Sent 8-10-06

ALAMEDA COUNTY
HEALTH CARE SERVICES
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

August 9, 2006

Mr.Mehdi Mohammadian
Cal Gas
15595 Washington Avenue
San Lorenzo, CA 94580

Mr. Satya Sinha
ChevronTexaco
6011 Bollinger Canyon Rd.,
K-2256
San Ramon CA 94583

Ms. Agnes Calleri
10901 Cliffland Avenue
Oakland, CA 94605

Ms. Marjorie Kanyer
Bert Kubo Trust
20321 Via Espana
Salinas, CA 93908

Mr. Denis Brown
Shell Oil Products
20945 S. Wilmington Ave.
Carson, CA 90810

Subject: Request for Off-Site Investigation for Plume Delineation for Fuel Leak Case No. RO374, Cal Gas Station (Former Chevron #21-1285), 15595 Washington Avenue, San Lorenzo, CA, 94580

Attn: Ladies and Gentleman:

An off-site investigation was requested by Alameda County Environmental Health (ACEH) in response to groundwater contamination from the subject site. The June 8, 2006 Work Plan Addendum by Enviro Soil Tech Consultants (ESTC) was conditionally approved in the County's July 14, 2006 letter. You were requested to complete the necessary access agreement with potentially affected off-site property owners to perform the approved work. Any delay is allowing continued migration of polluted groundwater, to the detriment of water quality. We request that you complete an access agreement by September 8, 2006 with property owners, which is sufficient to allow the necessary work.

Petroleum contamination has migrated from the subject site and has likely affected the subsurface soil and groundwater of adjacent properties. Temporary borings and permanent monitoring wells are requested to investigate the lateral and vertical extent of the contamination. A human health risk evaluation will be performed to determine if remediation is necessary.

It is imperative that your access agreements be completed quickly and any disputes, resolved promptly.

This request for a technical report is made pursuant to Water Code Section 13267, which allows the Board to require technical reports from persons (dischargers or property owners) whose activities may have an impact on water quality. You may be subject to administrative civil liability of up to $1,000 per day pursuant to Water Code Section 13268 if you fail to respond, respond late, or submit an inadequate response. Any extension in the above deadline must be confirmed in writing by Board staff.

Please contact me at 510-567-6765 if you have any questions.

Sincerely,

Barney M. Chan
Hazardous Materials Specialist

cc: files, D. Drogos
Mr. Adam Harris, Ms. Shari Knieriem, SWRCB, P. O. Box 944212, Sacramento, CA 94244-2120
Frank Hamedi-Fard, Enviro Soil Tech Consultants, 131 Tully Road, San Jose, CA 95112
Ms. Cherie McCaulou, SFRWQCB

8_9_06 15595 Washington Ave Access

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY
DAVID J. KEARS, Agency Director

SCWT
07-18-06

ENVIRONMENTAL HEALTH SERVICES
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July 14, 2006

Mr.Mehdi Mohammadian
Cal Gas
15595 Washington Avenue
San Lorenzo, CA 94580

Mr. Satya Sinha
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6011 Bollinger Canyon Rd.,
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San Ramon CA 94583

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Bert Kubo Trust
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Salinas, CA 93908

Mr. Denis Brown
Shell Oil Products
20945 S. Wilmington Ave.
Carson, CA 90810

Subject: Fuel Leak Case RO0000374, Cal Gas Station (Former Chevron #21-1285), 15595 Washington Avenue, San Lorenzo, CA, 94580

Attn: Ladies and Gentleman:

Alameda County Environmental Health (ACEH) staff has reviewed the case file for the subject site including the June 8, 2006 Work Plan Addendum by Enviro Soil Tech Consultants (ESTC). The work plan is a result of Water Board and County input and a site visit by representatives of our offices along with Mr. Mohammadian and ESTC representatives. Specific observations were noted during the field visit are reflected in the revised work plan addendum. A total of ten geoprobe borings, three CPT borings and three monitoring wells are proposed. We approve of the work plan addendum with the condition that the following technical comments are observed when performing the proposed work.

TECHNICAL COMMENTS

1. The number and locations of the proposed borings is accepted. The presence of multiple water bearing zones beneath the site will be investigated by advancing CPT borings to an approximate depth of 50 feet. The presence of petroleum contamination in deeper soils should also be investigated using MIP (membrane interface probe) or similar technology. We request that one additional boring, the one northwest of MW-5, be advanced as a CPT boring prior to geoprobe boring. Should access for the CPT rig be an issue, we recommend this boring be located as close to the western property boundary as possible. We believe the four CPT borings will identify the presence of multiple water bearing zones as well as identify if these zones have been impacted by petroleum contamination. This will also identify the depths to be sampled in the Geoprobe borings, which should be drilled after the CPT borings.

2. Upon inspection of the irrigation well located at 15600 Lorenzo Ave., we concur that the well appears not to been in any type of recent use and that sampling groundwater in CPT borings in line with the well and former USTs would be an

acceptable alternate to sampling the non-operational well. Please sample soil and groundwater from all identified impacted or water bearing zones.

3. The locations of the proposed multi-level monitoring wells, MW-6, MW-7 and MW-8 are acceptable and appear appropriate to monitor both the lateral and vertical extent of the plume.

4. You are reminded of the Future Action Items previously requested. Upon completion of this plume delineation investigation, the following is requested:

    - Site conceptual model to be completed after this investigation
    - Feasibility Study
    - Corrective Action Plan
    - Soil vapor survey, if needed
    - Health Risk assessment
    - Aquifer Testing, if needed

TECHNICAL REPORT REQUEST
Please submit technical reports to Alameda County Environmental Health according to the following schedule:

- List of contacts to send access request letter.
- October 14, 2006- SWI Report with SCM

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

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

PERJURY STATEMENT
All work plans, technical reports, or technical documents submitted to ACEH must be accompanied by a cover letter from the responsible party that states, at a minimum, the following: "I declare, under penalty of perjury, that the information and/or

recommendations contained in the attached document or report is true and correct to the best of my knowledge." This letter must be signed by an officer or legally authorized representative of your company. Please include a cover letter satisfying these requirements with all future reports and technical documents submitted for this fuel leak case.

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

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

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

If you have any questions, please call me at (510) 567-6765.

Sincerely,

Barney M. Chan
Hazardous Materials Specialist

cc: files, Donna Drogos
Mr. Adam Harris, Ms. Shari Knierlem, SWRCB, P. O. Box 944212, Sacramento, CA 94244-2120
Frank Hamedi-Fard, Enviro Soil Tech Consultants, 131 Tully Road, San Jose, CA 95112
Ms. Cherie McCaulou, SFRWQCB

7_14_06 15595 Washington Ave

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY
DAVID J. KEARS, Agency Director

SENT 05-05-06

ENVIRONMENTAL HEALTH SERVICES
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May 4, 2006

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Mr. Denis Brown
Shell Oil Products
20945 S. Wilmington Ave.
Carson, CA 90810

Subject: Request for Amended Work Plan for Plume Delineation for Fuel Leak Case No. RO374, Cal Gas Station (Former Chevron #21-1285), 15595 Washington Avenue, San Lorenzo, CA, 94580

Attn: Ladies and Gentleman:

This letter is a collaborative effort to provide you with a unified regulatory directive by the Alameda County Environmental Health (ACEH) and the Regional Water Quality Control Board, San Francisco Bay (Water Board) in an effort to expedite site characterization and cleanup actions at the subject site. The ACEH is the regulatory lead agency for this case, but Water Board staff has been asked to provide assistance in technical matters regarding the case. Please contact our office to arrange an on-site meeting to address the comments and concerns presented herein.

This letter requests that you submit a revised or amended work plan no later than June 5, 2006, to fully delineate soil and groundwater pollution onsite and offsite, resulting from spills and underground storage tank (UST) leaks at the site, and to lead to the development of a comprehensive corrective action plan. As discussed below, this information will help the ACEH and Water Board staff to assess the potential threat to human health and the environment.

SUMMARY OF PROPOSED WORK PLAN

The ACEH and the Water Board staff reviewed the case file, including a Work Plan for Proposed Soil and Groundwater Investigation dated September 20, 2004, prepared by Environmental Soil Tech Consultants (ESTC). The scope of work is intended to address ACEH concerns:

- Offsite impacts to sensitive receptors (i.e., nearby irrigation well(s), adjacent residential properties, potential for vapor intrusion impacts to indoor air, etc.)
- Source(s) of contamination

- Lateral and vertical extent of contamination (i.e., requires detailed lithologic mapping to identify shallow and deeper water bearing zones, high and low permeable zones, aquitard competency)
- Hydrogeology of the site and surrounding properties (i.e., mapping of groundwater flow and hydraulic gradients)
- Potential migration pathways (i.e., mapping of underground utility lines)

Delineation of Pollution

Groundwater monitoring data indicates that a dissolved-phase plume emanating from the site has migrated offsite, the extent of which is unknown at this time. Potential impacts to adjacent properties, including apartment complexes located immediately west and north of the site, need to be assessed. Figure 5 from the 9/20/04 ESTC work plans needs to be revised to show the proposed borings and well locations with respect to buildings, landscaping, underground and overhead utility lines. For offsite plume delineation, ESTC has proposed eight additional monitoring wells (seven offsite and one onsite) in addition to the five existing wells. The work plan specifies that three of the new wells (two offsite and one onsite) will be "nested", constructed in a manner that accesses two water-bearing zones, and allows for water level measurement of the deeper zone to determine hydraulic gradient and groundwater flow direction.

The work plan proposed seven additional onsite soil borings, continuous core sampling, and submittal of at least two soil samples per boring, to delineate the extent of soil pollution. The plan also indicates that offsite soil impacts will be assessed, although it's not anticipated to be encountered. All soil and groundwater samples will be analyzed for site contaminants, including total petroleum hydrocarbons as gasoline, diesel and waste oil (by EPA modified 8015), and volatile organic compounds and fuel oxygenates (by EPA Method 8260).

Based on our review of the case file, the revised work plan needs to address the following technical comments.

TECHNICAL COMMENTS

1. Soil and Groundwater Investigation- Although the number of the proposed borings and collection of groundwater and soil samples at 5 and 10 feet below grade (fbg) may be adequate to define the extent of the pollution, it is suggested that the revised work plan allow for additional borings, if needed, to adequately define the extent of soil and groundwater pollution. The use of "expedited site assessment tools" should be considered, including the use of cone penetrometer testing (CPT) or membrane interface probe (MIP) direct-push technology, to obtain more accurate data on soil types, identification of saturated and unsaturated zones, and contaminant plume mapping to fully characterize source areas, plume delineation, and the need for future data gap investigations. A phased approach should be considered and monitoring well locations and construction should be based upon the CPT or MIP data to monitor the plume. We request that you analyze both soil and groundwater samples from all borings for TPHg, BTEX, MTBE, fuel oxygenates and lead scavengers by EPA Method 8260, which will detect gasoline and fuel oxygenates in one run, rather then GC method 8015.

2. Offsite Sensitive Receptor Survey- Access and sampling of an irrigation well located at 15600 Lorenzo Avenue (330 feet down-gradient of the site), and submittal of a completed Department of Water Resources (DWR) request form is requested. The DWR form is needed to obtain the well design and construction details. If needed, the ACEH can assist you in obtaining an access agreement with the owner of this well to gain permission for sampling. Sampling of the well must be performed under the supervision of ACEH. The water sample must be analyzed for site contaminants, including TPH as gasoline and volatile organic compounds (VOCs) by EPA Method 8260. The analytical results and DWR well construction details must be documented in the investigation report.

3. Revised Site Plan- Please submit of a revised site plan showing proposed boring locations for the soil and groundwater investigation, and show adjacent properties contiguous with the subject site. It is recommended that the ACEH be present to attend an onsite, pre-drilling field meeting to agree on the number and locations of the proposed sampling points. At this time, all exploratory boring location should be clearly marked and verified to be viable drilling locations (free of overhead and underground utilities).

4. Construction of Multi-level Wells- As stated above, we recommend the use of CPT or MIP data to determine the most appropriate locations and construction design for the wells. To assess the vertical extent of groundwater pollution, ESTC has proposed one onsite nested well (MW6/MW6A) and two offsite (locations yet to be determined). Our agencies concur that if multiple water bearing zones are identified, then a minimum of three wells will be needed to obtain accurate groundwater gradient and flow data. We request well clusters or multi-channeled wells for multi-level sampling. Our agencies will be available to discuss the location and construction of these wells based upon real time results from your investigation. We request you submit cross-sections and rose diagrams for groundwater gradient to support your decision-making.

5. Procurement of Access Agreements. ACEH and Water Board staff will assist you, if needed, in procuring signed access agreements to complete offsite soil and ground water investigations and long-term groundwater monitoring, and if needed, soil gas or data gap investigations. Additionally, a signed access agreement is needed to obtain permission to sample any nearby well (irrigation, municipal or private) that may be potentially impacted by site contaminants. Please provide contact names and addresses so our office can send them an access request letter.

6. Permeability testing – At least two soil samples from each boring are proposed to be collected for hydraulic conductivity testing to provide data on the permeability and flow barriers. The work plan did not specify the sampling interval, or the intent of the testing. As stated above, permeability data can be obtained from the CPT investingation, so physical testing may not be warranted. Aquifer testing (not proposed) can provide valuable data on the competence of the aquitard, and potential communication between overlying and underlying aquifers. Please discuss this matter in more detail with the ACEH.

7. Project Schedule- The Project Schedule shall be incorporated into a revised work plan that addresses these inter-agency concerns. The State Board UST Cleanup Fund policy recommends solicitation of multiple bids at each major milestone. Failure to obtain at least three bids may jeopardize the RP's eligibility to receive reimbursement of cleanup funds.

8. Future Action Items. Upon completion of this plume delineation investigation, the following is requested:

   - Site conceptual model to be completed after this investigation
   - Feasibility Study
   - Corrective Action Plan
   - Soil vapor survey, if needed
   - Health Risk assessment
   - Aquifer Testing, if needed

TECHNICAL REPORT REQUEST

Please submit technical reports to Alameda County Environmental Health according to the following schedule:

- May 19, 2006 – Onsite meeting to finalize scope of work plan
- June 9, 2006 – Submittal of Plume Delineation Work Plan
- June 16, 2006 – Submittal of completed DWR request form, water well sampling results from 15600 Lorenzo Avenue, or written denial of sampling request from property owner. List of contacts to send access request letter.
- 90 days after Work Plan Approval- SWI Report with SCM

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.

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the Internet. Beginning July 1, 2005, electronic submittal of a complete copy of all reports is required in Geotracker (in PDF format). Please visit the State Water Resources Control Board for more information on these requirements (http://www.swrcb.ca.gov/ust/cleanup/electronic_reporting).

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PROFESSIONAL CERTIFICATION & CONCLUSIONS/RECOMMENDATIONS
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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
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If you have any questions, please call me at (510) 567-6765.

Sincerely,

Barney M. Chan
Hazardous Materials Specialist

Enclosure: ACEH Electronic Report Upload (ftp) Instructions

cc: files, Donna Drogos
Mr. Adam Harris, Ms. Shari Knieriem, SWRCB, P. O. Box 944212, Sacramento, CA 94244-2120
Frank Hamedi-Fard, Enviro Soil Tech Consultants, 131 Tully Road, San Jose, CA 95112
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Rev Joint let RO374 5_4_06

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY
DAVID J. KEARS, Agency Director

Sent 11-4-05

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November 3, 2005

Mr. Mehdi Mohammadian
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15595 Washington Avenue
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Mr. Mark Inglis
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Bert Kubo Trust
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Salinas, CA 93908

Mr. Denis Brown
Shell Oil Products
20945 S. Wilmington Ave.
Carson, CA 90810

Ladies and Gentleman:

Subject: Fuel Leak Case No. RO374, Chevron #21-1285 / Cal Gas, 15595 Washington Avenue, San Lorenzo, CA 94580

We have reviewed the fuel leak case file for the subject site, including the July 8, 2005 Groundwater Monitoring Report, the September 20, 2004 Proposed Work Plan for Soil and Groundwater Investigation and the June 8, 2005 Response Letter, prepared by Environ Soil Tech Consultants (ESTC).

ACEH staff met with Mr. Frank Hamedi-Fard and Mr. Victor Cherven of Enviro Soil Tech on October 13, 2005 to discuss issues related to these referenced documents. Although the Response Letter has several inadequacies, the most significant of which are discussed in the technical comments below, we are not requesting that these reports be revised again at this time. In the interest of moving the project forward, we request that a revised work plan be submitted that incorporates responses to the technical comments below. We request that you address the following technical comments, perform the proposed work, and send us the reports described below.

TECHNICAL COMMENTS

1. **Regional Geologic and Hydrogeologic Study-** The June 8, 2005 letter stated due to the short deadline for the response, this study could not be done. During our meeting, it was shown the importance of this information. Your study should minimally include a review of geologic data from nearby sites and construction diagrams from DWR for nearby wells. This information is necessary to design your investigation.

2. **Preferential Pathway Study-** The June 8, 2005 letter stated that utility maps and other data related to near-surface receptors will be included in the Site Conceptual Model (SCM). The evaluation of utilities and wells is necessary to design your investigation and determine if the release from the site has impacted receptors. An active water supply well located 330' down-gradient of your site at 15600 Lorenzo Avenue was previously identified and our August 6, 2004 letter requested that this well be sampled for TPHG and by EPA Method 8260 for BTEX, BTEX, MTBE, TAME, ETBE, DIPE, TBA, EtOH, EDB, and EDC. We requested

that you immediately pursue any off-site access agreements that you may need and sample this well by August 20, 2004, however, this has yet to be done. Please sample this well and report your results as requested below.

3. **Soil and Groundwater Investigation.** The June 8, 2005 Response Letter reiterates the September 20, 2004 work plan where eight borings and eight new monitoring wells are proposed. In our meeting, we discussed the randomness of the proposed borings and wells. We believe a better approach would be the drilling of borings along transects aligned perpendicular to groundwater flow direction, down-gradient of the source areas and then determining locations of wells based on these results. We support the Expedited Site Assessment approach, which could incorporate an on-site mobile lab or 24 hour turn-around time, etc to obtain immediate results. However, it appears that access agreements would need to already in place to expedite the investigation. We also discussed the use of CPT borings to identify the presence of multiple water bearing zones in lieu of assuming the existence of multiple zones at certain depths based upon borings from nearby sites. We request that you either well clusters or multi-channel wells to accomplish multi-level groundwater sampling. Please modify your work plan to incorporate these approaches and submit as requested below.

4. **Hydrogeology and Groundwater Flow Conditions-** The June 8, 2005 letter proposes to send a minimum of two samples per boring to a materials testing lab for measurement of hydraulic conductivity to address this item. At this time, we request that you gather detailed lithologic information by continuously coring borings or cone penetrometer to understand the hydrogeology at your site. We request that you prepare detailed cross sections and rose diagrams for groundwater gradient to address this item and submit in the SWI report requested below.

5. **Site Conceptual Model**- During our meeting with ESTC, we explained the need for a site conceptual model (SCM) in order to understand and test hypotheses on how the release occurred, how it migrated and what receptors may be impacted. The SCM would be used to identify data gaps and design an appropriate investigation to test the hypotheses. Thus a SCM should exist from the start of the investigation as opposed to developing after acquiring large amounts of data, which may or may not be needed. We offered to present an example of a SCM used on a site in our jurisdiction. Please provide your preliminary SCM based upon your responses to Technical Comments 1,2 & 3 as requested below.

TECHNICAL REPORT REQUEST

Please submit technical reports to Alameda County Environmental Health according to the following schedule:

- December 5, 2005- Sampling results from 15600 Lorenzo Ave.
- January 5, 2006 – Revised Work Plan and Preliminary SCM
- 90 days after Work Plan Approval- SWI Report and Updated SCM

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.

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Barney M. Chan
Hazardous Materials Specialist

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RO0374 15595 Washington Ave 10_25_05

SOWT

03-29-05

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY
DAVID J. KEARS, Agency Director

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March 24, 2005

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San Ramon CA 94583

Ms. Agnes Calleri
10901 Cliffland Avenue
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Ms. Marjorie Kanyer
Bert Kubo Trust
20321 Via Espana
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Ms. Karen Petryna
Shell Oil Products
20945 S. Wilmington Ave.
Carson, CA 90810

Ladies and Gentleman:

Subject: Fuel Leak Case No. RO374, Chevron #21-1285 / Cal Gas, 15595 Washington Avenue, San Lorenzo, CA 94580

We have reviewed the fuel leak case file for the subject site, including the most recent Groundwater Monitoring Reports from August 5, 2003 to July 20, 2004 and the September 20, 2004 Proposed Work Plan for Soil and Groundwater Investigation, prepared by Environ Soil Tech Consultants (ESTC) and the September 17, 2004 Investigation Workplan from ChevronTexaco. We are concerned with quality of the data presented in the monitoring reports and the incompleteness and technical errors within the proposed work plan. We therefore, reject the work plans as being incomplete and lacking the technical detail requested in our previous August 6, 2004 Technical Directive letter.

The following technical comments are meant to illustrate the deficiencies of the technical report submittals and their inability to meet requested due dates.

TECHNICAL COMMENTS

1. The above referenced ETSC reports were delivered to our office on October 14, 2004. All of these submittals were received beyond their requested due dates. Even the most recent requested report, the work plan, was to be submitted by September 22, 2004.
2. The Regional Geologic and Hydrogeologic Study request was addressed in ChevronTexaco's September 17, 2004 Investigation Workplan, however, the references recommended in the County letter were not used and it is deemed incomplete. Only prior shallow borings from prior investigations were referenced for this study.
3. The Sensitive Receptor Survey requested was also addressed in CT's work plan. However, utility lines and trenches, cross-section maps, a study of historical land use of the site and neighboring properties, aerial photos and Sanborn maps were not used. Again, we find this survey incomplete.

4. As part of the requested soil and groundwater investigation, you were requested to supply our office with the names and addresses of those individuals where off-site investigations are proposed to expedite this work. We have not received a list of these individuals.
5. The Site Conceptual Model (SCM) requested is be submitted after completing the proposed work. This suggestion reflects a lack of understanding of what the SCM is and how it is used. In fact, the theories from CT that the presence of impermeable soils and the lack of preferential pathways have prevented significant contaminant migration are part of your current SCM, which will be tested in the proposed work plan. The results of your investigation serve to either support, refute or modify your SCM and help to determine what additional information is necessary to validate the SCM.
6. Our office has received work plans by ESTC and ChevronTexaco (CT). The work plan from CT addresses only the areas associated with the 1986 Texaco investigation, essentially proposing to duplicate the original investigation, however, expanding the investigation to 40' bgs. The work plan by ESTC is different from that of CT. In addition, not all areas with known contamination are proposed for investigation eg SB-C and SB-D. Although CT offers to work with the other RP when performing the work, it is unclear what work will actually be done. The ESTC investigation proposes not to take groundwater samples because monitoring wells exist on-site. However, considering there may be deeper areas of submerged contamination and there are areas of impact where no monitoring wells exist, groundwater sampling would seem prudent.

   Nested Wells-

   The onsite well, MW-6, and possibly other off-site wells are proposed as nested 2" wells. It is widely agreed that nested wells are not recommended for multi-level groundwater sampling since leakage around the seals is difficult to prevent. Well clusters or multi-level sampling wells are preferred alternatives. In addition, Figure 6 in the submitted work plan labeled as a nested well construction is not a nested well at all. This type of error indicates either lack of knowledge or attention to detail that is required in performing this type of work.
7. Interim Remediation was requested in the County's letter, but was not proposed in your work plan.
8. The dating of the release(s) of MTBE was requested in the County's letter, but was not proposed in your work plan.
9. An estimation of MTBE contaminant mass flux was requested, however, this was not proposed in your work plan.
10. A water supply (irrigation) well, located 330' from your site at 15600 Lorenzo Ave., was requested to be sampled and the results submitted with your work plan. It is assumed that this work was not done since the sampling results were not submitted to our office.
11. Errors within the Analytical Data Tables were noted in the County's prior letter, however, review of the submitted monitoring reports note the same errors in the depth of perforation column and the indication of well screens being submerged or not submerged. Well observations consistently state that no odor is observed even in samples with up to 69,000 ppb TPHg and 200,000 ppb MTBE. The ETSC July 20, 2004 monitoring report states that the well construction in MW4 and MW5 may be

the same as that in MW1 through MW3, "however, at this point, we have no information regarding these wells." The County finds this statement unreasonable, since the well construction diagrams for MW4 and MW5 are readily available in the October 16, 1998 Toxichem, Inc., "Soil and Groundwater Investigation Results" report, located in the County files. The screen interval in MW4 and MW5 are from 10-20'bgs while those in MW-1 through MW-3 are from 5-15'bgs.

12. The County requested that groundwater gradient be reported in both magnitude and direction. The monitoring reports submitted failed to provide magnitude gradient information. The data tables were requested to be e mailed to the County staff, however, this has not been done.
13. Geo Tracker EDF submittals as required by CCR beginning September 1, 2001 were requested for all analytical data. It is apparent that none of the submitted monitoring reports were submitted to the Geo Tracker system and no reports are waiting for County review.
14. The County letter requested that each report include conclusions and recommendations for the next phase(s) of work. The submitted monitoring reports only recommendation is to continue monitoring.
15. All work plans, technical reports, or technical documents submitted to this office 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. This type letter was not attached to any of the reports submitted.

These technical comments clearly illustrate that the work plan is unacceptable and therefore, must be rejected. In addition, no extension for the submission of your work plan is granted and this site is considered out of compliance. Please submit a work plan and technical reports to correct the aforementioned items immediately. Please call me at (510) 567-6765 with questions.

Sincerely,

Barney M Chan

Barney M. Chan
Hazardous Materials Specialist

cc:

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files, A. Levi, D. Drogos

8/9/04

ALAMEDA COUNTY
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DAVID J. KEARS, Agency Director

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August 6, 2004

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Ms. Agnes Calleri
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Ladies and Gentleman:

Subject: Fuel Leak Case No. RO374, Chevron #21-1285 / Cal Gas, 15595 Washington Avenue, San Lorenzo, CA 94580

We have reviewed the fuel leak case file for the subject site, including the most recent Groundwater Monitoring Reports from 2003, prepared by Environ Soil Tech Consultants (ESTC). We are concerned with the high levels of the gasoline oxygenate Methyl tert-Butyl Ether (MTBE) at your site, the proximity of the site to a downgradient water supply well, and the lack of sufficient data to appropriately characterize your site. This letter presents a request for full three-dimensional definition, investigation, and a proposal for cleanup of soil and water contamination (MTBE, petroleum products, and associated blending compounds and additives) from the unauthorized release(s) at your site. You are hereby required to complete a Soil and Water Investigation and prepare a Corrective Action Plan (CAP) for the subject site in accordance with California Code of Regulations 23 CCR, Section 2720 – 2728; State Water Resources Control Board Resolution 92-49, "Policies and Procedures for Investigation, Cleanup and Abatement of Discharges Under Water Code Section 13304"; and with the Regional Water Quality Control Board (Regional Board) Water Quality Control Plan for the basin.

The following technical comments address investigation and cleanup performance objectives that shall be considered as part of the required Soil and Water Investigation and CAP. **We request that you prepare and submit a work plan for the Soil and Water Investigation by September 22, 2004, that addresses each of the following technical directives.**

Note, 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. All work performed for your site, including field work, is required to be designed, interpreted, and overseen by the appropriately registered professional.

TECHNICAL DIRECTIVE

1. Regional Geologic and Hydrogeologic Study

The purpose of a regional geologic and hydrogeologic study is to identify the geologic and hydrogeologic setting in the vicinity of your site. This data is then used to develop your initial Site Conceptual Model (SCM) requested below, and determine the appropriate scope of investigation activities.

We request that you perform a study of the regional geologic and hydrogeologic setting of your site by reviewing the available technical literature for the area. Background information for your review includes but is not limited to regional geologic maps, United States Geological Survey (USGS) technical reports and documents, Department of Water Resources (DWR) Bulletins, Regional Water Quality Control Board reports on the groundwater basin, data from contaminant investigations in the area, etc.

Provide a narrative discussion of the regional geologic and hydrogeologic setting obtained from your background study. Use photocopies of regional geologic maps, groundwater contours, cross-sections, etc., to illustrate your results and include a list of technical references you reviewed (reference Technical Comment #5 below). Report your results in as part of your SCM in the Work Plan requested below.

2. Preferential Pathway Study

The purpose of the preferential pathway study is to locate potential migration pathways and conduits and determine the probability of the NAPL and/or plume encountering preferential pathways and conduits that could spread contamination. Of particular concern is the identification of abandoned wells and improperly-destroyed wells that can act as vertical conduits to deeper water bearing zones, pumping wells in the vicinity of your site, and manmade conduits for shallow migration.

We request that you perform a preferential pathway study that details the potential migration pathways and potential conduits (wells, utilities, pipelines, etc.) for horizontal and vertical migration that may be present in the vicinity of the site. Discuss your analysis and interpretation of the results of the preferential pathway study (including the detailed well survey and utility survey requested below) and report your results in the Work Plan requested below. Include an evaluation of the probability of the dissolved phase and NAPL plumes for all constituents of concern encountering preferential pathways and conduits that could spread the contamination, particularly in the vertical direction to deeper aquifers. The results of your study shall contain all information required by 23 CCR, Section 2654(b).

a) Utility Survey

An evaluation of all utility lines and trenches (including sewers, storm drains, pipelines, trench backfill, etc.) within and near the site and plume area(s) is required as part of your study. Submittal of map(s) and cross-sections showing the location and depth of all utility lines and trenches within and near the site and plume area(s) is required as part of your study.

b) Well Survey

The preferential pathway study shall include a **detailed well survey** of all wells (monitoring and production wells: active, inactive, standby, decommissioned (sealed with concrete), abandoned (improperly decommissioned or lost); and dewatering, drainage, and cathodic protection wells) within a

1/2-mile radius of the subject site. As part of your detailed well survey, please perform a background study of the historical land uses of the site and properties in the vicinity of the site. Use the results of your background study to determine the existence of unrecorded/unknown (abandoned) wells, which can act as pathways for migration of contamination at and/or from your site. Please review historical maps such as Sanborn maps, aerial photos, etc., when performing the background study. Submittal of map(s) showing the location of all wells identified in your study, and the use of tables to report the data collected as part of your survey are required. Include appropriate photographic prints, in stereo pairs, of historic aerial photos used as part of your study. We also request that you list by date all aerial photographs available for the site from the aerial survey company or library you use during your study. Please refer to the Regional Board's guidance for identification, location, and evaluation of potential deep well conduits (see Attachment 2) when conducting your preferential pathway study.

3. Soil and Groundwater Investigation

Results of investigation work performed at the site to date are insufficient to characterize the nature and extent of soil and groundwater contamination at the site. Investigation work to date lacks sufficient depth discrete soil analytical results to evaluate your site. Although strong petroleum odors (indicative of volatilization of COCs) were noted in almost all of the boring logs of the wells and borings installed around the 2nd generation UST and the dispenser islands, no discrete soil samples were collected for chemical analysis. Soil samples collected were composited along the borehole for analysis as a single sample and were ND for total fuel hydrocarbons and BTX. These results cannot reliably represent soil contamination that may have been present at discrete depths.

Soil and groundwater investigations performed at the site have also been limited in depth. Numerous soil borings were terminated at 15' bgs regardless of whether areas of obvious contamination were observed at the bottom of the borings. The boring logs indicate that obvious contamination was observed at completion depth thereby leaving the vertical extent of contamination undefined. Further, boring logs from subsequent investigations at the site, also of limited depth, indicate the presence of root holes, and increasing sand and gravel content at depths below 16' bgs, suggesting that a more permeable geology may underlie areas where contamination was observed. Thus, the site consultants' investigations have not been conducted to sufficient depths to determine whether or not underlying more permeable strata may have been impacted. These strata could be preferred pathways for off site migration of dissolved contaminants.

A review of geologic logs from fuel leak sites in the vicinity of the subject site suggest that permeable units are present in the shallow aquifer beneath the subject site. Data from the Shell site at 15275 Washington Avenue document the presence of silty sand and sand at depths of 23' - 25' bgs to boring completion depths of 40' bgs. The likelihood of coarse-grained sediments occurring beneath the shallow fine-grained sediments at the subject site should have been anticipated by the consultants working at the site (resulting from their regional geologic and hydrogeologic study); the existence of extensive coarse-grained sediments at depths below 20'-25' bgs throughout the East Bay Plain is well documented in the technical literature[1].

The shallow investigative work performed to date, along with the lack of a regional geologic evaluation by your consultants, neglected to consider readily available regional geologic data. This has resulted in a failure to investigate the uppermost preferential pathway for contaminant migration. To date, vertical definition of

[1] Atwater, B.F., C.W. Hedel, E.J.Helley, 1977. Late Quaternary Depositional History, Holocene Sea-Level Changes, and Vertical Crustal Movement, Southern San Francisco Bay, California. U.S. Geological Survey Professional Paper 1014.

source area(s) contamination and the possibility of off-site migration of dissolved contaminants in coarse-grained permeable strata remains undefined.

Additionally, intermittent depth to water measurements from 1992 to current indicate groundwater has fluctuated from 6.52' to 16.5' bgs. However, a background investigation into the seasonal fluctuation in depth to water for the area during the use of the site a gasoline station does not appear to have been performed. Such data would assist in anticipating needed depths for investigation work, potentially identify timeframes of releases at the site if submerged NAPL is present at depths consistent with periods of drought prior to the 1990s, etc.

a. Contaminant Plume Definition

The purpose of contaminant plume definition is to determine the three-dimensional extent of contamination (MTBE, petroleum products, and associated blending compounds and additives) in soil and groundwater from the unauthorized release at your site.

The three-dimensional extent of contamination in soil and groundwater at your site is undefined. The results of recent groundwater monitoring indicate the presence of high levels of dissolved MTBE and other petroleum products at your site. Up to 69,000 ppb TPHG, 340,000 ppb MTBE, and 11,000 ppb TBA has been detected in groundwater. Potentially up to 12,500 ppb Benzene has been present at the site however, previous detection limits for benzene have been too high to appropriately quantify concentrations at your site. Up to 3,500 ppb MTBE has been detected at the property boundaries of the site, and the lateral extent of pollution appears highly variable and is undefined.

MTBE is highly soluble and very mobile in groundwater. Conventional monitoring well networks currently installed at fuel leak sites are generally insufficient to properly locate and define the extent of MTBE plumes. MTBE plumes can be long, narrow, and erratic (meandering). Movement of MTBE plumes, as with other dissolved contaminants, is primarily controlled by groundwater flowlines. These flowlines can be dramatically affected by discontinuities and can drop vertically in certain parts of our groundwater basins, such as recharge zones, cascade zones, and near pumping wells. Thus, the positioning of current monitoring well networks can miss the MTBE plume core, and the monitoring well's design can incorrectly reflect the severity of the release. Therefore, we request that you perform a detailed, expedited site assessment using depth discrete sampling techniques on borings installed along transects to define and quantify the full three-dimensional extent of MTBE, TBA, Total Petroleum Hydrocarbons, Benzene, and other contamination in groundwater.

A substantial part of your plume(s) should be defined with one mobilization by using expedited site assessment techniques at your site. The appropriately-qualified professionals performing field work at your site will be using the data obtained from the field work to refine the initial three-dimensional conceptual model of site conditions developed during the conduit study and review of background information. Using expedited site assessment techniques, the appropriately-qualified professionals are to **analyze the field data as it is collected**, refine the conceptual model as new data is produced and evaluated, and modify the sampling and analysis program as needed, filling data gaps and resolving anomalies prior to demobilization.

Please refer to the documents entitled "Strategies for Characterizing Subsurface Releases of Gasoline Containing MTBE," American Petroleum Institute (API) Publication No. 4699, dated February 2000; "Groundwater Remediation Strategies Tool," API Publication No. 4730, dated December 2003; and

ChevronTexaco's "Mass Flux Estimates to Assist Decision-Making Technical Bulletin," dated June 2002 – Version 1.0; when proposing wells to monitor multiple groundwater zones. Additionally, expedited site assessment tools and methods are a scientifically valid and cost-effective approach to define the three-dimensional extent of the plume. Technical protocol for expedited site assessments are provided in the U.S. Environmental Protection Agency's (EPA) "Expedited Site Assessment Tools for Underground Storage Tank Sites: A Guide for Regulators" (EPA 510-B-97-001), dated March 1997.

Discuss your proposal for performing this work in the work plan requested below. Report the results of your investigation in the Soil and Water Investigation (Results of Expedited Site Assessment) Report requested below.

Please note, we request that you immediately pursue any off-site access agreements that you may need to complete your investigation activities in accordance with the schedule shown below. ACEH will send the access request letter (see Attachment 1) to owners of the neighboring properties where you propose to perform investigation activities. Please provide us with the name and address of the appropriate contacts for your off-site monitoring well locations by **September 22, 2004.**

b) Contaminant Source Characterization

The purpose of contaminant source characterization is to determine the nature and extent of free product (liquid phase), petroleum saturated soils (residual phase), and hydrocarbons dissolved in groundwater (aqueous phase), and high concentrations of soil vapor (vapor phase) that will continue to generate dissolved phase contaminant plumes. Contaminant source characterization also includes characterization of dissolved phase contamination and an estimation of contaminant mass in the source area.

Work performed at your site has identified the presence of petroleum related contamination from current and historic releases in multiple source area locations, including current and former UST locations and pump islands, the nature and extent of which has been left undefined. Previous investigation work performed at the site to date did not collect sufficient samples for analysis and borings were not completed to depths sufficient to define the vertical extent of contamination. Additionally, limited soil sampling results detected up to 16 ppm MTBE in soil at 10' bgs with the vertical extent of this contamination left undefined. Also, a review of boring logs for the site appears to suggest that your consultants terminated all their borings when groundwater was encountered. Performing investigation work in this manner neglects to investigate whether a submerged source zone(s) is present at your site. Therefore, additional contaminant source area investigation is needed at your site.

We request that you perform a geologic investigation at and near your site installing exploratory borings to determine (1) the vertical extent of pollution in your source area, and (2) identify site geology and confirm stratigraphy that is unknown from your previous investigations. We request that source area characterization be initiated at the start of the SWI phase of work.

Please position your borings to characterize the source and collect and analyze soil samples to define the lateral and vertical extent of the source area. Source area characterization and contaminant mass estimations are needed to determine the necessity and aggressiveness of interim source cleanup and/or dissolved phase mass removal. We request that you continuously core your borings and retain the cores for future review. We recommend that you follow the procedures in the API Publication No. 4699 referenced above regarding identifying whether residual NAPL is present and to what depth. If free

product is not detected in your borings we request that they be converted to a monitoring point capable of monitoring multiple groundwater zones.

Work from this investigation will likely identify additional data gaps that need to be filled to refine the site conceptual model requested below.

Include your proposal for this work in the Work Plan requested below. Report the results of your fieldwork, including your estimates of source area contaminant mass, in the Soil and Water Investigation (Results of Expedited Site Assessment) Report requested below.

4. Characterization of Local Hydrogeology and Groundwater Flow Conditions

The purpose of this characterization is to understand the physical and geochemical characteristics of the subsurface, which may affect groundwater flow, the breakdown (fate), migration (transport), and the distribution of contaminants through the subsurface. Additionally, factors such as water level fluctuations, gradient changes, local hydrogeology, groundwater extraction, and groundwater recharge activities (natural and artificial) can significantly alter groundwater flow conditions.

We request that you properly characterize the hydrogeology and groundwater flow conditions in the vicinity of your site. During Soil and Water Investigation activities, we request that you gather detailed lithologic information using borings, expedited site assessment sampling methods, or cone penetrometer together with other methods to understand the hydrogeology at your site. The use of methods to understand the hydrogeology, such as pumping tests, geophysical methods, etc., may be proposed. We request that you continuously core borings at this site and prepare detailed boring logs. We require that you prepare the following: detailed cross sections, fence diagrams, structural contours, isopachs, and rose diagrams for groundwater gradient. The rose diagram shall be plotted on groundwater contour maps and updated in all future reports submitted for your site. Include plots of the contaminant plumes on your maps, cross sections, and diagrams.

We also request that you evaluate local groundwater flow conditions and establish a site-specific localized flownet that is dependent on geologic conditions and is reflected on detailed geologic cross sections and fence diagrams. Additional piezometers and/or monitoring wells/well clusters may be required to understand local groundwater flow conditions. Report your results in the Soil and Water Investigation (Results of Expedited Site Assessment) Report and the Soil and Water Investigation Completion Report requested below.

5) Project Approach and Investigation Reporting

We anticipate that characterization and remediation work in addition to what is requested in this letter will be necessary at and downgradient from your site. Considerable cost savings can be realized if your consultant focuses on developing and refining a viable Site Conceptual Model (SCM) for the project. A SCM is a set of working hypotheses pertaining to all aspects of the contaminant release, including site geology, hydrogeology, release history, residual and dissolved contamination, attenuation mechanisms, pathways to nearby receptors, and likely magnitude of potential impacts to receptors. The SCM is used to identify data gaps that are subsequently filled as the investigation proceeds. As the data gaps are filled, the working hypotheses are modified, and the overall SCM is refined and strengthened. Subsurface investigations continue until the SCM no longer changes as new data are collected. At this point, the SCM is said to be "validated." The validated SCM then forms the foundation for developing the most cost-effective corrective action plan to protect existing and potential receptors.

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

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

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

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

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

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

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

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

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

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

Report the information discussed above in your initial SCM and include it in the Work Plan requested below. Include updates to your SCM in the Soil and Water Investigation (Results of Expedited Site

Assessment) Report requested below.

6) Interim Remediation

This section requests that you initiate interim remediation at your site. Please note that additional remediation may be required in the future based upon the results of additional investigation work at and near your site.

a) Source Removal

The purpose of interim source removal is to immediately remove the ongoing source that is continuing to add mass to the plume and immediately begin removal of contaminant mass in the source area.

Interim cleanup is necessary to prevent dissolved phase MTBE and petroleum hydrocarbon pollution from impacting or continuing to impact water supply aquifers, reduce the ultimate impact of the unauthorized release on the resource, limit continued migration and growth of the MTBE and petroleum hydrocarbon plumes, and reduce overall cleanup costs. We request that you initiate interim source cleanup activities at your site. Report the results of your source characterization work, source area contaminant mass estimates, and outline your proposal for source removal in the Soil and Water Investigation (Results of Expedited Site Assessment) Report requested below. Please document source removal progress in the Quarterly Reports requested below.

b) Near-Source Plume Control

The purpose of migration control is to prevent continued creation of a dissolved contaminant plume.

Due to the high levels of MTBE detected at your site, and your sites proximity to a nearby receptor, we request that you implement migration control. We recommend pump and treat to control migration of MTBE contamination. Please outline your proposal for migration control in the Soil and Water Investigation (Results of Expedited Site Assessment) Report requested below. Please document migration control progress in the Quarterly Reports requested below.

7. Date of Unauthorized Release of Methyl tert-Butyl Ether

The purpose of dating the unauthorized release is to assist in the determination of the rate of transport of MTBE in groundwater.

Please determine (1) the approximate time frame of the MTBE release first occurring at your site, (2) the use history of MTBE at your site, and (3) the history of all unauthorized releases and spills at your site. Using chromatographs from previously-analyzed samples, the laboratory should be able to quantify the level of MTBE present during previous sampling events. Report your findings in the Soil and Water Investigation (Results of Expedited Site Assessment) Report requested below.

Additionally, if you have any MTBE data previously collected at your site that has not been submitted to ACEH, please submit this data immediately and update cumulative data tables accordingly.

8. Groundwater Contaminant Plume Monitoring

The purpose of groundwater contaminant plume monitoring is to determine the three-dimensional movement of the plume, the rate of plume growth, and the effectiveness of cleanup activities.

Once the extent of the plume(s) is defined, we request that you install permanent monitoring wells capable of monitoring depth discrete zones and/or monitoring well clusters (screened at appropriate discrete depths with appropriate length of screen) and piezometers to monitor the three-dimensional movement of the plume. We request that you use the detailed cross sections, structural contours, isopachs, and rose diagrams for groundwater gradient developed for Technical Comment 4 above, to determine the appropriate locations and designs for monitoring wells/well clusters and piezometers that are needed to appropriately monitor the three-dimensional movement of the plume. To appropriately evaluate your site, your monitoring wells/well clusters will need to be screened in the permeable zones with screen lengths that match the stratigraphic sequence. Sand pack for these screened intervals will not be greater than 5 feet in length. The number of piezometer/wells should be sufficient to evaluate all permeable zones.

Include your proposal for the installation of wells/piezometers in the work plan requested below. We request that wells be installed in transects. Please refer to the guidance document by API Publication No. 4730 referenced above regarding transects. We recommend that you submit your proposal for the installation of monitoring wells/well clusters and piezometers to ACEH for comment prior to installation. Report on the installation of wells/piezometers in the Soil and Water Investigation (Results of Expedited Site Assessment) Report and the Soil and Water Investigation Completion Report.

We request that you monitor the groundwater contaminant plumes on a quarterly basis. Additional wells will be required to define the downgradient extent of the plume if it continues to migrate. Discuss the results of your plume monitoring in the Quarterly Reports requested below. Discuss the results of your plume monitoring in the Quarterly Reports requested below. Please compile your monitoring data on cross-sections, include groundwater contours, and rose diagrams for groundwater gradient. We require that Quarterly Reports contain a discussion of the results of your plume monitoring, in particular whether the results are consistent with the SCM. Be sure to point out any anomalies in the data, and include recommended activities to investigate and resolve those data anomalies.

We request that you perform an EPA Method 8260 analysis for BTEX, MTBE, TAME, ETBE, DIPE, TBA, EDB, and EDC on groundwater samples from all monitoring wells for the next two quarters, at a minimum. Include cumulative analytical data tables for these compounds (columns for both EPA Method 8020/21 and 8260 results) in your Quarterly Reports with ND results reported as a less than (<) the detection limit value. We request that you review the results of your analysis after the 2 quarters of monitoring and if any of the above compounds are detected at your site and are judged to be of concern (pose a risk to human health, the environment, or water resources), provide recommendations for incorporating these compounds into your regular monitoring schedule. Also, we request that site maps included in future reports for the site show the locations of all current and former USTs, dispenser islands, monitoring wells, and soil borings.

Additionally, we note that the detection limits for BTEX analysis of your groundwater samples frequently exceed the regulatory required detection limits by up to 5 orders of magnitude. These detection limits are too high to appropriately characterize the contamination at your site. We request that you work with your lab and perform analyses appropriate to achieve regulatory detection limits for all contaminants of concern.

9. Estimation of Methyl tert-Butyl Ether Contaminant Mass Flux

The purpose of estimating contaminant mass flux is to determine the contaminant mass that is moving through the subsurface over time relative to a known transect (e.g., a property boundary). This can provide an approximate estimate of the potential threat or nuisance to a receptor, and possible attenuation (degradation) of the plume.

We request that you estimate MTBE contaminant mass flux using plume transects or fences located perpendicular to the MTBE plume. Please refer to the following guidance documents regarding mass flux estimates: API Publication No. 4730 and the ChevronTexaco document dated June 2002, both referenced above. We recommend the use of expedited site assessment tools and/or appropriately-screened monitoring wells (sand pack for the screened intervals not greater than 5' in length) to provide data for these estimates. In deciding the location of transects and developing mass flux estimates, please consider the variable dissolution of MTBE from the source. Please report your results in the Soil and Water Investigation (Results of Expedited Site Assessment) Report requested below.

10. Corrective Action Plan

The purpose of the CAP is to use the information obtained during investigation activities to propose cost-effective **final cleanup objectives for the entire contaminant plume and remedial alternatives for soil and groundwater** that will adequately protect human health and safety, the environment, eliminate nuisance conditions, and protect water resources.

A CAP for the final cleanup of contamination (MTBE, petroleum products, and associated blending compounds and additives) in soil and groundwater caused by an unauthorized release at your site will be requested upon completion of your Soil and Water Investigation in accordance with the schedule specified below. The CAP shall detail at least three technically and economically feasible methods to restore and protect beneficial uses of water and to meet the cleanup objectives for each contaminant established in the CAP. The CAP must propose verification sampling and monitoring to confirm completion of corrective actions and evaluate CAP implementation effectiveness.

11) Analyze Groundwater Sample from Water Supply Well

An active water supply well is located 330' downgradient of your site at 15600 Lorenzo Avenue. We request that you collect a water sample from this well and analyze it for TPHG and by EPA Method 8260 for BTEX, BTEX, MTBE, TAME, ETBE, DIPE, TBA, EtOH, EDB, and EDC. Report the results of your analysis in the Work Plan requested below.

We request that you immediately pursue any off-site access agreements that you may need to sample this well and complete your activities in accordance with the schedule shown below. ACEH will send the access request letter (see Attachment 1) to the owner of the property containing the well. Please provide us with the name and address of the appropriate contacts for your well sampling by **August 20, 2004.**

12. Analytical Data Tables

The cumulative groundwater data tables in technical reports submitted for your site appear to be incomplete. Examples of deficiencies include but are not limited to: tabulated data is distributed and in some cases duplicated in two separate tables, data for all constituents of concern are not tabulated, incorrect

concentrations are reported, data regarding depth of well screens are reported incorrectly or not reported at all, etc.

Quarterly Reports submitted for this site are required to include cumulative data tables containing all analytical results, groundwater measurements, groundwater elevations, free product thickness, presence of sheen, explanation for not sampling well(s), screen intervals, etc., from all previous and current groundwater monitoring events for all wells monitored in relation to this site. We request that your gauging and analytical data tables be combined into one table to facilitate presentation of this data and that the layout of the data follow the format of Table 1 of your latest quarterly report. Additionally, we request that your future depth discrete groundwater monitoring data be incorporated into your tables. Please update your cumulative groundwater data tables to include this information and include in all future Quarterly Reports submitted for this site.

Additionally, we request that data tables from Quarterly Reports for this site be e-mailed to ACEH (barney.chan@acgov.org) at the time the reports are submitted to our agency.

13. Groundwater Gradient

We note that groundwater monitoring reports depict only the direction of the groundwater gradient and often depict it incorrectly. Groundwater gradient has both a magnitude and a direction. We specifically request that you review all your historic groundwater monitoring data and determine both the magnitude and direction of groundwater gradient. Use rose diagrams to depict your results. We request that you also report vertical gradient measurements from your multi-level wells or well clusters. Report your results in the Work Plan requested below and update your rose diagrams in all future reports submitted for this site.

14. GeoTracker EDF Submittals

A review of the case file and the State Water Resources Control Board's (SWRCB) GeoTracker website indicate that electronic copies of analytical data have not been submitted for your site. Pursuant to CCR Sections 2729 and 2729.1, beginning September 1, 2001, all analytical data, including monitoring well samples, submitted in a report to a regulatory agency as part of the LUFT program, must be transmitted electronically to the SWRCB GeoTracker system via the internet. Additionally, beginning January 1, 2002, all permanent monitoring points utilized to collected groundwater samples (i.e. monitoring wells) and submitted in a report to a regulatory agency, must be surveyed (top of casing) to mean sea level and latitude and longitude to sub-meter accuracy, using NAD 83, and transmitted electronically to the SWRCB GeoTracker system via the internet.

In order to remain in regulatory compliance, please upload all analytical data (collected on or after September 1, 2001), to the SWRCB's GeoTracker database website in accordance with the above-cited regulation. Please perform the electronic submittals for applicable data and submit verification to this Agency by **September 22, 2004.**

REQUEST FOR ADDITONAL INFORMATION

ACEH's case file for the subject site contains the technical reports listed below. You are requested to submit copies of any other reports you may have documenting additional investigation activities or other work related to the UST system and/or your site by **September 22, 2004.**

- October 17, 1986, GTI, Inc., "Subsurface Hydrocarbon Investigation," for Texaco
- December 4, 1992, GTI, Inc., "Report of Sampling Activities," for Tracy Federal Bank
- August 23, 1993, EGC, Inc., "Groundwater Sampling & Analysis (15563 Washington Ave), for Callahan
- December 6, 1995, Cambria, "Investigation Work Plan,' for Calleri
- October 16, 1998, Toxichem, Inc, "Soil and Groundwater Investigation Results," for Calleri
- February 11, 2000, ESTC, "Work Plan," for Mohammadian
- May 15, 2000 (2 different versions same date), ESTC, " Preliminary Off-Site Soil and Groundwater Assessment, " (REJECTED REPORTS), for Mohammadian

The following Quarterly Monitoring Reports:

- May 3, 1994, Texaco, for Texaco
- February 6, 1996, Cambria, for unidentified party
- March 15, 1999, Toxichem, Inc, for Equiva
- May 14, 1999, Toxichem, Inc, for Equiva

The following Quarterly Monitoring Reports prepared by ESTC for Mohammadian:

- June 6, 2000, (2 different versions same date)
- September 6, 2000 (2 different versions same date)
- December 6, 2000
- March 12, 2001
- June 13, 2001
- September 5, 2001
- December 27, 2001
- April 4, 2002 (2 different versions same date)
- July 12, 2002
- October 25, 2002
- February 4, 2003
- April 29, 2003

TECHNICAL REPORT REQUEST

Please submit technical reports to ACEH (Attention: Mr. Barney Chan), according to the following schedule:

September 22, 2004 - Work plan for Soil and Water Investigation with results of completed preferential pathway study and initial SCM

110 Days From Work Plan Approval - Soil and Water Investigation (Results of Expedited Site Assessment) Report with work plan for Soil and Water Investigation Completion

180 Days From Approval of Soil and Water Investigation (Results of Expedited Site Assessment) Report with work plan for Soil and Water Investigation Completion - Soil and Water Investigation Completion Report

90 Days After Submittal of Soil and Water Investigation Completion Report - Corrective Action Plan

September 15, 2004 - Quarterly Report for the Third Quarter 2004

December 15, 2004 - Quarterly Report for the Fourth Quarter 2004

March 15, 2005 - Quarterly Report for the First Quarter 2005

June 15, 2005 - Quarterly Report for the Second Quarter 2005

September 15, 2005 - Quarterly Report for the Third Quarter 2005

December 15, 2005 - Quarterly Report for the Fourth Quarter 2005

These reports are being requested pursuant to Section 25297 of the California Health and Safety Code, ACEH requests this report utilizing the Regional Water Quality Control Board's authority defined under Section 13267 of the California Water Code. **Each report shall include conclusions and recommendations for the next phases of work required at the site.** We request that all required work be performed in a prompt and timely manner. We have proposed a schedule for the submittal of the Soil and Water Investigation Report and the CAP. Revisions to the proposed schedule shall be requested in writing with appropriate justification for anticipated delays.

PERJURY STATEMENT

All work plans, technical reports, or technical documents submitted to this office 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

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 follow up. Enforcement follow up may include administrative action or monetary penalties of up to $10,000 per day for each day of violation of the California Health and Safety Code, Section 25299.76.

If you have any questions, please call Mr. Barney Chan at (510) 567-6765.

Sincerely,

Donna L. Drogos, P.E.
LOP Program Manager

Enclosures

cc:

Ms. Shari Knieriem
SWRCB
P.O. Box 944212
Sacramento, CA 94244-2120

Mr. Adam Harris
SWRCB
P.O. Box 944212
Sacramento, CA 94244-2120

Ms. Terry Brazell
SWRCB
P.O. Box 944212
Sacramento, CA 95814

A. Levi, B. Chan, D. Drogos

ALAMEDA COUNTY
HEALTH CARE SERVICES
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

November 3, 2003

Ms. Terry Brazell
State Water Resources Control Board
Underground Storage Tank Program
1001 I Street, Sacramento, CA 95814

Dear Ms. Brazell:

Subject: Naming of Responsible Parties, RO0000374, Cal Gas, 15595 Washington Ave., San Lorenzo, CA 94580

Alameda County Environmental Health (ACEH) named the Kubo Trust, ChevronTexaco, Mr. and Mrs. Calleri, and Mr. Mohammadian responsible parties, as defined under California Code of Regulations, Title 23, Division 3, Chapter 16 (California Underground Storage Tank Regulations), Article 11, Section 2720. Section 2720 defines a responsible party (RP) four ways.

First:
"Any person who owns or operates an underground storage tank used for the storage of any hazardous substance."

Second:
"In the case of any underground storage tank no longer in use, any person who owned or operated the underground storage tank immediately before the discontinuation of its use."

Third:
"Any owner of property of property where an unauthorized release of a hazardous substance from an underground storage tank has occurred."

Fourth:
"Any person who had or has control over an underground storage tank at the time of or following an unauthorized release of a hazardous substance."

ACEH identified responsible parties for this site as follows:

Mr. and Mrs. Calleri owned the property from August 1974 to June 1983. The Calleris' were the last owners and operators of the second generation USTs which remained in place at the site through 1986 and from which an unauthorized release was documented in August 1986. Thus the Calleris' meet the second definition of an RP.

ChevronTexaco owned the property from June 1983 to December 1986. The second generation of USTs remained in place at the site at this time however ChevronTexaco reportedly did not store nor dispense fuel at the site during their ownership. ChevronTexaco removed the second generation USTs in 1986. A petroleum release was confirmed in August 1986 when monitoring wells were installed and soil and groundwater contamination were detected. Thus ChevronTexaco meets the third and fourth definitions.

Mr. Bertram Kubo owned the property from December 1986 to June 1990. Mr. Kubo installed (February 1987), owned, and operated the third generation USTs at the site. Thus Mr. Kubo/Kubo Trust meets the third and fourth definitions.

Mr. Mohammadian has owned the property from June 1990 to date. Mr. Mohammadian owned and operated the third generation USTs. In 1998, a significant release(s) of MTBE to groundwater was reported indicating a new unauthorized release occurred at the site. Thus Mr. Mohammadian meets the first, third, and fourth definitions.

Therefore, the County determines that the four responsible parties identified above have been properly named.

The SWRCB issued order WQO 2002-0021, which responded to the petition of Mr. Mohammadian for review of Alameda County's Notice of Revision to Responsible Party Designation (to remove Texaco and the Calleris' from the list of responsible parties). Item 2 of the order's conclusion states, "It is not appropriate for an LOP agency to remove a person who has been properly named as a responsible party for cleanup of an unauthorized release at a site unless it finds, by a preponderance of the evidence, that constituents from that party's release, when taken in conjunction with commingled constituents from another release(s) that have similar effects on beneficial uses, do not contribute to the need for cleanup at the site." Further, Page 11 of the order states "What the County did not consider, and what must be determined by the County on remand, is whether the constituents attributable to the release that occurred during or prior to the Calleris' ownership and which persisted at the site while Texaco owned the property, taken in conjunction with the other constituents at the site having similar effects on beneficial uses, are contributing to the current need for corrective action."

ACEH staff has reviewed the historical data from the 1986 subsurface investigation for the site and has determined the following:

- Up to 220 ppb Benzene, 390 ppb Toluene, and 680 ppb Xylene were detected in water samples collected from the site.
- Water samples were not analyzed for TPHG.
- Monitoring well(s) were not installed in the area of nor immediately downgradient of where the highest groundwater contamination was detected, north of the pump islands.
- Although strong petroleum odors were noted in the boring logs of the wells and borings installed around the second generation USTs and the dispenser islands, no discrete soil samples were collected for chemical analysis. Soil samples collected were composited along the borehole for analysis as a single sample and were ND for total fuel hydrocarbons and BTX.
- Soil borings were terminated at 15' bgs regardless of whether areas of obvious contamination were observed at depth. The boring logs indicated that obvious contamination was observed at completion depth thereby leaving the vertical extent of contamination undefined. Further, boring logs from subsequent investigations at the site, also of limited depth, indicate the presence of root holes, and increasing sand and gravel content at depths below 16' bgs, indicating that a more permeable geology underlies areas where contamination was observed. To date, vertical definition of source area(s) contamination remains undefined at the site.

In considering the above data, absent the presence of the recent MTBE release, there is not sufficient information to close the fuel leak case. RPs would be asked to perform additional soil and groundwater sampling and analysis, particularly in source areas, in order for ACEH to evaluate the site. The lack of sufficient technical information regarding the 1986 investigation prevents the case from meeting current case closure standards.

ACEH has designated Mr. Mohammadian as the primary responsible party for the subject site. Data from the site indicates that an unauthorized release(s) occurred during Mr. Mohammadian's ownership and operation of the USTs. Up to 340,000 ppb MTBE was detected in groundwater samples from the site in 1998. Currently, the lateral and vertical extent of MTBE and petroleum hydrocarbon contamination remains undefined. The elevated levels of MTBE require immediate investigation and remediation of the site, by the primary RP Mr. Mohammadian.

The MTBE release(s) from the third generation UST system have commingled with the release(s) from the second generation UST system. How much of a contribution release(s) from the second generation USTs make to the site in terms of corrective action and costs is uncertain. However, source area pollution from the second generation UST system could contribute some component of cost to the current corrective actions, including remediation of the source area(s). Although we cannot apportion costs nor responsibility for corrective actions among the RPs (this is a civil matter), it appears the majority of responsibility for corrective actions at this site belongs to the primary RP, Mr. Mohammadian.

You may contact me at (510) 567-6765 if you have any questions.

Sincerely,

Barney M. Chan
Hazardous Materials Specialist

C: A. Levi, D. Drogos, B. Chan
Mr. Stephen Morse, SFRWQCB, 1515 Clay St., Ste. 1400, Oakland, CA 94502-6577
Ms. Marjorie Kayner, 20321 Via Espana, Salinas, CA 93908
Mr. M. Mohammadian, Cal Gas, 15595 Washington Ave., San Lorenzo, CA 94580
Mrs. Agnes Calleri, 10901 Cliffland Ave., Oakland, CA 94605
Ms. Mary S. Taylor, 100 Pringle Ave., Suite 630, Walnut Creek, CA 94596-3582
Mr. Jeffery L. Podawiltz, Glynn & Finley, LLP,
100 Pringle Ave., Ste. 500, Walnut Creek, CA 94596
Ms. Karen Streich, ChevronTexaco, P.O. Box 6012, San Ramon, CA 94583-2324
Mr. David Boyers, Esq., Office of Chief Counsel, SWRCB, 1001 I St., 22nd Floor,
P.O. Box 100, Sacramento, CA 95812-0100

ALAMEDA COUNTY
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August 4, 2003

Ms. Majorie Kayner
Bertram Kubo Trust
20321 Via Espana
Salinas, CA 93908-1261

Dear Ms. Kayner:

Subject: Naming of Responsible Party, RO0000374, Cal Gas, 15595 Washington Ave., San Lorenzo, CA 94580

Alameda County Environmental Health, Local Oversight Program (LOP) has named the Bertram Kubo Trust a "Responsible Party," as defined under California Code of Regulations, Title 23, Division 3, Chapter 16 (California Underground Storage Tank Regulations), Article 11, Section 2720. Section 2720 defines a responsible party 4 ways.

First:
"Any person who owns or operates an underground storage tank used for the storage of any hazardous substance."

Second:
"In the case of any underground storage tank no longer in use, any person who owned or operated the underground storage tank immediately before the discontinuation of its use."

Third:
"Any owner of property of property where an unauthorized release of a hazardous substance from an underground storage tank has occurred."

Fourth:
"Any person who had or has control over an underground storage tank at the time of or following an unauthorized release of a hazardous substance."

It appears that the Bertram Kubo Trust meets the third and fourth definitions of a responsible party. As noted in the Notice of Responsibility, should you disagree with this action, you may file a petition to the State Water Resources Control Board.

You may contact me at (510) 567-6765 if you have any questions.

Sincerely,

Barney M Chan

Barney M. Chan
Hazardous Materials Specialist

C: B. Chan, D. Drogos
Mr. M. Mohammadian, Cal Gas, 15595 Washington Ave., San Lorenzo, CA 94580
Mrs. Agnes Calleri, 10901 Cliffland Ave., Oakland, CA 94605
Ms. Karen Streich, ChevronTexaco, P.O. Box 6012, San Ramon, CA 94583-2324
Mr. David Boyers, Esq., Office of Chief Counsel, SWRCB, 1001 I St., 22nd Floor, P.O. Box 100, Sacramento, CA 95812-0100

RP15595WashingtonAve

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July 2, 2003

Mr. Mehdi Mohammadian
Cal Gas
15595 Washington Avenue
San Lorenzo, CA 94580

Subject: Fuel Leak Case No. RO0000374, Cal Gas, 15595 Washington Avenue, San Lorenzo, CA

Dear Mr. Mohammadian:

Thank you for your letter dated June 6, 2003. We did discuss by telephone your above referenced fuel leak site on December 17, 2003. You discussed non-technical concerns you had regarding the oversight Alameda County Environmental Health (ACEH) has provided for your case which were specific to your petition before the State Water Resources Control Board (SWRCB). Additionally, you had a specific allegation concerning ACEH staff. We also discussed the contamination present at your site, including the high levels of the gasoline oxygenate MTBE, and the need for investigation and cleanup of contamination at your site.

As we discussed, the petition process before the SWRCB provides responsible parties for fuel leak sites a process by which actions of the regulatory agency on a case can be reviewed. A decision by the SWRCB on a petition is binding upon all parties. A decision on your case was rendered by the SWRCB on November 19, 2002. During our phone conversation I explained to you that I would not be addressing issues that were part of your petition as a decision had already been rendered on your petition by the SWRCB. Your fax of December 17, 2002, contained documents you submitted to the SWRCB regarding the petition and as such is covered under the SWRCB's decision. Regarding your allegation against ACEH staff, upon further discussion during our conversation you were unable to substantiate your allegation with specific evidence and retracted the allegation as being merely a figure of speech.

Since our conversation, ACEH's fuel leak caseload has been redistributed among the staff and Mr. Barney Chan has been assigned to your case. At this time I am reviewing the technical reports for your site and the petition order as it pertains to responsible party identification issued by the SWRCB with your caseworker. When we have completed our review we will contact you discuss the site.

If you have any questions please me at (510) 567-6721.

Sincerely,

Donna L. Drogos, P.E.
LOP Program Manager

cc: A. Levi, T. Wiggins, B. Chan, D. Drogos

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY
DAVID J. KEARS, Agency Director

1-28-02

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FAX (510) 337-9335

RO0000374

January 25, 2002

Mrs. Rita Sullins
Arrow Rentals
187 North L Street
Livermore, CA 94550

RE: Groundwater Monitoring at 187 North L Street, Livermore, CA

Dear Mrs. Sullins:

I have completed review of Aquifer Sciences, Inc's December 2001 *Semi-Annual Groundwater Monitoring, November 2001* report prepared for the above referenced site. During the November 2001 sampling event, groundwater was measured at depths of approximately 43 feet below top of casing (TOC), or near the bottom of wells W-1s, W-3s and W-Es. Wells W-3s and W-Es did not contain sufficient water for purging or sampling. In the future, if groundwater levels drop below 40 feet below TOC, the other onsite wells (W-A, W-1, and W-B) should be sampled instead.

Also 0.14 feet of floating product was measured in well W-1s in November 2001. Whenever free product is measurable, interim corrective action should be implemented to remove free product. Interim reports of free product removal should be submitted quarterly for review.

Finally, after eight years of monitoring, petroleum hydrocarbon concentrations remain elevated in groundwater. Since groundwater within the Livermore Basin is a source for potable water it is necessary that a remedial action plan be prepared for the cleanup of groundwater beneath the site. You may wish to reconsider the dual-phase extraction system proposed by Woodward-Clyde in 1994 or any other appropriate remediation system. Please submit a remedial action plan for review within 90 days of the date of this letter, **or by April 29, 2002.**

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

eva chu
Hazardous Materials Specialist

email: Beck Sterbentz, Aquifer Sciences
Danielle Stefani, Livermore-Pleasanton Fire Dept.

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R03714

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June 11, 2001

STID 1360

Mehdi Mohammadian
Owner/Operator
Cal Gas
15595 Washington Avenue
San Lorenzo, California 94580

Subject: Operating permit for Cal Gas, 15595 Washington Avenue, San Lorenzo, CA 94580

Dear Mr. Mohammadian:

This letter is intended to guide you, the owner/operator, in the proper management of the underground storage tanks (USTs) located at the subject site and to describe actions necessary for compliance with the permit conditions.

The installed system at the above location includes three double wall fiberglass motor vehicle fuel tanks. All components of the fuel delivery system are continuously monitored for releases. Tank leak detection is performed continuously in the annular space of the USTs. The double wall fiberglass reinforced plastic pressurized piping is monitored continuously at the submersible turbine sump (STP). The electronic monitor, Gilbarco EMC, is configured to shut down the appropriate turbine(s) if the monitor is in alarm as a result of a product detection in the STP. In the fail safe configuration, the Gilbarco EMC will also shut down the turbines if power to the monitor is disconnected. The dispenser containment pans are monitored with an electronic liquid sensor to shutdown the flow of product if liquid is present in the containment pan.

The used oil tank is also a double wall fiberglass UST. Leak detection is provided by a sensor continuously monitoring the annular space. Used oil is filled directly through a straight drop into the tank. Overfill prevention is accomplished by visually checking the level of used oil in the tank while adding oil from a container with a capacity of less than 25 gallons.

Compliance with the following conditions is a requirement of the permit to operate:

1. Perform leak detection using the sensors and monitoring system as described above and in your tank management plan. Retest of the secondary containment is required within six months of installation. **The testing shall be performed no later than November 18, 2001.** Contact this office for the procedures to be used in the testing.

2. Provide a qualified maintenance contractor for the annual inspection of the entire UST system. The required annual certification by your contractor may take place concurrently.

3. Annually perform operational tests on the electronic monitoring equipment employing factory certified technicians. Maintain records of **all** maintenance performed on the tank system for no less than three years. The secondary containment shall be tested every three years using the protocol used to test the integrity during installation.

4. Maintain written records of all liquid alarm conditions and their resolution. Maintain certification of financial responsibility with documentation on-site.

5. Provide employee training and document such training necessary to operate a retail fueling station including but not limited to responding to fuel spills and emergencies.

6. Report unauthorized releases to this office within 24 hours of discovery. Provide a written report within five working days.

7. Any changes in monitoring equipment must be pre-approved by this office prior to implementation.

8. Report changes in facility operator or tank ownership within 30 days of the change.

9. Maintain a copy of the operating permit and operating conditions on-site.

This permit expires on May 17, 2006. If you have any questions regarding the operation of this tank system please contact me at (510) 567-6781.

Sincerely,

Robert Weston
Sr. Hazardous Materials Specialist

enclosure

c: Susan Hugo, Manager, ACDEH
Scott Seery, ACDEH

05-23-01

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY
DAVID J. KEARS, Agency Director

P0314

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1131 Harbor Bay Parkway, Suite 250
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FAX (510) 337-9335

May 22, 2001

Mr. Jack Ottovich
15600 Lorenzo Avenue
San Lorenzo, CA 94580

State Well No. 3S / 3W 12 J4

RE: Investigation of gasoline release at 15595 Washington Avenue, San Lorenzo

Dear Mr. Ottovich:

The Alameda County Department of Environmental Health (ACDEH) is directing the investigation of a gasoline release associated with the underground storage tank (UST) system at a retail service station located at 15595 Washington Avenue. This service station, located on the corner of Washington and Via Enrico, is very close to your home.

This office is aware of the irrigation well located on your property. Irrigation and other pumping wells that are in proximity to UST release sites can often affect the way contaminants move through the aquifer, and pose a potential risk to both the well user and deeper water- bearing zones.

For your information, samples collected from a series of monitoring wells located on the service station property have identified the presence of high concentrations of gasoline components in shallow groundwater beneath the site. Most noteworthy of these is the compound *methyl-tert butyl ether*, or MtBE. You may have heard recently of the issues surrounding MtBE and its use in gasoline sold in California.

The extent of this release is currently unknown, as the occurrence of MtBE in groundwater has only recently been determined. Consequently, the investigation will be expanding in scope. Although progress is somewhat stalled at this time due to ancillary issues, we anticipate that the investigation will extend into the coming year and beyond before all is known, and that your irrigation well will become the focus of future sampling efforts.

Until such time as we have a better understanding of the nature and extent of this release, and the physical and geological factors which control the movement of the underlying ground water and associated gasoline plume, we request that you not use your well for any purpose until advised otherwise.

This agency would like to thank you in advance for your cooperation with this important request. Please feel free to contact me at (510) 567-6783 should you have any questions about this case.

Sincerely,

Scott O. Seery, CHMM
Hazardous Materials Specialist

cc: Chuck Headlee, RWQCB
Lori Casias, SWRCB
Emmanual Da Costa, Alameda Co. Public Works Agency
951 Turner Ct., Ste. 300, Hayward, CA 94545-2651
Mehdi Mohammadian, 15595 Washington Ave., San Lorenzo, CA 94580

12-19-00

ALAMEDA COUNTY
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R03714

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1131 Harbor Bay Parkway, Suite 250
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December 18, 2000

STID 1360

Mehdi Mohammadian
Cal Gas
15595 Washington Avenue
San Lorenzo, CA 94580

RE: Cal Gas (aka Linda Shell), 15595 Washington Avenue – Soil and Water Investigation

Dear Mr. Mohammadian:

As you have been made aware, this office has found the recent Geoprobe® investigation completed by your consultant, Enviro Soil Tech Consultants (ESTC), unacceptable. Our position is based on several technical and regulatory concerns that arose during oversight of the project. In addition, laboratory data enclosed with the ESTC quarterly monitoring and sampling reports are also unacceptable for reasons similar to those identified during review of their Geoprobe® project. The noted technical and regulatory issues supporting these decisions were presented in previous correspondence from this office dated October 24 and December 15, 2000.

At this time, you are required to repeat the off-site investigation in order to generate acceptable data. Acceptable data are necessary to further the development of the *Site Conceptual Model* (SCM) for the MtBE release at the site, and to facilitate the scoping of any future work. An outline of the SCM framework was provided to you previously under cover dated March 16, 2000, and another copy is enclosed herein. All future work must strive to address data gaps that the evolving SCM may still present.

You are to advise this office, within 30 days of the date of this letter, when you have selected a qualified consultant to complete the off-site investigation and continue quarterly well monitoring, sampling, and reporting. Once notified, this office will schedule a technical meeting to discuss the specific tasks to be completed during the course of the project.

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

Sincerely,

Scott O. Seery, CHMM
Hazardous Materials Specialist

Attachment

cc: Tom Peacock, ACDEH
John Creighton, Alameda County District Attorney's Office
Chuck Headlee, RWQCB
Allan Patton, SWRCB UST Fund
Anne Hartridge, SWRCB Office of Chief Counsel
P.O. Box. 100, Sacramento, CA 95812-0100

Appendix C

Site Conceptual Model Reports

The Site Conceptual Model (SCM) is a written or graphical representation of the release scenario, site characteristics (geology, hydrogeology, etc.) and the likely distribution of chemicals at the site. It links potential sources to potential receptors through transport of chemicals in air, soil, and water. It also provides a framework for the entire project and a communication tool for regulators, responsible parties, and other stakeholders. The goals of the conceptual model are listed below:

- Identify how the distribution of chemicals is changing in space and time
- Identify potential current and future receptors
- Identify environmental issues that need to be addressed

Reporting

Reports submitted to regulatory agencies are by necessity specific to the type of information they are presenting. They may contain a summary of activities, backup data to support conclusions, etc. A report that attempts to convey a representation of a SCM needs to meet the goals listed above. To meet these goals, investigation reports usually, at a minimum, contain the following elements:

Text

1. Site Description, Land Use, and Water Use
2. Chronology of Events
3. Site Stratigraphy and Hydrogeology
4. Well and Conduit Study
5. Estimation of Release Mass (if available)
6. Source Removal Activities
7. Remediation Activities

Figures

1. Site Location Map
2. Site Vicinity Map with Receptor Wells
3. Site Map with Groundwater Gradients, Cross Section Lines, and any known preferential pathways
4. Site Map with Isoconcentration Contours
5. Cross Section - long axis of plume
6. Cross Section - short axis of plume
7. Cross Section of Regional Geology (optional)
8. Concentration vs. Time Plots for Each Well
9. Concentration vs. Distance (optional)

Tables

1. Groundwater Elevation Data
2. Groundwater Analytical Data
3. Soil Analytical Data

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY
DAVID J. KEARS, Agency Director

12-15-00
505

R0374

December 15, 2000

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

STID 1360

Frank Hamedi-Fard
Lawrence Koo, P.E.
Enviro Soil Tech Consultants
131 Tully Road
San Jose, CA 95111

Re: Cal Gas, 15595 Washington Avenue, San Lorenzo

Dear Messrs. Hamedi-Fard and Koo:

We are in receipt of your November 22, 2000 correspondence sent in response to the October 24, 2000 correspondence from this office presenting our concerns regarding the recent off-site Geoprobe® investigation and the May 15, 2000 Enviro Soil Tech Consultants (ESTC) report documenting this project. We are also in receipt of additional copies of the ESTC June 6 and September 6, 2000 quarterly reports, as well as May 15th report, all of which were attached to your recent correspondence. Reports appear to present limited revisions that include new maps showing modified groundwater flow directions, where applicable, and well elevations converted to elevations relative to MSL.

Your November 22nd correspondence fails to present information sufficient to mitigate the regulatory issues and concerns and technical oversights that arose with ESTC's involvement with this project. In addition, upon closer scrutiny of particular project elements and the related ESTC reports, further issues and concerns have arisen, as follows:

- Priority Environmental Labs (mistakenly identified in the October 24th correspondence as *Performance* Environmental Labs) is not certified by the Department of Health Services (DHS), Environmental Laboratory Accreditation Program (ELAP), for conducting analyses for regulatory purposes, pursuant to provisions of California Health and Safety Code (HSC) Sec. 100825 et seq. This lab lost its certification after January 31, 1998.

  Using an uncertified laboratory is a violation of HSC Chapter 6.7, Sec. 25298.5. Consequently, all data generated by this lab since ESTC began working on this environmental investigation are unacceptable.

- We have been informed that Alameda County Public Works Agency (ACPWA) encroachment permits do not allow encroachment onto private property *without the express permission from the owner of the property.* We understand that this requirement applies even if the portion of private land in question is within a county-owned easement or right-of-way, and independent of whether or not the area is delineated as a public thoroughfare (i.e., sidewalk or street).

- The Water Resources Program of ACPWA requires the issuance of a drilling permit to complete borings or wells in the project area. ACPWA does not have a record that a drilling permit was issued for the subject Geoprobe® project, and a copy of the drilling permit was not enclosed with the May 15th report. It appears, therefore, that a drilling permit was not issued.

- Both the initial and resubmitted copies of the May 15th report include a tabulation of soil and water analyses data, enclosed in Appendix "A" of each report as Tables 1 and 2, respectively. These tables present the laboratory results for some common gasoline components (TPH-G, BTEX). Both tables also purport to present the results of the analyses of particular fuel oxygenates (TBA, TAME, and ETBE), as well as a general category for the remaining 8260B analytes. All fuel oxygenates and remaining 8260B compounds (which would include MtBE in this format) are reported to be at concentrations of <0.01 mg/kg for soil, and <0.005 ug/l for water.

  As was discussed in the October 24th correspondence, no laboratory report has been provided to date to support that any of the fuel oxygenates, other than MtBE, have been sought in samples submitted to a certified laboratory.

You have requested the opportunity to redo the Geoprobe® investigation. Although it is true that your client, Mr. Mohammadian, will be required to repeat this project, it will be up to him to hire the appropriate environmental contractor for this effort. A separate letter addressing the need to repeat this project will be sent to Mr. Mohammadian shortly.

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

Sincerely,

Scott O. Seery, CHMM
Hazardous Materials Specialist

cc: Tom Peacock, ACDEH
John Creighton, Alameda Co. District Attorney's Office (QIC 21001)
Chuck Headlee, RWQCB
Allan Patton, SWRCB UST Fund
Anne Hartridge, SWRCB Office of Chief Counsel
P.O. Box. 100, Sacramento, CA 95812-0100
Mehdi Mohammadian, Cal Gas, 15595 Washington Ave., San Lorenzo, CA 94580

10-24-00

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY
DAVID J. KEARS, Agency Director

RO#374

ENVIRONMENTAL HEALTH SERVICES
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October 24, 2000

STID 1360

Mehdi Mohammadian
Cal Gas
15595 Washington Avenue
San Lorenzo, CA 94580

Frank Hamedi-Fard
Enviro Soil Tech Consultants
131 Tully Road
San Jose, CA 95111

Re: Cal Gas, 15595 Washington Avenue, San Lorenzo

Dear Messrs. Mohammadian and Hamedi-Fard:

This office received on September 26, 2000 the Enviro Soil Tech Consultants (ESTC) report entitled "*Preliminary Off-site Soil and Groundwater Assessment for the Property Located at 15595 Washington Avenue, San Lorenzo, California*" dated May 15, 2000. This report was to document the off-site assessment work ESTC performed on April 18, 2000 in conformance with the scope of work proposed in the ESTC workplan dated February 11, 2000, as modified in correspondence from this office dated March 16, 2000. We are also in receipt of the ESTC quarterly sampling reports dated June 6 and September 6, 2000, both received in this office on September 21, 2000.

You were advised in the March 16, 2000 correspondence from this office that the off-site assessment report was to be submitted *within 45 days of the completion of field activities.* That schedule would have required the report to be submitted on or around June 2nd. This office, however, received the cited report on September 26th, more than 5 months following the completion of field activities. This late submittal is unacceptable on a number of fronts: first, it fails to comply with a condition of the approval of the ESTC workplan; second, it violates the sense of urgency this assessment project was intended to address.

During my two visits to the project site on April 18th, it became apparent that ESTC was not adhering to the approved scope of work. Upon my initial arrival to the project site, I observed approximately thirteen (13) acetate-lined soil cores in the bed of Mr. Hamedi-Fard's pickup truck. These cores were lying in full sun with no provision given for appropriate storage or cooling. Standard professional practice and acceptable sampling protocol require that such samples be quickly cooled to 4° C or lower immediately after collection, and that each be maintained in that condition until such time as they are analyzed by the laboratory. Mr. Hamedi-Fard stated that he preferred to log the cores in the "controlled environment" of his San Jose office, and that someone would be by to pick them up shortly. He also stated that these cores would be stored in a refrigerator at that location until logged and sections selected for submittal to the laboratory. This practice is unacceptable, as are the laboratory data generated from them.

In addition, the approved scope of work reduced the number of borings to be emplaced along Via Enrico from the proposed 13 to 7, and increased the number along Lorenzo Avenue from 3 to 5. Hence, only 12 borings were requested. This change in boring density stemmed from an increase in boring spacing from the proposed 20' to 40'. I brought this issue to Mr. Hamedi-Fard's attention during the second of my two visits to the project site. The gaps between borings 12 - 15 essentially reflect this late change in boring spacing that afternoon.

I was also surprised to see that a number of borings were advanced along Lorenzo Avenue not in the sidewalk, but through the lawns of the private residences/apartments on the east-side of the street. The approved scope of work indicated such borings would be emplaced on public property, i.e., through the sidewalk. I understand from Mr. Hamedi-Fard's responses to my inquiries that day that permission from these private property owners was neither sought nor received. This issue makes little difference from a technical perspective; however, permission for conducting this work on private property must be sought prior to initiating the work. If in fact permission was not received, this is an unprofessional way of performing the investigation. Such conduct was not, nor will it ever be, endorsed by this office.

The approved scope of work for the off-site assessment also specifically requested that other fuel oxygenates, in addition to methyl tert butyl ether (MtBE), be sought in collected water samples. You were both advised that the contracted laboratory would have to be informed of this so that they would be prepared to analyze for them, as these compounds are not on the standard list of analytes for EPA Methods 8260B or 8020/8021. Review of the Performance Environmental Labs analytical report sheets for samples collected and analyzed during this assessment project indicate that none of the requested additional oxygenates were reported by the laboratory. Perhaps these data were simply omitted from the ESTC report. However, if the laboratory initially failed to analyze samples for these additional compounds, and ESTC failed to follow-up with the lab to ensure that they did, the approved scope of work was, again, not adhered to.

The off-site assessment report also fails to provide any specific or reliable information regarding the collection of soil and water samples from the completed Geoprobe® borings. For example, how were the soil samples eventually sent to the laboratory selected from the soil cores? How were water samples collected? Did you use a bailer or a pump? Were the borings purged before sampling? If so, what volume of water was removed first, and what was used to determine purging adequacy? Were temporary well screens placed into completed boreholes before sampling, or were water samples simply collected through the drill pipe? These details require "fleshing-out", as currently, this report lacks any details sufficient to address these points.

I also notice from my review of the cited off-site assessment report, as well as the latest two ESTC quarterly reports, that the site monitoring wells and off-site Geoprobe® borings were recently resurveyed using an "assumed" elevation benchmark of 100'. Please note that all wells are expected to be surveyed to elevations relative to Mean Sea Level (MSL). This is a long-standing practice and requirement for environmental investigations of this sort. Consequently, all well and borehole elevations, as well as measured water levels, are to be converted to, and associated data presented in, elevations relative to MSL in all future reports.

And lastly, the latest two ESTC quarterly monitoring reports present maps (Figures 2) intended to illustrate both stabilized water elevations in each of the on-site wells and calculated groundwater flow directions during the reporting periods. In the case of both reports, the illustrated flow directions appear in conflict with the reported water elevations. Both reports indicate an identical west-northwest flow direction, yet the presented water elevation data clearly suggest a southwest flow in both instances. Either the water elevation data, or the illustrated flow directions, are in error, or, perhaps, both. This report element needs to be clarified and corrected, as in current form, these data are erroneous.

At this time, you are directed ***within 30 days of the date of this letter*** to submit the following information:

- Submit the certified laboratory reports for the previously requested fuel oxygenates TBA, ETBE, and TAME, that were to be generated from water samples collected during the off-site Geoprobe® assessment project, or provide an explanation why you cannot provide them

- Submit a complete and detailed description of the soil and water sampling, *and sample selection*, practices employed during the course of the Geoprobe® off-site assessment. Submit water sampling field sheets.

- Submit corrected groundwater elevation and gradient maps for the 5/24/00 and 8/24/00 sampling events

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

Sincerely,

Scott O. Seery, CHMM
Hazardous Materials Specialist

cc: Tom Peacock, ACDEH
Chuck Headlee, RWQCB
Dave Deaner, SWRCB UST Fund
Anne Hartridge, SWRCB Office of Chief Council
P.O. Box. 100, Sacramento, CA 95812-0100

SENT 9-1-2000

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY
DAVID J. KEARS, Agency Director

P0374

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

August 31, 2000

STID 1360

Anne M. Hartridge
State Water Resources Control Board
Office of Chief Council
P.O. Box 100
Sacramento, CA 95812-0100

RE: SWRCB/CWP File No. P99-198, Petition of Mehdi Mohammadian, 15595 Washington Blvd., San Lorenzo, Alameda County, CA

Dear Ms. Hartridge

This letter is sent to clarify some of the points in your August 25, 2000 correspondence that memorializes our August 22nd telephone conversation. You should by now have received the 8/23/00 correspondence from this office with the documents requested in your original letter dated August 11, 2000.

During our telephone conversation, I agreed to contact the Petitioner's attorney, Jeffrey Widman, and request that he search his records for a copy of an 8 page facsimile that was reportedly sent by him to Allan Patton on 6/8/99. Mr. Widman was to be contacted as I could not locate the requested document in this agency's files.

I contacted Mr. Widman on 8/22/00 and requested he look for the requested document, asking that he send it to you directly when it was located. Mr. Widman called me this morning indicating the specified document could not be found. I asked that he convey this information to you directly, which he agreed to do.

There still appears to be some confusion regarding the so-called "as-built" drawings. As we discussed, to my knowledge, there were never any professionally-drafted, blue-line engineering prints submitted prior to the installation of the current tanks, nor does it appear that there have been any submitted since. As we also discussed, Dick Fahey submitted his version of "as-built" drawings in the form of a few bare-bones, hand-drawn maps and attachments. These drawings are dated 1/29/86, 2/6/87, and 4/3/95. The 4/3/95 drawing appears to be a redated copy of the 1/29/86 map.

These drawings appear to be the best representations that we have of the tank configuration for this facility.

I am not aware of a "note to the file" dated 1/28/97. You listed in your original August 11th correspondence, however, a reference to an "unknown" document of that date, apparently from Diablo Petroleum. I brought to your attention during our telephone conversation that I was not aware of a document of that date from Diablo Petroleum. I also mentioned that the referenced date seemed a bit suspect, as the record reflects that Diablo Petroleum had been out of business since 1990. In support of that, I directed your attention to Dick Fahey's correspondence to Bert Kubo dated 4/4/95. Mr. Fahey states in his letter that, as of December 17, 1990, "...Diablo Petroleum was no longer in business at that time." I am not aware if Mr. Fahey's statement is correct or not.

It would be helpful if you would send a copy of the 1/28/97 reference to me so that I may place it into a context that would assist my search.

Your original August 11th correspondence requested a copy of a four page facsimile dated 9/6/95 that was sent to Mary Swanson. You reportedly had a (partial) copy of the facsimile cover sheet from this office on that date, but not the transmitted document itself. During our telephone conversation I informed you that I believed, based on the timing and sequence of events of that time, the referenced facsimile cover sheet was used to transmit a copy of the 8/31/95 RWQCB letter sent to the various parties involved in this case. This RWQCB letter was sent in the wake of a Pre-Enforcement Review Panel (PERP) meeting held some weeks before, and established the list of responsible parties (RP) for this case based on the facts available to the PERP at that time.

You may recall that during our telephone conversation, I initially could not locate the referenced 9/6/95 facsimile cover sheet. For reasons I am still not clear on, a date of "3/31/95" for the referenced facsimile then arose as our conversation and my file search continued. During a search for the 3/31/95 facsimile transmittal, I discovered the 9/6/95 facsimile cover sheet. Although there were a few documents discovered on and around the 3/31/95 date (including a 3 page facsimile dated 3/31/95 - a two page letter plus cover sheet - from Mary Swanson and sent to this office), no documents from that "new" date were specifically requested. My records reflect that, at that point, the only request on this front was for me to send a full copy of the 9/6/95 facsimile cover sheet, as the one in your copy of the record was cut off at the bottom. This has been done.

I trust this information clarifies these points. Please let me know if more light can be shed on the referenced document dated 1/28/97 so that I might be better equipped to narrow down my search for it. I may be reached at (510) 567-6783.

Sincerely,

Scott O. Seery, CHMM
Hazardous materials Specialist

cc: Ariu Levi, Chief, Environmental Protection, ACDEH
Tom Peacock, ACDEH

Mary S. Taylor, Esq.
101 Ygnacio Valley Road #330
Walnut Creek, CA 94596

James Wesley Kinnear, Esq.
Makoff Kinnear Council P.C.
20 California Street, Ste. 201
San Francisco, CA 94111

Bernard Rose, Esq.
Randick & O'Dea
1800 Harrison Street, Ste. 2350
Oakland, CA 94612

Jeffrey P. Widman, Esq.
84 West Santa Clara Street, Ste. 690
San Jose, CA 95113

SENT 8-25-2000

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY
DAVID J. KEARS, Agency Director

RO#374

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

August 23, 2000

STID 1360

Anne M. Hartridge
State Water Resources Control Board
Office of Chief Council
P.O. Box 100
Sacramento, CA 95812-0100

RE: Response to request for additional information for SWRCB/CWP File No. P99-198, Petition of Mehdi Mohammadian, 15595 Washington Blvd., San Lorenzo, Alameda County, CA

Dear Ms. Hartridge

This letter and attachments are sent following our telephone conversation yesterday and in response to your letter dated August 11, 2000 in which you requested some additional information from the subject case file.

Please find attached copies of the following documents, presented in the order in which they were originally requested in your 8/11/00 letter:

- A copy of the Blaine Tech Services, Inc. report as it appears in our case file, and as submitted under Texaco cover dated May 3, 1994.

- A copy of Dick Fahey's 4/4/95 hand-written letter with attachments, including a site drawing with tank cross-section and section notes. This site drawing and section appear to be originally dated 1/29/86, and then redated 4/3/95.

  A copy of a hand-drawn "as-built" drawing from Dick Fahey dated 2-26-87. Note that the date stamp on the reverse side of this drawing – 95 Mar 14 - appears to correspond well with Mr. Fahey's letter date of 3/10/95.

  Both the originals and color copies of the requested transparency and photograph are enclosed.

- A copy of the Cohen, Nelsen & Makoff letter dated August 10, 1995. This letter includes attachments dated 7/31/85, 11/1/84, and 6/13/83.

- A complete copy of the facsimile cover sheet dated 9/6/95 addressed to Mary Swanson as transmitted from this agency. As we discussed, the letter transmitted under this cover was most likely the four page RWQCB letter dated 8/31/95 that presented the outcome of the local Pre-Enforcement Review Panel and assignment of the "responsible party" designation.

- As we discussed, it appears that any and all piping drawings and plot plans available to this agency should now be in your possession.

- Mr. Widman was contacted yesterday. I requested that he submit directly to you a copy of the 6/8/99 facsimile transmitted from his office to Allan Patton.

I have also enclosed with this letter copies of six (6) digital images I took this afternoon to give you an idea of the current state of the facility and associated improvements.

Please call me at (510) 567-6783 should you need any additional information.

Sincerely,

Scott O. Seery, CHMM
Hazardous materials Specialist

Enclosures **(addressee, only)**

cc: See attached list

cc: Ariu Levi, Chief, Environmental Protection, ACDEH
Tom Peacock, ACDEH

Mary S. Taylor, Esq.
101 Ygnacio Valley Road #330
Walnut Creek, CA 94596

James Wesley Kinnear, Esq.
Makoff Kinnear Council P.C.
20 California Street, Ste. 201
San Francisco, CA 94111

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Jeffrey P. Widman, Esq.
84 West Santa Clara Street, Ste. 690
San Jose, CA 95113

SNT 3-16-2000
Incld Cal S

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY
DAVID J. KEARS, Agency Director

R0374

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ENVIRONMENTAL PROTECTION (LOI
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(510) 567-6700
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March 16, 2000

STID 1360

Mehdi Mohammadian
Cal Gas
15595 Washington Avenue
San Lorenzo, CA 94580

RE: Cal Gas (aka Linda Shell), 15595 Washington Avenue – Soil and Water Investigation

Dear Mr. Mohammadian:

I am in receipt of the February 11, 2000 Enviro Soil Tech Consultants (ESTC) workplan for the continued soil an water investigation (SWI) associated with the referenced site. This ESTC workplan, due January 10, 2000, was received by this office on February 25th. As submitted, ESTC proposes the installation of a series of Geoprobe® "push-tool" borings in locations south and west of the subject site from which groundwater and soil samples will l collected for eventual laboratory analyses.

The cited ESTC work plan has been accepted for this preliminary stage of work at this site with the following modifications and clarifications:

1. ESTC proposes 13 borings along the south-side of Via Enrico and 3 along the east-side of Lorenzo Avenue ir locations most adjacent to the subject site. A 20' spacing between borings is proposed. This boring density reflects earlier discussions with Mr. Hamedi-Fard (ESTC). After further consideration of this case, however, this boring configuration shall be modified.

   Increase to 40' the distance between each boring along both alignments. This will reduce the resultant numbe of borings along Via Enrico from 13 to 7, but will provide similar coverage overall. In addition, increase the number of borings planned along Lorenzo Avenue, from the 3 proposed, to 5. This modification will allow f 160' of coverage along Lorenzo Avenue, and better reflects the reported historic groundwater flow characteristics calculated from well data derived from the subject site. In this last configuration , the first boring of the Lorenzo Avenue alignment shall be emplaced near the northeast corner of the intersection with Via Enrico.

2. Every other boring shall be continuously cored and lithologically logged to total depth explored. The remaining borings may be advanced and logged as proposed.

3. Should only one soil sample be collected for laboratory analyses from each boring, that sample shall be the o collected from the apparent capillary fringe. Additional soil samples from other sample intervals will be required for laboratory analyses if subjective field evidence indicates impacts from fuel hydrocarbons.

4. Water samples shall be collected from boreholes in a manner that will minimize or eliminate the loss of any volatile constituents. The use of a mini-bailer is acceptable for this purpose. What is not acceptable is the us of a peristaltic pump, airlift pump, or a length of tubing and ball-check valve.

5. In addition to analyses for the gasoline additive methyl tert-butyl ether (MtBE), other fuel oxygenates are to b sought in collected samples. Samples are to be analyzed for the presence of: tertiary butyl alcohol (TBA), tertiary amyl methyl ether (TAME), and ethyl tertiary butyl ether (ETBE). Because the ether oxygenates and TBA are not included in the standard list of analytes for EPA Method 8260B or 8020/8021, these additional compounds must be specifically requested when submitting samples to the laboratory for analysis.

For your information, Senate Bill (SB) 989 was signed into law by Governor Davis on October 8, 1999. SB 989 directs the State Water Resources Control Board (SWRCB) to identify areas most vulnerable to releases of MtBE, prioritize resources, and develop investigation and cleanup guidelines. The SWRCB MtBE cleanup guidelines ha now been drafted, and prescribe the step-wise process in development of a *Site Conceptual Model* (SCM). A SCM required for all MtBE release sites, is the progressive assemblage of information regarding the distribution of chemicals at a site, its hydrologic setting, geology, surrounding land use, well locations, and existing and projecte water use patterns. The SCM functions as the framework for the investigation, remediation, and ultimately the closure of the site.

Attached to this letter you will find a copy of Appendix C, derived from the referenced SWRCB MtBE guidance. Appendix C provides a format for your consultant to follow when putting together the SCM for this site. You are requested to ensure that your consultant adheres to this format when submitting the report documenting this phase and subsequent phases, of work at your site.

In addition, the MtBE guidance now requires that *interim remedial action* (IRA) be implemented at sites where persistent concentrations of 10,000 ug/l MtBE or more in groundwater have been identified. Your site appears to meet that criterium. The assessment work that will be conducted within the coming 6 months will dictate whether or not you will be required to implement IRA at this site.

You are directed at this time to implement the ESTC SWI workplan, as modified, within 30 days of the date of thi letter. You are also directed to reinstate quarterly sampling and monitoring of the on-site wells within this same ti frame (30 days). The report documenting this phase of the investigation, including the re-initiation of well sampling and monitoring, shall be submitted within 45 days following completion of field activities.

Please contact me at (510) 567-6783 should you have any questions or comments, and to advise when field work has been scheduled.

Sincerely,

Scott O. Seery, CHMM
Hazardous Materials Specialist

Attachment

cc: Robert Weston, ACDEH
Dave Deaner, SWRCB UST Fund
Chuck Headlee, RWQCB
Jeffrey Widman, Esq., 84 West Santa Clara Street, Ste. 690, San Jose, CA 95113
Frank Hamedi-Fard, Enviro Soil Tech Consultants, 131 Tully Rd., San Jose, CA 95111 **(w/attachment)**

Sent 11-10-99
Including cc's

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY
DAVID J. KEARS, Agency Director

R0394

ENVIRONMENTAL HEALTH SERVICES
ENVIRONMENTAL PROTECTION
1131 Harbor Bay Parkway
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(510) 567-6700
(510) 337-9432

November 10, 1999

STID 1360

Mehdi Mohammadian
Linda Shell
15595 Washington Avenue
San Lorenzo, CA 94580

RE: LINDA SHELL, 15595 WASHINGTON AVENUE, SAN LORENZO – Second Request for Continued Soil and Water Investigation

Dear Mr. Mohammadian:

Your attention is directed to the November 9, 1999 State Water Resources Control Board (SWRCB) correspondence that dismisses your request for stay in the matter of your petition to the SWRCB. A copy of this letter is attached for your reference. Your attention is also directed to the May 19, 1999 correspondence from this office which requested from the responsible parties (RP) associated with this case at that time the submittal of a soil and water investigation (SWI) work plan for the continued assessment of the release from the subject site. A copy of this letter is also attached for your reference. Approximately 6 months have now passed since the SWI work plan request was issued.

As you are aware, on May 28, 1999 Texaco Inc. and successor corporations, and Agnes and Jessen Calleri, were removed from further responsibility in this case. On August 19, 1999, the Bertram Kubo Trust was also removed. You are the surviving RP for this case. Now that the SWRCB has dismissed your request for stay, you are solely responsible at this time for ensuring the release from your site is fully investigated, and an appropriate corrective action plan (CAP) is developed and implemented.

You are hereby directed to submit a SWI work plan for the continued investigation of this gasoline release. The SWI work plan is due within 60 calendar days of the date of this letter, or by the close of business on January 10, 2000.

Please be advised that this letter constitutes an official request for a SWI work plan pursuant to California Code of Regulations §2722. Please be further advised that failure to comply with this request is a violation of Health & Safety Code §25299(b)(6), and may result in fines of up to $5000 per day per violation upon conviction.

Please contact me at (510) 567-6783 should you have any questions or comments.

Sincerely,

Scott O. Seery, CHMM
Hazardous Materials Specialist

Attachments **(addressee, only)**

cc: Robert Weston, ACDEH
Dave Deaner, SWRCB UST Fund
Chuck Headlee, RWQCB
Karen Fineran, Esq., Makoff Kinnear Council, P.C.
20 California St., Ste. 201, San Francisco, CA 94111
Mary Taylor, Esq., 101 Ygnacio Valley Rd., Ste. 330, Walnut Creek, CA 94596
Bernard Rose, Esq., Randick & O'Dea
1800 Harrison St., Ste. 2350, Oakland, CA 94612
Jeffrey Widman, Esq., 84 West Santa Clara Street, Ste. 690, San Jose, CA 95113

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY
DAVID J. KEARS, Agency Director

R0374

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

September 3, 1999

Lori Casias
State Water Resources Control Board
Division of Clean Water Programs
P.O. Box 94412
Sacramento, CA 95814

RE: Response to Petition, Underground Storage Tank Local Oversight Program
Site No. 1360, 15595 Washington Avenue, San Lorenzo, Alameda County, California

Dear Ms. Casias:

This letter is sent in response to a Petition to the State Water Resources Control Board (SWRCB) submitted by counsel on behalf of Mehdi Mohammadian ("Petitioner") regarding the subject site. Following is a brief discussion and response to the crux of Petitioner's claims. Transmitted to the SWRCB with this response is a copy of the Local Oversight Program (LOP) and underground storage tank (UST) compliance files for this case.

Petitioner claims that the Alameda County Health Care Services Agency ("ACHCSA") acted improperly in removing both Texaco and the Calleris from the list of "responsible parties", pursuant to Title 23, §2720, California Code of Regulations (CCR). This claim has no merit. Both Texaco and the Calleris (and, more recently, the Bert Kubo Trust) were removed for cause, based on the following facts:

(1) ACHCSA originally named Texaco, Inc., Bertram Kubo, and the Petitioner as "responsible parties" in April 1993. The Calleris were added in September 1995. These responsible party designations were in conformance with 23CCR §2720 criteria and substantially based on an October 1986 Groundwater Technology, Inc. (GTI) report that identified the presence of detectable concentrations of gasoline compounds in groundwater sampled from wells at the site during August 1986.

The following §2720 criteria and site history were applied in making this determination:

i) The Calleris were the last known owners of the property and 2nd generation USTs immediately before the discontinuation of their use, which occurred during or prior to 1983.

ii) Texaco was a subsequent owner of the property, including the 2nd generation USTs, acquiring the property in August 1983 in a foreclosure sale. The USTs were reportedly never used during Texaco's tenure at the site. The 2nd generation USTs were reportedly removed prior to sale of the property in December 1986.

iii) Bertram Kubo was a subsequent owner of the site, acquiring the property in December 1986 from Texaco. The 2nd generation USTs had reportedly been removed by the time of his purchase. The 3rd and current generation USTs were installed in February 1987.

iv) The Petitioner is a subsequent owner of the site and 3rd generation USTs, acquiring the property in June 1990.

(2) August 1998 and early 1999 site assessment data document the presence of up to 340,000 ug/l of methyl tert-butyl ether (MtBE), among other gasoline compounds, in sampled groundwater, consistent with a "recent" release associated with the 3rd generation UST system.

(3) This recent release occurred subsequent to the release first identified in 1986, as the 2nd generation USTs were last used in the early 1980's, a period of time when MtBE was not in widespread use in California.

(4) Neither the Calleris nor Texaco were owners of the property or the USTs at the time the subsequent (MtBE) release occurred.

The record reflects that ACHCSA did not become aware of a release at this site, let alone the presence of monitoring wells there, until January 1993, when a December 1992 GTI well sampling report was received unsolicited. Tracy Federal Bank (TFB) apparently contracted GTI to conduct this work and produce the cited report when TFB was processing a commercial loan on the property, apparently for the Petitioner. The 1986 GTI report was not received by this office until March 1993, two months after receipt of the 1992 report, at the request of Bertram Kubo.

As a result of the sampling data presented in the cited reports and our review of site ownership records, three of the aforementioned parties (Texaco, Kubo, Petitioner) were subsequently named and notified in April 1993 of their joint responsibilities. The Calleris were later named in September 1995 following the second of two Pre-Enforcement Review Panels (PERP), convened by this office in October 1994 and February 1995 due to disputes between the parties regarding their responsible party status and their combined resistance to comply with directives from this office. The decision to name the Calleris was initially challenged in a petition to the SWRCB, and later rescinded. (See: August 31, 1995 directive from Lawrence Kolb, San Francisco Bay RWQCB, and [undated] petition to the SWRCB from Mary J. Swanson, attorney for Jessen and Agnes Calleri.)

Between 1993 and the end of 1995, the three original wells at the site were sampled only twice: during March 1994 and December 1995. Each event was financed by Texaco, who agreed to pay for all site work in the interim while the parties were still negotiating and disputing their respective roles. Between July and September 1998, an expanded soil and water investigation (SWI) was performed at the site, the workplan for which had been approved by this office in February 1996. Both the SWI workplan and its implementation were, again, financed by Texaco. (Note: No work occurred at the site for over 2 years [1996-1998], reportedly as a result of continued disputes, negotiations, and legal actions between the parties.)

During completion of the SWI two new wells were constructed and several soil borings advanced. The original wells were also sampled. It is during this initial phase of the SWI that MtBE was first sought and consequently discovered at the site at a concentration of up to 340,000 ug/l in sampled groundwater. Subsequent sampling events, which included the use of EPA Method 8260, confirmed the high concentrations of MtBE at the site.

Petitioner claims some correlation between the temporarily-missing well plug ("J-plug") on one of the wells, and exposed casing irregularities in two other wells, with the occurrence of MtBE in sampled groundwater. The Petitioner speculates that "contaminated run-off" must have entered the subsurface through the unplugged well casing or by infiltration into two other wells from partially inundated well boxes, and in this way MtBE could have impacted underlying groundwater. Consequently, Petitioner argues, Texaco should be responsible for the MtBE impact to groundwater as Texaco, he claims, and their agents are solely responsible for the integrity of and access to the wells at the site. Petitioner further argues that had this author been aware of these "facts", the decision to release the Calleris and Texaco from further responsibility may have been affected.

Although it is true that the (now remedied) condition of the three subject wells was unknown to this author when the decision to release the Calleris and Texaco was made, such knowledge would not have changed this decision, as Petitioner's arguments have no technical or practical merit. For an exploration of and rebuttal to Petitioner's claims on this issue, the reader is directed to the June 28, 1999 response to the SWRCB from Toxichem Management Systems, Inc. ("Toxichem") and their August 17, 1999 addendum to Karen Fineran's letter.

The issue of "contaminated run-off" and observations made during a June 1999 site inspection have raised a specter of concern, however, regarding the Petitioner's UST spill prevention and response program, unauthorized release reporting compliance, adequacy of employee training, and general integrity of the surface seal (e.g., asphalt) across the site. According to Petitioner's August 1995 UST permit conditions, employees must be sufficiently trained to respond to, and sufficient supplies on hand to clean-up, any unauthorized releases, such as incidental spills or "drive-offs", hence preventing the occurrence of so-called "contaminated run-off". Petitioner's current Hazardous Materials Business Plan (HMBP) also indicates that his employees are both trained and sufficient spill supplies readily on hand to respond to such events.

Further, pursuant to 23CCR §2650(e), any unauthorized release that escapes the primary container is to be reported to the local agency within 24 hours, followed by a full written report within 5 days. In addition, Petitioner's HMBP indicates that he is specifically aware of the requirement to immediately contact this office if a release occurs. The record reflects that this office has not become aware of any notifications being made or reports submitted on behalf of Petitioner for such releases.

This office, therefore, can only conclude from these facts that: 1) no releases that might have produced "contaminated run-off" occurred, or 2) if such releases did occur, Petitioner both failed to notify this office and take appropriate clean-up actions. Nevertheless, if such releases did occur, it is much more plausible that gasoline has infiltrated the subsurface, not through uncapped wells or inundated well boxes, but rather, via the copious surface cracks in the asphaltic concrete and joints clearly evident near the dispenser and UST areas at the site.

Petitioner also claims that "[d]uring 1993 and 1994, the site [had] been under direct observation and inspection by the ACHCSA and all of the equipment [had] been tested and there was no sign of any leakage from existing equipment." This statement could not be further from the truth. The record reflects that, between December 1990 and March 1995, no inspections of UST system compliance or other direct interaction by this office regarding UST system compliance occurred.

The reader is directed to a series of letters from this office and inspection records generated in response to UST compliance inspections performed during 1995 and 1996. As an example, Petitioner was issued a "NOTICE OF VIOLATION" in March 1995 after one such inspection. During this inspection, the inspector, Robert Weston, observed, among other conditions noted, that the alarm lights of the Pollulert UST monitoring system were activated, and the audible alarm bypassed, a violation of the UST monitoring requirements set forth under 23CCR. Further inspection of the Pollulert panel and integral test functions revealed that the unit appeared not to be functioning properly, and that it had likely not been serviced since it had been installed in 1987. Unfortunately, Petitioner was unclear on the proper operation of the Pollulert system, as he claimed to have only received verbal instructions from the previous owner (Kubo). (Note: A subsequent inspection in April 1996, again, demonstrated that the employee in control of the facility at that time also did not know how to operate the Pollulert system.)

Further observations made in the course of the March 1995 inspection revealed that the area under the dispensers lacked containment pans and showed subjective evidence of leaks from pipe joints above the shear valves. In follow-up to this inspection, this office requested, among other numerous requirements, that repairs be made to the leaking pipes, and that the Red Jacket leak detectors and Pollulert system be serviced and tested.

A subsequent test of the Red Jacket pipeline leak detectors, performed in July 1995, demonstrated that each detector failed to comply with the Health & Safety Code (HSC) §25292(b)(4)(C) standards that applied at that time. Since December 1990, §25292(b)(4)(C) required that line leak detectors be capable of detecting a leak of 3 gph at a test pressure of 10 psi. Petitioner's leak detector leak rate was higher than this. (Note: Petitioner upgraded the leak detectors in September 1995, and again in January 1999 to comply with December 1998 standards.)

These observations and violations demonstrate that for many years the UST system, for all intents and purposes, had not been appropriately monitored, nor the site managed, in compliance with HSC and 23CCR standards and UST operating permit conditions.

It is true that the extent of the "historic" (pre-1984) release had not been fully defined by the time clear evidence of a recent release was discovered in August 1998. There are numerous reasons for this, including an initial failure to inform this office or that of the Regional Water Quality Control Board (RWQCB) of the historic release. However, once this office was informed of the release in 1993 and the parties were directed to act, long delays ensued, primarily due to the reluctance of many of the parties to assume their responsible roles. Texaco was the only party that expended resources directly to continue the site investigation, however limited that effort was.

Nevertheless, it is not anticipated that the historic release was either necessarily large in extent or would pose a risk to nearby potential receptors. This opinion is based on: 1) the underlying geology at the site, 2) the chemistry of fuel releases from that era, 3) the intrinsic attenuation factors that would have acted upon this release over the years, and 4) an understanding that the historic release occurred a minimum of 16 years ago. Although difficult to clearly contemplate now, it is not expected that the investigation of the historic release would have expanded greatly in scope.

The recent release, however, is significant in terms of the MtBE concentrations detected recently in groundwater at the site. The investigation, therefore, must expand to off-site locations. A directive from this office dated May 19, 1999, now in abeyance pending the outcome of this petition, directed the parties to do just that. In addition, an active irrigation well (3S / 3W 12 J4) was recently discovered nearby and, in this author's view, may be at risk from the MtBE contamination should work at the site fail to move forward now at a brisk pace.

To assign any level of responsibility for this recent and more significant release to the Calleris or Texaco is unreasonable based on the facts of this case.

Please call me at (510) 567-6783 should you need any additional information.

Sincerely,

Scott O. Seery, CHMM
Hazardous Materials Specialist

Enclosure **(addressee, only)**

cc: See attached list

cc: Robert Weston, ACHCSA, Hazardous Materials Program
Tom Peacock, Manager, LOP, ACHCSA
Ariu Levi, Chief, ACHCSA
Chuck Headlee, RWQCB

Douglas Gravelle
Texaco, Inc.
10 Universal City Plaza, 13th Floor
Universal City, CA 91608-1006

Karen Petryna
Equiva Services LLC
P.O. Box 6249
Carson, CA 90749-6249

Mary S. Taylor, Esq.
101 Ygnacio Valley Road #330
Walnut Creek, CA 94596

Jessen and Agnes Calleri
10901 Cliffland Avenue
Oakland, CA 94605

Karen D. Fineran, Esq.
Makoff Kinnear Council P.C.
20 California Street, Ste. 201
San Francisco, CA 94111

Julie M. Rose, Esq.
Randick & O'Dea
1800 Harrison Street, Ste. 2350
Oakland, CA 94612

Jeffrey P. Widman, Esq.
84 West Santa Clara Street, Ste. 690
San Jose, CA 95113

Mehdi Mohammadian
15595 Washington Avenue
San Lorenzo, CA 94580

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY
DAVID J. KEARS, Agency Director

R0374

August 19, 1999

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

STID 1360

Mehdi Mohammadian
Linda Shell
15595 Washington Avenue
San Lorenzo, CA 94580

Bertram Kubo Trust
P.O. Box 1169
Marina, CA 93933
Attn: Marjorie Kanyer

NOTICE OF SECOND REVISION TO "RESPONSIBLE PARTY" DESIGNATION PURSUANT TO SECTION 2720,TITLE 23, CALIFORNIA CODE OF REGULATIONS

RE: Linda Shell, 15595 Washington Boulevard, San Lorenzo

Dear Ms. Kanyer and Mr. Mohammadian:

Pursuant to a 08/18/99 opinion issued by staff of the California State Water Resources Control Board (SWRCB), issued in response to a Petition submitted on behalf of the Bertram Kubo Trust, a determination to revise the list of surviving parties subject to the corrective action requirements pursuant to Section 2720, Title 23, California Code of Regulations (CCR) has been made, as follows:

- ***The Bertram Kubo Trust is hereby removed from the list of "responsible parties" according to Title 23 provisions***

This decision is based on the following facts:

(1) recent site assessment data document up to 340,000 ug/l of MtBE in sampled groundwater

(2) high MtBE concentrations are consistent with a "recent" release associated with the 3rd generation fuel underground storage tanks (UST) at the site, as large-scale use of MtBE as a gasoline additive in California first began in the winter of 1992

(3) this "recent" release occurred subsequent to the release first identified in 1986, as the USTs at the site at that time were reportedly last used in the early 1980's, a period of time when MtBE was not in widespread use in California

(4) the USTs present at the site when owned by the Calleris, and then by Texaco, were removed prior to the site being sold to Bertram Kubo in December 1986

(5) the 3rd generation of USTs were installed in February 1987 during Mr. Kubo's ownership of the site

(6) Mr. Kubo sold the site and associated improvements to Mr. Mohammadian in June 1990

(7) no evidence has been presented that ties the release from the 3rd generation tanks to the period of time when Mr. Kubo owned the site

A copy of the 08/18/99 SWRCB opinion is attached. This action is subject to appeal to the SWRCB. Appeals must be filed within 30 days from the date of this action. To obtain appeal procedures, you may FAX your request to the SWRCB at (916) 227-4349 or telephone (916) 227-4408.

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

Sincerely,

Scott O. Seery, CHMM
Hazardous Materials Specialist

Attachment

cc: Robert Weston, ACDEH
Lori Casias, SWRCB
Chuck Headlee, RWQCB **(w/attachment)**
Karen Fineran, Esq., Makoff Kinnear Council, P.C. **(w/ attachment)**
20 California St., Ste. 201, San Francisco, CA 94111
Mary Taylor, Esq., 101 Ygnacio Valley Rd., #330, Walnut Creek, CA 94596 **(w/attachment)**
Julie Rose, Esq., Randick & O'Dea **(w/attachment)**
1800 Harrison St., Ste. 2350, Oakland, CA 94612

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY
DAVID J. KEARS, Agency Director

RO374

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

July 20, 1999

Ms. Victoria Perry
15600 Lorenzo Avenue
San Lorenzo, CA 94580

State Well No. 3S / 3W 12 J4

ST10,360

RE: Investigation of gasoline release at 15595 Washington Avenue, San Lorenzo

Dear Ms. Perry:

The Alameda County Department of Environmental Health (ACDEH) is directing the investigation of a gasoline release associated with the underground storage tank (UST) system at a retail service station located at 15595 Washington Avenue. This service station, located on the corner of Washington and Via Enrico, is very close to your home.

This office has become aware recently that an active irrigation well is located on your property. Irrigation and other pumping wells that are in proximity to UST release sites can often affect the way contaminants move through the aquifer, and pose a potential risk to both the well user and deeper water- bearing zones.

For your information, samples collected from a series of monitoring wells located on the service station property have identified the presence of high concentrations of gasoline components in shallow groundwater beneath the site. Most noteworthy of these is the compound methyl-tert butyl ether, or MtBE. You may have heard recently of the issues surrounding MtBE and its use in gasoline sold in California.

The extent of this release is currently unknown, as the occurrence of MtBE in groundwater has only recently been determined. Consequently, the investigation will be expanding in scope. Although progress is somewhat stalled at this time due to ancillary issues, we anticipate that the investigation will extend into the coming year and beyond before all is known. This agency will ultimately be working with the responsible party(ies) to determine the appropriate remediation and/or mitigation steps.

Until such time as we have a better understanding of the nature and extent of this release, and the physical and geological factors which control the movement of the underlying ground water and associated gasoline plume, we request that you not use your well for any purpose at this time until advised otherwise.

This agency would like to thank you in advance for your cooperation with this important request.

Please feel free to contact me at (510) 567-6783 should you have any questions about this case.

Sincerely,

Scott O. Seery, CHMM
Hazardous Materials Specialist

cc: Chuck Headlee, RWQCB
Lori Casias, SWRCB
Robert Weston, ACDEH
Emmanual Da Costa, Alameda Co. Public Works Agency
951 Turner Ct., Ste. 300, Hayward, CA 94545-2651
Mehdi Mohammadian, 15595 Washington Ave., San Lorenzo, CA 94580

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY
DAVID J. KEARS, Agency Director

R0374

June 21, 1999

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

Mehdi Mohammadian
Owner/Operator
6222 Mohave Drive
San Jose CA 95120

Subject: Operating permit for four underground storage tanks, Cal Gas, 15595 Washington Avenue, San Lorenzo, CA 94580

Dear Mr. Mohammadian :

This letter is intended to guide you the owner/operator, in the proper management of the underground storage tanks (UST) and to describe actions necessary for compliance with the permit conditions.

The installed system at the above location includes three double wall fiberglass USTs containing motor vehicle fuel. Tank leak detection is performed using a Pollulert monitoring console connected to annular space sensors.

The pressurized piping is single wall fiberglass with an electronic line leak detector configured for positive shutdown of the submersible turbine pump if a leak above the threshold is detected. The turbine pump will be de-energized and the system will alarm if a leak is detected. The turbines will also shut down if power to the monitor is disconnected. The dispensers do not have dispenser containment pans.

The fourth UST at this site is double wall fiberglass, used to accumulate waste oil, with a straight drop (direct fill) into the tank. The annular space is monitored continuously by the Pollulert monitor. Overfill prevention is performed visually by the operator during filling from a container of a capacity no greater than 25 gallons.

Compliance with the following conditions is a requirement of the permit to operate:

1. Maintain a copy of the operating permit and operating conditions on-site. Perform leak detection using the sensors and monitoring system as described above.

2. Maintain written records of all alarm conditions and their resolution. Maintain records of **all** maintenance performed on the tank system.

3. Perform annual operational tests on the electronic monitoring equipment by qualified technicians. The anniversary month for the certification is **January**. Submit a copy of the test results to this office within 30 days of the report.

4. Annually test the single wall piping using licensed personnel. The test method shall be capable of detecting a release equivalent to 0.1 gallon per hour at 150% of normal operating pressure. The anniversary month for the testing is **January**. Submit a copy of the test results to this office within 30 days of the report.

5. Maintain certification of financial responsibility with documentation on-site.

6. Complete employee training and document such training at least annually.

7. Report unauthorized releases to this office within 24 hours of discovery. Provide a written report within 5 working days.

8. Any changes in monitoring equipment must be pre-approved by this office prior to implementation.

9. Report changes in facility operator or tank owner on Form A within 30 days of the change.

This permit expires on March 5, 2001. If you have any questions regarding the operation of this tank system please contact me at (510) 567-6781.

Sincerely,

Robert Weston
Sr. Hazardous Materials Specialist

enclosures

c: Tom Peacock, ACDEH
Scott Seery, LOP-ACDEH

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY
DAVID J. KEARS, Agency Director

R0374

June 7, 1999

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

Mehdi Mohammadian
Owner/Operator
6222 Mohave Drive
San Jose CA 95120

Subject: Operating permit for four underground storage tanks, Cal Gas, 15595 Washington Avenue, San Lorenzo, CA 94580

Dear Mr. Mohammadian :

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8. Any changes in monitoring equipment must be pre-approved by this office prior to implementation.

9. Report changes in facility operator or tank owner on Form A within 30 days of the change.

This permit expires on March 5, 2001. If you have any questions regarding the operation of this tank system please contact me at (510) 567-6781.

Sincerely,

Robert Weston
Sr. Hazardous Materials Specialist

enclosures

c: Tom Peacock, ACDEH
Scott Seery, LOP-ACDEH

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY
DAVID J. KEARS, Agency Director

R0374

May 28, 1999

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

STID 1360

Mehdi Mohammadian
Linda Shell
15595 Washington Avenue
San Lorenzo, CA 94580

Karen Petryna
Equiva Services LLC
P.O. Box 6249
Carson, CA 90749-6249

Bertram Kubo Trust
20321 Via Espana
Salinas, CA 93908-1261
Attn: Marjorie Kanyer

Jessen and Agnes Calleri
10901 Cliffland Avenue
Oakland, CA 94605

NOTICE OF REVISION TO "RESPONSIBLE PARTY" DESIGNATION PURSUANT TO SECTION 2720,TITLE 23, CALIFORNIA CODE OF REGULATIONS

RE: Linda Shell, 15595 Washington Boulevard, San Lorenzo

Dear Ms. Petryna and Kanyer, Mr. Mohammadian, and Mr. and Mrs. Calleri:

A determination to revise the list of parties subject to the corrective action requirements pursuant to Section 2720, Title 23, California Code of Regulations (CCR) has been made, as follows:

- ***Texaco Inc., and successor corporations, and Agnes and Jessen Calleri are hereby removed from the list that previously identified them as a "responsible party" according to Title 23 provisions.***

This decision, made in consultation with staff of the State Water Resources Control Board (SWRCB), is based on the following:

(1) recent site assessment data document up to 340,000 ug/l of MtBE in sampled groundwater

(2) high MtBE concentrations are consistent with a "recent" release from the current generation of fuel underground storage tanks (UST) at the site, as large-scale use of MtBE as a gasoline additive in California first began in the winter of 1992 in order to comply with the Federal Clean Air Act Amendments

(3) this "recent" release occurred subsequent to the release first identified in 1986, as the USTs at the site at that time were reportedly last used in the early 1980's, a period of time when MtBE was not in widespread use in California

(4) the USTs present at the site when owned by the Calleris, and then by Texaco, were removed prior to the site being sold to Bertram Kubo in December 1986

(5) a new generation of USTs was installed in February 1987 during Mr. Kubo's ownership of the site

(6) neither Texaco nor the Calleris were owners of the property or the USTs at the time the subsequent release occurred.

This action is subject to petition to the SWRCB. Petitions must be filed within 30 days from the date of this action. To obtain petition procedures, you may FAX your request to the SWRCB at (916) 227-4349 or telephone (916) 227-4408.

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

Sincerely,

Scott O. Seery, CHMM
Hazardous Materials Specialist

cc: Robert Weston, ACDEH
Dave Deaner, SWRCB UST Fund
Chuck Headlee, RWQCB
Karen Fineran, Esq., Makoff Kinnear Council, P.C.
20 California St., Ste. 201, San Francisco, CA 94111
Mary Taylor, Esq., 101 Ygnacio Valley Rd., #330, Walnut Creek, CA 94596
Bernard Rose, Esq., Randick & O'Dea
1800 Harrison St., Ste. 2350, Oakland, CA 94612
Keith Winemiller, Toxichem Management Systems, Inc.
1562 44th Ave., San Francisco, CA 94122

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY
DAVID J. KEARS, Agency Director

RO374

ENVIRONMENTAL HEALTH SERVICES
1131 Harbor Bay Parkway, Suite 250
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May 19, 1999

STID 1360

Mehdi Mohammadian
Linda Shell
15595 Washington Avenue
San Lorenzo, CA 94580

Karen Petryna
Equiva Services LLC
P.O. Box 6249
Carson, CA 90749-6249

Bertram Kubo Trust
20321 Via Espana
Salinas, CA 93908-1261
Attn: Marjorie Kanyer

Jessen and Agnes Calleri
10901 Cliffland Avenue
Oakland, CA 94605

RE: LINDA SHELL, 15595 WASHINGTON AVENUE, SAN LORENZO – Request for Continued Soil and Water Investigation

Dear Ms. Petryna and Kanyer, Mr. Mohammadian, and Mr. and Mrs. Calleri,:

The October 16, 1998 Toxichem Management Systems, Inc. (Toxichem) soil and water investigation (SWI) report and subsequent quarterly reports have documented a significant impact to groundwater encountered beneath the subject site. Most noteworthy are the elevated concentrations of methyl-tert butyl ether (MtBE), a gasoline additive. MtBE concentrations have ranged upwards to 340,000 micrograms per liter (ug/l). These concentrations are both extraordinary and significant.

Sampling data have also clearly demonstrated that the extent of the gasoline plume has not been defined. The plume clearly extends off-site. Consequently, plume definition must be completed, and an appropriate corrective action plan (CAP) developed.

You directed to submit a SWI work plan for the continued investigation of this gasoline release. The SWI work plan is due within 60 days of the date of this letter.

As this phase of the SWI will involve encroachment on and assessment of off-site locations, you are encouraged to employ the use of so-called "rapid site assessment tools" (e.g., Geoprobe, etc.) for the initial stage of this off-site assessment. Final, permanent well locations may then be determined based on these initial results.

Please contact me at (510) 567-6783 should you have any questions or comments.

Sincerely,

Scott O. Seery, CHMM
Hazardous Materials Specialist

cc: Robert Weston, ACDEH
Dave Deaner, SWRCB UST Fund
Chuck Headlee, RWQCB
Karen Fineran, Esq., Makoff Kinnear Council, P.C.
20 California St., Ste. 201, San Francisco, CA 94111
Mary Taylor, Esq., 101 Ygnacio Valley Rd., #330, Walnut Creek, CA 94596
Bernard Rose, Esq., Randick & O'Dea
1800 Harrison St., Ste. 2350, Oakland, CA 94612
Dan Hernandez, Toxichem Management Systems, Inc.
1461 Newport Ave., San Jose, CA 95125

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY
DAVID J. KEARS, Agency Director

RO# 374

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

March 1, 1999

STID 1360

Mehdi Mohammadian
Linda Shell
15595 Washington Avenue
San Lorenzo, CA 94580

Texaco, Inc.
10 Universal City Plaza, 13th Floor
Universal City, CA 91608-1006
Attn: Douglas A. Gravelle

Bertram Kubo Trust
20321 Via Espana
Salinas, CA 93908-1261

Jessen and Agnes Calleri
10901 Cliffland Avenue
Oakland, CA 94605

RE: LINDA SHELL, 15595 WASHINGTON AVENUE, SAN LORENZO

Dear Mr. and Mrs. Calleri, and Messrs. Mohammadian, Gravelle and Kubo:

This letter is sent in follow-up to the November 9, 1998 correspondence from this office in which was requested a schedule of quarterly well sampling, monitoring, and reporting for the project at the subject site. This work shall commence no later than the 1st quarter of 1999. **Hence, this initial work must be completed before April 1, 1999 in order to comply with this schedule.**

As indicated previously, all samples are to be analyzed for total petroleum hydrocarbons as gasoline (TPH-gas); benzene, toluene, ethylbenzene, and total xylenes (BTEX); and, methyl tert butyl ether (MtBE). The highest MtBE detection in any given sampling event shall be confirmed by rerunning that sample using Method 8240 or 8260.

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

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

Sincerely,

Scott O. Seery, CHMM
Hazardous Materials Specialist

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY
DAVID J. KEARS, Agency Director

RO#374

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

November 9, 1998

STID 1360

Mehdi Mohammadian
Linda Shell
15595 Washington Avenue
San Lorenzo, CA 94580

Texaco, Inc.
10 Universal City Plaza, 13th Floor
Universal City, CA 91608-1006
Attn: Douglas A. Gravelle

Bertram Kubo
5772 Sellers Avenue
Oakley, CA 94561

Jessen and Agnes Calleri
10901 Cliffland Avenue
Oakland, CA 94605

RE: LINDA SHELL, 15595 WASHINGTON AVENUE, SAN LORENZO

Dear Mr. and Mrs. Calleri, and Messrs. Mohammadian, Gravelle and Kubo:

I am in receipt and have completed review of the October 16, 1998 Toxichem Management Systems, Inc. (Toxichem) report documenting the results of the recent phase of the soil and water investigation (SWI) at the subject site. The recent work presented in this report includes the installation of two additional monitoring wells (MW-4 and –5) and five soil borings (SB-A through SB-E). Soil and groundwater samples were collected from each for subsequent laboratory analyses.

The recent data appear to demonstrate that a more "recent" release from the underground storage tank system has occurred at this site. This interpretation is substantially based on the reported (tentative) concentrations of the fuel oxygenate methyl-tert butyl ether (MtBE) in sampled groundwater. Concentrations of MtBE ranged from 150 – 340,000 ug/l during the July and August 1998 sampling events. MtBE was not in widespread use prior to the late 1980s.

At this time, please adhere to a quarterly schedule of well sampling, monitoring, and reporting.

All samples shall be run for standard gasoline constituents: total petroleum hydrocarbons as gasoline (TPH-G); benzene, toluene, ethylbenzene, and total xylene isomers (BTEX); and, MtBE. Further, the presence of MtBE shall be confirmed through use of EPA Method 8240 or 8260 on the sample showing the highest MtBE concentration using Method 8020 or 8021.

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

Sincerely,

Scott O. Seery, CHMM
Hazardous Materials Specialist

cc: Mee Ling Tung, Director, Environmental Health
Robert Weston, ACDEH
Chuck Headlee, RWQCB
Karen Fineran, Esq., Makoff Kinnear Council, P.C.
20 California St., Ste. 201, San Francisco, CA 94111
Mary Swanson, Esq., Langford & Taylor LLP
100 Pringle Ave., Ste. 260, Walnut Creek, CA 94596
Bernard Rose, Esq., Randick & O'Dea
1800 Harrison St., Ste. 2350, Oakland, CA 94612

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY
DAVID J. KEARS, Agency Director

RO#374

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

April 9, 1998

STID 1360

Mr. Marvin Katz
Texaco Refining and Marketing, Inc.
108 Cutting Boulevard
Richmond, CA 94804

RE: LINDA SHELL, 15595 WASHINGTON AVENUE, SAN LORENZO - SOIL AND WATER INVESTIGATION (SWI) IMPLEMENTATION SCHEDULE

Dear Mr. Katz:

I have received your April 6, 1998 correspondence. Please keep me informed of your progress with respect to: 1) selection of the qualified, state-registered environmental contractor hired by Texaco to implement the approved work plan, 2) receipt of pre-approval from the State UST Fund, and 3) the date field work will commence.

Please be certain your consultant contacts this office early on to discuss any issues needing clarification. I may be reached at 510/567-6783.

Sincerely,

Scott O. Seery, CHMM
Hazardous Materials Specialist

cc: Larry Blazer, Alameda County District Attorney's Office
Chuck Hedley, RWQCB
J. Wesley Kinnear, Esq., Cohen, Makoff & Kinnear LLP
625 Market St., Ste. 1100, San Francisco, CA 94105
Mary Swanson, Esq., Langford & Taylor LLP
100 Pringle Ave., Ste. 260, Walnut Creek, CA 94596
Bernard Rose, Esq., Randick & O'Dea
1800 Harrison St., Ste. 2350, Oakland, CA 94612

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY
DAVID J. KEARS, Agency Director

RO# 374

February 19, 1998

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

STID 1360

Mehdi Mohammadian
Linda Shell
15595 Washington Avenue
San Lorenzo, CA 94580

Texaco, Inc.
10 Universal City Plaza, 13th Floor
Universal City, CA 91608-1006
Attn: Douglas A. Gravelle

Bertram Kubo
5772 Sellers Avenue
Oakley, CA 94561

Jessen and Agnes Calleri
10901 Cliffland Avenue
Oakland, CA 94605

RE: LINDA SHELL, 15595 WASHINGTON AVENUE, SAN LORENZO - SOIL AND WATER INVESTIGATION (SWI) IMPLEMENTATION SCHEDULE

Dear Mr. and Mrs. Calleri, and Messrs. Mohammadian, Gravelle and Kubo:

I was advised in October 1997 that the parties had reached agreement with respect to implementation of the soil and water investigation (SWI) work plan approved by this office on February 9, 1996. I understand that this agreement was signed in August 1997. To date, I have not been informed when the SWI will be performed.

Please inform this office within 15 days of the date of this letter of the current status of work plan implementation.

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

Sincerely,

Scott O. Seery, CHMM
Hazardous Materials Specialist

cc: Larry Blazer, Alameda County District Attorney's Office
Stephen Hill, RWQCB
J. Wesley Kinnear, Esq., Cohen, Makoff & Kinnear LLP
625 Market St., Ste. 1100, San Francisco, CA 94105
Mary Swanson, Esq., Langford & Taylor LLP
100 Pringle Ave., Ste. 260, Walnut Creek, CA 94596
Bernard Rose, Esq., Randick & O'Dea
1800 Harrison St., Ste. 2350, Oakland, CA 94612

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY
DAVID J. KEARS, Agency Director

20374

Alameda County
Environmental Protection Services
1131 Harbor Bay Parkway, Room 250
Alameda CA 94502-6577

CC4580

August 27, 1996

STID 1360

Mehdi Mohammadian
Linda Shell
15595 Washington Avenue
San Lorenzo, CA 94580

Texaco, Inc.
10 Universal City Plaza, 13th Floor
Universal City, CA 91608-1006
Attn: Douglas A. Gravelle

Bertram Kubo
5772 Sellers Avenue
Oakley, CA 94561

Jessen and Agnes Calleri
10901 Cliffland Avenue
Oakland, CA 94605

RE: LINDA SHELL, 15595 WASHINGTON AVENUE, SAN LORENZO - SOIL AND WATER INVESTIGATION (SWI) IMPLEMENTATION SCHEDULE

Dear Mr. and Mrs. Calleri, and Messrs. Mohammadian, Gravelle and Kubo:

I have been in periodic contact with attorneys representing both Mr. Kubo and Texaco since June of this year. My initial contact was to inquire of the status of the soil and water investigation (SWI). However, upon learning that the SWI work plan accepted by this office on February 9, 1996 had yet to be implemented, subsequent contact was regarding a projected schedule for its implementation. I understand that there are a variety of issues occurring "behind the scenes" which have impacted the parties' ability to perform this work.

Please inform this office in writing, **within 15 days** of the date of this letter, of the issues which have resulted in this work being delayed. In addition, please also include a proposed schedule to perform the SWI. When drafting your proposed schedule, please bear in mind that a current lack of SB2004 funding or *Letter of Commitment* from the SWRCB are not stand-alone causes to continue delay of this work.

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

Sincerely,

Scott O. Seery, CHMM
Senior Hazardous Materials Specialist

cc: Gil Jensen, Alameda County District Attorney's Office
Kevin Graves, RWQCB
J. Wesley Kinnear, Esq., Cohen, Makoff & Kinnear LLP
625 Market St., Ste. 1100
San Francisco, CA 94105
Mary Swanson, Esq., Law Office of Mary Swanson
101 Ygnacio Valley Rd., Ste. 350
Walnut Creek, CA 94596
Bernard Rose, Esq., Randick & O'Dea
1800 Harrison St., Ste. 2350
Oakland, CA 94612

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) 567-6700

RO#374

February 9, 1996

STID 1360

Mehdi Mohammadian
Linda Shell
15595 Washington Avenue
San Lorenzo, CA 94580

Texaco, Inc.
10 Universal City Plaza, 13th Floor
Universal City, CA 91608-1006
Attn: Douglas A. Gravelle

Bertram Kubo
5772 Sellers Avenue
Oakley, CA 94561

Jessen and Agnes Calleri
10901 Cliffland Avenue
Oakland, CA 94605

RE: LINDA SHELL, 15595 WASHINGTON AVENUE, SAN LORENZO

Dear Mr. and Mrs. Calleri, and Messrs. Mohammadian, Gravelle and Kubo:

I have completed review of the December 6, 1995 Cambria Environmental Technology, Inc. (Cambria) soil and water investigation (SWI) work plan for the continued assessment of the referenced site. This work plan proposes the advancement of eight (8) soil borings, two of which will be later converted into ground water monitoring wells. Soil and "grab" ground water samples will be collected from each borehole. Ground water will also be sampled from completed wells. All samples will be analyzed for total petroleum hydrocarbons as gasoline (TPH-G), and the aromatic fuel constituents benzene, toluene, ethylbenzene, and total xylene isomers (BTEX).

The proposed scope of work was discussed with Mr. Joseph Theisen of Cambria during a telephone conversation on January 5, 1996. We agreed to modify the original number of wells to be completed from two to *one*, as well as the locations of one boring (SB-A) and the remaining well (now designated MW-4). Sampling and analysis strategies have not changed. New well and boring locations are illustrated on a revised site map submitted under Cambria cover dated February 6, 1996.

The cited Cambria SWI work plan has been accepted as amended. Please contact this office when field work is slated to begin.

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

Sincerely,

Scott O. Seery, CHMM
Senior Hazardous Materials Specialist

cc: Gil Jensen, Alameda County District Attorney's Office
Kevin Graves, RWQCB
Don Atkinson-Adams, ACDEH
Jim Ferdinand, Alameda County Fire Department
J. Wesley Kinnear, Esq., Cohen, Nelsen & Makoff
Mary Swanson, Esq.

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY
DAVID J. KEARS, Agency Director

RAFAT A. SHAHID, Assistant Agency Director

R0374

October 12, 1995

Alameda County CC45
Environmental Protection Divisio
1131 Harbor Bay Parkway, Room 25
Alameda CA 94502-6577

STID 1360

Mehdi Mohammadian
Linda Shell
15595 Washington Avenue
San Lorenzo, CA 94580

Texaco, Inc.
10 Universal City Plaza, 13th Floor
Universal City, CA 91608-1006
Attn: Douglas A. Gravelle

Bertram Kubo
5772 Sellers Avenue
Oakley, CA 94561

Jessen and Agnes Calleri
10901 Cliffland Avenue
Oakland, CA 94605

RE: LINDA SHELL, 15595 WASHINGTON AVENUE, SAN LORENZO

Dear Mr. and Mrs. Calleri, and Messrs. Mohammadian, Gravelle and Kubo:

I have been informed that the parties involved in this case have met recently, and that this meeting resulted in some agreement beneficial to continued progress in this case. As a result of this reported progress, and at the request of Mr. James Wesley Kinnear of Cohen, Nelson & Makoff, outside council for Texaco in this matter, a 45-day extension has been granted to assist the parties in fully complying with the tasks outlined in the August 31, 1995 San Francisco Bay Regional Water Quality Control Board (RWQCB) directive. I understand that in granting this extension the parties have agreed to reinstate quarterly well sampling and monitoring, and that steps necessary to prepare a soil and water investigation (SWI) work plan will also be taken.

Therefore, this office anticipates the parties will be in full compliance with the August 31, 1995 RWQCB directive no later than December 1, 1995.

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

Sincerely,

Scott O. Seery, CHMM
Senior Hazardous Materials Specialist

cc: Gil Jensen, Alameda County District Attorney's Office
Kevin Graves, RWQCB
Don Atkinson-Adams, ACDEH
Jim Ferdinand, Alameda County Fire Department
J. Wesley Kinnear, Esq., Cohen, Nelsen & Makoff
Mary Swanson, Esq.

detectors and that the new detectors work. I also want the following information on the detectors:

1- Make and model number and serial numbers of the detectors.
2- Specification of the detection capability of the detector and the test data proving the detectors are working.

When I receive all of the documentation from you I will send you a letter which clears your notice of violation. **Until I receive the documents you are still in violation of the terms of your permit.**

If you have any questions please contact me at (510) 567-6734.

Sincerely,

Don Atkinson-Adams
Senior Registered Environmental
Health Specialist #5485

cc: Gil Jensen, Alameda County District Attorney, Consumer and Environmental Protection Division

Bob Chambers, Alameda County District Attorney, Consumer and Environmental Protection Division

Jun Makishima, Acting Director of Environmental Health

Scott Seery, Local Oversight Program

Bill Raynolds, East Area Manager

Robert Weston, Senior Hazardous Materials Specialist

lindale2.995

15595 Washington Avenue
San Lorenzo, CA 94580

STID 1360

September 18, 1995

The following text was in my September 11, 1995 letter.

The law requires you to maintain automatic line leak detectors which are capable of detecting a leak of 3 gph at a test pressure of 10 psi. The specific reference is Health and Safety Code section 25292(e)(1) which requires all existing underground pressurized piping to be equipped with automatic line leak detectors **on or before December 22, 1990.** The definition of an "Automatic line leak detector" and the specific performance standards are in H&S Code section 25281(a). **Since the leak detectors on your piping have been legally required to meet the performance standards since December 22, 1990** then it would not be legal to have a line leak detector on your piping that had manufacturer's specifications which were less stringent than those of H&S section 25281(a). Therefore **your assertion that the Red Jacket detectors have a specification of 4.5 gallons per hour just means that the detectors have been out of compliance since December 22, 1990.** I trust that this will help to explain why your leak detectors are **not functioning** when they are only capable of detecting a leak of 4+ gallons per hour at a testing pressure of 10 pounds per square inch. Your assertion that the detectors were operating properly and did not need to be repaired is incorrect and failure to repair them is a violation of H&S Code section 25292(b)(4)(C) "...all devices found to not be in conformance with the manufacturer's leak detection specifications shall be promptly repaired or replaced."

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY
DAVID J. KEARS, Agency Director

RO374
RAFAT A. SHAHID, DIRECTOR

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

October 5, 1995

STID 1360

Ms. Mary Swanson, Esq.
Law Office of Mary J. Swanson
101 Ygnacio Valley Road, Ste. 350
Walnut Creek, CA 94596

RE: PETITION FOR REVIEW OF THE CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD'S DESIGNATION OF JESSEN AND AGNES CALLERI AS RESPONSIBLE PARTIES - LINDA SHELL, 15595 WASHINGTON AVENUE, SAN LORENZO, ALAMEDA COUNTY, CALIFORNIA

Dear Ms. Swanson:

As you requested, enclosed are copies of the August 14, 1995 memorandum from the Alameda County District Attorney's Office, Consumer and Environmental Protection Division, presenting legal opinion regarding responsible party issues, among other topics, and the October 4, 1995 *revised* evaluation of technical data from this office regarding the environmental investigations performed to date at the subject site. The cited documents, marked Exhibit 1 and Exhibit 2, comprise part of the official record used by the Pre-Enforcement Review Panel in making a determination of responsible party in this case.

Please call me at 510/567-6783 should you have any additional questions.

Sincerely,

Scott O. Seery, CHMM
Senior Hazardous Materials Specialist

enclosures

cc: Jun Makishima, Acting Director
Gil Jensen, Alameda County District Attorney's Office
Kevin Graves, RWQCB
Theodore Cobb, SWRCB, P.O. Box 100 **w/ enclosures**
Sacramento, CA 95812-0100

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

R0374

September 18, 1995

STID 1360

Mehdi Mohammadian, Owner
Linda Shell
15595 Washington Avenue
San Lorenzo, CA 94580

Dan Kirk
Shell Oil
P.O.Box 4023
Concord, CA 94524

Subject: -Legal basis for requiring the repair of failed **Automatic line leak detectors** at Linda Shell, 15595 Washington Avenue, San Lorenzo, CA 94580.
-Required documents to clear the **NOTICE OF VIOLATION.**

Reference: -Notice letter from me dated August 31, 1995. Letter of response from you dated September 2, 1995. My letter of September 11, 1995. Your response of September 14, 1995.

Dear Mr. Mohammadian:

In response to your September 14 letter the Red Jacket detectors on your piping were not legal as of December 22, 1990. However I did review the Health and Safety Code and the California Code of Regulations which were in force at the time of installation of the line leak detectors in 1987. The rules at that time only required that either the detector be attached to an audible and visual alarm or that the detector be capable of reducing the flow of product by at least 50% when a leak is detected. So from my reading of the law **the Red Jacket detectors installed on your system were legal when installed in 1987 but became out of date and illegal by December 22, 1990.**

Please note that this problem with the leak detectors does not mean the system has leaked. I have no indication of leakage at this time.

I am still awaiting the documentation from you on the tightness tests on the tanks and the specific information on the new line leak detectors. Please submit the **certified tank test results from Scott Company and the certification from Scott that they installed the new**

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

RO374

September 11, 1995

STID 1360

Mehdi Mohammadian, Owner
Linda Shell
15595 Washington Avenue
San Lorenzo, CA 94580

Dan Kirk
Shell Oil
P.O.Box 4023
Concord, CA 94524

Subject: -Legal basis for requiring the repair of failed **Automatic line leak detectors** at Linda Shell, 15595 Washington Avenue, San Lorenzo, CA 94580.

Reference: -Notice letter from me dated August 31, 1995. Letter of response from you dated September 2, 1995.

Dear Mr. Mohammadian:

The law requires you to maintain automatic line leak detectors which are capable of detecting a leak of 3 gph at a test pressure of 10 psi. The specific reference is Health and Safety Code section 25292(e)(1) which requires all existing underground pressurized piping to be equipped with automatic line leak detectors on or before December 22, 1990. The definition of an "Automatic line leak detector" and the specific performance standards are in H&S Code section 25281(a). Since the leak detectors on your piping have been legally required to meet the performance standards since December 22, 1990 then it would not be legal to have a line leak detector on your piping that had manufacturer's specifications which were less stringent than those of H&S section 25281(a). Therefore your assertion that the Red Jacket detectors have a specification of 4.5 gallons per hour just means that the detectors have been out of compliance since December 22, 1990. I trust that this will help to explain why your leak detectors are not functioning when they are only capable of detecting a leak of 4+ gallons per hour at a testing pressure of 10 pounds per square inch. Your assertion that the detectors were operating properly and did not need to be repaired is incorrect and failure to repair them is a violation of H&S Code section 25292(b)(4)(C) "...all devices found to not be in conformance with the manufacturer's leak detection specifications shall be promptly repaired or replaced."

Linda Shell stid 1360 September 11, 1995
15595 Hesperian, San Lorenzo

Please note that this problem with the leak detectors does not mean the system has leaked. I have no indication of leakage at this time.

If you have any questions please contact me at (510) 567-6734.

Sincerely,

Don Atkinson-Adams
Senior Registered Environmental
Health Specialist #5485

Enclosure: H&S Code sections 25281, 25291, 25292

cc: Gil Jensen, Alameda County District Attorney, Consumer and Environmental Protection Division

Bob Chambers, Alameda County District Attorney, Consumer and Environmental Protection Division

Jun Makishima, Acting Director of Environmental Health

Scott Seery, Local Oversight Program

Bill Raynolds, East Area Manager

Robert Weston, Senior Hazardous Materials Specialist

lindalek.995

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY
DAVID J. KEARS, Agency Director

R0374

RAFAT A. SHAHID, DIRECTOR
DEPARTMENT OF ENVIRONMENTAL HEALTH
1131 Harbor Bay Parkway
Alameda, CA 94502-6577
(510) 567-6777

August 31, 1995

STID 1360

Mehdi Mohammadian, Owner
Linda Shell
15595 Washington Avenue
San Lorenzo, CA 94580

Dan Kirk
Shell Oil
P.O.Box 4023
Concord, CA 94524

NOTICE

Subject: -Failure of Line leak detectors to pass the state required test on 7/31/95. Location: Linda Shell, 15595 Washington Avenue, San Lorenzo, CA 94580.
-Permit violations.
-Notice of closure.

Dear Mr. Mohammadian:

This office received a copy of the line tightness and line leak detector tests. Upon review of the results we noted that the leak detectors failed to meet the state requirements. Failure to repair the leak detectors at the time of testing on July 31, 1995 constitutes a violation of the terms of the five year operating permit for the tanks. **Replace or repair the detectors with units which can meet the leak detection rate of 3 gallons per hour at 10 psi test pressure. Provide written evidence of replacement or repair of the three units by no later than 5 PM on September 7, 1995.**

You are directed to cease operation of the three underground tank systems containing motor vehicle fuel at 5 pm on September 7, 1995 if the leak detectors are not operating as required by law.

Failure to comply is prosecutable and upon conviction the tank owner shall be liable for fines of not less than $500 or more than $5000 for each underground storage tank for each day of violation of any of the terms of the permit.

15595 Washington Avenue
San Lorenzo 94580

STID 1360

August 24, 1995

The following terms of the five year permit are being violated.

4- Annual tightness testing by a certified tank tester. This office is to be notified 48 hours in advance of the test and a certified copy of the test and the worksheets is to be delivered to this office within 30 days of the date of the test. [Title 23, sec.2643(g)] **This office does not have a copy of any tightness test done within the last 12 months. This requirement is being violated.**

5- Continuously monitor the pressure piping by a line leak detector. The present devices are Red Jacket, mechanical detectors which must be able to shut off the flow of product at a leak rate of 3 gph at ten pounds of pressure. **The detectors were tested and failed on 7/31/95. This requirement is being violated.**

9- Monitoring equipment must be functioning at all times the tank is in use. **The failed detectors have not been repaired. This requirement is being violated.**

15- Maintain financial responsibility certification with this Department and have copies of the documentation on the site. **There is not a current certification with this office at this time. This requirement is being violated.**

Compliance with the all of the numbered terms is a requirement of the five year permit to operate. **Failure to comply is cause for prosecution and revocation of the permit.**

Additional violation: The Hazardous Material Business plan which you have on file with this office is dated 12-20-90. Please review your plan and submit a corrected plan within 30 days. You are required by law to do this review at least once every two years and to submit a certification that the review has been done and that no revision is needed or submit a revised plan.

If you have any questions please contact me at (510) 567-6734.

Sincerely,

Don Atkinson-Adams

Don Atkinson-Adams
Senior Registered Environmental
Health Specialist #5485

15595 Washington Avenue
San Lorenzo, CA 94580

STID 1360

August 30, 1995

Enclosure: HMBP part 2

cc: Gil Jensen, Alameda County District Attorney, Consumer and Environmental Protection Division

Bob Chambers, Alameda County District Attorney, Consumer and Environmental Protection Division

Jun Makishima, Acting Director of Environmental Health

Scott Seery, Local Oversight Program

Bill Raynolds, East Area Manager

Robert Weston, Senior Hazardous Materials Specialist

lindalek.895

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY
DAVID J. KEARS, Agency Director

R0374

RAFAT A. SHAHID, DIRECTOR

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

August 25, 1995

STID 1360

Mehdi Mohammadian, Owner
Linda Shell
15595 Washington Avenue
San Lorenzo, CA 94580

Dan Kirk
Shell Oil
P.O.Box 4023
Concord, CA 94524

Subject: List of Conditions for Five Year Operating Permit for four Underground Storage Tanks, Linda Shell, 15595 Washington Avenue, San Lorenzo, CA 94580.

Dear Mr. Mohammadian:

The present five year operating permit expires on April 29, 1996. The following is a list of conditions which must be followed to maintain your permit to operate the four (4) underground storage tank systems (USTs) at the subject site. The systems include one, 500 gallon, double walled fiberglass, waste oil tank with a vertical fill line; and three 10,000 gallon double walled fiberglass motor vehicle fuel tanks with single walled fiberglass pressurized piping and product dispensers. (Note: the piping for the fuel tanks is double walled fiberglass but since there is no monitoring of the interstitial space the piping is to be considered single wall for the monitoring requirement.) All four tank systems have spill containment around the fill tubes. The waste oil tank has a detector in the interstitial space connected to a Pollulert monitoring system. The three 10,000 gallon tank systems must be monitored as "hybrid tank systems" as follows:

Tank monitoring: (three, 10,000 gallon tanks)

1- Manual Inventory Reconciliation:
-daily stick readings,
-monthly reconciliation,
-annual letter to this office "verifying under penalty of perjury that all monthly reports were summarized and that all data are within allowable variations." [Title 23, sec.2646(g)],

2- Annual tightness testing by a certified tank tester. This office is to be notified 48 hours in advance of the test and a certified copy of the test and the worksheets is to be delivered to this office within 30 days of the date of the test. [Title 23, sec.2643(g)

15595 Washington Avenue
San Lorenzo 94580

stid 1360

August 25, 1995

Tank monitoring: (all four tanks)

3- Continuous monitoring of the interstitial space of each tank. The monitor is to be attached to a visual and audible alarm. The present system is made by Pollulert.

Piping monitoring: (three, 10,000 gallon tanks)

4- Annual tightness testing by a certified tank tester. This office is to be notified 48 hours in advance of the test and a certified copy of the test and the worksheets is to be delivered to this office within 30 days of the date of the test. [Title 23, sec.2643(g)]

5- Continuously monitor the pressure piping by a line leak detector. The present devices are Red Jacket, mechanical detectors which must be able to shut off the flow of product at a leak rate of 3 gph at ten pounds of pressure.

Additional requirements:

6- Maintain written records of all maintenance performed on the tank system.

7- Make available manual inventory reconciliation records (for the three, 10,000 gallon tanks) within 36 hours of request.

8- All monitoring equipment must be serviced at least annually by a factory certified technician.

9- Monitoring equipment must be functioning at all times the tank is in use.

10- Complete employee training at least annually and document such training.

11- Report any unauthorized spills and releases to this office within 24 hours. Provide written reports of spills and releases within 5 working days.

12- Report changes in facility staff and/or monitoring equipment on Forms A & B within 30 days.

13- Fees related to the operation of the tanks are to be paid in a timely manner to this Department.

14- Display the five year operating permit in a conspicuous place on site.

15- Maintain financial responsibility certification with this Department and have copies of the documentation on the site.
(A copy of the relevant pages from the "Financial Responsibility Guide, July 1995 are enclosed for your use.)

Fill out and return the "Certification of Financial Responsibility" and the "Letter from the Chief Financial Officer" by September 1, 1995.

Compliance with the all of the numbered conditions is a requirement of the five year permit to operate and failure to comply is cause for prosecution and revocation of the permit.

THE FOLLOWING ARE <u>REQUIRED UPGRADES</u> BY DECEMBER 23, 1998

A- The three, 10,000 gallon tanks must have over fill prevention systems installed.

B- The automatic line leak detectors shall be capable of shutting off the pump if:
-a leak occurs, or
-the detector fails, or
-the detector is disconnected.

If you have any questions regarding the operation of these 4 tank systems please contact me at (510) 567-6734.

Sincerely,

Don Atkinson-Adams
Senior Registered Environmental
Health Specialist #5485

lindaper.895

enclosures (Hybrid Tank Systems) (Financial Responsibility)

cc: Bill Raynolds, East Area Manager
Robert Weston, Senior Hazardous Materials Specialist

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY
DAVID J. KEARS, Agency Director

RAFAT A. SHAHID, Assistant Agency Director

RO 374

Alameda County
Environmental Protection Division
1131 Harbor Bay Parkway, Room 250
Alameda CA 94502-6577

CC4530

STID 1360

February 28, 1995

Mahdi Mohammadian
LINDA SHELL
15595 Washington Avenue
San Lorenzo, CA 94580

Lisa Kim
TEXACO, INC.
10 Universal City Plaza, 13th Floor
Universal City, CA 91608-1006

Bertram Kubo
5772 Sellers Avenue
Oakley, CA 94561

Jessen and Agnes Calleri
1901 Cliffland Avenue
Oakland, CA 94605

RE: LINDA SHELL, 15595 WASHINGTON AVENUE, SAN LORENZO, ALAMEDA COUNTY, CALIFORNIA

Dear Ms. Kim and Calleri and Messrs. Mohammadian and Kubo:

Today a *reset* Pre-Enforcement Review Panel (PERP) convened during which environmental, responsible party (RP) and current underground storage tank (UST) specification issues were discussed. RP and UST issues remain unresolved.

The Review Panel have requested that the parties submit additional information, as follows:

1) within ***15 days*** -

- "As-built" engineering drawing packet depicting the present UST <u>system</u> configuration and locations of all system appurtenances
- <u>All</u> equipment cutsheets for: USTs and piping; secondary containment (if applicable); sumps, overfill and overspill protection; pumps; system monitoring equipment, including sensors, panels, etc., and their locations.

2) within ***30 days*** -

- Chronology of site ownership, UST ownership and operation, UST replacement and/or removal, etc.
- The Calleris' association with the operation and ownership of the site; business arrangement with Texaco Corporation (i.e., distributorship vs. dealership vs. retailer, etc.), among other possible fuel suppliers
- The last known operator or lessee of the site during Calleris' ownership of the site (if not the Calleris)
- Discussion with respect to the affiliation of the Longs with the Calleris, status of any resulting estates, dates of tenure, etc.
- Any legal arguments regarding RP definitions or designations

Please contact this office should you have any questions. I may be reached at 510/567-6783, or -6700.

Sincerely,

Scott O. Seery, CHMM
Senior Hazardous Materials Specialist

cc: Rafat A. Shahid, Assistant Agency Director
Gil Jensen, Alameda County District Attorney's Office
John Kaiser, RWQCB
Sandra R. McIntosh, Trepel & Clark
50 West San Fernando, 13th Floor
San Jose, CA 95113
Mary J. Swanson, 101 Ygnacio Valley Rd., Ste. 350
Walnut Creek, CA 94596-4095

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY
DAVID J. KEARS, Agency Director

RAFAT A. SHAHID, Assistant Agency Director

R0374

STID 1360

Alameda County CC4580
Environmental Protection Division
1131 Harbor Bay Parkway, Room 250
Alameda CA 94502-6577

February 3, 1995

Mahdi Mohammadian
LINDA SHELL
15595 Washington Avenue
San Lorenzo, CA 94580

Bertram Kubo
5772 Sellers Avenue
Oakley, CA 94561

RE: LINDA SHELL, 15595 WASHINGTON AVENUE, SAN LORENZO, ALAMEDA COUNTY, CALIFORNIA

Dear Messrs. Mohammadian and Kubo:

As you are aware, the Pre-Enforcement Review Panel (PERP) scheduled for January 24, 1995 was, at the request of Ms. Mary J. Swanson, attorney for the Calleri's, postponed until February 28, 1995. A *revised* notice will be forthcoming.

In preparation for this meeting, this office has become aware that the "as-built" drawings depicting the current underground storage tank (UST) configuration have not, to date, been provided to this agency. Section 2635(d)(8) of Title 23, California Code of Regulations (CCR), states "...[t]he actual location and orientation of the [USTs] and appurtenant piping systems shall be indicated on as-built drawings of the facility. Copies of all drawings, photographs, and plans shall be submitted to the local agency."

Pursuant to the cited section of 23CCR, please be prepared to submit a complete set of engineering as-built drawings at the February 28 meeting.

Please contact this office should you have any questions. I may be reached at 510/567-6783, or -6700.

Sincerely,

Scott O. Seery, CHMM
Senior Hazardous Materials Specialist

cc: Rafat A. Shahid, Assistant Agency Director
Gil Jensen, Alameda County District Attorney's Office
Rob Weston, ACDEH
Sandra R. McIntosh, Trepel & Clark
50 West San Fernando, 13th Floor
San Jose, CA 95113
Mary J. Swanson, 101 Ygnacio Valley Rd., Ste. 350
Walnut Creek, CA 94596-4095
Lisa Kim, Texaco Inc., 10 Universal City Plaza, 13th Floor
Universal City, CA 91608-1006

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY
DAVID J. KEARS, Agency Director

RAFAT A. SHAHID, Assistant Agency Director

R0374

ALAMEDA COUNTY CC4580
DEPT. OF ENVIRONMENTAL HEALTH
ENVIRONMENTAL PROTECTION DIVISION
1131 HARBOR BAY PKWY., #250
ALAMEDA CA 94502-6577

STID 1360

December 19, 1994

Mr. Mahdi Mohammadian
Linda Shell
15595 Washington Avenue
San Lorenzo, CA 94580

RE: LINDA SHELL, 15595 WASHINGTON AVENUE, SAN LORENZO

Dear Mr. Mohammadian:

This correspondence is written in response to your November 11, 1994 request for specific information regarding this agency's receipt and interpretation of the October 17, 1986 Groundwater Technology, Inc. assessment report. I will address your questions in the order that they were presented, first restating each question as I have understood them.

Question 1) ***Did the health department receive a copy of the October 17, 1986 Groundwater Technology, Inc. report for this site during 1986 or 1987?***

Answer It is unknown whether or not the health department received the cited Groundwater Technology, Inc. (GTI) report during 1986 or 1987. Further discussion of this issue would require conjecture.

However, the case file's first apparent reference to the October 1986 GTI report was in a January 14, 1993 GTI cover letter which accompanied a copy of their December 4, 1992 sampling report. This GTI cover letter indicates that a Mr. Kebo [sic] had requested a copy of the 1986 GTI report be provided to the health department. GTI indicates that approval from Texaco would be required first.

The case file reflects that the health department <u>did</u> receive a copy of the October 1986 GTI report from Mr. Bertram Kubo at some point <u>after</u> March 30, 1993, the date of his hand-written note accompanying a copy of this report.

Question 2) ***If the health department had received the October 1986 GTI report, would we have considered the site "clean" or contaminated, and would we have opened a case requiring an investigation?***

Answer The health department was not overseeing the assessment or clean-up of sites contaminated by leaking underground storage tanks (UST) at that time. The San Francisco Bay Regional Water Quality Control Board (RWQCB) was the agency shouldered with that responsibility at that time. During December 1988, the health department entered into an agreement with the RWQCB for such oversight responsibility.

Question 3) ***When was the first time this office received a copy of the October 17, 1986 GTI report?***

Answer As indicated previously, it appears that this office did not receive a copy of the cited GTI report until sometime after March 30, 1993.

Question 4) ***Do our files indicate, or is it even possible, that during late 1986 or early 1987 our office had informed Mr. Kubo, based on the cited report, that the contamination is so minimal that the health department dropped their investigation?***

Answer As indicated previously, our first apparent awareness of the cited GTI report was at some time after March 1993. To answer this question more substantially would require conjecture.

Question 5) ***Is it true that the health department would have opened a case requiring an environmental investigation if we had been aware of the cited GTI report at that time?***

Answer As indicated previously, the health department did not receive authority to be the lead agency in such cases until December 1988. Hence, if a case were opened, the RWQCB would have been the agency requiring the investigation and overseeing the project.

Additionally, review of the State Water Resources Control Board (SWRCB) "Report on Releases of Hazardous Substances From Underground Storage Tanks" dated January 1992 indicates this site does not, as of that document's publish date, appear in the SWRCB database. This would suggest that the release at this site had not been properly reported to the SWRCB. Hence, this agency, as well as the RWQCB and SWRCB, were likely not informed at all until 1993 of the release at this site.

Please call me at 510/567-6783 should you have any further questions.

Sincerely,

Scott O. Seery, CHMM
Senior Hazardous Materials Specialist

cc: Rafat A. Shahid, Assistant Agency Director
Gil Jensen, Alameda County District Attorney's Office
Lisa Kim, Texaco
Bertram Kubo

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY
DAVID J. KEARS, Agency Director

RAFAT A. SHAHID, Assistant Agency Director

R0374

ALAMEDA COUNTY CC4580
DEPT. OF ENVIRONMENTAL HEALTH
ENVIRONMENTAL PROTECTION DIVISION
1131 HARBOR BAY PKWY., #250
ALAMEDA CA 94502-6577

STID 1360

October 25, 1994

Mehdi Mohammadian
LINDA SHELL
15595 Washington Avenue
San Lorenzo, CA 94580

Lisa Kim
TEXACO, INC.
10 Universal City Plaza, 13th Floor
Universal City, CA 91608-1006

Bertram Kubo
5772 Sellers Avenue
Oakley, CA 94561

RE: LINDA SHELL, 15595 WASHINGTON AVENUE, SAN LORENZO, ALAMEDA COUNTY, CALIFORNIA

Dear Ms. Kim and Messrs. Mohammadian and Kubo:

Today a Pre-Enforcement Review Panel (PERP) convened to discuss the current status of the environmental and regulatory issues associated with the referenced site. In addition to yourselves, representatives from the Alameda County District Attorney's Office, and the Alameda County Environmental Health Department, Environmental Protection Division, were in attendance, among others.

The Review Panel have agreed to allow the record to remain open for an additional period of 30 days to provide sufficient time for *all* parties or their agents to collect and submit supplemental information for consideration before a final decision is rendered. Therefore, the record will remain open until the close of business on November 28, 1994. This deadline supercedes that associated with this agency's May 31, 1994 request for a work plan for the further assessment of the site, pending a final decision by the Review Panel.

Please contact this office should you have any questions. I may be reached at 510/567-6783, or -6700.

Sincerely,

Scott O. Seery, CHMM
Senior Hazardous Materials Specialist

cc: Rafat A. Shahid, Assistant Agency Director
Gil Jensen, Alameda County District Attorney's Office
Rob Weston, ACDEH
Kevin Graves, RWQCB
Ed Laudani, Alameda County Fire Department
Sandra R. McIntosh, Trepel & Clark
50 West San Fernando, 13th Floor
San Jose, CA 95113

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY
DAVID J. KEARS, Agency Director

R0374

RAFAT A. SHAHID, ASST. AGENCY DIRECTOR

DEPARTMENT OF ENVIRONMENTAL HEALTH
State Water Resources Control Board
Division of Clean Water Programs
UST Local Oversight Program
80 Swan Way, Rm 200
Oakland, CA 94621
(510) 271-4530

May 31, 1994

Lisa Kim
Texaco Inc
10 Universal City Plaza 13th Floor
Universal City, CA 91608 1006

STID 1360

Re: Investigations at 15595 Washington Avenue, San Lorenzo, California

Dear Ms. Kim,

This office has received and reviewed Texaco's Quarterly Monitoring Report, dated May 3, 1994, for the above site. Due to variations in the ground water gradient in the area, you will be required to conduct monthly water level measurements and corresponding gradient determinations, in addition to the required quarterly ground water sampling, for 12 months, and quarterly thereafter. The calculated monthly elevation contours may be submitted with the quarterly monitoring reports.

Future quarterly monitoring reports shall include an interpretation of the results and recommendations. **The whole report must be submitted under the seal of a Registered Geologist or Registered Engineer, and not just the gradient map.**

Elevated levels of Total Petroleum Hydrocarbons as gasoline, at 1,300 ppb, and benzene, at 110 ppb, were identified from on-site Well MW-1. Please be reminded that, per Article 11 Title 23 California Code of Regulations, you are required to fully characterize the extent and severity of this ground water contamination, and any potential soil contamination. A work plan addressing this work is **due within 60 days** of the date of this letter.

If you have any questions or comments, please contact me at (510) 271-4530.

Sincerely,

Juliet Shin
Hazardous Materials Specialist

cc: Bertram Kubo
5772 Sellers Ave.
Oakley, CA 94561

Mr. Mahdi Mohammadian
15595 Washington Ave.
San Lorenzo, CA 94580

Edgar Howell-File(JS)

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY
DAVID J. KEARS, Agency Director

R0374

RAFAT A. SHAHID, ASST. AGENCY DIRECTOR

DEPARTMENT OF ENVIRONMENTAL HEALTH
State Water Resources Control Board
Division of Clean Water Programs
UST Local Oversight Program
80 Swan Way, Rm 200
Oakland, CA 94621
(510) 271-4530

November 18, 1993

Bertram Kubo
5772 Sellers Avenue
Oakley, CA 94561

STID 1360

Re: 15595 Washington Avenue, San Lorenzo, California

Dear Mr. Kubo,

On April 27, 1993, this office wrote you a letter requiring you to continue quarterly ground water monitoring and reporting at your site. To this date, this office has received no quarterly reports.

You are required to conduct quarterly ground water monitoring at the site, and submit a quarterly report to this office **within 45 days** of the date of this letter. The referenced quarterly reports must describe the status of the investigation and must include, among others, the following elements:

- Details and results of all work performed during the designated period of time: records of field observations and data, water level data, chain-of-custody forms, laboratory results for all samples collected and analyzed, tabulations of free product thicknesses, if any, and dissolved fractions, etc.
- Status of ground water contamination characterization.
- Interpretation of results: water level contour maps showing gradients, free and dissolved product, plume definition maps for target components, etc.

Samples collected must be analyzed for the appropriate fuel contaminants, potentially available for release, listed in Table 2 of the RWQCB's Staff Recommendations for the Initial Evaluation and Investigation of Underground Tanks.

Recently a site assessment was conducted at 15563 Washington Avenue, adjacent to your property, with the intent to sell this property. Three borings were installed along the southern boundary of that property (Please refer to the attached figure). Groundwater "grab" samples were collected from all three of these borings, and analyzed for Total Petroleum Hydrocarbons as gasoline (TPHg) and benzene, toluene, ethylbenzene, and xylenes.

Upto 4,500 parts per billion (ppb) TPHg and 18 ppb benzene were identified from the ground water samples (Please refer to attached lab analysis results).

Information was recently made available to this office indicating that the property at 15563 Washington was never used for hydrocarbon operations. It appears that this property was part of a farm until the 1960s, when the property was purchased by Gulf Oil along with your property. According to Building Permit documentation and a blue print, Gulf Oil developed your site into a service station, and left the site at 15563 undeveloped for "Surplus Property" until the site was sold to Mr. Don Callahan, the current property owner, in 1972. Since that time, that site has only been used for office space.

Therefore, it appears that the observed contamination at the neighboring property may be resulting from releases at your site. If ground water gradient is determined to be flowing from your site towards the 15563 Washington site, you may be required to investigate for off-site migration of groundwater contamination.

If you have any questions or comments, please contact me at (510) 271-4530.

Sincerely,

Juliet Shin
Hazardous Materials Specialist

cc: Lisa Kim
Texaco Inc
10 Universal City Plaza 13th Floor
Universal City, CA 91608 1006

Mr. Mahdi Mohammadian
15595 Washington Ave.
San Lorenzo, CA 94580

Don Callahan
15250 Hesperian Blvd., Ste 200
San Leandro, CA 94578

Edgar Howell-File(JS)

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY
DAVID J. KEARS, Agency Director

R0374

RAFAT A. SHAHID, ASST. AGENCY DIRECTOR

DEPARTMENT OF ENVIRONMENTAL HEALTH
State Water Resources Control Board
Division of Clean Water Programs
UST Local Oversight Program
80 Swan Way, Rm 200
Oakland, CA 94621
(510) 271-4530

November 18, 1993

Mahdi Mohammadian
15595 Washington Ave.
San Lorenzo, CA 94580

STID 1360

Re: 15595 Washington Avenue, San Lorenzo, California

Dear Mr. Mohammadian,

On April 27, 1993, this office wrote you a letter requiring you to continue quarterly ground water monitoring and reporting at your site. To this date, this office has received no quarterly reports, or any communication as to why the quarterly reports have not been submitted.

You are required to conduct quarterly ground water monitoring at the site, and submit a quarterly report to this office **within 45 days** of the date of this letter. The referenced quarterly reports must describe the status of the investigation and must include, among others, the following elements:

- Details and results of all work performed during the designated period of time: records of field observations and data, water level data, chain-of-custody forms, laboratory results for all samples collected and analyzed, tabulations of free product thicknesses, if any, and dissolved fractions, etc.
- Status of ground water contamination characterization.
- Interpretation of results: water level contour maps showing gradients, free and dissolved product, plume definition maps for target components, etc.

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Information was recently made available to this office indicating that the property at 15563 Washington was never used for hydrocarbon operations. It appears that this property was part of a farm until the 1960s, when the property was purchased by Gulf Oil along with your property. According to Building Permit documentation and a blue print, Gulf Oil developed your site into a service station, and left the site at 15563 undeveloped for "Surplus Property" until the site was sold to Mr. Don Callahan, the current property owner, in 1972. Since that time, that site has only been used for office space.

Therefore, it appears that the observed contamination at the neighboring property may be resulting from releases at your site. If ground water gradient is determined to be flowing from your site towards the 15563 Washington site, you may be required to investigate for off-site migration of groundwater contamination.

If you have any questions or comments, please contact me at (510) 271-4530.

Sincerely,

Juliet Shin
Hazardous Materials Specialist

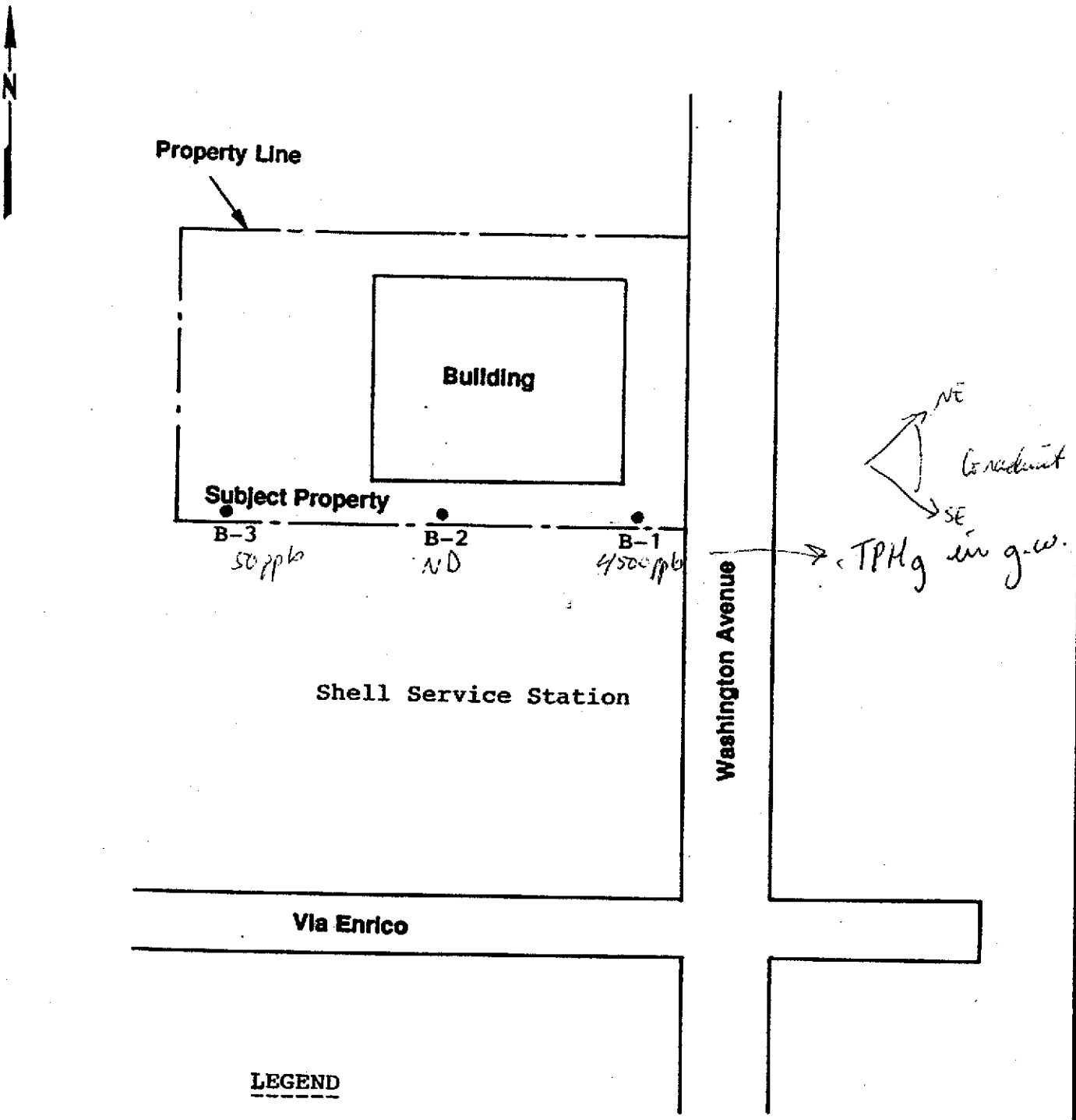
cc: Lisa Kim
Texaco Inc
10 Universal City Plaza 13th Floor
Universal City, CA 91608 1006

Bertram Kubo
5772 Sellers Avenue
Oakley, CA 94561

Don Callahan
15250 Hesperian Blvd., Ste 200
San Leandro, CA 94578

Edgar Howell-File(JS)

R0374



NOTES: Not To Scale	DATE June 29, 1993	EGC ENVIRONMENTAL GEOTECHNICAL CONSULTANTS, INC. CONSULTANTS IN APPLIED EARTH SCIENCE	
	JOB NO. E316-02		
	DWG NO. E316-02-02	SITE PLAN	FIGURE NO. 2
	DRAWN J. Phillips	15563 Washington Avenue	
	CHK'D J. Phillips	San Lorenzo, California	
	APP'D J. Hicks	Mr. Don Callahan	REV NO.

Excelchem
Environmental Labs
8112 Patton Avenue
Citrus Heights, CA 95610
(916) 729-5313

ANALYSIS REPORT

Attention: Mr. John Hicks
EGC, Inc.
2495 Industrial Pkwy. West
Hayward, CA 94545
Project #: E316-02

Date Sampled : 8-09-93
Date Received: 8-10-93
BTEX Analyzed: 8-16-93
TPHg Analyzed: 8-16-93
Matrix: Water

	Benzene PPB	Toluene PPB	Ethyl-benzene PPB	Total Xylenes PPB	TPHg PPB
Reporting Limit:	0.5	0.5	0.5	0.5	50
SAMPLE Laboratory Identification:					
B-1 W0893052	0.5	0.5	ND	0.5	50
B-2 W0893053	0.7	ND	ND	ND	ND

PPB = Parts per billion = ug/L = microgram per liter
ND = Not detected. Compound(s) may be present at concentrations below the reporting limit.

ANALYTICAL PROCEDURES

BTEX-- Benzene, toluene, ethylbenzene, and total xylene isomers (BTEX) are analyzed by using EPA Method 602 which utilizes a gas chromatograph (GC) equipped with a photoionization detector (PID).
TPHg--Total petroleum hydrocarbons as gasoline (low-to-medium boiling points) are analyzed by using modified EPA Method 8015, which utilizes a GC equipped with an FID.

Laboratory Representative

8-18-93
Date Reported

EXCELCHEM ENVIRONMENTAL LABS IS CERTIFIED BY THE STATE OF CALIFORNIA DEPARTMENT OF HEALTH SERVICES AS A HAZARDOUS WASTE TESTING LABORATORY (Certification No. 1760)

R0374

Excelchem
Environmental Labs
8112 Patton Avenue
Citrus Heights, CA 95610
(916) 729-5313

ANALYSIS REPORT

Attention: Mr. John Hicks
EGC, Inc.
2495 Industrial Pkwy. West
Hayward, CA 94545
Project #: E316-02

Date Sampled : 8-09-93
Date Received: 8-10-93
BTEX Analyzed: 8-16-93
TPHg Analyzed: 8-16-93
Matrix: Water

	Benzene PPB	Toluene PPB	Ethyl-benzene PPB	Total Xylenes PPB	TPHg PPB
Reporting Limit:	10	10	10	10	1000
SAMPLE Laboratory Identification:					
B-3 W0893054	18	28	12	26	4900

PPB = Parts per billion = ug/L = micrograms per liter
ND = Not detected. Compound(s) may be present at concentrations below the reporting limit.

ANALYTICAL PROCEDURES

BTEX-- Benzene, toluene, ethylbenzene, and total xylene isomers (BTEX) are analyzed by using EPA Method 602 which utilizes a gas chromatograph (GC) equipped with a photoionization detector (PID).
TPHg--Total petroleum hydrocarbons as gasoline (low-to-medium boiling points) are analyzed by using modified EPA Method 8015, which utilizes a GC equipped with an FID.

Laboratory Representative

8-18-93
Date Reported

EXCELCHEM ENVIRONMENTAL LABS IS CERTIFIED BY THE STATE OF CALIFORNIA DEPARTMENT OF HEALTH SERVICES AS A HAZARDOUS WASTE TESTING LABORATORY (Certification No. 1760)

Excelchem
Environmental Labs
8112 Patton Avenue
Citrus Heights, CA 95610
(916) 729-5313

ANALYSIS REPORT

Attention: Mr. John Hicks
EGC, Inc.
2495 Industrial Pkwy. West
Hayward, CA 94545

Date Sampled : 8-09-93
Date Received: 8-10-93
TPHd Analyzed: 8-17-93
Matrix : Water

Project #: E316-02

	TPHd
Reporting Limit:	PPB
	100

SAMPLE Laboratory Identification	
#1**	ND---
#2**	ND---
#3**	ND---

PPB = Parts per billion = ug/L = microgram per liter
** = No sample identification on sample container.
--- = Peaks in diesel range.
ND = Not detected. Compound(s) may be present at concentrations below the reporting limit.

ANALYTICAL PROCEDURES

TPHd--Total petroleum hydrocarbons as diesel (high boiling points) are measured by extraction using EPA Method 3550 followed by modified EPA Method 8015 with direct sample injection into a GC equipped with an FID.

Laboratory Representative

8-18-93
Date Reported

EXCELCHEM ENVIRONMENTAL LABS IS CERTIFIED BY THE STATE OF CALIFORNIA DEPARTMENT OF HEALTH SERVICES AS A HAZARDOUS WASTE TESTING LABORATORY (Certification No. 1760)

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY
DAVID J. KEARS, Agency Director

RO 374

RAFAT A. SHAHID, ASST. AGENCY DIRECTOR

DEPARTMENT OF ENVIRONMENTAL HEALTH
State Water Resources Control Board
Division of Clean Water Programs
UST Local Oversight Program
80 Swan Way, Rm 200
Oakland, CA 94621
(510) 271-4530

November 18, 1993

Ms. Lisa Kim
Texaco Inc.
10 Universal City Plaza 13th Floor
Universal City, CA 91608 1006

STID 1360

Re: 15595 Washington Avenue, San Lorenzo, California

Dear Ms. Kim,

This office has received your letter, dated September 23, 1993, expressing Texaco's arguement as to why they should not be considered a Responsible Party for investigations and cleanup at the above site. This office discussed your letter with the State Clean Water Program's Legal Counsel and the Alameda County District Attorney's Office, and it was determined that, based on the State's regulations, Texaco will still be considered a Responsible Party. If you wish to discuss this matter further, this office is willing to hold a meeting between Texaco, Alameda County, the Alameda County District Attorney's Office, and the Regional Water Quality Control Board in what has been coined a "Review Panel".

Per our conversations on October 25, 1993 and November 8, 1993, the whereabouts of the last operators of the underground storage tanks before the release is unknown.

On April 27, 1993, this office wrote you a letter requiring you to continue quarterly ground water monitoring and reporting at your site. To this date, this office has received no quarterly reports. You are required to conduct quarterly ground water monitoring at the site, and submit a quarterly report to this office **within 45 days** of the date of this letter. The referenced quarterly reports must describe the status of the investigation and must include, among others, the following elements:

- Details and results of all work performed during the designated period of time: records of field observations and data, water level data, chain-of-custody forms, laboratory results for all samples collected and analyzed, tabulations of free product thicknesses, if any, and dissolved fractions, etc.

- Status of ground water contamination characterization.

- Interpretation of results: water level contour maps showing gradients, free and dissolved product, plume definition maps for target components, etc.

Samples collected must be analyzed for the appropriate fuel contaminants, potentially available for release, listed in Table 2 of the RWQCB's Staff Recommendations for the Initial Evaluation and Investigation of Underground Tanks.

Recently a site assessment was conducted at 15563 Washington Avenue, adjacent to your property, with the intent to sell this property. Three borings were installed along the southern boundary of that property (Please refer to the attached figure). Groundwater "grab" samples were collected from all three of these borings, and analyzed for Total Petroleum Hydrocarbons as gasoline (TPHg) and benzene, toluene, ethylbenzene, and xylenes. Upto 4,500 parts per billion (ppb) TPHg and 18 ppb benzene were identified from the ground water samples (Please refer to attached lab analysis results).

Information was recently made available to this office indicating that the property at 15563 Washington was never used for hydrocarbon operations. It appears that this property was part of a farm until the 1960s, when the property was purchased by Gulf Oil along with your property. According to Building Permit documentation and a blue print, Gulf Oil developed your site into a service station, and left the site at 15563 undeveloped for "Surplus Property" until the site was sold to Mr. Don Callahan, the current property owner, in 1972. Since that time, that site has only been used for office space.

Therefore, it appears that the observed contamination at the neighboring property may be resulting from releases at your site. If ground water gradient is determined to be flowing from your site towards the 15563 Washington site, you may be required to investigate for off-site migration of groundwater contamination.

If you have any questions or comments, please contact me at (510) 271-4530.

Sincerely,

Juliet Shin
Hazardous Materials Specialist

cc: Bertram Kubo
5772 Sellers Avenue
Oakley, CA 94561

Mr. Mahdi Mohammadian
15595 Washington Ave.
San Lorenzo, CA 94580

Don Callahan
15250 Hesperian Blvd., Ste 200
San Leandro, CA 94578

Edgar Howell-File(JS)

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY
DAVID J. KEARS, Agency Director

R0374

RAFAT A. SHAHID, ASST. AGENCY DIRECTOR

DEPARTMENT OF ENVIRONMENTAL HEALTH
State Water Resources Control Board
Division of Clean Water Programs
UST Local Oversight Program
80 Swan Way, Rm 200
Oakland, CA 94621
(510) 271-4530

April 27, 1993

Bert Kubo
5772 Sellers Ave.
Oakley, CA 94561

STID 1360

Re: 15595 Washington Street, San Lorenzo, California

Dear Mr. Kubo,

In August 1986, Groundwater Technology, Inc., under the direction of Texaco, placed six borings at the above site and converted three of these borings into monitoring wells. It appears that soil samples were collected from the borings at 5-foot intervals, and analyzed for Total Petroleum Hydrocarbons (TPH), lead, and BTEX, and ground water samples were collected from the three newly installed monitoring wells and borings SB-1 and SB-2, and analyzed for BTEX. The analysis of the ground water sample collected from SB-1 identified 220 ppb Benzene.

In 1992, Groundwater Technology was contacted by Tracy Federal Bank to conduct a limited investigation of the site. On November 12, 1992, Groundwater Technology collected water level measurements and ground water samples from the three on-site wells. Water samples were analyzed for BTEX and TPH as gasoline. Analysis of the ground water samples identified 720 ppb TPH as gasoline, 3 ppb Benzene, and traces of toluene, ethylbenzene, and xylenes from Well MW-1. Additionally, 69 ppb TPH as gasoline was identified from Well MW-3. Well MW-1, the well currently showing the highest levels of TPH and BTEX, is located near the former boring SB-1 which identified the levels of benzene observed in 1986.

Per Section 2652, Article 5, Title 23 California Code of Regulations, you are required to continue conducting quarterly monitoring and reporting at this site. The referenced quarterly reports must describe the status of the investigation and must include, among others, the following elements:

- Details and results of all work performed during the designated period of time: records of field observations and data, water level data, chain-of-custody forms,

laboratory results for all samples collected and analyzed, tabulations of free product thicknesses, if any, and dissolved fractions, etc.

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- Recommendations or plans for additional investigative work or remediation.

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Sincerely,

Juliet Shin
Hazardous Materials Specialist

cc: Richard Hiett, RWQCB

Mr. Robert Robles
Texaco Refining &
Marketing, Inc.
10 Universal City Plza, 13th Fl.
Universal City, CA 91608

Mahdi Mohammadian
15595 Washington St.
San Lorenzo, CA 94580

Edgar Howell-File(JS)

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY
DAVID J. KEARS, Agency Director

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RAFAT A. SHAHID, ASST. AGENCY DIRECTOR

DEPARTMENT OF ENVIRONMENTAL HEALTH
State Water Resources Control Board
Division of Clean Water Programs
UST Local Oversight Program
80 Swan Way, Rm 200
Oakland, CA 94621
(510) 271-4530

April 27, 1993

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15595 Washington St.
San Lorenzo, CA 94580

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ALAMEDA COUNTY
HEALTH CARE SERVICES
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DEPARTMENT OF ENVIRONMENTAL HEALTH
State Water Resources Control Board
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80 Swan Way, Rm 200
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R0374

April 27, 1993

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Texaco Refining &
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10 Universal City Plza, 13th Fl.
Universal City, CA 91608

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Juliet Shin
Hazardous Materials Specialist

cc: Richard Hiett, RWQCB

Mahdi Mohammadian
15595 Washington St.
San Lorenzo, CA 94580

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5772 Sellers Ave.
Oakley, CA 94561

Edgar Howell-File(JS)

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY
DAVID J. KEARS, Agency Director

R0374

DEPARTMENT OF ENVIRONMENTAL HEALTH
Hazardous Materials Program
80 Swan Way, Rm. 200
Oakland, CA 94621
(415)

May 22, 1991

Mehdi Mohammadian
Linda Shell
15595 Washington Av.
San Lorenzo CA 94580

RE: Underground Storage Tank Operating Permit

Dear Mr. Mohammadian:

Enclosed is a five year underground storage tank operating permit for your facility. To operate under a valid permit, you are required to comply with the conditions as described in the California Code of Regulations, Title 23, Subchapter 16, Section 2712. These conditions are summarized below:

1. The permittee shall report to this office within 30 days any changes in the uses of any underground storage tank. Storage of any new hazardous substances, changes in monitoring procedures, or replacement/repair of any part or all of an underground storage tank are among the changes that must be reported.

2. The permittee shall report to this office any unauthorized releases as described in Sections 2652 (b) and (c).

3. Written records of all monitoring performed shall be maintained onsite for a period of at least three years from the date the monitoring was performed. These records shall be made available for inspection during any site inspection by a representative of this office.

4. Permits may be transferred to new underground storage tank owners if the new tank owner does not change any conditions of the permit, the transfer is registered with this office within 30 days of the change in ownership, and any necessary modifications are made to the permit application information. This office may review, modify, or terminate the permit to operate the underground storage tank upon receiving the ownership transfer request.

You may contact me with any questions about your underground tanks at 271-4320.

Sincerely,

Pamela J. Evans

Pamela J. Evans
Hazardous Materials Specialist

c: James Ferdinand, Eden Consolidated Fire Protection District

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY
DAVID J. KEARS, Agency Director

R0374

Certified Mailer: P 062 127 978

DEPARTMENT OF ENVIRONMENTAL HEALTH
Hazardous Materials Program
80 Swan Way, Rm. 200
Oakland, CA 94621
(415)

March 18, 1991

Mehdi Mohammadian
Linda Shell
15595 Washington Av.
San Lorenzo CA 94580

NOTICE OF VIOLATION

Dear Mr. Mohammadian:

On December 4, 1990, I inspected your premises to determine your compliance with underground tank statutes. Our records show, and the inspection confirmed, that you operate four underground storage tanks at your service station, including three 10,000 gallon fuel tanks and a 550 gallon waste oil tank. No permits for these tanks have been submitted to this office. You were instructed to fill out and submit permit forms to my office by January 5, 1991. I supplied blank copies of these forms at the time of my inspection.

Section 25284(a) of the Health and Safety Code of California forbids any person to own or operate an underground storage tank without a permit from the local agency. You must complete and return underground storage tank permit forms for your site and for each of the tanks at your site by **no later than March 30, 1991.**

You may contact me with any questions at 271-4320.

Sincerely,

Pamela J. Evans

Pamela J. Evans
Hazardous Materials Specialist

c: Gil Jensen, Alameda County District Attorney's Office