

Mr. James McAtee
RE: 909 Bluebell Drive, Livermore, CA 94550
December 2, 1993
Page 3 of 3

Should you have any questions regarding this letter, please contact me at (510) 271-4530.

Sincerely,



Susan L. Hugo
Senior Hazardous Materials Specialist

Enclosures

cc: Rafat A. Shahid, Asst. Agency Director, Environmental Health
Rich Hiatt, San Francisco Bay RWQCB
Gil Jensen, Alameda County District Attorney's Office
Edgar B. Howell, Chief, Hazardous Materials Division / file
Randy Griffith, Livermore Fire Department
Masood Filabadi, Springtown Arco, 909 Bluebell Drive
Livermore, California 94550
Frank Hamedi, Soil Tech Engineering, Inc., 298 Brokaw Road
Santa Clara, California 95050

Envision Legacy Site Remediation [FA0301050 - Springtown Gasoline]

Legacy Form DO NOT UPDATE

Record ID: Facility ID: Springtown Gasoline Local Site #:

Account ID: STATE WATER RESOURCES CONTROL BOARD RWB Site ID:

Reported: Confirmed:

		Started	Ended
RP Search	<input type="text" value="S"/> Solvent	<input type="text" value="//"/>	<input type="text" value="07/08/1992"/>
Preliminary Assessment	<input type="text" value="C"/> Completed	<input type="text" value="//"/>	<input type="text" value="//"/>
Remediation Investigation		<input type="text" value="//"/>	<input type="text" value="//"/>
Remediation Action		<input type="text" value="//"/>	<input type="text" value="//"/>
Post Rem. Action Monitoring		<input type="text" value="//"/>	<input type="text" value="//"/>
Case Closed	<input type="text" value="Y"/> Yes		<input type="text" value="08/30/2000"/>

Contaminated Soil Left In Place:

Emergency Response:

Federal Exempt:

Case List:

Enforcement Action Taken: Enforcement Type:

Exclude From Export: LUFT Con. LC:

Remedial Actions:

1	ET	Excavate treat soil
2		
3		
4		
5		
6		
7		

Location | Dates and Info | Agencies | Financial | Comments | Legacy Release Information | Released Substances | Responsible Parties

Start | Inbox - Mc... | MSN Hotm... | Yahoo! - M... | Envision | ENVISION | 10:17 AM

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY

DAVID J. KEARS, Agency Director



RAFAT A. SHAHID, DIRECTOR

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

StID 2112

July 10, 1995

Mr. James McAtee Jr
7664 Gardella Dr
Dublin, CA 94568

Mr. Masood Filabaldi
909 Bluebell Dr
Livermore, CA 94550

SECOND NOTICE OF VIOLATION

Dear Messrs. McAtee and Filabaldi:

On May 4, 1995, the Alameda County Department of Environmental Health, Hazardous Materials Division, sent you a letter requesting that work commence for the installation of three groundwater monitoring wells at 909 Bluebell Dr, Livermore. 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 required investigation 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.

You are required to continue with the subsurface investigation at this site within 30 days from the date of this letter. Failure to respond will result in referral of this case to the RWQCB or Alameda County District Attorney to consider for enforcement action. Modification of required tasks or extensions of stated deadlines must be confirmed in writing by either this agency or the RWQCB.

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

A handwritten signature in cursive script, appearing to read "Eva Chu".

eva chu
Hazardous Materials Specialist

cc: Susan Hugo, ACDEH
files (arcol.8)

ALAMEDA COUNTY
HEALTH CARE SERVICES



AGENCY
DAVID J. KEARS, Agency Director

RAFAT A. SHAHID, Assistant Agency Director

StID 2112

May 4, 1995

Mr. James McAtee Jr
7664 Gardella Dr
Dublin, CA 94568

ALAMEDA COUNTY-ENV. HEALTH DEPT.
ENVIRONMENTAL PROTECTION DIV.
1131 HARBOR BAY PKWY., #250
ALAMEDA CA 94502-6577
(510)567-6700

RE: Groundwater Investigation at 909 Bluebell Dr, Livermore

Dear Mr. McAtee:

I have recently received and reviewed facsimiles of analytical results from Trace Analysis Laboratory of soil collected from:

1. stockpiled soil from former gasoline pit,
2. stockpiled soil from former waste oil pit, and
3. sidewall samples from waste oil pit.

At this time, soil from the waste oil pit should be disposed at an approved facility. Bills of lading must be provide when this job has been completed. Both the former gasoline and waste oil pits should be backfilled and properly compacted. The "clean" stockpiled soil may be used for this purpose.

Also, a groundwater investigation should commence with the installation of three monitoring wells, as proposed in the approved workplan dated September 2, 1994, prepared by National Vapor Industries. Field work should begin within 45 days of the date of this letter, or **by June 22, 1995**. Please notify me at least 72 hours prior to the start of field activities.

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

eva chu
Hazardous Materials Specialist

cc: Masood Filabaldi, 909 Bluebell Dr, Livermore 94550
Susan Hugo, ACDEH
files

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



RAFAT A. SHAHID, Assistant Agency Director

ALAMEDA COUNTY-ENV. HEALTH DEPT.
ENVIRONMENTAL PROTECTION DIV.
1131 HARBOR BAY PKWY., #250
ALAMEDA CA 94502-6577
(510)567-6700

StID 2112

February 10, 1995

Mr. James McAtee Jr
7664 Gardella Dr
Dublin, CA 94568

RE: Continued Investigations at 909 Bluebell Dr, Livermore

Dear Mr. McAtee:

In October 1994 this office was notified that stockpiled soil resulting from the removal of the former underground storage tanks was taken offsite for disposal. Following our investigations, it appears that soil was "clean" overburden, from the excavation for the installation of the new tanks. However, you were instructed not to remove additional soil without prior approval from this office as per our conversation on October 18, and per an inspection report dated October 19, 1994.

Again, in February 1995 this office was notified that the remaining "clean" overburden and the contaminated soil from the removal of the waste oil tank on February 7, 1992 was taken offsite. Please provide bills of lading for the disposal of the contaminated soil. As you know, this soil must have been taken to an approved disposal facility.

In a recent visit to the site (Feb 8, 1995), it was observed that the former gasoline tank pit was still unfilled. Asphalt surrounding the pit has caved into the pit, and will continue to do so. For safety reasons this pit should be backfilled with clean engineered fill material and should be properly compacted. The north end of the pit can be overexcavated at a later date to remove additional contaminated soil, as was already proposed in an approved workplan dated September 2, 1994, prepared by National Vapor Industries.

This office will work with your consultant and oversee the sampling of the treated stockpiled soil and the re-excavated waste oil pit.

If you have any questions, I can be reached at (510) 567-6762, or you may contact Ms. Susan Hugo at (510) 567-6780 in my absence during the week of February 13th.

Jamees McAtee Jr
re: 909 Bluebell Dr, Livermore
February 10, 1995

Page 2

Sincerely,



eva chu
Hazardous Materials Specialist

cc: Gil Jensen, Alameda County District Attorney's Office
Masood Filabaldi, 909 Bluebell Dr, Livermore 94550
Susan Hugo, ACDEH
files (arcol.6)

LOP - CHANGE RECORD REQUEST FORM

printed:
03/07/94

Mark Out What Needs Changing and Hand to LOP Data Entry
(Name/Address changes go to Annual Programs Data Entry)

AGENCY # : 10000 SOURCE OF FUNDS: F SUBSTANCE: 12035
 StID : 2112
 SITE NAME: Springtown Arco DATE REPORTED : 04/19/92
 ADDRESS : 909 Bluebell Dr DATE CONFIRMED: 02/21/92
 CITY/ZIP : Livermore 94550 MULTIPLE RPs : Y

SITE STATUS

CASE TYPE: S CONTRACT STATUS: 4 PRIOR CODE: EMERGENCY RESP:
 RP SEARCH: S DATE COMPLETED: 07/08/92
 PRELIMINARY ASMNT: DATE UNDERWAY: DATE COMPLETED:
 REM INVESTIGATION: DATE UNDERWAY: DATE COMPLETED:
 REMEDIAL ACTION: DATE UNDERWAY: DATE COMPLETED:
 POST REMED ACT MON: DATE UNDERWAY: DATE COMPLETED:

ENFORCEMENT ACTION TYPE: 1 DATE ENFORCEMENT ACTION TAKEN: 06/10/93
 LUFT FIELD MANUAL CONSID: HSCA
 CASE CLOSED: DATE CASE CLOSED:
 DATE EXCAVATION STARTED : REMEDIAL ACTIONS TAKEN:

RESPONSIBLE PARTY INFORMATION

RP#1-CONTACT NAME: James E. Mcatee Jr.
 COMPANY NAME:
 ADDRESS: 7664 Gardella Drive
 CITY/STATE: Dublin, California 94568

RP#2-CONTACT NAME: Masood A. Filabadi
 COMPANY NAME: Springtown Arco
 ADDRESS: 909 Bluebell Drive
 CITY/STATE: Livermore, California 94550

INSPECTOR VERIFICATION:			
NAME	SIGNATURE	DATE	
DATA ENTRY INPUT:			
Name/Address Changes Only		Case Progress Changes	
ANPNPGMS	LOP	DATE	LOP DATE

3/7/94
Transfer to E.C. Workplan Submitted 2/23/94

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY

DAVID J. KEARS, Agency Director



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

CERTIFIED MAIL #

December 2, 1993
STID# 2112

Mr. James E. McAtee Jr.
7664 Gardella Drive
Dublin, California 94568

***** S E C O N D N O T I C E *****

**RE: Underground Storage Tank Removal at Springtown ARCO
909 Bluebell Drive, Livermore CA 94550**

Dear Mr. Mcatee:

The Alameda County Department of Environmental Health, Hazardous Materials Division has reviewed the files concerning the removal of one waste oil underground storage tank on February 7, 1992 at the referenced site. This office has not received any response regarding the issues raised in a letter dated February 3, 1993. Please be aware that this letter is being issued as a **Second Notice to comply with the corrective action requirements of the California Code of Regulations Title 23**. We are in receipt of the following reports:

- * Removal of One Underground Storage Tank at Springtown ARCO Property, dated February 21, 1992 and submitted by Alpha Geo Services Inc.
- * Soil Sampling Report for Springtown ARCO Property, dated February 21, 1992 and submitted by Soil Tech Engineering

Soil sample collected beneath the tank area at six feet depth showed elevated levels of Total Oil & Grease (5,000 ppm), Total Petroleum Hydrocarbon as diesel (89 ppm), and lead (140 ppm). Because of the degree of contamination found at the site which exceeded regulatory threshold levels, further environmental assessment is required. Enclosed is a copy of "Underground Storage Tank Unauthorized Release (Leak) / Contamination Site Report" which must be completed and returned to this office within five working days.

This office will be the lead agency overseeing the environmental investigation and cleanup activities at the site. A preliminary assessment should be conducted to determine the extent of soil and/or groundwater contamination that has resulted from the former leaking tank. The information gathered by this investigation will be used to assess the need for additional actions at the site. The preliminary assessment should be designed to provide all of the

Mr. James McAtee Jr.

RE: 909 Bluebell Drive, Livermore, CA 94550

December 2, 1993

Page 2 of 3

information in the format shown in the attachment at the end of this letter, which is based on the RWQCB's guidelines. You should be prepared to install at a minimum, three monitoring wells to establish gradient direction of the groundwater at the site. One of the wells should be installed within 10 feet downgradient of the former tank location. Monthly water elevation reading for twelve months is necessary to determine groundwater flow direction and quarterly sampling must occur to determine extent of the groundwater contamination.

Until cleanup is complete, you will need to submit reports to this office every three months (or at a more frequent interval, if specified at any time by this agency). This reports must include information pertaining to further investigative results; the methods of cleanup actions implemented to date; and the method and disposal of any contaminated material. Copies of manifests for such disposal must be sent to this office. On site visit conducted on December 3, 1992 showed that the excavation pit had been backfilled at this time. Stockpiled soil from pit may not be used to backfill these holes without authorization from this office. Only clean fill can be used to backfill the excavation pit. Please provide our office with documentation of the stockpiled soil disposal.

This office issued an Underground Storage Tank Closure Permit to remove the remaining three tanks at the site. The closure plan was approved with the provision that all contamination (soil and/or groundwater) must be addressed. **A work plan must be submitted to this office within ten working days after the removal of the three tanks or no later than January 17, 1994 if the tanks will not be removed.**

All reports and proposals must be submitted under seal of a California Registered Geologist or Registered Civil Engineer with a statement of qualifications for each lead professionals involved with the project.

Because we are overseeing this site under the designated authority of the Regional Water Quality Control Board, this letter constitutes a formal requests for technical reports pursuant to California Water Code Section 13267(b). Any extensions of stated deadlines or changes in the workplan must be confirmed in writing and approved by this agency.

Enclosed is a copy of Appendix A (Workplan for Initial Subsurface Investigation (August 20, 1991) for your reference.

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



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

October 7, 1991

Mr. Chuck Carmel
Arco Products Co.
P. O. Box 5811
San Mateo, CA 94402

**Re: Arco Station # 276, 10600 MacArthur Blvd., Oakland, CA
94605**

Dear Mr. Carmel,

Alameda County Environmental Health Department, Hazardous Materials Division has received and reviewed the reports relevant to the existing off site vapor extraction system and outlining the proposed activities for the installation of an on site vapor treatment and also the installation of a ground water extraction well.

After review of the reports you are requested to have your consultant provide clarification on the following issues:

- 1) You are requested to provide a map indicating the locations of existing vapor extraction wells also indicating the locations of the proposed vapor and extraction wells. Please also provide a plumbing schematic indicating the locations of all piping connections into and out of the Remedi-cat treatment system.
- 2) Please provide this office with information indicating how the efficacy of the treatment system will be evaluated. Evaluation of the treatment system should include sampling at some specified frequency to evaluate the extraction from each vapor well or series of vapor wells of the same line.
- 3) You are requested to provide this office with some estimation of the anticipated length of time which both the off site and the on site system are expected to operate. Please also provide a description of how an effectively site will determined.
- 4) You are requested to indicate how the proposed system will prevent further migration of pollutant off site
- 5) It is my understanding that the existing system was installed by Pacific Environmental Group, Inc. (PEG) and the proposed system will be installed and operated by RESNA Applied Geosystems (AG). There is some concern by this office that there will be difficulty in

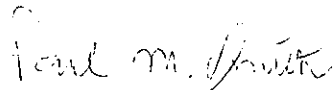
Chuck Carmel
October 7, 1991
page 2 of 2

coordinating the efforts of two consultants so that reports which are submitted for Agency review are intelligible. Please specify the measures which will be taken to integrate information from both consultants. The information in question includes: information relating to the details of the proposed treatment system, quarterly progress reporting and the evaluation of both the new and old system during operation and at the completion of the project and also any proposed ground water treatment proposals or reports.

The installation of a ground water recovery well (RW-1) portion of the Work Plan is acceptable. You are required to provide additional information as it becomes available regarding the feasibility of utilizing RW-1 for ground water treatment in an anticipated future Work Plan proposal for a ground water treatment system.

Should you have any questions pertaining to any of the above requests please contact me at 415/ 271-4320.

Sincerely,



Paul M. Smith
Hazardous Materials Specialist

cc:

Joel Coffman, Applied Geosystems
Dan Landry, Pacific Environmental Systems, Inc.
Kyle Christie, Arco Products Inc.
Lester Feldman, SFRWQCB
Charlene Williams, DHS
Gil Jensen, Alameda County District Attorney's Office

white -env.health
yellow -facility
pink files

ALAMEDA COUNTY, DEPARTMENT OF ENVIRONMENTAL HEALTH
Hazardous Materials Inspection Form

80 Swan Way, #200
Oakland, CA 94621
(415) 271-4320

II, III

PAGE 1 of 2

Site ID # _____ Site Name ARCO - AM/PM Minuteman Today's Date 12/27/90

Site Address 909 Bluebell ~~Dr.~~ Dr.
City Livermore Zip 94550 Phone 455-4933

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

Inspection Categories:

- I. Haz. Mat/Waste GENERATOR/TRANSPORTER
- II. Business Plans, Acute Hazardous Materials
- III. Underground Tanks

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

Comments:

Three underground tanks at site - ^{property} ARCO supplies the gasoline, but site is owned privately. Owner of ~~site~~ at Citation Hearing in DA's office last month, at which time he promised to supply 3 months' worth of monitoring records. Until the owner stated this to the operator, no daily inventory reconciliation had been occurring at site. Our office has received no previous test results for the site, although the operator states that two tests have been run in the past 16 months. At the time of the inspection, there were no inventory reconciliation records available to review on site. These may be at the home of the facility operator. No HMMP has been submitted yet to our office, nor have underground tank permit applications.

There was a repair on one of the pipelines 3-4 months ago, but this was apparently done because the level of the pipe was too low, not because it was leaking.

II.A BUSINESS PLANS (Title 19)

- 1. Immediate Reporting 2703
- 2. Bus. Plan Stds. 25503(b)
- 3. RR Cars > 30 days 25503.7
- 4. Inventory Information 25504(a)
- 5. Inventory Complete 2730
- 6. Emergency Response 25504(b)
- 7. Training 25504(c)
- 8. Deficiency 25505(a)
- 9. Modification 25505(b)

II.B ACUTELY HAZ. MATS

- 10. Registration Form Filed 25533(a)
- 11. Form Complete 25533(b)
- 12. RMPP Contents 25534(c)
- 13. Implement Sch. Req'd? (Y/N)
- 14. OffSite Conseq. Assess. 25524(c)
- 15. Probable Risk Assessment 25534(d)
- 16. Persons Responsible 25534(g)
- 17. Certification 25534(f)
- 18. Exemption Request? (Y/N) 25536(b)
- 19. Trade Secret Requested? 25538

III. UNDERGROUND TANKS (Title 23)

- General**
- 1. Permit Application 25284 (H&S)
- 2. Pipeline Leak Detection 25292 (H&S)
- 3. Records Maintenance 2712
- 4. Release Report 2651
- 5. Closure Plans 2670
- 6. Method
- Monitoring for Existing Tanks**
- 1) Monthly Test
- 2) Daily Vadose
Semi-annual groundwater
One time soils
- 3) Daily Vadose
One time soils
Annual tank test
- 4) Monthly Groundwater
One time soils
- 5) Daily Inventory
Annual tank testing
Cont pipe leak det
Vadose/groundwater mon.
- 6) Daily Inventory
Annual tank testing
Cont pipe leak det
- 7) Weekly Tank Gauge
Annual tank testing
- 8) Annual Tank Testing
Daily Inventory
- 9) Other _____
- 7. Precs Tank Test 2643
Date: _____
- 8. Inventory Rec. 2644
- 9. Soil Testing . 2646
- 10. Ground Water. 2647
- New Tanks**
- 11. Monitor Plan 2632
- 12. Access. Secure 2634
- 13. Plans Submit 2711
Date: _____
- 14. As Built 2635
Date: _____

Rev 8/88

Contact: Mohsen Amini
Title: _____
Signature: _____

Inspector: _____
Signature: Gilbert M. W. [unclear]

CON'T.

II, III

ALAMEDA COUNTY, DEPARTMENT OF ENVIRONMENTAL HEALTH
Hazardous Materials Inspection Form

80 Swan Way, #200
 Oakland, CA 94621
 (415) 271-4320

II, III

white -env.health
 yellow -facility
 pink -files

PAGE 2 of 2

Site ID # _____ Site Name ARCO - AM/PM Minimum Today's Date 12/27/90

Site Address 909 Bluebell Ave. Dr.
 City Silvermore Zip 94550 Phone 455-4933

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

Inspection Categories:

- I. Haz. Mat/Waste GENERATOR/TRANSPORTER
- II. Business Plans, Acute Hazardous Materials
- III. Underground Tanks

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

Comments:

NEEDS:

① Daily inventory reconciliation must be done, with the records kept on facility premises.

② Results of annual precision tests must be sent to our office immediately.

③ Underground tank permit application, completed Hazardous materials management plan, and three months of inventory reconciliation records must be submitted to our office by 2/1/91.

④ You are required to submit quarterly reports to our office that summarize inventory reconciliation records over that period.

II.A BUSINESS PLANS (Title 19)

- 1. Immediate Reporting 2703
- 2. Bus. Plan Stds. 25503(b)
- 3. RR Cars > 30 days 25503.7
- 4. Inventory Information 25504(a)
- 5. Inventory Complete 2730
- 6. Emergency Response 25504(b)
- 7. Training 25504(c)
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- 9. Modification 25505(b)

II.B ACUTELY HAZ. MATLS

- 10. Registration Form Filed 25533(a)
- 11. Form Complete 25533(b)
- 12. RMPP Contents 25534(c)
- 13. Implement Sch. Req'd? (Y/N) _____
- 14. OnSite Conseq. Assess. 25524(c)
- 15. Probable Risk Assessment 25534(d)
- 16. Persons Responsible 25534(g)
- 17. Certification 25534(f)
- 18. Exemption Request? (Y/N) _____
- 19. Trade Secret Requested? 25538

III. UNDERGROUND TANKS (Title 23)

- | | |
|--|---|
| General | <input type="checkbox"/> 1. Permit Application 25284 (H&S) |
| | <input checked="" type="checkbox"/> 2. Pipeline Leak Detection 25292 (H&S) |
| | <input type="checkbox"/> 3. Records Maintenance 2712 |
| | <input type="checkbox"/> 4. Release Report 2651 |
| | <input type="checkbox"/> 5. Closure Plans 2670 |
| Monitoring for Existing Tanks | <input checked="" type="checkbox"/> 6. Method |
| | 1) Monthly Test |
| | 2) Daily Vadose
Semi-annual groundwater
One time soils |
| | 3) Daily Vadose
One time soils
Annual tank test |
| | 4) Monthly Groundwater
One time soils |
| | 5) Daily Inventory
Annual tank testing
Cont pipe leak det
Vadose/gndwater mon. |
| | 6) Daily Inventory
Annual tank testing
Cont pipe leak det |
| | 7) Weekly Tank Gauge
Annual tank testing |
| | 8) Annual Tank Testing
Daily Inventory |
| | 9) Other _____ |
| New Tanks | <input checked="" type="checkbox"/> 7. Precs Tank Test 2643 |
| | <input checked="" type="checkbox"/> 8. Inventory Rec. 2644 |
| | <input type="checkbox"/> 9. Soil Testing 2646 |
| | <input type="checkbox"/> 10. Ground Water. 2647 |
| | <input type="checkbox"/> 11. Monitor Plan 2632 |
| <input type="checkbox"/> 12. Access. Secure 2634 | |
| <input type="checkbox"/> 13. Plans Submit 2711 | |
| <input type="checkbox"/> 14. As Built 2635 | |

Rev 6/88

II, III

Contact: Mohsen Amimi
 Title: _____
 Signature: _____

Inspector: _____
 Signature: Gilbert M. Wistar

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Director



ALAMEDA COUNTY HLTH CARE SVC
HAZARDOUS MATERIALS DIVISION
80 SWAN WAY, SUITE 200
OAKLAND, CA 94621
(415) 271-4320

Certified Mailer # P062 127 913

Telephone Number: (415)

March 27, 1990

Mr. James McAtee
Springtown Towing
909 Bluebell Dr.
Livermore, CA 94550

NOTICE OF VIOLATION

Dear Mr. McAtee:

On March 19, 1990, the Alameda County Department of Environmental Health, Hazardous Materials Division inspected the Springtown ARCO/Springtown Towing facility at 909 Bluebell Dr. Apparently, you are the property owner at this address, and also own the Springtown Towing business. You lease part of the parcel to the Springtown ARCO operation, which has recently converted to a gasoline/retail "minimart." No auto repair is done at this facility. During the course of its inspection, the Division noted the presence of four underground storage tanks, one of which was formerly used as a waste oil storage container.

The continued presence of the waste oil tank, which is now out of use and for which no future use is foreseen, violates Sec. 25298(a) and (c) of the California Health and Safety Code (H&SC). These sections of code state that underground tanks must undergo proper closure (i.e., removal) as soon as they go out of operation. Abandonment is specifically forbidden. In addition, Sec. 25299(a)(5) of the H&SC authorizes civil penalties of up to \$5,000 per day to be assessed as long as violations of Sec. 25298 continue.

Therefore, the waste oil tank must be removed immediately, under closure procedures established by this office. Tank closure includes the cleanup of any soil or groundwater contamination that may have resulted from the tank systems. Enclosed are forms and information regarding the closure of underground tanks in Alameda County. You will need to hire a contractor and have the closure form filled out and sent in triplicate, along with a deposit of \$375, to this office. This completed closure form and deposit are due in 60 days, i.e., no later than **May 25, 1990**.

With regards to the three tanks that will continue to be used in association with the ARCO filling station, each must be permitted through this office. I left blank permit application forms with

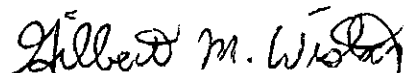
Mr. James McAtee
March 27, 1990
Page 2 of 2

Mohsen Amini during the March 19 inspection, and these must be completed and returned to this office within 30 days of the date of this letter. State law requires that monitoring occur for these tanks, typically consisting of annual precision testing, working pipeline leak detectors, and daily inventory reconciliation. Records of daily monitoring need to be summarized and submitted to this office on a quarterly basis; in addition, the tank operator will need to submit records of the annual precision tank test to this office.

Finally, a business plan for hazardous materials must be submitted to this office within 30 days of the date of this letter. Again, blanks were left with Mr. Amini during the March 19 inspection, and business plan requirements were explained.

If you have any questions about this letter or about underground tank regulations enforced by this office, please contact the undersigned at 271-4320.

Sincerely,



Gil Wistar
Hazardous Materials Specialist

enc.

cc (letter only):

Randy Griffith, Livermore Fire Dept.
Howard Hatayama, DOHS
Gil Jensen, Alameda County District Attorney, Consumer and
Environmental Protection Division
Rafat A. Shahid, Asst. Agency Director, Environmental Health
files

ALAMEDA COUNTY
HEALTH CARE SERVICES



AGENCY
DAVID J. KEARS, Agency Director

Certified Mailer # P 062 128 189

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

May 15, 1990

Mr. James McAtee
Springtown Towing
909 Bluebell Dr.
Livermore, CA 94550

SECOND NOTICE OF VIOLATION

Dear Mr. McAtee:

On March 19, 1990, the Alameda County Department of Environmental Health, Hazardous Materials Division inspected the Springtown ARCO/Springtown Towing facility at 909 Bluebell Dr. Apparently, you are the property owner at this address, and also own the Springtown Towing business. You lease part of the parcel to the Springtown ARCO operation, which has recently converted to a gasoline/retail "minimart." During the course of its inspection, the Division noted the presence of four underground storage tanks, three of which are currently pumping gas and one of which was formerly used as a waste oil storage container.

As indicated to you in a letter dated March 27, 1990, each of the three operational tanks must be permitted through this office. I left blank permit application forms with Mohsen Amini during the March 19 inspection, and indicated that they were to be completed and returned to this office by April 26, 1990. In addition, state law requires monitoring for these tanks, typically consisting of annual precision testing, working pipeline leak detectors, and daily inventory reconciliation. Records of daily monitoring must be summarized and submitted to this office on a quarterly basis; the facility must also submit to this office records of annual precision tests for each of the three tanks. To date, none of this has been done. This lack of proper permitting and monitoring record-keeping violates Sec. 2641 of Title 23, Chapter 3, Subchapter 16 of the California Code of Regulations.

In the March 27 letter this office also set a deadline of April 26, 1990 for the submittal of a facility business plan that includes a hazardous material/waste inventory and spill/release contingency procedures. Again, blanks were left with Mr. Amini during the March 19 inspection, and business plan requirements were explained. As of the date of this letter, we have received nothing from the facility, a violation of Secs. 25503.5 and 25509 of the California Health and Safety Code (H&SC).

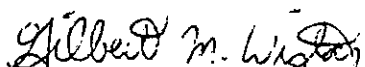
Mr. James McAtee
May 15, 1990
Page 2 of 2

As this office communicated to you in the March 27 letter, the continued presence of the waste oil tank violates Sec. 25298(a) and (c) of the H&SC. In this letter, we enclosed forms and information regarding the closure of underground tanks in Alameda County. You will need to hire a contractor and have the closure form filled out and sent in triplicate, along with a deposit of \$375, to this office. As a reminder, this completed closure form and deposit are due no later than **May 25, 1990**. By this same date, we are requiring that the facility submit all relevant documents pertaining to the underground tanks, including testing and monitoring, and permit applications. We are also requiring the submittal of a completed business plan by May 25.

We are sending this Second Notice of Violation to you rather than to the station operator, because as the property owner you have the ultimate responsibility for ensuring that the facility meets all appropriate environmental regulations. Your attention is directed to Sections 25189 and 25191 of the Health and Safety Code, which provide for daily penalties of up to \$25,000 for continuing violation of these regulations.

If you have any questions about this letter or about underground tank regulations enforced by this office, please contact the undersigned at 271-4320.

Sincerely,



Gil Wistar
Hazardous Materials Specialist

cc: Randy Griffith, Livermore Fire Dept.
Howard Hatayama, DOHS
Gil Jensen, Alameda County District Attorney, Consumer and
Environmental Protection Division
Rafat A. Shahid, Asst. Agency Director, Environmental Health
files

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



Certified Mailer # P 062 127 876

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

July 25, 1990

Mr. James McAtee
Springtown Towing
909 Bluebell Dr.
Livermore, CA 94550

FINAL NOTICE OF VIOLATION

Dear Mr. McAtee:

On March 19, 1990, the Alameda County Department of Environmental Health, Hazardous Materials Division inspected the Springtown ARCO/Springtown Towing facility at 909 Bluebell Dr. You are the property owner at this address, and also own the Springtown Towing business. You lease part of the parcel to the Springtown ARCO operation, which has converted to a gasoline/retail "minimart." During its inspection, the Division noted the presence of four underground storage tanks; three contain gasoline and the fourth was formerly used to store waste oil.

State law requires monitoring for these tanks, typically consisting of annual precision testing, working pipeline leak detectors, and daily inventory reconciliation. Records of daily monitoring must be summarized and submitted to this office on a quarterly basis; the facility must also submit to this office records of annual precision tests for each of the three tanks. Our office has received no indication that this has been done. This lack of proper permitting and monitoring record-keeping violates Sec. 2641 of Title 23, Chapter 3, Subchapter 16 of the California Code of Regulations.

In addition, as indicated in an initial letter dated March 27, 1990 and a second letter dated May 15, 1990, each of the three operational tanks must be permitted through this office. (I left blank permit application forms with Mohsen Amini during the March 19 inspection, and explained that they were to be completed and returned to this office by April 26, 1990.) The second notice of violation set forth a deadline of May 25, 1990. The May 15 letter also set a deadline of May 25 for the submittal of a facility business plan, including a hazardous material/waste inventory and spill/release contingency procedures. Again, I left blanks with Mr. Amini during the March 19 inspection, and explained business plan requirements. As of the date of this letter, we still have received nothing from the facility, a violation of Secs. 25503.5 and 25509 of the California Health and Safety Code (H&SC).

Mr. James McAtee

July 25, 1990

Page 2 of 2

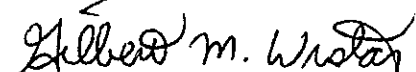
As this office communicated to you in the March 27 and May 15 letters, the abandonment of the waste oil tank violates Sec. 25298(a) and (c), H&SC. This tank must be removed. In the first letter, I enclosed forms and information regarding the closure of underground tanks in Alameda County. You will need to hire a contractor and have the closure form filled out and sent in triplicate, along with a deposit of \$375, to this office. This completed closure form and deposit were due on May 25, 1990; we have received neither.

Please submit all relevant documents pertaining to the underground tanks, including testing and monitoring, and permit applications, to this office within 15 days. Please also submit a tank closure application with a \$375 deposit, as well as a completed business plan to this office by the same August 9 date.

We are sending you this Final Notice of Violation because of a lack of communication of any kind following the first and second notices of violation. This case will now be referred to the Alameda County District Attorney for enforcement. Your attention is directed to Sections 25189 and 25191 of the Health and Safety Code, which provide for daily penalties of up to \$25,000 for continuing violation of these regulations.

If you have any questions about this letter or about underground tank regulations enforced by this office, please contact the undersigned at 271-4320.

Sincerely,



Gil Wistar
Hazardous Materials Specialist

cc: Randy Griffith, Livermore Fire Dept.
Howard Hatayama, DOHS
Gil Jensen, Alameda County District Attorney, Consumer and
Environmental Protection Division
Rafat A. Shahid, Asst. Agency Director, Environmental Health
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