

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



Sent 1/5/00  
Including cc's

20796

Sid 5446

January 5, 2000

Mr. William Landstra  
European Auto Salvage  
1075 2<sup>nd</sup> Street  
Albany, CA 94710

Mr. Randall Smith, Environmental Affairs  
Southern Pacific Trans Co  
49 Stevenson Street 15<sup>th</sup> Floor  
San Francisco, CA 94105-2909

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

**RE: Work Plan Approval for 1075 2<sup>nd</sup> Street, Albany, CA**

Dear Messrs. Landstra and Smith:

I have completed review of Aqua Science Engineers, Inc's December 1999 report entitled *Workplan for a Soil and Groundwater Assessment* prepared for the above referenced site. The proposal to advance soil borings and collect soil and/or groundwater samples at five locations (former waste oil tank, former above ground tank, area in back where oil was allegedly poured onto the ground, storm drain outside the shop, and oil storage area inside the shop) is acceptable with the following additions/changes:

- Soil samples collected from the drain and from the back area should also be analyzed for ethylene glycol;
- Soil samples with the highest hydrocarbon concentration in each area should also be analyzed for PAHs. Groundwater samples need not be analyzed for PAHs unless they are detected in the soil samples;
- Soil samples should be collected (excluding the former waste oil tank area) at one-foot and four-foot below grade surface from each boring. The one-foot sample should be analyzed for petroleum hydrocarbons and related constituents. The four-foot sample should be analyzed if the one-foot sample contains elevated hydrocarbons or if obvious contamination is noted; and,
- Based on site conditions, groundwater samples may be required at the storm drain and back areas.

It is my understanding that fieldwork will commence on December 29, 1999. A report summarizing field activities is due 60 days upon completion of fieldwork.

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

Eva chu  
Hazardous Materials Specialist

Email: Robert Kitay ([asenorth@aol.com](mailto:asenorth@aol.com))

easymercedes2

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



Sent 12/28/99  
Including cc's

20716

Sid 5446

December 27, 1999

Mr. William Landstra  
European Auto Salvage  
1075 2<sup>nd</sup> Street  
Albany, CA 94710

Mr. Randall Smith, Environmental Affairs  
Southern Pacific Trans Co  
One Market Plaza  
San Francisco, CA 94105

ENVIRONMENTAL HEALTH SERVICES  
ENVIRONMENTAL PROTECTION  
1131 Harbor Bay Parkway  
Alameda, CA 94502-6577  
(510) 567-6700  
(510) 837-2130

**RE: Work Plan Approval for 1075 2<sup>nd</sup> Street, Albany, CA**

Dear Messrs. Landstra and Smith:

I have completed review of Aqua Science Engineers, Inc's December 1999 report entitled *Workplan for a Soil and Groundwater Assessment* prepared for the above referenced site. The proposal to advance soil borings and collect soil and/or groundwater samples at five locations (former waste oil tank, former above ground tank, area in back where oil was allegedly poured onto the ground, storm drain outside the shop, and oil storage area inside the shop) is acceptable with the following additions/changes:

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Email: Robert Kitay ([asenorth@aol.com](mailto:asenorth@aol.com))

easymercedes2

ALAMEDA COUNTY  
HEALTH CARE SERVICES



AGENCY  
DAVID J. KEARS, Agency Director

R0776

StID 5446

June 12, 1998

Mr. William Landstra  
European Auto Salvage  
1075 2<sup>nd</sup> Street  
Albany, CA 94710

Mr. Randall Smith, Environmental Affairs  
Southern Pacific Trans Co  
One Market Plaza  
San Francisco, CA 94105

ENVIRONMENTAL HEALTH SERVICES

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

**SECOND NOTICE OF VIOLATION**

Dear Messrs. Landstra and Smith:

On February 18, 1997, the Alameda County Department of Environmental Health, Hazardous Materials Division, sent you a letter requesting a workplan for further subsurface investigations to determine the extent of groundwater contamination onsite due to the unauthorized release of fuel products at **1075 2<sup>nd</sup> Street, Albany, CA**. A workplan was due to this office by November 29, 1996 and subsequently extended to April 15, 1997. As of the date of this letter, however, we have not received any communication from you on this matter. Therefore, this letter constitutes a **Second Notice** that you are in violation of specific laws and that the technical report is due.

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

At this time, you are required to submit the technical reports for the site to this office **within 30 days** from the date of this letter. Modification of required tasks or extensions of stated deadlines must be confirmed in writing by either this agency or the RWQCB.

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

eva chu  
Hazardous Materials Specialist

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



RO# 776

February 18, 1997

Mr. William Landstra  
European Auto Salvage  
1075 2nd Street  
Albany, CA 94702

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

STID 5446

Re: Investigations related to the former waste oil tank at 1075 2nd Street, Albany, CA

Dear Mr. Landstra,

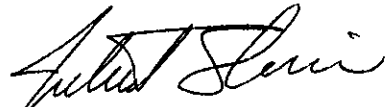
On October 1, 1996, the Alameda County Environmental Protection Division named you as one of the Responsible Parties (RPs) for investigations related to the former waste oil underground storage tank (UST) at the above site (please refer to attached copy of letter). At the time, the County listed you as an RP because it appeared that, per the lease agreement between you and Southern Pacific Transportation Company (Southern Pacific), the property owner, you owned the UST. Recently, this office received an affidavit from a former employee of yours, who provided additional information to indicate that you contributed to the observed contamination at the site and, therefore, qualify as an RP. According to the affidavit, you and your employees utilized the waste oil UST between 1987 and 1991, knowing that the waste oil UST was leaking. Additionally, the affidavit reports that an above ground storage tank with an open top, which was not designed for oil storage, was carelessly used with the oily contents of the tank regularly overflowing onto the ground. Furthermore, oil and antifreeze were discharged into the on-site drain which leads to the adjacent creek and into the Bay. Lastly, per the affidavit, there was a large open area where engines were purged of waste oil directly onto the ground.

Consequently, you have been named by the County as a Responsible Party for investigating, and potentially remediating, the observed contamination at the site. Southern Pacific has also been listed as an RP because they own the property. Per the copy of the February 14, 1997 letter to Mr. Horsfall that you received, Mr. Horsfall is no longer listed as an RP for the site. Per the October 1, 1996 letter, you and Southern Pacific were required to submit a workplan, addressing further investigations at the site, to this office by November 29, 1996. To this date, this office has not received any communication or correspondence from you responding to the County's request. This office is extending to you another due date for the submittal of a workplan addressing the issues outlined in the attached October 1, 1996 letter. This workplan is due to this office within 60 days of this letter (i.e., by April 15, 1997), and should also address the additional issues outlined above.

This office recommends that you contact Southern Pacific to coordinate the submittal of the workplan. If you have any questions or comments, please contact me at (510) 567-6763.

Mr. William Landstra  
Re: 1075 2nd St.  
February 18, 1997  
Page 2 of 2

Sincerely,



Juliet Shin  
Senior Hazardous Materials Specialist

**ATTACHMENT**

cc: Mr. Randall Smith  
Southern Pacific Trans. Co.  
One Market Plaza  
San Francisco, CA 94105

Joan Krajewski  
Gardere & Wynne, L.L.P.  
1601 Elm Street, Ste 3000  
Dallas, Texas 75201-4761

Acting Chief

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY  
DAVID J. KEARS, Agency Director



RO# 776

February 14, 1997

Mr. Brian B. Horsfall  
937 Quiet Place Court  
Walnut Creek, CA 94598

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

STID 5446

Re: Investigations at 1075 2nd Street, Albany, California

Dear Mr. Horsfall,

On October 1, 1996, this office sent you a letter designating you as one of the Responsible Parties for investigations related to a former waste oil underground storage tank at the above site. This was based on the belief that you were the last operator of this underground storage tank and that its use was discontinued prior to November 1984. Recently, this office has ascertained information indicating that you were **not** the last operator of the tank and that the tank was used past 1987. Therefore, we are taking your name off the Responsible Party list. Thank you for your patience.

If you have any questions or comments, please contact me at (510) 567-6763.

Sincerely,

Juliet Shin  
Senior Hazardous Materials Specialist

cc: Mr. Randall Smith  
Southern Pacific Trans. Co.  
One Market Plaza  
San Francisco, CA 94105

William Landstra  
European Auto Salvage  
1075 2nd Street  
Albany, CA 94702

Acting Chief

ALAMEDA COUNTY  
HEALTH CARE SERVICES



AGENCY  
DAVID J. KEARS, Agency Director

RO # 776

October 1, 1996

Mr. Randall Smith  
Southern Pacific Trans. Co.  
One Market Plaza  
San Francisco, CA 94105

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

STID 5446

Re: 1075 2nd Street, Albany, California

Dear Mr. Smith,

This office has recently named Brian B. Horsefall, former owner of Goodwin of California, and William Landstra, operator of the current on-site business, European Auto Salvage, as Responsible Parties, in addition to the already named Southern Pacific Trans. Co. (Southern Pacific), for the required investigations related to the former underground storage tank at the above site.

Mr. Horsefall and Mr. Landstra were named as Responsible Parties (RPs) in accordance with Article 11, Chapter 16, Title 23 California Code of Regulations (CCR); 42USC Section 6991(3)(B); and the fact that both these parties appear to have owned the referenced underground storage tank, based on the lease contracts which specify that they owned all the improvements on the site. Per Article 11, Chapter 16, Title 23 CCR, an RP is defined as the following: " 1) Any person who owns or operates an underground storage tank used for the storage of any hazardous substance; 2) 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 discontinuance of its use; 3) Any owner of property where an unauthorized release of a hazardous substance from an underground storage tank has occurred; and 4) 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." Additionally, per 42USC Section 6991, the person who owned a tank which was not used after November 8, 1984, immediately before the discontinuance of its use, may be named an RP, even though substantial evidence does not exist to show that the leak occurred before discontinuance of use.

This office sent Southern Pacific a letter on December 11, 1995 requesting that a workplan, addressing investigations at the above site, be submitted by the end of January 1996. To this date, this office has not received the requested workplan. Based on the listing of two new RPs for the site, this office is readdressing the contents of the December 11, 1995 letter in this letter, and issuing a **new due date of November 29, 1996**, for the submittal of the workplan.

Mr. Randall Smith  
Re: 1075 2nd St.  
October 1, 1996  
Page 2 of 3

On September 15, 1995, one 300-gallon waste oil underground storage tank (UST) was removed from the above site. Groundwater was encountered in the tank pit at approximately 4.5-feet below ground surface. Two sidewall samples were collected from the north and south ends of the pit at the soil/water interface, and one "grab" groundwater sample was collected from the pit. Petroleum odor and an iridescent sheen were noted within the tank pit in the bay mud and in the immediate area surrounding the filler pipe.

These samples were analyzed for Total Petroleum Hydrocarbons as gasoline (TPHg), TPH as diesel (TPHd), Oil & Grease, benzene, toluene, ethylbenzene, and xylenes (BTEX), chlorinated hydrocarbons (Method 8010), Semivolatile Organic compounds (SVOCs), and heavy metals. Low levels of TPHd, Oil & Grease, SVOCs, and metals were identified in the soil samples, and moderate to elevated levels of TPHg, TPHd, and Oil & Grease were identified in the "grab" groundwater sample.

Guidelines established by the California Regional Water Quality Control Board (RWQCB) and the UST regulations given in Title 23 CCR, require that soil and groundwater investigations be conducted when there is evidence to indicate that a release from an UST may have impacted groundwater. Although the extent of soil contamination resulting from the UST appears to have been adequately delineated, further investigations need to be conducted to determine the extent and severity of the observed groundwater contamination. In addition to the regulations provided in Title 23 CCR, the RWQCB has recently published interim guidelines for petroleum contaminated sites, which is included in the Attachment to this letter.

In the November 29, 1995 Underground Storage Tank Removal Report, prepared by Industrial Compliance (IC), IC proposes to further characterize the groundwater contamination by emplacing four hydropunches at the site and collecting "grab" groundwater samples from each location. A hydropunch investigation would be acceptable, however, it is very likely that a permanent downgradient monitoring well will need to be installed, following the hydropunch work, to monitor the migration of the plume. The "grab" groundwater samples should be analyzed for TPHg, TPHd, Oil & Grease, and BTEX. In the last water sample analysis, the identified petroleum hydrocarbons in the gasoline range did not match the standard chromatograph pattern. Therefore, this office is requesting that, if possible, attempts be made to characterize the constituents identified in the TPHg range (e.g., weathered gas, etc) during this next phase of work.



Mr. Randall Smith  
Re: 1075 2nd St.  
October 1, 1996  
Page 3 of 3

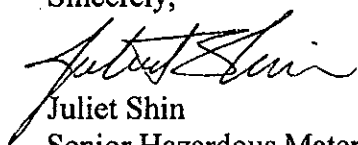
Additionally, if the hydropunch investigation is implemented, this office is requesting that these locations be surveyed to a temporary on-site datum, that water level measurements be collected from these locations, and that a groundwater gradient direction be determined for the site to confirm whether the groundwater is flowing to the west.

This Department will oversee the assessment and remediation of your site. Our oversight will include the review of and comment on work proposals and technical guidance on appropriate investigative approaches and monitoring schedules. The issuance of well drilling permits, however, will be through the Alameda County Flood Control and Water Conservation District, Zone 7, in Pleasanton. The RWQCB may choose to take over as lead agency if it is determined, following the completion of the initial assessment, that there has been a substantial impact to groundwater.

In order to properly conduct a site investigation, you are required to obtain the professional services of a reputable environmental consultant. All reports and proposals must be submitted under seal of a California-Registered Geologist, -Certified Engineering Geologist, or -Registered Civil Engineer.

If you have any questions or comments, please contact me at (510) 567-6763.

Sincerely,



Juliet Shin  
Senior Hazardous Materials Specialist

#### ATTACHMENT

cc: Brian B. Horsefall  
937 Quiet Place Court  
Walnut Creek, CA 94598

William Landstra  
European Auto Salvage  
1075 2nd Street  
Albany, CA 94702

Acting Chief

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY  
DAVID J. KEARS, Agency Director



RO# 776

October 1, 1996

Mr. William Landstra  
European Auto Salvage  
1075 2nd Street  
Albany, CA 94702

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

STID 5446

Re: 1075 2nd Street, Albany, California

Dear Mr. Landstra,

This office has recently named you, operator of the current on-site business, and Brian B. Horsefall, former owner of Goodwin of California, as Responsible Parties, in addition to the already named Southern Pacific Trans. Co. (Southern Pacific), for the required investigations related to the former underground storage tank at the above site.

You and Mr. Horsefall were named as Responsible Parties (RPs) in accordance with Article 11, Chapter 16, Title 23 California Code of Regulations (CCR); 42USC Section 6991(3)(B); and the fact that both you and Mr. Horsefall appear to have owned the referenced underground storage tank, based on the lease contracts which specify that they owned all the improvements on the site. Per Article 11, Chapter 16, Title 23 CCR, an RP is defined as the following: " 1) Any person who owns or operates an underground storage tank used for the storage of any hazardous substance; 2) 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 discontinuance of its use; 3) Any owner of property where an unauthorized release of a hazardous substance from an underground storage tank has occurred; and 4) 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." Additionally, per 42USC Section 6991, the person who owned a tank which was not used after November 8, 1984, immediately before the discontinuance of its use, may be named an RP, even though substantial evidence does not exist to show that the leak occurred before discontinuance of use.

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Mr. William Landstra  
Re: 1075 2nd St.  
October 1, 1996  
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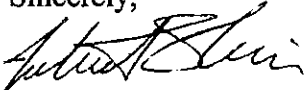
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Sincerely,



Juliet Shin  
Senior Hazardous Materials Specialist

ATTACHMENT

cc: Brian B. Horsefall  
937 Quiet Place Court  
Walnut Creek, CA 94598

Randall Smith  
Southern Pacific Trans. Co  
One Market Plaza  
San Francisco, CA 94105

Acting Chief

ALAMEDA COUNTY  
HEALTH CARE SERVICES



AGENCY  
DAVID J. KEARS, Agency Director

RO# 776

October 1, 1996

Mr. Brian B. Horsefall  
937 Quiet Place Court  
Walnut Creek, CA 94598

ENVIRONMENTAL HEALTH SERVICES  
ENVIRONMENTAL PROTECTION (LOP)  
1131 Harbor Bay Parkway, Suite 250  
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STID 5446

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Dear Mr. Horsefall,

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October 1, 1996  
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Re: 1075 2nd St.  
October 1, 1996  
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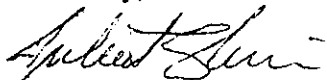
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Sincerely,



Juliet Shin  
Senior Hazardous Materials Specialist

ATTACHMENT

cc: Mr. Randall Smith  
Southern Pacific Trans. Co.  
One Market Plaza  
San Francisco, CA 94105

William Landstra  
European Auto Salvage  
1075 2nd Street  
Albany, CA 94702

Acting Chief



December 11, 1995

Mr. Randall Smith  
Southern Pacific Trans. Co.  
One Market Plaza  
San Francisco, CA 94105

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

STID 5446

Re: 1075 2nd Street, Albany, California

Dear Mr. Smith,

On September 15, 1995, one 300-gallon waste oil underground storage tank (UST) was removed from the above site. Groundwater was encountered in the tank pit at approximately 4.5-feet below ground surface. Two sidewall samples were collected from the north and south ends of the pit at the soil/water interface, and one "grab" groundwater sample was collected from the pit. Petroleum odor and an iridescent sheen were noted within the tank pit in the bay mud and in the immediate area surrounding the filler pipe.

These samples were analyzed for Total Petroleum Hydrocarbons as gasoline (TPHg), TPH as diesel (TPHd), Oil & Grease, benzene, toluene, ethylbenzene, and xylenes (BTEX), chlorinated hydrocarbons (Method 8010), Semivolatile Organic compounds (SVOCs), and heavy metals. Low levels of TPHd, Oil & Grease, SVOCs, and metals were identified in the soil samples, and moderate to elevated levels of TPHg, TPHd, and Oil & Grease were identified in the "grab" groundwater sample.

Guidelines established by the California Regional Water Quality Control Board (RWQCB) and the UST regulations given in Title 23 California Code of Regulations, require that soil and groundwater investigations be conducted when there is evidence to indicate that a release from an UST may have impacted groundwater. Although the extent of soil contamination resulting from the UST appears to have been adequately delineated, further investigations need to be conducted to determine the extent and severity of the observed groundwater contamination.

In the November 29, 1995 Underground Storage Tank Removal Report, prepared by Industrial Compliance (IC), IC proposes to further characterize the groundwater contamination by emplacing four Hydropunches at the site and collecting "grab" groundwater samples from each location. A Hydropunch investigation would be acceptable,



Mr. Randall Smith  
Re: 1075 2nd St.  
December 11, 1995  
Page 2 of 2

however, it is very likely that a permanent downgradient monitoring well will need to be installed, following the Hydropunch work, to monitor the migration of the plume. The "grab" groundwater samples should be analyzed for TPHg, TPHd, Oil & Grease, and BTEX. In the last water sample analysis, the identified petroleum hydrocarbons in the gasoline range did not match the standard chromatograph pattern. Therefore, this office is requesting that, if possible, attempts be made to characterize the constituents identified in the TPHg range (e.g., weathered gas, etc) during this next phase of work.

Additionally, if the Hydropunch investigation is implemented, this office is requesting that these locations be surveyed to a temporary on-site datum, that water level measurements be collected from these locations, and that a groundwater gradient direction be determined for the site to confirm whether the groundwater is flowing to the west.

A more detailed work plan, including the above requirements, shall be submitted to this office for review prior to implementing work at the site. This work plan should be submitted to this office within 45 days of the date of this letter.

This Department will oversee the assessment and remediation of your site. Our oversight will include the review of and comment on work proposals and technical guidance on appropriate investigative approaches and monitoring schedules. The issuance of well drilling permits, however, will be through the Alameda County Flood Control and Water Conservation District, Zone 7, in Pleasanton. The RWQCB may choose to take over as lead agency if it is determined, following the completion of the initial assessment, that there has been a substantial impact to groundwater.

In order to properly conduct a site investigation, you are required to obtain the professional services of a reputable environmental consultant. All reports and proposals must be submitted under seal of a California-Registered Geologist, -Certified Engineering Geologist, or -Registered Civil Engineer.

If you have any questions or comments, please contact me at (510) 567-6763.

Sincerely,

  
Juliet Shin  
Senior Hazardous Materials Specialist

cc:  Acting Chief-File