- ① SS at ~ 13 1/2' Brown silty clay - no odor
- ② SS at ~ 13' " " " " "
- ③ SS " " 13 1/2' " " " " "
- ④ collect S.S. from beneath dispenser (~ 2' depth):
 Take 3 discreet SS. from stockpile.

Analyze soil for TPH-D and STX
 Analyze water for " " " " If there is diesel hit,
 also analyze for PNA's

Contact [Signature]
 Title Env. S.S.
 Signature DECK COMSTOCK

Inspector [Signature]
 Signature [Signature]

II, III

One AST removed from back of site / off Preston St.

THE CENTRAL BUREAU OF
ENVIRONMENTAL HEALTH
INVESTIGATION

DATE: _____
BY: _____



11-11

11-11

11-11

11-11

11-11

11-11

11-11

11-11

11-11

11-11

11-11

ALAMEDA COUNTY HEALTH CARE SERVICES AGENCY
 DEPARTMENT OF ENVIRONMENTAL HEALTH
 ENVIRONMENTAL PROTECTION DIVISION
 1131 HARBOR BAY PARKWAY, RM 250
 ALAMEDA, CA 94502-6577

office copy

Project Specialist

7/5/95

Note changes to address in RED

ACCEPTED

Underground Storage Tank Closure Permit Application
 Alameda County Division of Hazardous Materials
 80 Swan Way, Suite 200,
 Oakland, CA 94621
 Telephone: (510) 271-4220

PHONE # 510/567-6700
 FAX # 510/337-9335

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

One copy of the accepted plans must be on the job and available to all contractors and craftsmen involved with the release. Any changes or alterations of these plans and specifications must be submitted to this Department and to the fire and health inspectors. Department to determine if such changes meet requirements of State and local laws.

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

Removal of Tank(s) and Piping
 Sampling
 Final Inspection

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

THERE IS A FINANCIAL PENALTY FOR NOT OBTAINING THESE INSPECTIONS

Contact Specialist:

UNDERGROUND TANK CLOSURE PLAN

*** * * Complete according to attached instructions * * ***

1. Name of Business Call Mac Transportation Co., Inc.
 Business Owner or Contact Person (PRINT) Crandel
Crandel Mackey

2. Site Address 461 McGraw Avenue
 City Livermore Zip 94550 Phone (510) 455-1515

3. Mailing Address P.O. Box 50067
 City Palo Alto Zip 94303 Phone (415) 325-2211

4. Property Owner ~~Crandel Mackey~~
Crandal Mackey
 Business Name (if applicable) _____
 Address P.O. Box 50067
 City, State Palo Alto Zip 94303

5. Generator name under which tank will be manifested
Call Mac Transportation Co., Inc. (Crandal Mackey)

EPA ID# under which tank will be manifested C A C C O 0 7 3 1 1 1 2

Good for 90 days from 28 June 1995

6. Contractor Remediation Risk Management, Inc.
Address P.O. Box 1362
City Aptos, CA 95001 Phone (408) 662-9411
License Type* "A" w/Haz Mat Certification ✓ ID# 693807

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

7. Consultant (if applicable) Kelleher & Associates
Address 100 Marine World Parkway, Suite 325, IPT
City, State Redwood City, CA Phone (408)253-8365

8. Main Contact Person for Investigation (if applicable)
Name Brian Kelleher Title Consultant
Company Kelleher & Associates
Phone (408) 253-8365

9. Number of underground tanks being closed with this plan 1
Length of piping being removed under this plan approx. 50 lineal feet
Total number of underground tanks at this facility (**confirmed with owner or operator) 1

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

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

a) Product/Residual Sludge/Rinsate Transporter

Name North Valley Oil EPA I.D. No. CAL000027759
Hauler License No. 3027 License Exp. Date 31 August 1995
Address 1110 Taylor Street (P.O. Box 1225)
City Alviso State CA Zip 95002

b) Product/Residual Sludge/Rinsate Disposal Site

Name Demunno Kerdoon EPA ID# CAT080013352
Address _____
City Compton State CA Zip _____

c) Tank and Piping Transporter

Name H & H Environmental Services EPA I.D. No. CAD004771168

Hauler License No. 0334 License Exp. Date 31 Jan 1996

Address 220 Terry Francois Street

City San Francisco State CA Zip 94107

d) Tank and Piping Disposal Site

Name H & H Environmental Services EPA I.D. No. CAD004771168

Address 220 Terry Francois Street

City San Francisco State CA Zip 94107

11. Sample Collector

Name Peck Comstock

Company Remediation Risk Management, Inc.

Address P.O. Box 1362

City Aptos State CA Zip 95001 Phone (408) 662-9411

12. Laboratory

Name Hull Developmental Labs

Address 525 Del Rey Avenue, Suite E

City Sunnyvale State CA Zip 94086

State Certification No. 1369

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

If yes, describe. _____

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

If product and/or water is present in tank, it will be pumped and disposed of by North Valley Oil. A minimum of 260 pounds of dry ice will be introduced to inert the tank. An O2 meter will be used to verify O2 levels are less than 10% LEL.

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

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

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

Tank		Material to be sampled (tank contents, soil, groundwater)	Location and Depth of Samples
Capacity	Use History include date last used (estimated)		
13,000	1/95 last used used for fueling trucks, diesel	soil <i>and groundwater, if encountered.</i>	³ 2 samples, approx. 1-2 feet below bottom of tank at each end, and middle 2-3 samples will be collected below the underground piping (1 sample per 20 feet)

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

Excavated/Stockpiled Soil

Stockpiled Soil Volume (estimated)

Sampling Plan

1 sample per 50 cu. yards if contamination is suspected *for disposal*

1/20 discrete for re-use.

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

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

If yes, explain reasoning depends on soil sample analytical results and field observations during tank removal activities

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

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

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

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

Contaminant Sought	EPA or Other Sample Preparation Method Number	EPA or Other Analysis Method Number	Method Detection Limit
diesel		EPA Method 3550, 8260 or 8015	1 mg/kg
BTEX		8020	0.3

18. Submit Worker's Compensation Certificate copy

Name of Insurer State Compensation Insurance Fund

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

20. Enclose Deposit (See Instructions)

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

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

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

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

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

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

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

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

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

CONTRACTOR INFORMATION

Name of Business Remediation Risk Management, Inc.

Name of Individual Christopher J. Peoples

Signature Chris Peoples

Date 28 June 1995

PROPERTY OWNER OR MOST RECENT TANK OPERATOR (Circle one)

Name of Business Call Mac Transportation Co., Inc.

Name of Individual Crandal Mackey

Signature Crandal Mackey

Date 29 June 1995

7/5/95

Review course plan.

approve
0.7