

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



TEST 11-1-99
including @'s

201083

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

October 28, 1999

Exxon Company USA
Attn: Mr. Gene Ortega
P.O. Box 4032
2300 Clayton Road, Suite 1250
Concord, California 94524

**RE: Exxon Service Station #7 - 0234 (STID # 519)
3450 35th Avenue, Oakland, California 94619**

LANDOWNER NOTIFICATION AND PARTICIPATION REQUIREMENTS

Dear Mr. Ortega:

This letter is to inform you of new legislative requirements pertaining to cleanup and closure of sites where an unauthorized release of hazardous substance, including petroleum, has occurred from an underground storage tank (UST). Section 25297.15(a) of Ch. 6.7 of the Health & Safety Code requires the primary or active responsible party to notify all current record owners of fee title to the site of: 1) a site cleanup proposal, 2) a site closure proposal, 3) a local agency intention to make a determination that no further action is required, and 4) a local agency intention to issue a closure letter. Section 25297.15(b) requires the local agency to take all reasonable steps to accommodate responsible landowners' participation in the cleanup or site closure process and to consider their input and recommendations.

For purposes of implementing these sections, you have been identified as the primary or active responsible party. Please provide to this agency, within twenty (20) calendar days of receipt of this notice, a complete mailing list of all current record owners of fee title to the site. You may use the enclosed "list of landowners" form (sample letter 2) as a template to comply with this requirement. If the list of current record owners of fee title to the site changes, you must notify the local agency of the change within 20 calendar days from when you are notified of the change.

If you are the sole landowner, please indicate that on the landowner list form. The following notice requirements do not apply to responsible parties who are the sole landowner for the site.

LANDOWNER NOTIFICATION

Re: 3450 35th Avenue, Oakland

October 28, 1999

Page 2 of 2

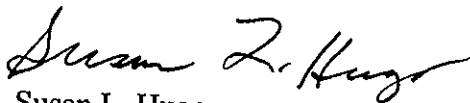
In accordance with Section 25297.15(a) of Ch. 6.7 of the Health & Safety Code, you must certify to the local agency that all current record owners of fee title to the site have been informed of the proposed action before the local agency may do any of the following:

- 1) consider a cleanup proposal (corrective action plan)
- 2) consider a site closure proposal
- 3) make a determination that no further action is required
- 4) issue a closure letter

You may use the enclosed "notice of proposed action" form (sample letter 3) as a template to comply with this requirement. Before approving a cleanup proposal or site closure proposal, determining that no further action is required, or issuing a closure letter, the local agency will take all reasonable steps necessary to accommodate responsible landowner participation in the cleanup and site closure process and will consider all input and recommendations from any responsible landowner.

Please call me at (510) 567-6780 should you have any questions about the content of this letter.

Sincerely,



Susan L. Hugo
Hazardous Materials Specialist

Attachments

cc: Chuck Headlee, RWQCB
SH / files

SAMPLE LETTER (2): LIST OF LANDOWNERS FORM

Name of local agency
Street address
City

SUBJECT: CERTIFIED LIST OF RECORD FEE TITLE OWNERS FOR (*Site Name and Address*)

(Note: Fill out item 1 if there are multiple site landowners. If you are the sole site landowner, skip item 1 and fill out item 2.)

1. In accordance with section 25297.15(a) of Chapter 6.7 of the Health & Safety Code, I, (*name of primary responsible party*), certify that the following is a complete list of current record fee title owners and their mailing addresses for the above site:

2. In accordance with section 25297.15(a) of Chapter 6.7 of the Health & Safety Code, I, (*name of primary responsible party*), certify that I am the sole landowner for the above site.

Sincerely,

Signature of primary responsible party

Name of primary responsible party

SAMPLE LETTER 3: NOTICE OF PROPOSED ACTION SUBMITTED TO LOCAL AGENCY

Name of local agency
Street address
City

SUBJECT: NOTICE OF PROPOSED ACTION SUBMITTED TO LOCAL AGENCY FOR
(*Site Name and Address*)

In accordance with section 25297,15(a) of Chapter 6.7 of the Health & Safety Code, I, (*name of primary responsible party*), certify that I have notified all responsible landowners of the enclosed proposed action. Check space for applicable proposed action(s):

- cleanup proposal (corrective action plan)
- site closure proposal
- local agency intention to make a determination that no further action is required
- local agency intention to issue a closure letter

Sincerely,

Signature of primary responsible party

Name of primary responsible party

cc: Names and addresses of all record fee title owners

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



SENT 11-1-99
including cc's

201083

October 27, 1999

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

Mr. Gene Ortega
Exxon Company USA
P.O. Box 4032
2300 Clayton Road, Suite 1250
Concord, California 94524

RE: Exxon Service Station #7-0234 (STID # 519)
3450 35th Avenue, Oakland, California 94619

Dear Mr. Ortega:

This agency is currently reviewing the case file for the above referenced site for closure. Based on our review, it appears that methyl tertiary butyl ether (MTBE) has not been analyzed in soil and /or groundwater at the subject site. Before we can proceed with the case closure, the presence of MTBE in soil and /or groundwater should be evaluated.

In addition, as part of the closure document, a site conceptual model (SCM) should be submitted. The SCM should include at a minimum the following items:

- 1) local & regional plan view maps with location of sources, extent of contamination, direction & rate of groundwater flow, location of receptors
- 2) geologic cross-section maps with subsurface geologic features, man-made conduits, extent of contamination, etc.
- 3) plots of chemical concentration vs. time
- 4) plots of chemical concentration vs. distance from source
- 5) summary tables of chemical concentrations in different media
- 6) well-logs, boring-logs, well survey maps

If you have any questions regarding this letter or the subject site, please call me at (510) 567-6780.

Sincerely,

Susan L. Hugo
Hazardous Materials Specialist

c: Chuck Headlee, San Francisco Bay RWQCB
Janice Jacobson, Environmental Resolution, 73 Digital Drive; Novato, CA 94949
SH / files

MEMORANDUM

DATE: March 1, 1994
 TO: LOP staff
 FROM: Scott Seery
 SUBJ: Meeting to follow-up on status of EXXON-lead investigations

At 10:00 AM on Tuesday, March 8, 1994, I will be meeting with Ms. Marla Guensler of EXXON Corporation to discuss the status of EXXON-lead sites in Alameda County. This meeting is in follow-up to those held during March and September 1993. Following is a minimum list of sites to be discussed. Each were previously covered during both prior meetings.

Please become aware of the status of each site within your districts and either: 1) plan on attending the meeting; or, 2) provide a brief summary regarding the status of the site(s), any concerns you may have, additional work needed, etc., etc. I apologize for the short notice on this.

<u>STID</u>	<u>SITE ADDRESS</u>	<u>SPECIALIST</u>
(R0448) 3601	1725 Park Street, Alameda	JMS
(R02424) 4103	7840 Amador Valley Blvd., Dublin	EC
(R0953) 2692	1175 Catalina Drive, Livermore	EC
515	3450 35th Ave., Oakland	SH
R01083/ R02515-Valero) (R0358) 1039	2225 Telegraph Ave., Oakland	JE
Not in ENVISION → 1068	6630 E. 12th Street, Oakland	TP
(R0491) 136	720 High Street, Oakland	BC
(R0520) 1127	8008 Mountain Blvd., Oakland	JMS

Attached is a copy of the memo documenting the results of September's meeting. Please review your cases in context with the summaries presented herein.

I need your input prior to next Tuesday's meeting. Thanks.

memo\3-1exxn

MEMORANDUM

DATE: September 28, 1993
 TO: LOP staff
 FROM: Scott Seery
 SUBJ: EXXON meeting, September 28, 1993

Today I met with Ms. Marla Guensler and Mr. Ernie Villasenor of EXXON Corporation. With them were representatives of their consultant, RESNA Corporation. Today's meeting, the second of a series, was in follow-up to a similar meeting held during March 1993. The status of all EXXON sites with UST investigations/clean-ups, for which ACDEH is the lead oversight agency and EXXON the lead RP, is the topic of this series.

As with the March meeting, the tone and outcome were "up-front," positive, and productive. Following is a summary of the issues discussed, listed by site.

STID	ADDRESS	CASE LEAD
<u>3601</u>	<u>1725 Park Street, Alameda</u>	<u>EXXON</u>

- o downgradient wells (3) installed off-site in May 1993, with two (2) of the three along Park not showing measurable HC impact as of this writing; minor impact (TPH, only) in well located on Eagle
- o informed EXXON of pending tank replacement at Shell station, 1701 Park, approximately 200' upgradient (crossgradient?) of site; EXXON is fairly convinced (read: hopeful) that their site has been impacted by an upgradient source, and that the Shell station appears to them to be the most likely candidate. (I told EXXON that I wasn't convinced of this yet, in the absence of any GW data on property between Shell and EXXON sites, that Shell is a potential contributory source. RESNA feels that the native formation [Merrit Sands?] has sufficient transmissivity to allow dispersion at a level consistent with the impact noted in on-site, upgradient well. I noted that this well and one other are crossgradient of the UST complex, and the impacts noted may just be the result of a fairly flat gradient.)
- o EXXON noted that the 1992 Hydropunch survey found concentrations of HCs adjacent to the Shell site similar to those found adjacent to the EXXON site, making them believe that Shell is a likely contributing source
- o German Auto Repair should be evaluated for presence of USTs. Do we currently know of any?
- o discussed potential for utility trenches in Park Ave. to act as conduits for expressing contaminants away, before being intercepted by downgradient, off-site wells. (May need to keep an eye on this.)

4103 7840 Amador Valley Blvd., Dublin EXXON

- o all appears to be on track
- o MTBE discovered recently,; EXXON indicates this additive may be a result of Texaco's activities - claim no knowledge of its use by EXXON
- o downgradient wells have minor hits, but absent aromatics at levels of concern
- o **Close to site closure** - monitor a few more quarters to see if trends continue
- o reduce sampling frequencies in MW-3 and MW-4:
 MW-3 annual
 MW-4 semiannual

2602 1175 Catalina Drive, Livermore Texaco?/ EXXON

- o investigation by Texaco before site transfer to EXXON (may have) identified waste oil tank leak [Copy of Texaco's "Exhibit J" report to be reissued.]
- o need to determine ACDEH should also name Texaco as RP for waste oil problem, if leak substantiated
- o EXXON is still RP for fuel problem - **needs to perform PSA**
- o EXXON will look for copies of tank test reports when still under Texaco control (pre 1988)
- o ACDEH needs to try to propagate a productive, integrated approach between Texaco and EXXON if both are required to perform PSAs for their commensurate problems

515 3450 - 35th Ave., Oakland EXXON ?

- o appears to be a minor residual problem - good candidate for closure (?)
- o discussion regarding need to (still) determine whether MW-1 is intercepting the trailing edge of the plume, or is in the heart of it; EXXON will review UST closure report and see if substantial problem was identified in soil at the time. EXXON will propose a Hydropunch survey downgradient of MW-1 should the closure report indicate high concentrations of HCs in soil at the time of closure. Alternatively, EXXON will review the report generated by Texaco prior to property transfer to EXXON. Should this report substantiate that "no problem" was found prior to transfer, EXXON may conclude that the Hydropunch survey is unnecessary
- o EXXON to supply another copy of the Texaco "Exhibit J" report for this site

1039 2225 Telegraph Ave., Oakland Texaco

- o Texaco lead - no updates by EXXON

1068 6630 East 14th Street, Oakland EXXON

- o former Texaco site - EXXON will send another Texaco "Exhibit J" report
- o should noted Texaco report indicate a release during Texaco's tenure, need to identify Texaco as additional RP
- o downgradient well MW-5 had only one "hit" in October 1992, and none since - may be from cross-contamination during sampling
- o same (apparent) occurrence in cross-gradient well MW-7
- o "sheen" found in well MW-2, yet sampled anyway. Low dissolved concentrations (total TPH of 15 ppm) lead RESNA to conclude that sheen was not a result of HCs, but rather some other unknown organic compound. [FP not expected until conc. > 50-100 ppm]
- o SWI work plan for additional on-site assessment to be submitted shortly, which will include 5 borings/Hydropunches with 3 to be converted to SVE test wells

136 720 High Street, Oakland EXXON

- o interceptor trench in design/engineering phase now, and will run along south/SW/west site boundaries. Trench forecast to be completed prior to 1994
- o southern off-site wells still in City of Oakland permitting process
- o treatment of collected GW to (likely) include thermal destruction and GAC polishing prior to discharge. Trench to include vapor extraction plumbing, as well, to address need to remove potential free phase product from trench
- o Timeline to be developed by RESNA
- o upgradient contributory source not considered significant at this time

1127 8008 Mountain Blvd., Oakland EXXON

- o EXXON to supply copies of (copious) pre-April 1992 files
- o EXXON considers this a low priority case - will likely be proposing site closure shortly
- o EXXON will conduct well survey in area to determine if pumping, etc., could explain wild fluctuations in GW levels found in OW-6

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



R01083

RAFAT A. SHAHID, Assistant Agency Director

DEPARTMENT OF ENVIRONMENTAL HEALTH
Hazardous Materials Division
80 Swan Way, Rm. 200
Oakland, CA 94621
(510) 271-4320

May 5, 1992

Ms. Darlene Sager,
Regulatory Administrator
Exxon Company, U.S.A.
P.O. Box 4386
Houston, TX 77210-4386

Re: Exxon #7-0234, 3450 35th Ave., Oakland, CA

Dear Ms. Sager:

In response to your letter dated February 27, 1992 to Mr. Brian Oliva of this department, the following information is required before new five-year permits can be issued to operate the four underground storage tanks at the above mentioned facility:

1. An accurate and complete plot plan.
2. A written spill response plan.
3. A written tank monitoring plan.
4. Complete UST Permit Form C - one per tank if information is available. (enclosed)

Please complete the above items and return them to this office within 30 days. Title 23 of the California Code of Regulations prohibits the operation of any underground storage tank without a permit. Please contact Ron Owcarz at (510) 271-4320 if you have any questions which may arise in completing the mandatory five-year permit process.

Sincerely,

Larry Seto,
Senior Hazardous Materials Specialist

Enclosures

cc: Ron Owcarz
Brian Oliva

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



R02515 (Valero)
✓ R01083 (Exxon)

February 15, 1991

Mr. Steve Randall
Robert H. Lee and Associates
900 Larkspur Landing Circle, #125
Larkspur, CA 94939

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

Re: Underground Storage Tank removal and replacement
3450 35th Avenue, Oakland, CA 94619

Dear Mr. Randall:

We are in receipt of the tank modification/closure plan and blue prints for the installation and removal of 4 underground storage tanks. Upon the review of these documents the following information is needed prior to approval of the closure/installation proposal:

The name and licence type of the tank removal and installation contractor.

A certificate of insurance from the contractor

A signature of the contractor

A site safety plan (according to 29 CFR) which at a minimum, should include: the name and address and phone number of a medical facility utilized in case of emergency, site control measures to ensure safety, name of the site safety officer responsible for that safety and a list of personal protective equipment available onsite (see attachment).

Specify the type of chemical analysis to be performed. A schedule for sampling underneath each tank. Stockpiled soil samples should be performed by collecting 4 samples per 20 cubic yards. Samples should then be composited into one at a certified lab and analyzed. Soil sampling underneath pipelines and pump registers must be collected 1 sample per 20 lineal feet. Please specify chemical sampling procedure and analyte to be tested for (see attachment). Provide the licence number of the state certified laboratory.

Regarding the tank and pipeline installation plans, please provide the following information:

Specify the capacity of the overspill prevention devices.

Specify the location of the monitor/alarm panel (particularly the alarm device).

Mr. Steve Randall
February 15, 1991
Page 2 of 2

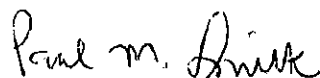
Specify the type of annular space monitoring probes employed.

Please be advised that the Exxon facility is required to provide to this department revised written monitoring and spill response plans in order to be eligible for a 5 year permit to operate the underground tanks.

You are also required to provide "as built" within 30 days following the completion of the tank installations at the above facility.

If you have questions regarding any of the above requirements please contact me at 415/271-4320.

Sincerely,



Paul M. Smith
Hazardous Materials Specialist

cc:

Jo Beth Folger, Exxon Co. USA
Steve Hallert, Oakland Fire Department
Gil Jensen, Alameda County District Attorney's Office of
Consumer and Environmental Protection

SITE SAFETY PLAN REQUIREMENTS

According to 29 CFR 1910.120 subparagraphs (a)(1) and (b)(8), a Site Safety Plan shall be available to employees, contractors, and subcontractors involved in:

- (1) Hazardous substance response operations under the Comprehensive Environmental Response, Compensation and Liability Act of 1980 as amended..., including initial investigations at CERCLA sites before the presence or absence of hazardous substances has been ascertained;
- (2) Major corrective actions taken in clean-up operations under the Resource Conservation and Recovery Act of 1976 as amended...;
- (3) Operations involving hazardous waste storage, disposal and treatment facilities regulated under 40 CFR Parts 264 and 265 pursuant to RCRA, except for small quantity generators and those employers with less than 90 days accumulation of hazardous wastes as defined in 40 CFR 262.34;
- (4) Hazardous waste operations sites that have been designated for clean-up by state or local governmental authorities; and
- (5) Emergency response operations for releases of or substantial threats of releases of hazardous substances and post-emergency response operations for such releases.

Per 29 CFR 1910.120 (i)(2)(i), Site Safety Plans shall address the following:

- (a) Names of key personnel; alternates responsible for site safety and health; appointment of a Site Safety and Health Officer.
- (b) A safety and health risk analysis for each site task and operation.
- (c) Employee training assignments.
- (d) Personal protective equipment to be used by employees for each of the site tasks and operations being conducted.
- (e) Medical Surveillance requirements.
- (f) Frequency and types of air monitoring, personnel monitoring, and environmental sampling techniques and instrumentations to be used. Methods of maintenance and calibration of monitoring and sampling equipment to be used.
- (g) Site control measures.
- (h) Decontamination procedures.

TABLE #2
REVISED 10 AUGUST 1990

RECOMMENDED MINIMUM VERIFICATION ANALYSES FOR
UNDERGROUND TANK LEAKS

<u>HYDROCARBON LEAK</u>	<u>SOIL ANALYSIS</u>		<u>WATER ANALYSIS</u>	
<u>Unknown Fuel</u>	TPH G	GCFID(5030)	TPH G	GCFID(5030)
	TPH D	GCFID(3550)	TPH D	GCFID(3510)
	BTX&E	8020 or 8240	BTX&E	602, 624 or 8260
	or TPH AND BTX&E by 8260 CRYOGENIC FOCUSING			
<u>Leaded Gas</u>	TPH G	GCFID(5030)	TPH G	GCFID(5030)
	BTX&E	8020 or 8240	BTX&E	602, 624 or 8260
	or TPH AND BTX&E by 8260 CRYOGENIC FOCUSING			
	TOTAL LEAD	AA	TOTAL LEAD	AA
	---Optional---			
	TEL	DHS-LUFT	TEL	DHS-LUFT
	EDB	DHS-AB1803	EDB	DHS-AB1803
<u>Unleaded Gas</u>	TPH G	GCFID(5030)	TPH G	GCFID(5030)
	BTX&E	8020 or 8240	BTX&E	602, 624 or 8260
	or TPH AND BTX&E by 8260 CRYOGENIC FOCUSING			
<u>Diesel</u>	TPH D	GCFID(3550)	TPH D	GCFID(3510)
	BTX&E	8020 or 8240	BTX&E	602, 624 or 8260
	or TPH AND BTX&E by 8260 CRYOGENIC FOCUSING			
<u>Jet Fuel</u>	TPH D	GCFID(3550)	TPH D	GCFID(3510)
	BTX&E	8020 or 8240	BTX&E	602, 624 or 8260
	or TPH AND BTX&E by 8260 CRYOGENIC FOCUSING			
<u>Kerosene</u>	TPH D	GCFID(3550)	TPH D	GCFID(3510)
	BTX&E	8020 or 8240	BTX&E	602, 624 or 8260
	or TPH AND BTX&E by 8260 CRYOGENIC FOCUSING			
<u>Fuel/Heating Oil</u>	TPH D	GCFID(3550)	TPH D	GCFID(3510)
	BTX&E	8020 or 8240	BTX&E	602, 624 or 8260
	or TPH AND BTX&E by 8260 CRYOGENIC FOCUSING			
<u>Chlorinated Solvents</u>	CL HC	8010 or 8240	CL HC	601 or 624
	BTX&E	8020 or 8240	BTX&E	602 or 624
	or CL HC AND BTX&E 8260			
<u>Non Chlorinated Solvents</u>	TPH D	GCFID(3550)	TPH D	GCFID(3510)
	BTX&E	8020 or 8240	BTX&E	602 or 624
	or TPH AND BTX&E 8260			
<u>Waste and Used Oil or Unknown</u>	TPH G	GCFID(5030)	TPH G	GCFID(5030)
	TPH D	GCFID(3550)	TPH D	GCFID(3510)
	or TPH AND BTX&E by 8260 CRYOGENIC FOCUSING			
	O & G	5520 D&F	O & G	5520 C&F
	BTX&E	8020 or 8240	BTX&E	602, 624 or 8260
	CL HC	8010 or 8240	CL HC	601 or 624
	ICAP or AA TO DETECT METALS: Cd, Cr, Pb, Zn, Ni			
	METHOD 8270 FOR SOIL OR WATER TO DETECT:			
	PCB*		PCB*	
	PCP*		PCP*	
	PNA		PNA	
	CREOSOTE		CREOSOTE	

*If found, analyze for dibenzofurans (PCBs) or dioxins (PCP)

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



R01083

September 19, 1990

Gary Kumar
Exxon # 7-0234
3450 - 35th Ave.
Oakland, CA 94619

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

Re: **Waste Minimization Assessment**

Dear Gary Kumar:

Your business has been selected to receive a hazardous waste minimization assessment. As you are probably aware, hazardous waste reduction has become a statewide, if not a national, issue. To address this issue at a county level, Alameda County is establishing its own Hazardous Waste Minimization Program and is planning to conduct waste minimization assessments for all hazardous waste generating facilities in the County.

We have chosen businesses in the auto repair industry to receive the first round of waste minimization assessments. It is our hope that these assessments will assist participating businesses in minimizing their hazardous wastes - and will give us further information on the best way to structure our minimization program.

One of our Hazardous Materials Specialists will be contacting you during the week of September 24 to arrange a meeting with you for an assessment of your business. During this meeting and assessment, the Specialist will work with you in examining your business's hazardous waste generating practices. The Specialist will then provide you with materials on waste reduction technology and assist you in setting up appropriate hazardous waste minimization practices.

We look forward to working with you in reducing the amount of hazardous waste your business generates. Of course, your comments and suggestions are encouraged; we need your input in order to best serve you! Please direct any comments and questions to Katherine Chesick at 415/271-4320.

Sincerely,

Edgar B. Howell, Chief,
Alameda County Hazardous Materials Division

EBH:kac

cc: Fire Department
Files



Certified Mailer #P 833 981 414

May 17, 1989

DEPARTMENT OF ENVIRONMENTAL HEALTH
Hazardous Materials Program
80 Swan Way, Rm. 200
Oakland, CA 94621
(415) 271-4320

Kevin Hunter
Exxon Co., U.S.A.
P. O. Box 4415
Houston, TX 77210

Re: 3450 35th Ave., Oakland, CA 94619

NOTICE OF VIOLATION

Dear Mr. Hunter:

On May 10, 1989, an inspection of hazardous waste compliance was conducted of your facility by this department. The following violations of the California Code of Regulations, Title 22, Division 4, Chapter 30, were discovered:

1. No hazardous waste determination had been made for 9-55 gallon drums of waste flammable liquids in violation of 66471. Personnel on site were not sure what the contents were except that they had been pumped out of the ground. A determination must be made for every waste material as to its being a hazardous waste as defined.
2. Hazardous waste labels were not present from the date accumulation begins as required by 66508. This violation occurred for the 9-55 gallon drums of waste flammable liquid.
3. The drums have apparently been on site for over 6 months. Section 66508 allows only 90 day storage without a permit or variance from the Department.

The following violations of the California Code of Regulations, Title 23, Chapter 3, subchapter 16 Underground Tank Regulations were discovered:

1. No monitoring alternative has been selected in violation of 2640.
2. Inventory reconciliation is not being accomplished as required by 2644.
3. The storage of regular gas in a tank previously used for diesel was not reported as required by 2712. This section also requires that monitoring reports, sample analysis, and inventory reconciliation records be maintained on site for 3 years. This is apparently not done as the operator had no knowledge of any of these records.

35th Ave. Exxon
May 17, 1989
Page 2 of 2

4. There was no report of a release filed as presumed by the presence of the 9-55 gallon drums. Release reports are required by 2651.

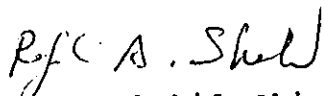
No Business Plan has been filed with this office as required by 25505 of Title 19 of the California Code of Regulations.

Your office is directed to submit a Plan of Correction in accordance with 66328 to this Department, within 14 days, stating the actions to be taken and the expected dates of completion to correct the above violations.

Your attention is directed to Sections 25183, 25189, and 25191 of the California Hazardous Waste Control Law, which provides for civil and criminal penalties of up to \$25,000 per day, per violation, for violations of the California Hazardous Waste Control Law and regulations.

If you have any questions concerning this matter, please contact Thomas Peacock, Sr. Hazardous Material Specialist, at (415) 271-4320.

Sincerely,



Rafat A. Shahid, Chief,
Hazardous Materials Division

RAS:tfp

cc: Exxon Co., 4550 Dacoma, 3rd Fl., Houston, TX 77092
35th Ave. Exxon, 3450 35th Ave., Oakland, CA 94619
Howard Hatayama, DOHS
Don Dalke, RWQCB
Steve Hallert, Oakland F.D.