

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



R02607

September 30, 2003

PR0501098

John J. Cattolico
Retail Compliance Specialist
Chevron Products Company
P.O. Box 6004, Room L 2372
San Ramon, California 94583-0904

Jack Edwards, Operator
Grove Way Chevron
Chevron #93283
3005 Grove Way
Castro Valley, California 94546

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

Re: Inspection of Chevron # 93283, 3005 Grove Way, Castro Valley, California 94546

Dear Messrs. Cattolico and Edwards:

A regulatory compliance inspection was performed at the subject Chevron facility on August 28, 2003. A technician from Tanknology facilitated the inspection. The purpose of the inspection was to determine compliance with conditions of the facility underground storage tank (UST) operating permit, as well as provisions of Title 23, California Code of Regulations (CCR) and California Health and Safety Code (HSC) Chapter 6.7.

The following is a summary of non-compliant and other conditions noted at the time of the inspection:

- Upon initial testing of four electronic sensors the Veeder Root monitoring console failed to display any alarms or perform the programmed shutdown of the submersible turbine pumps. As a result of the monitoring system failure the station was closed for fuel sales and Chevron maintenance was immediately contacted to dispatch a contractor to determine the source of the monitoring system failure. That same day a Service Station Systems technician performed a restart and the monitor returned to normal operation. However, a review of the maintenance records revealed that this was the second time in a two-month period that the monitor had malfunctioned. The seriousness of this failure is compounded by the fact that all functions appear normal but in reality the system is not detecting input from the sensors. Chevron was requested to investigate the cause of the failure and make necessary repairs. Subsequent technical assessment work has been performed. Submit a written explanation of the outcome of your investigation into the monitoring system failure.

- Tank leak detection records from the Veeder Root monitoring console indicate a pattern of filling the tanks past the allowable limit of 95% of tank capacity. The high product alarm is programmed at 95% of tank capacity. An event that triggered an alarm means that the tank was filled past 95%. The Veeder Root only maintains the last three events in the memory. There have been three overfills since May 31, 2003. These overfills represent a chronic violation of the operating permit and California Health and Safety Code.
- This site has single wall fiberglass tanks containing motor vehicle fuel. The tanks are required to be tested once a month using the automatic tank gauge and continuous statistical leak detection software installed in the Veeder Root monitor. The records of those tests are to be reviewed by the operator to confirm a passing test each month. However, upon reviewing the records for the past 12 months it was discovered that no tank test was performed for the month of April 2003. It is a violation of the operating permit to fail to test the tanks.
- The Veeder Root system is programmed and configured with an outside annunciator for alarms to be remotely monitored for overfilling and high product alarms. However, the annunciator was installed without any signage identifying the purpose of the audible and visual indicator. The site operator did not even know what the alarm was reporting. Install signage visible from the tank fill location identifying the purpose of the alarm.

Violations of provisions of the HSC and CCR have been identified, as follows:

CCR Sec. 2712(k) – Owners and operators shall use care to prevent releases due to spilling or overfilling. Before product is delivered, owners, operator, or their agents shall ensure that the space available in the tank is greater than the volume of product to be transferred to the tank and shall ensure that the transfer operation is monitored constantly to prevent overfilling and spilling.

HSC Sec. 25292.1(a) – The underground storage tank system shall be operated to prevent unauthorized releases, including spills and overfills, during the operating life of the tank. The underground storage tank # 3 has been filled with petroleum past 95% of the tank capacity. The dates of the overfill alarms are printed out from the memory of the monitoring console.

HSC Sec. 25299(a) provides for civil liabilities imposed on the tank operator of up to \$5000 per tank per day per violation for:

- (2) Violation of any applicable requirements of the permit issued for the operation of the UST.
- (6) Violation of any applicable requirements of HSC Chapter 6.7 or any regulation adopted by the board pursuant to Section 25299.3.

HSC Sec. 25299(b) provides for civil liabilities imposed on the tank owner of up to \$5000 per tank per day per violation for:

- (4) Violation of any applicable requirement of the permit issued for operation of the UST

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HSC Sec. 25293 – The owner or operator of the underground tank system shall monitor the tank system using the method specified on the permit for the tank system. Records of testing shall be kept in sufficient detail to enable the local agency to determine whether the underground storage tank system is in compliance with the applicable provisions of this chapter, the regulations adopted by the board pursuant to Section 25299.3, and the permit issued for the operation of the tank system. None of the three tanks was tested for the month of April 2003 as required.

HSC Sec. 25299(a) provides for civil liabilities imposed on the tank operator of up to \$5000 per tank per day per violation for:

- (2) Violation of any applicable requirements of the permit issued for the operation of the UST.
- (6) Violation of any applicable requirements of HSC Chapter 6.7 or any regulation adopted by the board pursuant to Section 25299.3.

HSC Sec. 25299(b) provides for civil liabilities imposed on the tank owner of up to \$5000 per tank per day per violation for:

- (4) Violation of any applicable requirement of the permit issued for operation of the UST

At this time, you are required to correct the tank system operation and maintenance issues identified in this inspection report, namely:

- Correct the management problems associated with overfilling, tank testing and documentation identified during the August 28, 2003 inspection.

Pursuant to HSC Sec. 25288(d), you are required to submit a *Plan of Correction* **within 60 days**. This plan shall indicate the tasks to be completed, or those that have been completed already, and the schedule for doing so.

You must certify, once all the necessary repairs and other tasks have been completed, that the tank system is in full compliance with HSC Chapter 6.7 and UST regulations.

Please contact me at (510) 567-6781 should you have any questions about the content of this letter.

Sincerely,



Robert Weston
Senior Hazardous Materials Specialist

enclosures

Cc: Susan Hugo, Manager, ACDEH
Donna Drogos, LOP, ACDEH
Susan Torrence, Deputy District Attorney, Alameda County District Attorney's Office
Leslie Alford, State Water Resources Control Board, Clean Water Program

ALARM HISTORY REPORT

----- IN-TANK ALARM -----

T 1: SUPREME

DELIVERY NEEDED

AUG 4, 2003 9:58 PM
JUN 23, 2003 10:18 AM
JUN 20, 2003 7:35 PM

PERIODIC TEST FAIL

JUN 9, 2003 4:09 AM

ALARM HISTORY REPORT

----- IN-TANK ALARM -----

T 2: PLUS

LOW PRODUCT ALARM

JUN 20, 2003 8:46 PM

DELIVERY NEEDED

JUN 20, 2003 7:08 PM

ALARM HISTORY REPORT

----- IN-TANK ALARM -----

T 3: REGULAR

OVERFILL ALARM

AUG 25, 2003 10:16 PM
JUL 5, 2003 2:18 AM
MAY 31, 2003 1:56 AM

HIGH PRODUCT ALARM

AUG 25, 2003 10:16 PM
JUL 5, 2003 2:19 AM
MAY 31, 2003 1:58 AM

INVALID FUEL LEVEL

AUG 4, 2003 8:02 PM
JUN 20, 2003 5:42 PM

DELIVERY NEEDED

AUG 8, 2003 10:18 AM
AUG 4, 2003 7:05 PM
AUG 2, 2003 2:22 AM

NO CSLD IDLE TIME

AUG 26, 2003 8:00 AM
AUG 14, 2003 8:00 AM
AUG 8, 2003 8:00 AM

IN-TANK SETUP

T 1: SUPREME
 PRODUCT CODE : 1
 THERMAL COEFF : .000700
 TANK DIAMETER : 90.87
 TANK PROFILE : 4 PTS
 FULL VOL : 9842
 68.2 INCH VOL : 7917
 45.4 INCH VOL : 4884
 22.7 INCH VOL : 1870
 METER DATA : NO

FLOAT SIZE: 4.0 IN. 8496

WATER WARNING : 1.5
 HIGH WATER LIMIT: 2.5

MAX OR LABEL VOL: 9842
 OVERFILL LIMIT : 95%

HIGH PRODUCT : 9349
 95%

DELIVERY LIMIT : 9349
 10%
 984

LOW PRODUCT : 500
 LEAK ALARM LIMIT: 99
 SUDDEN LOSS LIMIT: 99

TANK TILT : 0.00

MANIFOLDED TANKS
 T#: NONE

LEAK MIN ANNUAL : 0%
 0

PERIODIC TEST TYPE
 STANDARD

ANNUAL TEST FAIL
 ALARM DISABLED

PERIODIC TEST FAIL
 ALARM DISABLED

GROSS TEST FAIL
 ALARM DISABLED

ANN TEST AVERAGING: OFF
 PER TEST AVERAGING: OFF

TANK TEST NOTIFY: OFF

22.7 INCH VOL : 1870

T 2: PLUS
 PRODUCT CODE : 2
 THERMAL COEFF : .000700
 TANK DIAMETER : 90.87
 TANK PROFILE : 4 PTS
 FULL VOL : 9842
 68.2 INCH VOL : 7917
 45.4 INCH VOL : 4884
 22.7 INCH VOL : 1870
 METER DATA : NO

FLOAT SIZE: 4.0 IN. 8496

WATER WARNING : 1.5
 HIGH WATER LIMIT: 2.5

MAX OR LABEL VOL: 9842
 OVERFILL LIMIT : 95%

HIGH PRODUCT : 9349
 95%

DELIVERY LIMIT : 9349
 10%
 984

LOW PRODUCT : 500
 LEAK ALARM LIMIT: 99
 SUDDEN LOSS LIMIT: 99

TANK TILT : 0.00

MANIFOLDED TANKS
 T#: NONE

LEAK MIN ANNUAL : 0%
 0

PERIODIC TEST TYPE
 STANDARD

ANNUAL TEST FAIL
 ALARM DISABLED

PERIODIC TEST FAIL
 ALARM DISABLED

GROSS TEST FAIL
 ALARM DISABLED

ANN TEST AVERAGING: OFF
 PER TEST AVERAGING: OFF

TANK TEST NOTIFY: OFF

TNK TST SIPHON BREAK: OFF

DELIVERY DELAY : 5 MIN

T 3: REGULAR
 PRODUCT CODE : 3
 THERMAL COEFF : .000700
 TANK DIAMETER : 90.87
 TANK PROFILE : 4 PTS
 FULL VOL : 9842
 68.2 INCH VOL : 7917
 45.4 INCH VOL : 4884
 22.7 INCH VOL : 1870
 METER DATA : NO

FLOAT SIZE: 4.0 IN. 8496

WATER WARNING : 1.5
 HIGH WATER LIMIT: 2.5

MAX OR LABEL VOL: 9842
 OVERFILL LIMIT : 95%

HIGH PRODUCT : 9349
 95%

DELIVERY LIMIT : 9349
 10%
 984

LOW PRODUCT : 500
 LEAK ALARM LIMIT: 99
 SUDDEN LOSS LIMIT: 99

TANK TILT : 3.50

MANIFOLDED TANKS
 T#: NONE

LEAK MIN ANNUAL : 0%
 0

PERIODIC TEST TYPE
 STANDARD

ANNUAL TEST FAIL
 ALARM DISABLED

PERIODIC TEST FAIL
 ALARM DISABLED

GROSS TEST FAIL
 ALARM DISABLED

ANN TEST AVERAGING: OFF
 PER TEST AVERAGING: OFF

TANK TEST NOTIFY: OFF

TNK TST SIPHON BREAK: OFF

DELIVERY DELAY : 5 MIN

LEAK TEST METHOD
 TEST CSLD : ALL TANK
 Pd : 99%
 CLIMATE FACTOR: MODERATE

LEAK TEST REPORT FORMAT
 ENHANCED