

ALAMEDA COUNTY
HEALTH CARE SERVICES



SWT
12-7-05

AGENCY
DAVID J. KEARS, Agency Director

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

December 6, 2005

Ms. Marie Schweickert
3834 Inverness Way
Livermore, CA 94551

Subject: Fuel Leak Case No. RO0002595, Schweickert Property, 515 South Livermore Avenue, Livermore, CA

Dear Ms. Schweickert:

Alameda County Environmental Health (ACEH) and California Regional Water Quality Control Board staff have reviewed the fuel leak case file and case closure summary for the above-referenced site and concur that no further action related to the underground storage tank fuel release is required at this time. Prior to issuance of a remedial action completion certificate, the monitoring wells at the site are to be properly destroyed, should the monitoring wells have no further use at the site. Please decommission the monitoring wells and provide documentation of the well decommissioning to this office. A remedial action completion certificate will be issued following receipt of the documentation.

Well destruction permits may be obtained from the Zone 7 Water Agency (<http://www.zone7water.com>).

If you have any questions, please call me at (510) 567-6791.

Sincerely,

Jerry Wickham
Hazardous Materials Specialist

Enclosure: ACEH Electronic Report Upload (ftp) Instructions

- cc: David Boyers, State Water Resources Control Board, Office of Chief Counsel, 1001 I Street, 22nd Floor, Sacramento, CA 95814
- Kevin Graves, State Water Resources Control Board, Division of Water Quality, P.O. Box 2231, Sacramento, CA 95812
- Julie Rose, McNichols Randick O'Dea & Tooliatos, LLP, 5000 Hopyard Road, Suite 400, Pleasanton, CA 94588-3348
- Robert Lauritzen, Gettler-Ryan Inc., 3140 Gold Camp Dr. #170, Rancho Cordova, CA 95670
- Colleen Winey, QIC 80201, Zone 7 Water Agency, 100 North Canyons Parkway, Livermore, CA 94551
- Danielle Stefani, Livermore-Pleasanton Fire Department, 3560 Nevada Street, Pleasanton, CA 94566
- Donna Drogos, ACEH
- Jerry Wickham, ACEH
- File

**Alameda County Environmental Cleanup Oversight Programs (LOP and SLIC)
Electronic Report Upload (ftp) Instructions**

The Alameda County Environmental Cleanup Oversight Programs (LOP and SLIC) now request submission of reports in electronic form. This e-government initiative is aimed at making our programs more effective and efficient. The electronic copy is intended to replace the need for a paper copy and is expected to be relied upon for all public information requests, regulatory review, and compliance/enforcement activities.

REQUIREMENTS

- Entire report including cover letter must be submitted as a **single portable document format (PDF) with no password protection**. (If you cannot submit in PDF format, please check with us to see if we can accommodate your report format).
- 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 **should** be included and **must** have either original or electronic signature. Alternatively, the paper copy of the signature page and perjury statement can be mailed separately.
- **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**. If you cannot comply with this you may continue to submit paper documents.
- 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:
 - Contact the Alameda County Environmental Health Department to obtain a User Name and Password to upload files to the ftp site.
 - a) Send an e-mail to dehloptoxic@acgov.org
or
 - b) Send a fax on company letterhead to (510) 337-9335, to the attention of Alicia Lam-Finneke.
 - 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**.
 - Note: Both the User Name and Password are Case Sensitive.
2. Upload Files to the ftp Site
 - a) Using Internet Explorer (IE4+) or equivalent browser, go to <ftp://alcoftp1.acgov.org>
 - 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



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

June 22, 2005

Ms. Marie Schweickert
3834 Inverness Way
Livermore, CA 94551

Subject: Fuel Leak Case No. RO0002595, Schweickert Property, 515 South Livermore Avenue, Livermore, CA

Dear Ms. Schweickert:

Alameda County Environmental Health (ACEH) will hold in abeyance for six months the actions and technical reports requested in our May 5, 2005 correspondence. In the interim, groundwater samples are to be collected from the six piezometers at the above referenced site in July and October 2005. The groundwater samples are to be analyzed for total petroleum hydrocarbons as diesel using EPA Method M8015. Based on the results from the groundwater monitoring an evaluation will be made by ACEH regarding the actions and technical reports requested in the May 5, 2005 correspondence.

We request that you perform the proposed work and send us the reports requested below.

TECHNICAL REPORT REQUEST

Please submit technical reports to Alameda County Environmental Health (Attention: Mr. Jerry Wickham), according to the following schedule:

- **September 16, 2005** – Quarterly Monitoring Report for July 2005 Groundwater Sampling
- **December 16, 2005** – Quarterly Monitoring Report for October 2005 Groundwater Sampling

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.

PERJURY STATEMENT

All work plans, technical reports, or technical documents submitted to ACEH must be accompanied by a cover letter from the responsible party that states, at a minimum, the following: "I declare, under penalty of perjury, that the information and/or recommendations contained in the attached document or report is true and correct to the best of my knowledge." This letter must be signed by an officer or legally authorized representative of your company. Please include a cover letter satisfying these requirements with all future reports and technical documents submitted for this fuel leak case.

PROFESSIONAL CERTIFICATION & CONCLUSIONS/RECOMMENDATIONS

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

UNDERGROUND STORAGE TANK CLEANUP FUND

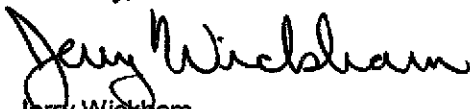
Please note that delays in investigation, later reports, or enforcement actions may result in your becoming ineligible to receive grant money from the state's Underground Storage Tank Cleanup Fund (Senate Bill 2004) to reimburse you for the cost of cleanup.

AGENCY OVERSIGHT

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

If you have any questions, please call me at (510) 567-6791.

Sincerely,



Jerry Wickham
Hazardous Materials Specialist

cc: David Boyers, State Water Resources Control Board, Office of Chief Counsel, 1001 I Street,
22nd Floor, Sacramento, CA 95814
Kevin Graves, State Water Resources Control Board, Division of Water Quality, P.O. Box
2231, Sacramento, CA 95812
Julie Rose, McNichols Randick O'Dea & Tooliatos, LLP, 5000 Hopyard Road, Suite 400,
Pleasanton, CA 94588-3348
Robert Lauritzen, Gettler-Ryan Inc., 3140 Gold Camp Dr. #170, Rancho Cordova, CA 95670
Matt Katen, Zone 7 Water District, QIC 80201

Donna Drogos, ACEH
Jerry Wickham, ACEH

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



SENT 6-10-05

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

June 10, 2005

Ms. Marie Schweickert
3834 Invenness Way
Livermore, CA 94551

Subject: Fuel Leak Case No. RO0002595, Schweickert Property, 515 South Livermore Avenue, Livermore, CA

Dear Ms. Schweickert:

A review of the case file and the State Water Resources Control Board's (SWRCB) GeoTracker website indicates that electronic copies of analytical data have not been submitted for your site. Since September 1, 2001, the California Code of Regulations, Title 23, Chapter 16, Article 12; Sections 2729 and 2729.1, specify that underground tank owners or their agent must submit all laboratory analytical data electronically to the SWRCB GeoTracker system via the internet. In addition to the laboratory analytical data, site-specific information is required to be submitted electronically for the following: 1) the latitude and longitude of groundwater monitoring wells (including any other well or permanent sampling point designated as part of the site monitoring program) accurate to within one meter; 2) the surveyed elevation, relative to mean sea level, for any groundwater monitoring well sampled, accurate to within a tenth of a foot; 3) groundwater information including depth to water, free product presence/thickness, and well status; and 4) a site map in electronic format showing property boundaries, buildings, and water sampling locations.

To initiate the submittal of electronic data to GeoTracker, you or your consultant are required to obtain a password by logging on to the State Water Board Web site at <http://geotracker.swrcb.ca.gov> and then clicking on Electronic Submittal of Information. The password is used by you or your consultant to upload the required analytical data into the GeoTracker database.

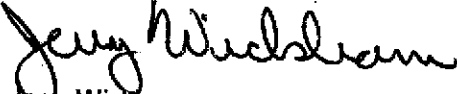
If you, as a Responsible Party, or your consultant, require assistance to obtain or use a password (or to submit data and maps electronically), you may call the GeoTracker help desk (1-800-506-9118). For eligible sites, the California Leaking Underground Storage Tank Cleanup Fund will cover the additional costs incurred by claimants for compliance with these regulations, to the extent that these costs are reasonable and necessary (as required by the Regulating Agency to assure adequate investigation or cleanup of a contaminated site).

In order to remain in regulatory compliance, please upload all analytical data (collected on or after September 1, 2001) and the required site-specific information, to the SWRCB's GeoTracker database website in accordance with the above-cited regulation. **Please perform the electronic submittals for applicable data and submit verification to this Agency by September 12, 2005.**

Ms. Marie Schweickert
June 10, 2005
Page 2

If you have any questions, please call me at (510) 567-6791.

Sincerely,



Jerry Wickham
Hazardous Materials Specialist

cc: Julie Rose, McNichols Randick O'Dea & Tooliatos, LLP, 5000 Hopyard Road, Suite 400,
Pleasanton, CA 94588-3348
Robert Lauritzen, Gettler-Ryan Inc., 3140 Gold Camp Dr. #170, Rancho Cordova, CA 95670
Matt Katen, Zone 7 Water District, QIC 80201
Donna Drogos, ACEH
Jerry Wickham, ACEH

ALAMEDA COUNTY
HEALTH CARE SERVICES

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DAVID J. KEARS, Agency Director



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

March 5, 2004

Ms. Marie Schweickert
515 S. Livermore Avenue
Livermore, CA 94550

Dear Ms. Schweickert:

Subject: RO0002595, Fuel Leak Investigation, 515 S. Livermore Avenue, Livermore, CA

Thank you for submitting the Limited Subsurface Assessment Report dated December 5, 2003, prepared by Gettler-Ryan Inc. We have reviewed the report and request that you address the following technical comments, perform the proposed work, and send us the technical reports requested below.

TECHNICAL COMMENTS

1. **Site Characterization** - The lateral and vertical extent of soil and groundwater contamination at your site is undefined. Analytical results from your preliminary site investigation identified the presence of residual petroleum hydrocarbon contamination in soil and groundwater at your site. Up to 100,000 parts per billion (ppb) TPHD was detected in groundwater beneath your former underground storage tank (UST). Soil contamination of up to 2,000 parts per million (ppm) TPHD at 30 feet below ground surface (bgs) and 350 ppm TPHD at 40 feet bgs was detected immediately beneath your former UST. The boring was completed to 50 feet bgs, however soil samples below 40 feet bgs were not analyzed leaving the vertical extent of source area contamination undefined. Also, soil sampling was not performed to depths sufficient to determine whether submerged non-aqueous phase liquid (NAPL) is present in the source area. Additional investigation work to determine the lateral and vertical extent of soil and groundwater contamination at your site is needed to progress toward case closure.

Using the results of your Preferential Pathway Study, including your analysis and interpretation of the potential risk posed by your site, requested in Technical Comment #2 below, please submit a work plan for further site characterization by the date requested below.

2. **Preferential Pathway Study** - Your site is located within an active drinking water aquifer. Several water supply wells appear to be present in the immediate vicinity of your site. At least one water supply well is located approximately 660' downgradient of your site.

We request that you perform a preferential pathway study that details the potential migration pathways and potential conduits (wells, utilities, pipelines, etc.) for horizontal and vertical migration that may be present in the vicinity of the site. The purpose of the preferential pathway study is to locate potential migration pathways and conduits and determine the probability of any plumes originating at the site encountering preferential pathways and conduits that could spread contamination. Of particular concern is the identification of abandoned wells and improperly-destroyed wells that can act as vertical conduits to deeper water bearing zones, pumping wells in the vicinity of your site, and manmade conduits for shallow migration.

Discuss your analysis and interpretation of the results of the preferential pathway study (including the detailed well survey and utility survey requested below) and report your results in the work plan requested below. Include an evaluation of the probability of the dissolved phase plume for all constituents of concern encountering preferential pathways and conduits that could spread the contamination, particularly in the vertical direction to deeper drinking water aquifers. The results of your study shall contain all information required by 23 CCR, Section 2654(b).

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

b) **Well Survey** - The preferential pathway study shall include a detailed well survey of all wells (monitoring and production), active, inactive, standby, destroyed (sealed with concrete), abandoned (improperly destroyed), and dewatering, drainage, and cathodic protection wells within a 1/2 mile radius of the subject site. As part of your detailed well survey, please perform a background study of the historical land uses of the site and properties in the vicinity of the site. Use the results of your background study to determine the existence of unrecorded/unknown (abandoned) wells, which can act as pathways for migration of contamination at and/or from your site. Please review historical maps such as Sanborn maps, aerial photos, etc., when performing the background study. Submittal of map(s) showing the location of all wells identified in your study, and the use of tables to report the data collected as part of your survey are required. We also request that you list by date all aerial photographs available for the site from the aerial survey company or library you use during your study. Please refer to the Regional Board's guidance for identification, location, and evaluation of potential deep well conduits when conducting your preferential pathway study.

3. **Gettler-Ryan Off-Site Source Statement is Unpersuasive** - ACEH has considered Gettler-Ryan's statement regarding an "offsite source in the neighborhood" as being the source for soil contamination identified immediately beneath the former UST at your site. We find Gettler-Ryan's assessment of said unidentified source as unsubstantiated and lacking scientific basis. If a theory of an off-site source for the soil pollution and free phase TPHD contamination in groundwater identified immediately below your former UST is to be presented to this agency then the technical basis for that theory must also be presented. Gettler-Ryan failed to identify any offsite source(s), report results of their analysis of the fate of transport of contamination originating at an offsite source that would cause free product to be present at your site, etc.

TECHNICAL REPORT REQUEST

Please submit technical reports to Alameda County Environmental Health (Attention: Roseanna E. Garcia - La Grille), according to the following schedule:

- April 16, 2004 - Work Plan (with results of preferential pathway study)

We recommend that your consultant call us to discuss your site and the scope of work requested before they initiating work at your site. If you have any questions, please call me at (510) 777-2149.

Ms. Marie Schweickert

March 5, 2004

Page 3 of 3

UNDERGROUND STORAGE TANK CLEANUP FUND

Please be aware that you may be eligible for reimbursement of the costs of investigation from the California Underground Storage Tank Cleanup Fund (Fund). In some cases, a deductible amount may apply. If you believe you meet the eligibility requirements, I strongly encourage you to call the Fund for an application.

Sincerely,



Roseanna E. Garcia – La Grille
Hazardous Materials Technician

Cc: Mr. Robert A. Lauritzen
Gettler-Ryan Inc.
6747 Sierra Court, Suite J
Dublin, CA 94568

Mr. Scott Haggerty
Alameda County Board of Supervisors
1221 Oak Street, Suite 536
Oakland, CA 94612

A. Levi, D. Drogos, R. Garcia – La Grille

ALAMEDA COUNTY
HEALTH CARE SERVICES



AGENCY
DAVID J. KEARS, Agency Director

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

November 18, 2003

Ms. Marie Schweickert
515 S. Livermore Ave.
Livermore, CA 94550

Dear Ms. Schweickert:

Subject: Fuel Leak Investigation, RO0002595, 515 S. Livermore Ave., Livermore, CA

Thank you for submitting the "Work Plan For Limited Subsurface Investigation", dated November 6, 2003, prepared by Gettier - Ryan Inc. We have reviewed the work plan and generally concur with the proposed work. We request that you address the following technical comments, perform the proposed work, and send us the technical report requested below.

TECHNICAL COMMENTS

1. Laboratory Analysis - We request that soil and groundwater samples be analyzed for tert - Butyl Alcohol (TBA) in addition to TPHD, BTEX and MTBE.

TECHNICAL REPORT REQUEST

Please submit technical reports to Alameda County Environmental Health (Attention: Roseanna E. Garcia - La Grille), according to the following schedule:

- December 19, 2003 - Soil and Water Investigation Report

This report is being requested pursuant to Health and Safety Code Section 2725.

If you have any question, please call me at (510) 777-2149.

Sincerely,

Roseanna E. Garcia - La Grille
Hazardous Materials Technician

Cc: Douglas J. Lee, Gettier - Ryan Inc., 6747 Sierra Court, Suite J, Dublin, CA 94568
D. Drogos
R. Garcia - La Grille

ALAMEDA COUNTY
HEALTH CARE SERVICES



AGENCY
DAVID J. KEARS, Agency Director

October 27, 2003

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

Ms. Marie Schweickert
515 S. Livermore Ave.
Livermore, CA 94550

Dear Ms. Schweickert:

Subject: Fuel Leak Investigation, RO0002595, 515 S. Livermore Ave., Livermore, CA

The Livermore – Pleasanton Fire Department reported the discovery of a release from your home heating oil underground storage tank (UST) removed on July 29, 2003. The release was reported to Alameda County Environmental Health (ACEH), the lead agency for oversight of investigation and cleanup of petroleum hydrocarbon releases in Alameda County. ACEH subsequently listed the subject case in our database of fuel leak sites. We have recently reviewed the information in our file and determined that up to 36 parts per million (ppm) of total petroleum hydrocarbons of diesel (TPHD) was detected in the soil; the soil in the excavation was observed to be sand and gravels; the site is located in a sensitive groundwater basin and is in the vicinity of water supply wells; and that a soil and groundwater investigation is necessary at this site to progress toward case closure.

Please investigate the extent of the soil contamination and determine if groundwater contamination is present beneath your site. We request that you install one boring within the UST excavation and analyze soil and groundwater samples for TPHD, and for BTEX and MTBE by EPA Method 8260.

Please submit a brief work plan outlining your proposal for soil and groundwater sampling by **November 27, 2003**. This report is being requested pursuant to the Regional Water Quality Control Board's (RWQCB) authority under Section 13267 of the California Water Code.

AB 681 (MACHADO) CHAPTER 255, STATUTES OF 1998

AB 681 (Machado) Chapter 255, Statutes of 1998, has made legislative changes to Chapter 6.7 and 6.75 of the Health and Safety Code adding new requirements to landowner notification and participation requirements for fuel leak investigations. These legislative changes require the active or primary responsible party for a fuel leak case to ensure that all current property owners of the site are informed of cleanup actions or requests for closure and to forward to ACDEH a complete mailing list of all record fee title holders to the site so that we can ensure that they are listed as responsible parties and kept informed about cleanup and closure decisions. Additionally, the primary or active responsible party must certify in writing that the notification requirement of Health and Safety Code, Section 25297.15, has been met and provide a mailing list of all record fee title owners to the local agency. This certification shall be included with a perjury statement in the cover letter transmitting reports, work plans, and request for closure. We request that you submit this information by **November 27, 2003**.

UST CLEANUP FUND

Please be aware that you may be eligible for reimbursement of the costs of investigation from the California UST Cleanup Fund (Fund). In some cases, a deductible amount may apply. If you believe you meet the eligibility requirements, I strongly encourage you to call the Fund for an application.

AGENCY OVERSIGHT

If it appears as though significant delays are occurring or reports are not submitted as requested, we will consider referring your case to the Regional Board or other appropriate agency, including the County District Attorney, for possible enforcement follow up. Enforcement follow up may include administrative action or monetary penalties of up to \$10,000 per day for each day of violation of the California Health and Safety Code, Division 20, Chapter 6.75.

If you have any question, please call me at (510) 777-2149.

Sincerely,

Roseanna E. Garcia - La Grille
Hazardous Materials Technician

Cc: D. Drogos