



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

NOTICE TO COMPLY

October 7, 2008

Anthony Pettiti
Anthony's Auto Service
15539 Usher Street
San Lorenzo, CA 94580

Anil Singh
19592 Center Street
Castro Valley, CA 94546

Subject: Fuel Leak Case No. RO0000478 and Geotracker Global ID T0600100076, Anthony's Auto Service, 19592 Center Street, Castro Valley, CA 94546

Dear Mr. Pettiti and Mr. Singh:

Alameda County Environmental Health (ACEH) staff has reviewed the case file for the above-referenced site and determined that the site is currently not in compliance with our January 20, 1998 and April 21, 1998 directive letters, and our January 5, 2000 Notice of Violation (enclosed). According to our records, four underground storage tanks (USTs) were removed from the site on July 12, 1990. Following the removal of the USTs, three groundwater monitoring wells were installed on January 31, 1991 to assess groundwater conditions at the site. Our January 20, 1998 and April 21, 1998 directive letters requested that the groundwater monitoring wells be decommissioned as they are no longer needed for the leaking UST investigation that occurred in the 1990's and now pose a liability as a potential conduit for contamination migration to the subsurface. On January 5, 2000, ACEH issued a Notice of Violation since the monitoring wells still remained onsite.

In order to re-gain compliance status and receive the remedial action completion certificate, please decommission the groundwater monitoring wells, as required in our January 20, 1998, April 21, 1998 and January 5, 2000 correspondences. ACEH is requesting that you contact Alameda County Public Works Agency at (510) 567-6791, obtain the necessary permits, destroy the wells, and electronically upload the monitoring well destruction report to ACEH's FTP server and the State Water Resources Control Board's GeoTracker website within ninety (90) days from the date of this letter (**January 5, 2009**). Electronic reporting is described in detail below. Upon our receipt of the report of well destruction, (and confirmation of investigation derived waste disposal) this office will issue you the remedial action completion certificate.

Failure to perform the required work and submit a well decommissioning report by the due date specified below will result in an issuance of a Notice of Violation and possible referral to the District Attorney for enforcement action and/or ineligibility for reimbursement of corrective action costs incurred at the site from the Underground Storage Tank Clean-up Fund. Pursuant to Chapter 6.7, California Health and Safety code, civil penalties up to \$10,000 for each UST for each day of violation may be imposed. Once removed from the Clean-up Fund, the costs associated with the subsurface investigation work that is required will not be reimbursed. Please note that civil penalties for non-compliance are assessed from the original due date (April 20, 1998).

NOTIFICATION OF FIELDWORK ACTIVITIES

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

TECHNICAL REPORT REQUEST

Please submit technical reports to ACEH (Attention: Paresh Khatri), according to the following schedule:

- **January 5, 2009 – Monitoring Well Decommissioning Report**

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

ELECTRONIC SUBMITTAL OF REPORTS

ACEH's Environmental Cleanup Oversight Programs (LOP and SLIC) require submission of reports in electronic form. The electronic copy replaces paper copies and is expected to be used for all public information requests, regulatory review, and compliance/enforcement activities. Instructions for submission of electronic documents to the Alameda County Environmental Cleanup Oversight Program FTP site are provided on the attached "Electronic Report Upload Instructions." Submission of reports to the Alameda County FTP site is an addition to existing requirements for electronic submittal of information to the State Water Resources Control Board (SWRCB) Geotracker website. In September 2004, the SWRCB adopted regulations that require electronic submittal of information for all 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, these same reporting requirements were added to Spills, Leaks, Investigations, and Cleanup (SLIC) sites. Beginning July 1, 2005, electronic submittal of a complete copy of all reports for all sites is required in Geotracker (in PDF format). Please visit the SWRCB website for more information on these requirements (http://www.swrcb.ca.gov/ust/electronic_submittal/report_rqmts.shtml).

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

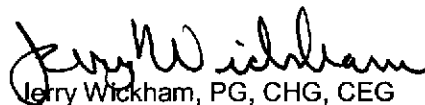
If it appears as though significant delays are occurring or reports are not submitted as requested, we will consider referring your case to the Regional Board or other appropriate agency, including the County District Attorney, for possible enforcement actions. California Health and Safety Code, Section 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) 777-2478 or send me an electronic mail message at paresh.khatri@acgov.org.

Sincerely,



Paresh C. Khatri
Hazardous Materials Specialist



Jerry Wickham, PG, CHG, CEG
Acting Supervising Hazardous Material Specialist

Enclosures: ACEH Electronic Report Upload (ftp) Instructions
January 20, 1998 ACEH Directive Letter
April 21, 1998 ACEH Directive Letter
January 5, 2000, ACEH Notice of Violation

cc: Ken Mifsud, Alameda County District Attorney's Office, 7677 Oakport Street, Ste. 650, Oakland, CA
94621
Donna Drogos, ACEH
Paresh Khatri, ACEH
File

Alameda County Environmental Cleanup Oversight Programs (LOP and SLIC)	ISSUE DATE: July 5, 2005
	REVISION DATE: December 16, 2005
	PREVIOUS REVISIONS: October 31, 2005
SECTION: Miscellaneous Administrative Topics & Procedures	SUBJECT: Electronic Report Upload (ftp) Instructions

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

REQUIREMENTS

- Entire report including cover letter must be submitted to the ftp site as a **single portable document format (PDF) with no password protection**. (Please do not submit reports as attachments to electronic mail.)
- It is **preferable** that reports be converted to PDF format from their original format, (e.g., Microsoft Word) rather than scanned.
- Signature pages and perjury statements **must** be included and have either original or electronic signature.
- **Do not password protect the document**. Once indexed and inserted into the correct electronic case file, the document will be secured in compliance with the County's current security standards and a password. **Documents with password protection will not be accepted**.
- Each page in the PDF document should be rotated in the direction that will make it easiest to read on a computer monitor.
- Reports must be named and saved using the following naming convention:
RO#_Report Name_Year-Month-Date (e.g., RO#5555_WorkPlan_2005-06-14)

Additional Recommendations

- A separate copy of the tables in the document should be submitted by e-mail to your Caseworker in **Excel** format. These are for use by assigned Caseworker only.

Submission Instructions

- 1) Obtain User Name and Password:
 - a) Contact the Alameda County Environmental Health Department to obtain a User Name and Password to upload files to the ftp site.
 - i) Send an e-mail to dehloptoxic@acgov.org
or
 - ii) Send a fax on company letterhead to (510) 337-9335, to the attention of Alicia Lam-Finneke.
 - b) In the subject line of your request, be sure to include "**ftp PASSWORD REQUEST**" and in the body of your request, include the **Contact Information, Site Addresses, and the Case Numbers (RO# available in Geotracker) you will be posting for**.
- 2) Upload Files to the ftp Site
 - a) Using Internet Explorer (IE4+), go to <ftp://alcoftp1.acgov.org>
 - (i) Note: Netscape and Firefox browsers will not open the FTP site.
 - b) Click on File, then on Login As.
 - c) Enter your User Name and Password. (Note: Both are Case Sensitive.)
 - d) Open "My Computer" on your computer and navigate to the file(s) you wish to upload to the ftp site.
 - e) With both "My Computer" and the ftp site open in separate windows, drag and drop the file(s) from "My Computer" to the ftp window.
- 3) Send E-mail Notifications to the Environmental Cleanup Oversight Programs
 - a) Send email to dehloptoxic@acgov.org notify us that you have placed a report on our ftp site.
 - b) Copy your Caseworker on the e-mail. Your Caseworker's e-mail address is the entire first name then a period and entire last name at acgov.org. (e.g., firstname.lastname@acgov.org)
 - c) The subject line of the e-mail must start with the RO# followed by **Report Upload**. (e.g., Subject: RO1234 Report Upload)

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



R0# 478

STID 2517

January 20, 1998

Anthony Pettiti
Anthony's Auto Service
15539 Usher Street
San Lorenzo, CA 94580

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

RE: 19592 CENTER STREET, CASTRO VALLEY


Dear Mr. Pettiti:

The Alameda County Environmental Health Department, Environmental Protection Division, has received concurrence from the Regional Water Quality Control Board, San Francisco Bay Region (RWQCB), for final closure of the underground storage tank investigation at the referenced site.

Prior to the issuance of a "Remedial Action Completion Certificate" by this office, however, the monitoring wells at the site must be properly destroyed should you have no further use for them. Well destruction is performed under permit issued by Alameda County Public Works (ACPW). Please contact ACPW's Andreas Godfrey at (510) 670-5575 or Alvin Kan at (510) 670-5248 to secure your well destruction permit.

Please advise me if the wells will be destroyed, and when well destruction has been completed, as appropriate. I may be reached (510) 567-6783.

Sincerely,


Scott O. Seery, CHMM
Hazardous Materials Specialist

cc: Mee Ling Tung, Director
Stephen Hill, RWQCB
Andreas Godfrey, ACPW

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



R0#478

STID 2517

April 21, 1998

Anthony Pettiti
Anthony's Auto Service
15539 Usher Street
San Lorenzo, CA 94580

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

RE: 19592 CENTER STREET, CASTRO VALLEY - WELL DESTRUCTION

Dear Mr. Pettiti:

In previous correspondence dated January 20, 1998, you were advised that the Alameda County Environmental Health Department, Environmental Protection Division, had received concurrence from the Regional Water Quality Control Board, San Francisco Bay Region (RWQCB), for final closure of the underground storage tank investigation at the referenced Castro Valley property. You were also advised that prior to the issuance of a "Remedial Action Completion Certificate" by this office, the monitoring wells at the site must be properly destroyed if you had no legitimate use for them.

To date, we have not been informed of your intentions regarding these wells. Please advise me of your intent. Your case will not be closed until this request is satisfied. I may be reached 510/567-6783.

Sincerely,


Scott O. Seery, CHMM
Hazardous Materials Specialist

cc: Mee Ling Tung, Agency Director
Chuck Hedley, RWQCB
Andreas Godfrey, Alameda County Public Works

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



Sent 1/3/00
Including cc's

2047B

Certified Mailer # Z 330 741 324

January 5, 2000

STID 2517

Anthony Pettiti
Anthony's Auto Service
15539 Usher Street
San Lorenzo, CA 94580

ENVIRONMENTAL HEALTH SERVICES
ENVIRONMENTAL PROTECTION
1131 Harbor Bay Parkway
Alameda, CA 94502-6577
(510) 567-6700
(510) 337-9432

NOTICE OF VIOLATION

RE: 19592 Center Street, Castro Valley - Well Destruction

Dear Mr. Pettiti:

In correspondence from this office dated January 20 and April 21, 1998, you were advised of the requirement to destroy the monitoring wells that were constructed during the investigation of the underground storage tank (UST) release at the referenced site. Such wells must be properly destroyed under permit issued by the Alameda County Public Works Agency (ACPWA) (510/670-5575). This office is aware that the subject monitoring wells will be of no legitimate use in the future, and that you have sold the property to another individual.

Please be advised that you are responsible under law to ensure that these wells are properly destroyed. In addition, final case closure will not occur until this work is completed.

At this time, you are directed to ensure that the subject wells are destroyed under the appropriate ACPWA permit. This work is to be completed within 30 days of the date of this letter. A copy of the final well destruction documents is to be submitted to this office to verify that the requisite work was completed.

Please be advised that failure to comply with this final request will result in this case being referred to the appropriate enforcement agency. Please be further advised that there is a potential for substantial penalties to be levied against you should you fail to comply.

I may be reached at (510) 567-6783 should you have any questions.

Sincerely,

Scott O. Seery, CHMM
Hazardous Materials Specialist

cc: Chuck Headlee, RWQCB
Dave Deaner, SWRCB
Cindy Hutcheson, Alameda County Public Works
Bob Chambers, Alameda County District Attorney's Office