

Wickham, Jerry, Env. Health

From: Cloudsley@aol.com
Sent: Tuesday, September 06, 2005 4:54 PM
To: Wickham, Jerry, Env. Health
Cc: craigb@pinnbros.com
Subject: Re: Conference call

The discussion will revolve around the need to generate a timeline for completing the testing and beginning of construction on the site. I believe Eric Davis with the City of Livermore redevelopment agency will be on the call. He needs to hear a brief status of where we are in the characterization process and your thoughts on what needs to be completed for the site to be developable. We are also interested in understanding the County's request for additional testing considering the development plan calls for improving the contaminated area with a parking lot and swimming pool.

In a message dated 9/6/2005 3:40:41 P.M. Pacific Daylight Time, jerry.wickham@acgov.org writes:

Do you have an agenda for the conference call?

Jerry Wickham

From: Cloudsley@aol.com [mailto:Cloudsley@aol.com]
Sent: Tuesday, September 06, 2005 10:40 AM
To: craigb@pinnbros.com; ingj@chevrontexaco.com; bfoss@cambria-env.com; Wickham, Jerry, Env. Health
Cc: Drogos, Donna, Env. Health; SGallardo@geomatrix.com; dalegarren@comcast.net; bqvale@bmcd.com
Subject: Re: Conference call

Best I can tell, everyone is available at 10:00 AM for a call tomorrow (Wednesday, 9/7). Bob Foss at Cambria is on vacation, but hopefully Mark Inglis can fill him in or have someone else at Cambria be on the call. Please use the following call-in information.

Call-In: 800-496-4518 Passcode: 790558#

In a message dated 9/6/2005 10:01:09 A.M. Pacific Daylight Time, craigb@pinnbros.com writes:

I am available at 10:00am. I am attempting to have a city person available at 10:00am. It is long past time to get this clean up plan buttoned up! How about NO MORE CHANGES AND SOME CLOSURE. This is a simple clean up of a relatively young gas station. I will be reporting back to the Mayor of Livermore and Supervisor Haggerty about our progress.

From: Cloudsley@aol.com [mailto:Cloudsley@aol.com]
Sent: Friday, September 02, 2005 12:03 PM
To: craigb@pinnbros.com; bqvale@bmcd.com; ingj@chevrontexaco.com; bfoss@cambria-env.com; jerry.wickham@acgov.org
Cc: donna.drogos@acgov.org; SGallardo@geomatrix.com
Subject: Re: Conference call

9/7/2005

Wickham, Jerry, Env. Health

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To: craigb@pinnbros.com; ingj@chevrontexaco.com; bfoss@cambria-env.com; Wickham, Jerry, Env. Health
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From: Cloudsley@aol.com [mailto:Cloudsley@aol.com]
Sent: Friday, September 02, 2005 12:03 PM
To: craigb@pinnbros.com; bqvale@bmcd.com; ingj@chevrontexaco.com; bfoss@cambria-env.com; jerry.wickham@acgov.org
Cc: donna.drogos@acgov.org; SGallardo@geomatrix.com
Subject: Re: Conference call

Is Wednesday September 7th at 9:00 AM good for everyone to have a conference call? If not please suggest an alternate date and time.

Craig Bettencourt, could you please arrange for Mark Roberts or whoever you think appropriate at the City of Livermore to attend the call?

Thanks and have a great weekend!

In a message dated 8/26/2005 11:56:46 A.M. Pacific Daylight Time, jerry.wickham@acgov.org writes:

9/7/2005

Wickham, Jerry, Env. Health

From: Genin, Laura [lgenin@cambria-env.com]
Sent: Thursday, February 16, 2006 11:52 AM
To: Wickham, Jerry, Env. Health
Cc: Inglis, John M [Contractor] (JMark.Inglis) [Contractor]; Knirel, Nina; Foss, Bob (Robert)
Subject: RE: 30-4291 Chevron First and Portola

Jerry,

We're going to begin work on Tuesday the 21st. I'll call you when it looks like we're getting close to confirmation sampling.

Laura Genin
 Project Geologist
 Cambria Environmental Technology
 Office: 510-420-3367
 Cell: 925-360-4515
 fax: 510-420-9170
 5900 Hollis Street, Suite A
 Emeryville, CA 94608

-----Original Message-----

From: Wickham, Jerry, Env. Health [mailto:jerry.wickham@acgov.org]
Sent: Thursday, February 16, 2006 10:57 AM
To: Genin, Laura
Cc: Foss, Bob (Robert); Inglis, John M [Contractor] (JMark.Inglis)
Subject: RE: 30-4291 Chevron First and Portola

Laura,

I plan to be on site immediately prior to confirmation sampling so please keep me informed as work gets underway.

Regards,

Jerry Wickham

Hazardous Materials Specialist
 Alameda County Environmental Health
 1131 Harbor Bay Parkway
 Suite 250
 Alameda, CA 94502-6577
 510-567-6791 phone
 510-337-9335 Fax
 jerry.wickham@acgov.org

From: Genin, Laura [mailto:lgenin@cambria-env.com]
Sent: Monday, February 06, 2006 10:41 AM
To: cloudsley@aol.com; Inglis, John M [Contractor] (JMark.Inglis); Glaze, Dan
Cc: Foss, Bob (Robert); Knirel, Nina; Wickham, Jerry, Env. Health; IWMMJDeLeon@aol.com; Alison Musco

Subject: 30-4291 Chevron First and Portola

To All,

We are currently scheduled to begin work on February 13, 2006. However, due to scheduling constraints this time table may be pushed back a week to February 20, 2006. I will have further details on Wednesday this week. If you have any questions please feel free to contact me at the number below.

Sincerely,

Laura Genin
Project Geologist
Cambria Environmental Technology
Office: 510-420-3367
Cell: 925-360-4515
fax: 510-420-9170
5900 Hollis Street, Suite A
Emeryville, CA 94608

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



7

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

January 24, 2006

J. Mark Inglis
ChevronTexaco
6001 Bollinger Canyon Rd., K2256
P.O. Box 6012
San Ramon, CA 94583-2324

Mary Harvey
Hexcel Corporation
75 N. Mines Road
Livermore, CA 94550

Bruce Qvale
First Street LLC
3800 First Street
Livermore, CA 94550

Subject: Fuel Leak Case N [REDACTED] Livermore Honda, 3884 First Street, Livermore, CA

Dear Mr. Inglis, Mr. Qvale, and Ms. Harvey:

Alameda County Environmental Health (ACEH) staff has reviewed the fuel leak case file for the subject site and the document entitled, "Workplan for Site Excavation," dated January 18, 2006. The work plan was prepared on behalf of Chevron Environmental Management Company by Cambria Environmental Technology, Inc and presents plans to excavate petroleum-impacted soil within three areas of the site. ACEH concurs with the proposed plan to excavate petroleum-impacted soil within three proposed areas of the site. However, high concentrations of petroleum hydrocarbons were also detected in shallow soil in the area of boring B-2. Therefore, soil excavation of the area around boring B-2 is required in addition to the three areas proposed in the Work Plan (please see technical comment 1).

We request that you address the following technical comments, perform the proposed work, and send us the reports requested below.

TECHNICAL COMMENTS

1. **Area of Boring B-2.** The boring log for boring B-2 describes petroleum odor in the soil from 2 to 15 feet below ground surface (bgs). The soil sample collected from a depth of 5 feet bgs in boring B-2 contained an estimated concentration of 40,000 milligrams per kilogram (mg/kg) of total recoverable petroleum hydrocarbons (TRPH). The soil sample collected from a depth of 10 feet bgs had an estimated concentration of 14,000 mg/kg of TRPH. Petroleum hydrocarbons were not detected in the soil sample collected at a depth of 15 feet bgs in boring B-2. Due to the elevated concentrations of petroleum hydrocarbons detected in shallow soil in the area of boring B-2, excavation is to be conducted to remove visibly stained and odorous shallow soil in the area surrounding boring B-2. Please present the results of soil excavation, removal, and confirmation sampling in the area of boring B-2 in the report requested below.

2. **Soil Confirmation Sampling.** The Work Plan indicates that, "Confirmation soil samples from sidewalls and the excavation base will be collected where soils appear clean." This statement is ambiguous and should be revised to, "when soils appear clean." In no case shall confirmation soil samples be collected preferentially from locations within the excavation where soils appear clean. The excavations are to be continued to remove areas of visibly stained and odorous soils to an extent that does not jeopardize worker or public safety prior to confirmation sampling. Confirmation soil samples are to be collected from the sidewalls at horizontal intervals no greater than 15 feet at approximate depths where soil contamination was previously observed in the excavation. The number of soil samples collected from the bottom of the excavation is to be based on the size of the excavation but should be no less than a minimum of four confirmation soil samples from the base of each excavation. Please present results of the soil confirmation sampling in the report requested below.

TECHNICAL REPORT REQUEST

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

- **May 3, 2006** – Soil Removal and Confirmation Sampling Report

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.

ELECTRONIC SUBMITTAL OF REPORTS

Effective **January 31, 2006**, the Alameda County Environmental Cleanup Oversight Programs (LOP and SLIC) require submission of all reports in electronic form to the county's ftp site. Paper copies of reports will no longer be accepted. The electronic copy replaces the paper copy and will be used for all public information requests, regulatory review, and compliance/enforcement activities. Instructions for submission of electronic documents to the Alameda County Environmental Cleanup Oversight Program ftp site are provided on the attached "Electronic Report Upload (ftp) Instructions." Please do not submit reports as attachments to electronic mail.

Submission of reports to the Alameda County ftp site is an addition to existing requirements for electronic submittal of information to the State Water Resources Control Board (SWRCB) Geotracker website. Submission of reports to the Geotracker website does not fulfill the requirement to submit documents to the Alameda County ftp site. In September 2004, the SWRCB adopted regulations that require electronic submittal of information for groundwater cleanup programs. For several years, responsible parties for cleanup of leaks from underground storage tanks (USTs) have been required to submit groundwater analytical data, surveyed locations of monitor wells, and other data to the Geotracker database over the Internet. Beginning July 1, 2005, electronic submittal of a complete copy of all necessary reports was required in Geotracker (in PDF format). Please visit the SWRCB website for more information on these requirements (http://www.swrcb.ca.gov/ust/cleanup/electronic_reporting).

In order to facilitate electronic correspondence, we request that you provide up to date electronic mail addresses for all responsible and interested parties. Please provide current electronic mail

addresses and notify us of future changes to electronic mail addresses by sending an electronic mail message to me at jerry.wickham@acgov.org.

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

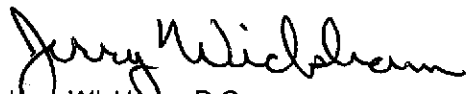
Please note that delays in investigation, later reports, or enforcement actions may result in your becoming ineligible to receive grant money from the state's Underground Storage Tank Cleanup Fund (Senate Bill 2004) to reimburse you for the cost of cleanup.

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, P.G.
Hazardous Materials Specialist

J. Mark Inglis, Bruce Qvale, and Mary Harvey
January 24, 2006
Page 4

Enclosure: ACEH Electronic Report Upload (ftp) Instructions

cc: Laura Genin, Cambria Environmental Technology, Inc., 5900 Hollis Street, Suite A
Emeryville, CA 94608

Robert Foss, Cambria Environmental Technology, Inc., 5900 Hollis Street, Suite A
Emeryville, CA 94608

Matt Katen, QIC 80201, Zone 7 Water Agency, 100 North Canyons Parkway
Livermore, CA 94551

Danielle Stefani, Livermore-Pleasanton Fire Department, 3560 Nevada Street
Pleasanton, CA 9456

Stephen Cloudsley, Real Estate Consulting, 1561 Ramona Way, Alamo, CA 94507

Donna Drogos, ACEH
Jerry Wickham, ACEH
File

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



7

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

November 15, 2005

J. Mark Inglis
ChevronTexaco
6001 Bollinger Canyon Rd., K2256
P.O. Box 6012
San Ramon, CA 94583-2324

Mary Harvey
Hexcel Corporation
75 N. Mines Road
Livermore, CA 94550

Bruce Qvale
First Street LLC
3800 First Street
Livermore, CA 94550

Subject: Fuel Leak Case No. [REDACTED] Livermore Honda, 3884 First Street, Livermore, CA

Dear Mr. Inglis, Mr. Qvale, and Ms. Harvey:

Alameda County Environmental Health (ACEH) staff has reviewed the fuel leak case file for the subject site and the document entitled, "Additional Subsurface Investigation Report," dated October 18, 2005 and received by ACEH on October 21, 2005. The report was prepared on behalf of Chevron Environmental Management Company by Cambria Environmental Technology, Inc and presents the results of cone penetrometer testing (CPT), soil sampling, groundwater sampling, and soil vapor sampling conducted at the site during September 2005. During the September 2005 investigation, fuel hydrocarbons were detected in soil, soil vapor, and groundwater in the area of the first generation and second generation USTs and dispensers. Total petroleum hydrocarbons as gasoline (TPHg) and benzene were detected in soil vapor at concentrations exceeding environmental screening levels for vapor intrusion to indoor air for both residential and commercial use (San Francisco Bay Regional Water Quality Control Board, February 2005). Total petroleum hydrocarbons as diesel (TPHd) were detected in groundwater in each of the 8 groundwater samples analyzed for TPHd at concentrations up to 15,000 micrograms per liter ($\mu\text{g/L}$). TPHg was detected in groundwater in 4 of the 11 samples analyzed at concentrations up to 13,000 $\mu\text{g/L}$.

Based on the results presented in the report, soil remediation will be required in a portion of the site prior to development for residential use. ACEH concurs with the recommendation to prepare a plan for excavation of soil in the area of the first and second generation USTs and the northern second generation dispenser island prior to redevelopment of the site. We request that you address the following technical comments, perform the proposed work, and send us the reports described below.

TECHNICAL COMMENTS

1. **Soil Vapor Sampling Results.** The presentation of soil vapor sampling results did not include a discussion of the detection of 2-propanol in five samples. Potential data quality issues related to the detection of a leak check compound should have been discussed. In

particular, data quality issues related to the high concentrations of 2-propanol detected in sample CPT-8-SV-9.5 should have been discussed. Please note that the laboratory report for sample CPT-8-SV-9.5 indicates that 9,200,000 $\mu\text{G}/\text{m}^3$ of 2-propanol was detected rather than 920,000 $\mu\text{G}/\text{m}^3$ as shown in Table 1 and that 4,600,000 $\mu\text{G}/\text{m}^3$ of TPH were detected rather than 460,000 $\mu\text{G}/\text{m}^3$ as shown in Table 1. In addition, the concentration of benzene in sample CPT-3-SV-15 was 22,000 $\mu\text{G}/\text{m}^3$ rather than 220,000 $\mu\text{G}/\text{m}^3$ as shown in Table 1 and discussed in the text. Please correct these data in the Work Plan requested below and future plans and reports. These soil vapor sampling results indicate that potential vapor intrusion concerns exist in the area of the former second generation USTs and the northern dispenser. No soil vapor data are available from the area of the first generation USTs and former dispensers to evaluate potential vapor intrusion concerns in that area.

2. **Soil Excavation.** ACEH concurs with the recommendation to excavate and remove soil in the area of the first and second generation USTs and the northern second generation dispenser island prior to redevelopment of the site. Please provide plans to conduct this excavation in the Work Plan requested below. The Work Plan should also include plans to screen shallow soil and identify contamination during grading of the site for development. These plans are to identify all areas of the site that will be excavated or graded, describe the protocol and criteria for observing and screening soils during site development, and the procedures that will be implemented if contaminated soil is identified.
3. **Laboratory Report for Water Samples.** Laboratory results for several water samples were not included on Table 3 or Appendix C. A review of the electronic data submittal on Geotracker indicates that 1,2-dichloroethane was detected in several groundwater samples at concentrations up to 67 $\mu\text{g}/\text{L}$ (CPT-1); however, these data are not presented in the report. The Maximum Contaminant Level for 1,2-dichloroethane is 0.5 $\mu\text{g}/\text{L}$. Please include the results for 1,2-dichloroethane and other detected analytes in tabular form in the Work Plan requested below and future plans and reports for the site.
4. **Extent of Groundwater Contamination.** Please present conclusions and recommendations for future actions regarding groundwater contamination in the Work Plan requested below. In addition, please describe whether these activities are to be conducted prior to or following development of the site for residential use.
5. **Adjacent Site and Development Plans.** Plans for residential development have been broadly discussed during meetings regarding 3884 First Street and the plans are briefly mentioned in this report; however, no development plans have been submitted to this office. Please note that a fuel leak investigation was conducted for three former USTs at 3800 First Street in Livermore. The fuel leak case for 3800 First Street received regulatory closure on June 14, 1995. The closure included the condition that the corrective action is to be reviewed if land use changes (Please see attached Remedial Action Completion Certificate). Therefore, if a land use change to residential is planned for the former fuel leak site at 3800 First Street, the responsible parties for 3800 First Street are to review the former fuel leak case and submit to this office an evaluation to indicate that the levels of residual contamination are acceptable for the proposed land use change.

TECHNICAL REPORT REQUEST

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

- **January 15, 2006 – Work Plan**

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.

ELECTRONIC SUBMITTAL OF REPORTS

ACEH's Environmental Cleanup Oversight Programs (LOP and SLIC) now request submission of reports in electronic form. The electronic copy is intended to replace the need for a paper copy and is expected to be used for all public information requests, regulatory review, and compliance/enforcement activities. Instructions for submission of electronic documents to the Alameda County Environmental Cleanup Oversight Program FTP site are provided on the attached "Electronic Report Upload Instructions." Submission of reports to the Alameda County FTP site is an addition to existing requirements for electronic submittal of information to the State Water Resources Control Board (SWRCB) Geotracker website. In September 2004, the SWRCB adopted regulations that require electronic submittal of information for groundwater cleanup programs. For several years, responsible parties for cleanup of leaks from underground storage tanks (USTs) have been required to submit groundwater analytical data, surveyed locations of monitoring wells, and other data to the Geotracker database over the Internet. Beginning July 1, 2005, electronic submittal of a complete copy of all reports is required in Geotracker (in PDF format). Please visit the State Water Resources Control Board for more information on these requirements (http://www.swrcb.ca.gov/ust/cleanup/electronic_reporting).

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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

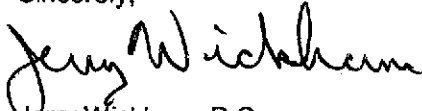
Please note that delays in investigation, later reports, or enforcement actions may result in your becoming ineligible to receive grant money from the state's Underground Storage Tank Cleanup Fund (Senate Bill 2004) to reimburse you for the cost of cleanup.

AGENCY OVERSIGHT

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

Sincerely,



Jerry Wickham, P.G.
Hazardous Materials Specialist

Attachment: Remedial Action Completion Certificate – 3800 First Street, Livermore, CA

Enclosure: ACEH Electronic Report Upload (ftp) Instructions

cc: Robert Foss, Cambria Environmental Technology, Inc., 5900 Hollis Street, Suite A
Emeryville, CA 94608

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 9456

Stephen Cloudsley, Real Estate Consulting, 1561 Ramona Way, Alamo, CA 94507

Donna Drogos, ACEH
Jerry Wickham, ACEH
File

RO2611

Wickham, Jerry, Env. Health

From: Levi, Ariu, Env. Health
Sent: Tuesday, August 30, 2005 2:09 PM
To: Wickham, Jerry, Env. Health
Cc: Tung, Mee Ling, Env. Health
Subject: RE: RO2661

Thanks!

Your message was complete enough for me to get back to the Pimm Brothers and get them comfortable. They will call Haggerty's office and rescind the complaint that we're taking too long. Based on your timeline, they should instead be calling to offer praise and not complaints!

From: Wickham, Jerry, Env. Health
Sent: Tuesday, August 30, 2005 1:19 PM
To: Levi, Ariu, Env. Health
Subject: RE: RO2661

This was an old Chevron service station but has been a car lot in the more recent past. The site is being sold to a developer for residential development. Chevron has accepted responsibility and site investigation is proceeding. On June 23, 2005, we requested a Work Plan for additional investigation. Chevron submitted a Work Plan on August 9 and a Work Plan Addendum on August 18. I sent a Work Plan approval letter with comments yesterday. Chevron is planning to start the work on September 6. A real estate agent for the seller calls me frequently to complain in general that the site investigation process takes too long and that Pimm Brothers, the potential purchaser, are not happy.

From: Levi, Ariu, Env. Health
Sent: Tuesday, August 30, 2005 12:34 PM
To: Wickham, Jerry, Env. Health
Subject: RE: RO2661

Sorry, I meant RO2611: 3884 1st Street in Livermore

From: Wickham, Jerry, Env. Health
Sent: Monday, August 29, 2005 4:51 PM
To: Levi, Ariu, Env. Health
Subject: RE: RO2661

RO2661 is Superior Plaster Castings at 4800 Coliseum Way in Oakland. It is a SLIC case that is unassigned. I pulled the file and the most recent documents appear to be September 2000. There is a Request for No Further Action dated September 21, 2000 from the consultant but I did not see correspondence back from us.

From: Levi, Ariu, Env. Health
Sent: Monday, August 29, 2005 4:23 PM
To: Wickham, Jerry, Env. Health
Subject: RO2661

I got a call from Sup Haggerty's office concerning this site. What can you tell me what's happening there?

8/31/2005

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



7

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August 29, 2005

J. Mark Inglis
ChevronTexaco
6001 Bollinger Canyon Rd., K2256
P.O. Box 6012
San Ramon, CA 94583-2324

Mary Harvey
Hexcel Corporation
75 N. Mines Road
Livermore, CA 94550

Bruce Qvale
First Street LLC
3800 First Street
Livermore, CA 94550

Subject: Fuel Leak Case No. [REDACTED] Livermore Honda, 3884 First Street, Livermore, CA –
Work Plan Approval

Dear Mr. Inglis, Mr. Qvale, and Ms. Harvey:

Alameda County Environmental Health (ACEH) staff has reviewed the fuel leak case file for the subject site and the documents entitled, "Additional Investigation Workplan," dated August 5, 2005, and "Additional Investigation Work Plan Addendum," dated August 15, 2005, prepared on behalf of Chevron Environmental Management Company by Cambria Environmental Technology, Inc. These documents present plans to characterize the extent of soil, soil vapor, and groundwater contamination at the above-referenced site as requested by ACEH in correspondence dated June 23, 2005. ACEH generally concurs with the proposed scope of work provided that the technical comments below are addressed.

We request that you address the following technical comments, perform the proposed work, and send us the reports described below. Please provide 72-hour advance written notification to this office (e-mail preferred to jerry.wickham@acgov.org) prior to the start of field activities.

TECHNICAL COMMENTS

- 1. Soil Samples.** The Work Plan indicates that soil samples will be collected at depths to be determined in the field based on several factors including previous sampling results and CPT data. We request that soil samples be collected at all significant changes in soil type and at depths where elevated concentrations of petroleum hydrocarbons were observed in adjacent borings. If significant changes in soil type are not noted or elevated concentrations of petroleum hydrocarbons were not observed in adjacent borings, then soil samples are to be collected at minimum intervals of every 5 feet within the upper 30 feet and every 10 feet beyond 30 feet below ground surface (bgs).
- 2. Shallow Soil Samples.** The use of air knife excavation within the upper 8 feet for borehole clearance will affect data quality due to stripping of volatile components during advancement of the air knife boreholes. Analytical results for all soil samples that are collected from

shallow intervals affected by air knife excavation must be clearly marked in subsequent investigation reports as "disturbed." Please note the requirement in comment 5 below regarding borings for soil vapor sampling.

3. **Boring Locations.** It is not clear why many of the proposed boring locations are located north of potential source areas. Since depth-discrete groundwater samples will be collected from the borings, it would be advantageous to locate more borings in locations that are downgradient from suspected source areas. The anticipated groundwater flow direction for the site is to the south southeast. Therefore, we request the following additions or revisions to the boring locations:
 - Please add one boring location south southeast of boring B-1 or move the proposed boring location north of existing boring B-14 to a location south southeast of boring B-1.
 - Please move the proposed boring location northeast of existing boring B-18 to a location south southeast of boring B-18.
 - Please move one of the proposed boring locations in the street near the intersection of Portola Avenue and First Street to a location south southeast of existing boring B-13.
4. **Boring Depths.** The soil borings are to be advanced to depths sufficient to sample water-bearing zones below the "perched" zone.
5. **Soil Vapor Sampling.** The Work Plan indicates that soil vapor samples will be collected at specific depths to be determined based on several factors. ACEH requests that soil vapor samples be collected from permeable subsurface zones and at depths where elevated concentrations of petroleum hydrocarbons were detected in adjacent borings. Within each of the proposed borings for soil vapor sampling, ACEH requests that one soil vapor sample be collected within 8 feet bgs. In order to collect soil vapor samples within the upper 8 feet bgs, the borings are to be cleared by hand augering or other means that do not strip volatile components from the soil. In addition to the five proposed soil vapor sampling locations, ACEH requests that soil vapor samples be collected from the proposed location south southeast of boring B-1 (see comment 3).
6. **Analyses for Total Lead.** Please include laboratory analyses for total lead using EPA Method 7421 for all soil samples.

TECHNICAL REPORT REQUEST

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

- **November 30, 2005** - Soil and Groundwater Investigation Report

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.

ELECTRONIC SUBMITTAL OF REPORTS

ACEH's Environmental Cleanup Oversight Programs (LOP and SLIC) now request submission of reports in electronic form. The electronic copy is intended to replace the need for a paper copy and is expected to be used for all public information requests, regulatory review, and compliance/enforcement activities. Instructions for submission of electronic documents to the Alameda County Environmental Cleanup Oversight Program FTP site are provided on the attached "Electronic Report Upload Instructions." Submission of reports to the Alameda County FTP site is an addition to existing requirements for electronic submittal of information to the State Water Resources Control Board (SWRCB) Geotracker website. In September 2004, the SWRCB adopted regulations that require electronic submittal of information for groundwater cleanup programs. For several years, responsible parties for cleanup of leaks from underground storage tanks (USTs) have been required to submit groundwater analytical data, surveyed locations of monitoring wells, and other data to the Geotracker database over the Internet. Beginning July 1, 2005, electronic submittal of a complete copy of all reports is required in Geotracker (in PDF format). Please visit the State Water Resources Control Board for more information on these requirements (http://www.swrcb.ca.gov/ust/cleanup/electronic_reporting).

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.

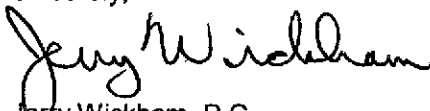
AGENCY OVERSIGHT

J. Mark Inglis, Bruce Qvale, and Mary Harvey
August 29, 2005
Page 4

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, P.G.
Hazardous Materials Specialist

Enclosure: ACEH Electronic Report Upload (ftp) Instructions

cc: Robert Foss
Cambria Environmental Technology, Inc.
5900 Hollis Street, Suite A
Emeryville, CA 94608

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 9456

Stephen Cloudsley
Real Estate Consulting
1561 Ramona Way
Alamo, CA 94507

Donna Drogos, ACEH
Jerry Wickham, ACEH
File

R02611

Wickham, Jerry, Env. Health

From: Wickham, Jerry, Env. Health
Sent: Monday, June 27, 2005 10:21 AM
To: 'Cloudsley@aol.com'
Subject: RE: 3884 First Street, Livermore, CA

The site is currently not characterized to the extent that potential human health risks for residential use could be evaluated. An evaluation of human health risks will need to be completed by qualified professionals and remediation conducted to remove unacceptable risks before residential occupancy of the site. The responsible parties are encouraged to work together to strategically plan and expedite the investigation and remediation process. It is possible that residential occupancy of the site could proceed prior to site closure if there were no unacceptable human health risks from shallow soil or groundwater and the remaining risks were threats to groundwater quality. In such a case, allowances would need to be made for site access and easements to complete site investigation and remediation activities.

ACEH designates a "Responsible Party," as defined under 23 CCR Sec. 2720. Section 2720 defines a responsible party 4 ways. A Responsible Party can be:

First:

"Any person who owns or operates an underground storage tank used for the storage of any hazardous substance."

Second:

"In the case of any underground storage tank no longer in use, any person who owned or operated the underground storage tank immediately before the discontinuation of its use."

Third:

"Any owner of property where an unauthorized release of a hazardous substance from an underground storage tank has occurred."

Fourth:

"Any person who had or has control over an underground storage tank at the time of or following an unauthorized release of a hazardous substance."

Jerry Wickham

Hazardous Materials Specialist
Alameda County Environmental Health
1131 Harbor Bay Parkway
Suite 250
Alameda, CA 94502-6577
510-567-6791 phone
510-337-9335 Fax
jerry.wickham@acgov.org

From: Cloudsley@aol.com [mailto:Cloudsley@aol.com]
Sent: Friday, June 24, 2005 6:04 PM
To: Wickham, Jerry, Env. Health
Subject: Re: 3884 First Street, Livermore, CA

Jerry - Thanks for sending me an advance copy of the letter. It appears Chevron has a lot of additional work.

6/27/2005

However, I think several of the requested items already exist or may have been previously delivered to your predecessor, Bob Schultz. In an effort to assist Cambria, I have asked my consultant at Geomatrix to review our files for aerial photos and well survey reports.

Is it possible for residential development to occur during the continuing investigation and monitoring of the property? Would the new buyer (Pinn Brothers) become responsible in any way for the contamination if they acquire the property? Please advise. Thank you.

In a message dated 6/24/2005 11:01:36 A.M. Pacific Daylight Time, jerry.wickham@acgov.org writes:

From: Cloudsley@aol.com [mailto:Cloudsley@aol.com]
Sent: Thursday, June 23, 2005 10:21 AM
To: Wickham, Jerry, Env. Health
Subject: Re: 3884 First Street, Livermore, CA

Thank you.

In a message dated 6/23/2005 11:19:28 A.M. Pacific Daylight Time, jerry.wickham@acgov.org writes:

I should be able to send you an electronic copy later today. As is standard industry practice, a work plan is required prior to implementation.

From: Cloudsley@aol.com [mailto:Cloudsley@aol.com]
Sent: Thursday, June 23, 2005 9:01 AM
To: Wickham, Jerry, Env. Health
Subject: Re: 3884 First Street, Livermore, CA

Jerry - Is it possible for me to get an electronic copy of the letter today? I was informed yesterday that Cambria is arranging to do the last boring in the street soon. It might save time if they could address any of your issues at the same time. Thanks for your help.

In a message dated 6/23/2005 9:38:34 A.M. Pacific Daylight Time, jerry.wickham@acgov.org writes:

Steve,
The Alameda County Environmental Health comment letter for the 3884 First Street report will be mailed today. I spoke with Donna Drogos, who is in the supervisor for the LOP in our office yesterday regarding this case, and she is not available to meet next week. I will be out of the office from July 5 through 7. Please review the letter, which directs further action at the site, to decide whether you believe a meeting is needed. If so, we can arrange a time during the week of July 11. A revised Notice of Responsibility will also be sent out from this office. This item is also discussed in the letter.
Regards,

Jerry Wickham
Hazardous Materials Specialist
Alameda County Environmental Health
1131 Harbor Bay Parkway
Suite 250
Alameda, CA 94502-6577
510-567-6791 phone
510-337-9335 Fax

6/27/2005

jerry.wickham@acgov.org

From: Cloudsley@aol.com [mailto:Cloudsley@aol.com]
Sent: Monday, June 20, 2005 2:10 PM
To: Wickham, Jerry, Env. Health
Subject: Re: 3884 First Street, Livermore, CA

Thanks for the update. I'll wait to hear from you in the next couple of days.

In a message dated 6/20/2005 3:08:09 P.M. Pacific Daylight Time, jerry.wickham@acgov.org writes:

Steve,
I am currently reviewing the case file and expect to discuss the case with my supervisor tomorrow or Wednesday. Will provide an update after meeting with my supervisor.

Jerry Wickham
Hazardous Materials Specialist
Alameda County Environmental Health
1131 Harbor Bay Parkway
Suite 250
Alameda, CA 94502-6577
510-567-6791 phone
510-337-9335 Fax
jerry.wickham@acgov.org

From: Cloudsley@aol.com [mailto:Cloudsley@aol.com]
Sent: Friday, June 17, 2005 12:29 PM
To: Wickham, Jerry, Env. Health
Cc: bqvale@bmcld.com; bfoss@cambria-env.com; craigb@pinnbros.com
Subject: 3884 First Street, Livermore, CA

Hello Jerry -

I'm writing to enquire as to the status of your review of the Subsurface Investigation Report prepared by Cambria on May 20, 2005. As I mentioned in a previous email, the subject property is under contract to be sold to a residential developer (Pinn Brothers). They are scheduled to go before the Livermore City Counsel in mid July to re-zone the land but need to know timing for resolving the contamination issue well in advance of that date.

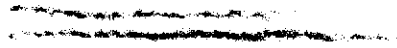
Can you please let me know if you are available during the week of June 27 to attend a meeting with Bruce Qvale (the current owner), a representative of Pinn Brothers (the buyer), the City of Livermore, Cambria and a representative of Chevron? The agenda will be to discuss 1) the current status and testing results, and 2) what will be required by the County to allow for residential development to proceed.

Thank you and I look forward to speaking with you soon.

Steve Cloudsley
1561 Ramona Way
Alamo, CA 94507

6/27/2005

Phone: 925-939-7229
Fax: 925-939-7225
Cellular: 925-997-6080
E-Mail: cloudsley@aol.com



ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



RO2611

ENVIRONMENTAL HEALTH SERVICES

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

June 23, 2005

J. Mark Inglis
ChevronTexaco
6001 Bollinger Canyon Rd., K2256
P.O. Box 6012
San Ramon, CA 94583-2324

Subject: Fuel Leak Case No. RO0002611, Livermore Honda, 3884 First Street, Livermore, CA – Request for Work Plan

Dear Mr. Inglis:

Alameda County Environmental Health (ACEH) staff has reviewed the fuel leak case file for the subject site and the report entitled, "Subsurface Investigation Report," received May 23, 2005, prepared on behalf of Chevron Environmental Management Company by Cambria Environmental Technology, Inc. The objective of the subsurface investigation was to define the horizontal and vertical extent and characteristics of hydrocarbons in soil and groundwater beneath the site as requested by ACEH in correspondence to Mr. Bruce Qvale of First Street LLC dated June 10, 2004.

According to records presented to ACEH, the site was formerly used as a gasoline service station. Chevron, doing business as Standard Oil Company, leased the property from approximately 1936 up through 1973 or as late as 1975. The site has apparently functioned as part of a car dealership since 1979 and is currently a used car lot.

Petroleum hydrocarbons have been detected in soil and groundwater beneath the locations of former Standard Oil (Chevron) service station USTs and dispensers, which is consistent with releases from the former service station operations. As former tank owner and operator for the site, Chevron Products Company has been designated the primary or active Responsible Party. A Notice of Responsibility dated June 24, 2005 has been sent by certified mail under separate cover. Coast Manufacturing & Supply, Inc. was a property owner and leased the site to Chevron during operation of the service station. Therefore, Hexcel Corporation, which is the corporate successor to Coast Manufacturing & Supply, Inc., has also been designated a Responsible Party. The current land owner, First Street LLC, is the third Responsible Party for the site.

Based on the soil and groundwater contamination detected at the site, further investigation is required. **We request that you prepare and submit a work plan for the soil and groundwater investigation by August 24, 2005.** Based on ACEH staff review of the document referenced above, we request that you address the following technical comments, perform the proposed work, and send us the reports described below.

TECHNICAL COMMENTS

1. **Shallow Soil Samples.** ACEH is concerned that the analytical results for soil samples collected at depths less than 8 feet in air knife excavations may be biased due to stripping of volatile components during advancement of the air knife boreholes. Please describe in the Work Plan requested below, the methods that will be used for future soil sampling in boreholes to assure that volatile components in the soil are not stripped off prior to sample collection by the high pressure air and vacuum generated by the air knife.
2. **Shallow Soil Characterization and Potential Site Redevelopment.** At most UST sites, observations are available on the conditions of the tanks and piping at the time of removal. In addition, observations and analytical data are typically available regarding the extent of contamination within the tank and piping excavations. These observations and sampling results provide valuable information to direct subsequent soil and groundwater investigations. Please research and confirm that no information is available regarding removal of the USTs and piping.

To date, soil samples have been collected from 24 soil borings at this site. Additional investigation of the shallow soils will be required based on the sampling results collected to date, the concerns outlined in comment 1 above, and the absence of any information on the USTs, piping, and shallow soil conditions at the time of UST and piping removal.

The report recommends limited excavation in the area of boring B-20 prior to or during redevelopment of the site. The report also suggests working with the developers of the site to mitigate any impacts to the development and final land use. ACEH encourages Chevron to work with the developer of the property to address shallow soil contamination. If the site is to be developed prior to site closure, the Responsible Parties must provide a plan to complete site characterization and to identify potential human health risks posed by soil and groundwater contamination at the site prior to or during development. Excavation within the site prior to site closure will require a plan for soil management and confirmation sampling during excavation. Please incorporate any plans for excavation during development in the Work Plan as appropriate. Plans for shallow soil characterization are to be included in the Work Plan requested below.

3. **Site Characterization.** The lateral and vertical extent of soil and groundwater contamination at the site is undefined. Detailed lithologic information is to be collected using soil borings, direct push sampling, and/or cone penetrometer. Groundwater monitoring wells will be required in the zone where groundwater was first encountered and in the deeper regional groundwater zone. Please consider the use of depth discrete groundwater samples collected along transects to characterize the site prior to installation of monitoring wells. We request that you use detailed hydrogeologic cross sections to determine the appropriate locations and designs for monitoring wells/well clusters and piezometers that are needed to appropriately characterize the three-dimensional extent of soil and groundwater contamination at the site. The zone where groundwater was first encountered in soil borings, typically at depths of 23.5 to 28 feet bgs, is described as a discontinuous perched zone. The Work Plan is to include plans to characterize chemical concentrations in groundwater within the perched zone and to assess the continuity of the perched zone and across the site. To appropriately evaluate your site, your monitoring wells/well clusters will need to be screened in the permeable zones with

screen lengths that match the stratigraphic sequence. Please include the above information in the Work Plan requested below.

4. **Additional Boring in First Street.** The planned boring to investigate the location of a former fuel dispenser in First Street was not completed due to permitting issues. This boring is to be completed during the next phase of field investigation.
5. **Preferential Pathways and Well Survey.** Please evaluate whether any potential preferential pathways may exist at the site. The preferential pathway study shall include a well survey of all wells (monitoring and production wells: active, inactive, standby, decommissioned (sealed with concrete), abandoned (improperly decommissioned or lost); and dewatering, drainage, and cathodic protection wells) within a 1/2-mile radius of the subject 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. Include appropriate prints of historic aerial photos used as part of your study. 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. Refer to the Regional Board's guidance for identification, location, and evaluation of potential deep well conduits when conducting your preferential pathway study. Please identify any sensitive receptors near the site. The evaluation of preferential pathways and well survey are to be included in the Work Plan requested below.
6. **Regional Geologic and Hydrogeologic Setting.** We request that you provide information on the regional geologic and hydrogeologic setting of your site by reviewing the available technical literature for the area. Background information for your review includes but is not limited to regional geologic maps, United States Geological Survey (USGS) technical reports and documents, Department of Water Resources (DWR) Bulletins, Regional Water Quality Control Board reports on the groundwater basin, data from contaminant investigations in the area, etc.

Provide a narrative discussion of the regional geologic and hydrogeologic setting obtained from your background study. Use photocopies of regional geologic maps, groundwater contours, cross-sections, etc., to illustrate your results and include a list of technical references you reviewed. Report your results in the Work Plan requested below

TECHNICAL REPORT REQUEST

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

- **August 24, 2005 - Work Plan for Soil and Groundwater Investigation**
- **90 days after ACEH approval of Work Plan – Soil and Groundwater Investigation Report**

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

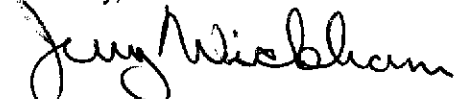
Please note that delays in investigation, later reports, or enforcement actions may result in your becoming ineligible to receive grant money from the state's Underground Storage Tank Cleanup Fund (Senate Bill 2004) to reimburse you for the cost of cleanup.

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, P.G.
Hazardous Materials Specialist

J. Mark Inglis
June 23, 2005
Page 5

cc: Bruce Qvale
First Street LLC
3800 First Street
Livermore, CA 94550

Mary Harvey
Hexcel Corporation
75 N. Mines Road
Livermore, CA 94550

Donna Drogos, ACEH
~~Jerry Wickham, ACEH~~
File

B02611

Wickham, Jerry, Env. Health

From: Clowdsley@aol.com
Sent: Wednesday, June 08, 2005 12:34 PM
To: Wickham, Jerry, Env. Health
Cc: bqvale@bmcd.com; craigb@pinnbros.com; daleg@pinnbros.com
Subject: 3884 First Street, Livermore, CA

Hello Jerry -

I was very glad we had a chance to get acquainted by phone today. I wanted to follow up on our conversation and summarize some of the issues we discussed:

1. In a letter to Robert Schultz dated February 18, 2004 the property owner requested that ACHCS name ChevronTexaco as the responsible party for the subject hydrocarbon contamination. At that time Mr. Schultz declined the request based on what he perceived as a lack of evidence. I would like to once again request the release of the current property owner (Bruce Qvale and First Street LLC) from responsibility since Cambria test results confirm ChevronTexaco is responsible for the contamination.
2. Mr. Qvale (the current property owner) is under contract to sell the subject property to a third party residential developer (Pinn Brothers). The developer is presently re-zoning the parcel and needs a firm timeline for consummating the acquisition of the property. Once you have reviewed the report, it would be very helpful if we could schedule a joint meeting with Pinn Bros and the City of Livermore to discuss timing and your thoughts on obtaining closure.
3. A boring that was proposed by ACEHS in the First Street public right-of-way was delayed due to confusion over who was responsible for issuing a permit. We have determined that the street comes under the jurisdiction of the City of Livermore versus Caltrans. A permit can be readily obtained.
4. The area of the property affected by the hydrocarbon contamination will be located under a proposed parking area and swimming pool. The development plan calls for high density row houses with streets and pavement over most of the site. A corner of one building is potentially down gradient from the contamination. Construction will be slab-on-grade foundation, which will create a barrier between the living area and soil.

Pinn Brothers is scheduled to go before the Livermore City Counsel within the next 30 days to complete the zoning approval for the property. They have expended a considerable amount of money in this process and need to know when they will be able to buy the property and begin development.

Your efforts in this process are very much appreciated. Please don't hesitate to call me if I can be of any assistance. Thank you.

Steve Clowdsley
1561 Ramona Way
Alamo, CA 94507
Phone: 925-939-7229
Fax: 925-939-7225
Cellular: 925-997-6080
E-Mail: clowdsley@aol.com

6/24/2005

ALAMEDA COUNTY
HEALTH CARE SERVICES

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

March 8, 2005

Bruce H. Qvale
First Street LLC
3800 1st St.
Livermore, CA 94551

Subject: Fuel Leak Case No. [REDACTED] 1, Livermore Honda 3884 1st St., Livermore,
California – Workplan Approval

Dear Mr. Qvale:

Alameda County Environmental Health (ACEH) has reviewed the February 18, 2005 *Addendum to Additional Investigation Workplan* submitted by ChevronTexaco on your behalf for the above-referenced site. We concur with your workplan provided the following conditions are met:

1. Soil borings in the vicinity of the 1999 borings B-1 through B-3 and the former USTs (first and second generation) will be advanced to 25 ft bgs, and borings near the former dispenser islands will be advanced to 15 ft bgs. If groundwater is encountered within the borings, a sufficient number of groundwater samples will be collected and analyzed to both 1) evaluate the potential for significant impact to groundwater to have occurred, and 2) to provide initial characterization of the onsite lateral distribution of petroleum hydrocarbons in groundwater. If groundwater is not encountered in borings advanced to the depths described above, a sufficient number of borings (approximately 3 to 5) will be advanced to groundwater to achieve the investigation goals listed above. In general, based on the conceptual site model presented in Cambria's September 21, 2004 workplan, a groundwater sample needs to be collected within 10 ft downgradient of the area of borings B-1 through B-3, any former leaking USTs or other locations of significant release at this site.
2. At least one soil sample and one groundwater sample from the area assessed by borings B-1 through B-3 and from each former UST system will be analyzed for 1,2-DCA, EDB and MTBE. The samples exhibiting the highest indication of TPH presence, for each of the 3 areas, will be analyzed for these VOCs. If these VOCs are detected, their distribution in both soil and groundwater will need to be defined. Accordingly, we recommend that you either analyze initial soil and groundwater samples on an expedited basis so that additional samples may be placed on hold then analyzed as necessary, or that you analyze a sufficient number of samples to provide initial contaminant delineation for the full suite of analytes.
3. 72-hr advance written notification (email preferred) will be provided to ACEH prior to field sampling activities.

REPORT REQUEST

Please submit your *Soil and Water Investigation Report*, which addresses the comments above by **June 8 2005**. ACEH makes this request pursuant to California Health & Safety Code Section 25296.10. 23 CCR Sections 2652 through 2654, and 2721 through 2778 outline the responsibilities of a responsible party for an unauthorized release from an UST system, and require your compliance with this request.

Professional Certification and Conclusions/Recommendations

The California Business and Professions Code (Sections 6735 and 7835.1) requires that workplans 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.

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.

UNDERGROUND STORAGE TANK CLEANUP FUND

Please note that delays in investigation, late reports or enforcement actions by ACEH may result in you becoming ineligible to receive cleanup cost reimbursement from the state's Underground Storage Tank Cleanup Fund (senate Bill 2004).

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 County District Attorney or other appropriate agency, for enforcement. California Health and Safety Code, Section 25299.76 authorizes ACEH enforcement including administrative action or monetary penalties of up to \$10,000 per day for each day of violation.

Please call me at (510) 567-6719 with any questions regarding this case.

Sincerely,



Robert W. Schultz, P.G.
Hazardous Materials Specialist

cc: Mark Inglis, ChevronTexaco, P.O. Box 6012 San Ramon, CA 94583-2324
Sandi Nichols, Stoel Rives, LLP, 111 Sutter St., Ste. 700, San Francisco, CA 94104
Bob Foss, Cambria Environmental Technology, Inc., 5900 Hollis St., Ste. A, Emeryville, CA 94608
Susan Gallardo, Geomatrix Consultants, Inc., 2101 Webster St., 12th Floor, Oakland, CA 94612
Matt Katen, Zone 7 Water District, QIC 80201
Donna Drogos, ACEH
Robert Schultz, ACEH

20-2611

C A M B R I A

February 25, 2005

Mr. Robert Schultz
ACHSA
1131 Harbor Bay Pkwy.
Livermore, CA 94502-6577

Alameda County
MAR X 1 2005
Environmental Health

RE: 3884 First St, Livermore
ACHSCA RO#: 002611

Dear Mr. Schultz:



This letter is to inform you of a change in management for the above-referenced site.

Effective immediately, the new ChevronTexaco project manager will be:

Mr. Mark Inglis
ChevronTexaco
6001 Bollinger Canyon Rd., K-2256
San Ramon, CA 94583
Phone: 925-842-1589

Please contact either Mr. Mark Inglis or Cambria if you have any questions.

Regards,

Cambria Environmental Technology, Inc.

cc: Mark Inglis, Chevron Texaco

**Cambria
Environmental
Technology, Inc.**

5900 Hollis Street
Suite A
Emeryville, CA 94608
Tel (510) 420-0700
Fax (510) 420-9170
Site #: 304291

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



November 15, 2004

Bruce H. Qvale
First Street LLC
3800 1st St.
Livermore, CA 94551

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

Subject: Fuel Leak Case No. RO0002611, Livermore Honda 3884 1st St., Livermore,
California – Request for Workplan Modification

Dear Mr. Qvale:

Alameda County Environmental Health (ACEH) has reviewed the September 21, 2004 *Additional Investigation Workplan* and the October 7, 2004 *Area Survey Results* submitted by ChevronTexaco on your behalf for the above-referenced site. We request that you modify your workplan to address the following comments and submit the requested report following the schedule below.

TECHNICAL COMMENTS

1) Locations of Previous Investigation Borings

In order to evaluate the appropriateness of further investigating the contamination at locations B-2 and B-3 by laterally surrounding these points with borings, we need to know how accurately the December 1999 boring locations (B-1 through B-6) can be field located. In their February 18, 2004 letter, Geomatrix recommended no further action for this site and presented data suggesting that borings B-1 through B-6 were intended to be located near the former UST systems. Figure 2 in Cambria's workplan suggests that none of the December 1999 borings were within 20 ft of any former UST system component. In the workplan addendum requested below, please state the methods for projecting locations B-1 through B-6 onto a composite map of historical site features. Please state whether or not, and to what degree, 1) the historical aerial photographs, 2) Figure 2 from the December 1999 *Preliminary Subsurface Investigation Report*, and 3) any remnant historical site features may be correlated.

2) Rationale For Sampling Strategy

In the workplan addendum requested below, please state the rationale for selecting the sampling methods and location(s) for each boring or set of borings. We request that the rationale relate the proposed sampling strategy to the investigation objectives, and that you identify whether or not any data gaps are likely to remain following execution of the proposed work. This request is made in the interest of minimizing the number of iterations of field work performed at leaking UST sites, and to thereby reduce both the time period and costs for a case to progress to closure.

3) Groundwater Evaluation

No consideration of the potential impacts to groundwater was provided in Cambria's workplan. We request that you perform a study of the regional geology and hydrogeology to determine the likely current and historical depth to groundwater and the likely current and historical

groundwater flow direction(s). Please report the results of your regional study and propose a groundwater sampling plan in the workplan addendum requested below.

4) Soil Sampling Locations

Cambria's site plan suggests that a fuel dispenser was formerly located within 1st Street. Accordingly, sampling needs to be performed at the location of this former UST system component. Please revise your sampling plan in the workplan addendum requested below.

5) Chemical Analyses

Pursuant to Health and Safety Code Section 25296.15(a)(1) we require that samples be analyzed for MTBE, in addition to the analytes proposed by Cambria. Please revise your analysis plan in the workplan requested below.

6) Well Survey

We require that you provide location addresses and copies of DWR driller's reports for all wells identified in your survey. Please revise your well survey and include it in the workplan addendum requested below.

7) Quarterly Status Reporting

Pursuant to 23 CCR section 2652(d), you are required to submit quarterly reports which include an update of the information required in section 2652(c), including current UST and property owner/operator contact information and the results of all investigation, monitoring or other corrective actions which have occurred during the reporting period. Updates are required every three months regardless of groundwater sampling frequency. Please submit your quarterly reports following the schedule specified below.

TECHNICAL REPORT REQUESTS

Please submit reports to ACEH according to the following schedule:

- December 31, 2004 – Workplan Addendum
- 90 days after Workplan Approval – Soil and Water Investigation Report
- End of First Month of Each Quarter - Quarterly Report updating all information required by 23 CCR 2652(c) and covering the previous quarter's corrective action

ACEH makes this request pursuant to California Health & Safety Code Section 25296.10. CCR Title 23 Sections 2652 through 2654, and 2721 through 2728 outline the responsibilities of a responsible party in response to a reportable unauthorized release from a petroleum UST system, and require your compliance with this request.

Perjury Statement

All workplans and technical reports submitted to ACEH must be accompanied by a cover letter from the responsible party that states the following: "I declare under penalty of perjury, that the information and/or recommendations contained in the attached proposal 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.

Professional Certification

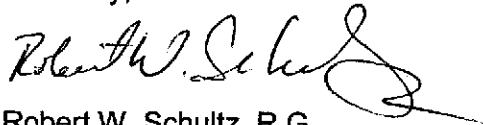
The California Business and Professions Code (Sections 6735, 6835, and 7835.1) requires that workplans and technical or implementation reports containing geologic or engineering evaluations and/or judgments be performed under the direction of an appropriately registered or certified professional. Please note that 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. Work at your site is required to be designed, interpreted, and overseen by the appropriately registered professional.

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 County District Attorney or other appropriate agency, for enforcement. California Health and Safety Code, Section 25299.76 authorizes ACEH enforcement including administrative action or monetary penalties of up to \$10,000 per day for each day of violation.

Please call me at (510) 567-6719 with any questions regarding this case.

Sincerely,



Robert W. Schultz, R.G.
Hazardous Materials Specialist

cc: Karen Streich, ChevronTexaco, P.O. Box 6012 San Ramon, CA 94583-2324
Sandi Nichols, Stoel Rives, LLP, 111 Sutter St., Ste. 700, San Francisco, CA 94104
Bob Foss, Cambria Environmental Technology, Inc., 5900 Hollis St., Ste. A, Emeryville,
CA 94608
Susan Gallardo, Geomatrix Consultants, Inc., 2101 Webster St., 12th Floor, Oakland,
CA 94612
Matt Katen, Zone 7 Water District, QIC 80201
Donna Drogos, ACEH
Robert Schultz, ACEH

Environmental Management
Company
6001 Bollinger Canyon Rd, K2256
P.O. Box 6012
San Ramon, CA 94583
Tel 925-842-1589
Fax 925-842-8370

Karen Streich
Project Manager

Alameda County **ChevronTexaco**

July 21, 2004

JUL 28 2004

Environmental Health

Mr. Bob Schultz
Alameda County Health Care Services
1131 Harbor Bay Parkway, Suite 250
Alameda, CA 94502-6577

Subject: Fuel Leak Case No. RO2611
Livermore Honda, 3884 1st St, Livermore, CA

Dear Mr. Schultz,

We were approached by counsel for the current property owner for the referenced site and told that a sale of the former service station site as part of a bigger parcel for development is pending. The owner provided us with a copy of a Preliminary Subsurface Investigation Report from 1999 and information substantiating that the site had been leased by Standard Oil Company of California (SOCAL) from 1945 through approximately 1977 when the station improvements were removed from the site. The property has been used for other purposes after SOCAL left the site.

The owner indicated an intention to move ahead with further investigation work that is aimed not at confirming whether any contamination is present on the site and if it was related to prior service station operations ("due diligence investigation"), but rather to confirm the nature and extent of the contamination site wide. While there is still some questions whether contamination which may be discovered to be present has its genesis in SOCAL's historical service station operations, it makes sense to us to step forward now and control the development of site profile data. It is likely that the owner will seek reimbursement of all costs associated with these activities if ChevronTexaco did not step forward now to perform the next round of assessment activities.

We are willing to become involved in assessment activities because of our operational history and we prefer to control the level of assessment data to determine if contamination was caused by service station operations or others after we were there. As we have discussed, ChevronTexaco would prefer to take over management of the assessment at this time, but defer being named as a Responsible Party (RP) until more data are available to support that designation.

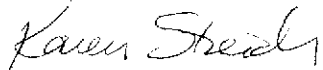
As I discussed with you by phone on Thursday July 15, I am requesting a 60 day extension to the July 21, 2004 due date for a work plan for this site, as required in your June 10, 2004 letter to Mr. Bruce Qvale. The purpose of the extension is for my environmental consultant, Cambria Environmental, to review available site data, visit the site, and develop a scope of work to meet your requirements.

July 21, 2004

Page 2

We will be copying the owner's designated representative on all correspondence. If you have any questions or would like to discuss this issue further, please call me at 925-842-1589.

Sincerely,



Karen Streich
Project Manager

Copy to:

Jon Robbins, ChevronTexaco

Bob Foss, Cambria Environmental Technology, 5900 Hollis St, Suite A, Emeryville, CA 94608

Bruce Qvale, First Street LLC, 3800 1st St, Livermore, CA 94551

Sandi Nichols, Stoel Rives, LLP, 111 Sutter St, Ste 700, San Francisco, CA 94104

Susan Gallardo, Geomatrix Consultants, 2101 Webster St, 12th Floor, Oakland, CA 94612

Po-2611



111 Sutter Street, Suite 700
San Francisco, California 94104
phone 415.617.8900
fax 415.676.3000
www.stoel.com

	Name:	Fax No.	Company/Firm	Phone No.
TO:	Robert W. Schultz, R.G.	(510) 337-9335	Alameda County Environmental Health Services	(510) 567-6700

	Name:	Sender's Direct Dial:	Sender's Direct Email:
FROM:	Sandi L. Nichols	(415) 617-8999	slnichols@stoel.com

Client:	51076	Matter:	00002
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Date: June 22, 2004

No. of Pages (including this cover): 9

 Originals Not Forwarded Unless Checked: First Class Mail Overnight Delivery Hand Delivery

In case of error call Gloria Beasley at (415) 617-8919.

This facsimile may contain confidential information that is protected by the attorney-client or work product privilege. If the reader of this message is not the intended recipient or an employee responsible for delivering the facsimile, please do not distribute this facsimile, notify us immediately by telephone, and return this facsimile by mail. Thank you.

COMMENTS:

Attached is Sandi L. Nichols' June 22, 2004 letter to Robert W. Schultz (with enclosures).

20-2611



Administrative
JUN 22 2004
Environmental Health Services

111 Sutter Street, Suite 700
San Francisco, California 94104
main 415.617.8900
fax 415.676.3000
www.stoel.com

SANDI L. NICHOLS
Direct (415) 617-8999
slnichols@stoel.com

June 22, 2004

VIA FACSIMILE & FIRST CLASS MAIL

Robert W. Schultz, R.G.
Hazardous Materials Specialist
Alameda County Environmental Health Services
1131 Harbor Bay Parkway, Suite 250
Alameda, CA 94502-6577

Re: 3884 First Street, Livermore, California (APN 099-0056-001-15)

Dear Mr. Schultz:

My office represents First Street LLC in connection with the environmental issues at 3884 First Street in Livermore, California (the "Site"). This letter responds to your letter of June 10, 2004, to Bruce Qvale of First Street LLC, in which the Alameda County Environmental Health Services ("ACEHS") declined our request for low risk closure of the Site and instead is requiring additional investigation as outlined in your letter. In addition, ACEHS declined our request that ChevronTexaco, as the corporate successor to Standard Oil Company, be named in the directive for further investigation given its status as a lessee and service station operator at the Site for over 30 years. Last, ACEHS has said it is considering a transfer of this case file to the Toxics Project because it does not believe this is a clear case of underground storage tank-related contamination given the past ownership of the Site by Coast Manufacturing and Supply Company ("Coast").

By this letter, we ask that ACEHS: (1) reconsider its position regarding ChevronTexaco and issue a directive naming ChevronTexaco as a potentially responsible party responsible for the further investigation being required for the Site; and (2) retain the case in the Local Oversight Program given that the likely source of the petroleum hydrocarbon contamination is the long-term historic use of the Site as a service station. In addition, given ACEHS's view that Coast may also be a potentially responsible party for the contamination at this Site, we ask that ACEHS also name Coast, and its corporate successor (whom we understand to be Hexcel Corporation), in the directive requiring further investigation.

Oregon
Washington
California
Utah
Idaho



Robert W. Schultz, R.G.
June 22, 2004
Page 2

To support these requests, we offer the following information:

1. A chain of title search indicates that ChevronTexaco leased and operated the Site as a service station for at least thirty (30) years under lease agreements with Coast Manufacturing dated June 26, 1945, and September 8, 1965, and a lease with the Pahlmeyers, dated April 1, 1969 (modified May 10, 1970), which terminated and superceded the lease recorded September 8, 1965. True and correct copies of the recorded memoranda of the leases are enclosed for your reference.
2. According to City records, ChevronTexaco operated the Site until at least 1975. It appears that in or about 1975, Standard Oil removed the station improvements and the Site has not been used since then as a service station.
3. First Street LLC purchased the Site in September, 1999, and has never owned or operated any petroleum storage tanks at the Site, and never stored or dispensed petroleum at the Site.
4. There were no underground or above-ground storage tanks located at the Site as of September, 1999.
5. The Site has been used only as an asphalt-paved parking lot for a car dealership since First Street LLC acquired title to the Site.
6. Petroleum hydrocarbon impacted soil has been identified in an area of the former service station at the Site. Soil sampling from six borings drilled to a depth of 20 feet revealed elevated concentrations of petroleum quantified against a motor oil standard (TPHmo) in samples from one boring at depths of 5 and 10 feet bgs. Total recoverable petroleum hydrocarbons were present at an elevated concentration in a soil sample from another boring at a depth of 10 feet bgs.

In your June 10, 2004 letter, ACEHS directed First Street LLC to undertake further investigation of the extent of the contamination at the Site, and to investigate whether there is any groundwater contamination stemming from that contamination. ACEHS declined to include ChevronTexaco as a potentially responsible party in the directive, and raised the possibility that Coast was also a potential source of contamination at the Site. While there is some reference in the chain of title to Coast Manufacturing, it appears that Coast Manufacturing had leased the Site to ChevronTexaco for use as a service station. While it appears to us that the likely source of the petroleum hydrocarbon-related contamination was the 30-year operation of the service station by



Robert W. Schultz, R.G.
June 22, 2004
Page 3

ChevronTexaco, given ACEHS's reservations regarding Coast's operations (if any) and their potential impact on the Site, ACEHS should name both ChevronTexaco and Coast (Hexcel), and not merely the current owner—which had nothing to do with creating the contamination—as potentially responsible parties in the directive for further investigation.

Absent some documentation suggesting a different source—and we have found none to date—we believe there is ample reason to suspect that this contamination was caused by overfilling, spillage, leakage, seepage, or other acts associated with the operation of underground storage tanks and associated piping and dispensers, and waste oil tanks, at the former service station on the Site. The fact that the contamination is from five to ten (plus or minus) feet depth does not suggest the former USTs, pipelines or dispensers, waste oil tanks, or their use, were not the source of this contamination. It is not unusual to see contamination at that depth from such operations and equipment. Consequently, the case is appropriate for handling through the Local Oversight Program.

Thank you in advance for your consideration of these requests. If you have any questions or additional comments regarding our requests, it would be my pleasure to speak or meet with you directly to discuss them.

Very truly yours,

Sandi L. Nichols

SLN:sln
Enclosures

State of Utah, duly commissioned and sworn, personally appeared John Jensen and
Kajia C. Jensen known to me to be the persons described in and who executed and whose names
... subscribed to the within instrument and they acknowledged to me that they executed the
same.

In witness whereof, I have hereunto set my hand and affixed my official seal at my
office in the said County, the day and year in this certificate first above written.

(Notarial Seal) O. P. Messer
Notary Public, Salt Lake City,
State of Utah

O. P. Messer, Notary Public in and for the County
of SALT LAKE, State of UTAH

Commission expires Dec. 17, 1946
U.S.P.R. Stamps \$1.10 Cancelled JUN 25 1945 CRAC
RECORDED at request of Alameda County Last Day Title Ins. Co. at 5:43 p.m. rest 10 A.M. JUN 26 1945
.S 40178 1.00 4 P



Handwritten signature
COUNTY RECORDER 4723/286

Copied Aug 7 1945 B. Laurenzo
XX

LEASE

This Indenture, dated the Thirteenth day of April, 1945, by and between Coast
Manufacturing and Supply Company of Livermore, California, hereinafter called "Lessor", and
STANDARD OIL COMPANY OF CALIFORNIA, a corporation, hereinafter called "Lessee",

WITNESSETH: That for the term and upon the terms and conditions set forth in that
certain written lease agreement, bearing date April 13, 1945, from Lessor to Lessee, all of
which terms and conditions are hereby made a part hereof, as fully and completely as if herein
specifically set out in full, Lessor has leased, demised and let, and does hereby lease,
demise and let unto Lessee, the following described real property, situate, lying and being
in the City of Livermore, County of Alameda, State of California, more particularly described
as follows, to-wit:

Commencing at the point of intersection of the northeasterly line of County Road
No. 818, otherwise known as the County road from Livermore to Stockton, with the
Southerly line of that certain Right-of-way of Public highway conveyed by
Lydie F. Crane to the County of Alameda by deed dated March 10, 1914 and recorded
March 17, 1914 in Volume 2240 of Deeds Page 130, said point being distant South 11
deg. 18 min. 17 sec. East 62.47' from Station C. 702 plus 96.44 P.O.C. on the center
line of Relocation of State Highway between Greenville and Livermore. Thence from
said point of commencement along said Northeasterly line of County road No. 818
South 56 deg. 41 min. West a distance of 46.63 feet to a point, said point being
the point of beginning.

Thence South 56 deg. 41 min. West a distance of two hundred feet (200.00') to
a point. Thence North 20 deg. 42 min. West a distance of thirty-seven feet (37.00')
to a point. Thence North 30 deg. 09 min. West a distance of seventy-two and fifty-
hundredths feet (72.50') to a point.

Thence North 76 deg. 0 min. West a distance of twenty-four and thirty-hundredths
feet (24.30') more or less, to a point on the Southerly right-of-way line of the
California State high, as reflected.

Thence Southerly along the Southerly right-of-way line of the California State
Highway a distance of two hundred twenty-four feet (224.00') on a curve of radius
of 2000 feet, curving left from tangent bearing North 66 deg. 28 min. 28 sec. East,
to a point.

Thence on a curve to the right from tangent bearing North 63 deg. 18 min. 42
sec. East, with radius of 15 feet, for a distance of forty-one and fifty-hundredths
feet (41.50') more or less to a point on the northerly line of County road No. 818
which is the point of beginning.

Being a portion of the East one half of Section 9 of Township 3 South, Range
1 West, Mount Diablo Base and Meridian, in the County of Alameda, State of California.

IN WITNESS WHEREOF, the parties hereto have executed this instrument.

(Corporate Seal) Coast Manufacturing and
Supply Company, Incorporated 1903

COAST MANUFACTURING AND SUPPLY COMPANY
Thos. W. Morris, President
L. M. Stonking, Secretary
STANDARD OIL COMPANY OF CALIFORNIA
By W. J. Watson, Attorney in fact.

State of California,)

County of Alameda.)ss. On this 13th day of April in the year of our Lord one Thou. and nine Hundred and 45 before me J. McGuire, a Notary Public in and for said County and State, residing therein, duly commissioned and sworn, personally appeared (Thos. S. Morris, known to me to be the President and J. W. Stoneman known to me to be the Secretary of the Corporation that executed the within instrument, and acknowledged to me that such Corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, at my office in the County and State aforesaid, the day and year in this certificate first above written.

(Notarial Seal) Notary Public
Alameda County, California
State of California)

J. McGuire, Notary Public in and for said County
of Alameda, State of California.

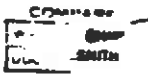
City and County of San Francisco. On this 7th day of June, in the year 1945, before me, the undersigned, a Notary Public in and for said City and County and State, personally appeared W. G. Watson, known to me to be the person whose name is subscribed to the within instrument as attorney in fact of Standard Oil Company of California, a corporation, and acknowledged to me that he subscribed the name of said corporation thereto as principal, and his own name as attorney in fact.

(Notarial Seal) Frank L. Owen
Notary Public, City & County of
San Francisco, Calif.

Frank L. Owen, Notary Public in and for the City and
County of San Francisco, State of California.

My commission expires Nov. 22, 1945

RECORDED at request of Lessee At 41 Min. Past 10 A.M. JUN 26 1945
SS 40181 1.50 11 F



[Signature]
COUNTY RECORDER

Copied Aug 9 1945 R. Laurento

REVOCATION OF POWER OF ATTORNEY

THAT WHEREAS, I, Malcolm McGregor Champlin, also known as Malcolm M. Champlin also known as Malcolm Moss Champlin, did, by instrument dated August 19th, 1942, constitute and appoint John A. Wilson my true and lawful attorney in fact, which said document was acknowledged by me on the 19th day of August, 1942 before Harold L. Robison, Consul of the United States of America, in the City of Brisbane, State of Queensland, Commonwealth of Australia, and which Power of Attorney was recorded in the office of the County recorder of the County of San Joaquin, State of California, on September 6, 1942, in Book of Official records, Vol. 781, page 470, San Joaquin County records, and in the office of the County recorder of the County of Alameda, State of California, on September 10, 1942, in Liber 4264, page 251, official records of Alameda County, California;

NOW THEREFORE, I, the said Malcolm McGregor Champlin have revoked, countermanded, annulled and made void, and by these presents do countermand, annul and make void the said Power of Attorney, thereby given or intended to be given to the said John A. Wilson.

IN WITNESS WHEREOF, I have hereunto set my hand this 13th day of June, 1945.

Malcolm McGregor Champlin, Also known as
Malcolm M. Champlin, and also known as
Malcolm Moss Champlin.

STATE OF CALIFORNIA,)

COUNTY OF SAN JOAQUIN.)ss On this 13th day of June, in the year one thousand nine hundred and forty five, before me, I. A. McCall, a Notary Public, in and for said County and State, residing therein, duly-commissioned and qualified, personally appeared MALCOLM MCGREGOR CHAMPLIN, also known as Malcolm M. Champlin, and also known as Malcolm Moss Champlin, known to me to be the person described in, and whose name is subscribed to the within instrument, and he acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal at my office in the County of San Joaquin, the day and year in this certificate herein first above written.

(Notarial Seal) Notary Public
San Joaquin County, Cal.
My Commission Expires June 14, 1946.

I A McCall, Notary Public, in and for the County
of San Joaquin, State of California.

Recorded at request of Louttit, Harwood & Louttit JUN 13 1945 at 41 min. past 12 o'clock P.M.,
in Book of Official records Vol. 909 page 272 San Joaquin County records.

12991 Fees: \$1.20

John D. Finney, recorder LEX

RECORDED at request of J. A. Wilson At 42 Min. Past 10 A.M. JUN 26 1945

SS 40181 1.50 11 F



[Signature]

RECORDED AT REQUEST OF
Western Title Guaranty Co.
A.Y.A.M.

JUL - 7 1970

OFFICIAL RECORDS OF
ALAMEDA COUNTY, CALIFORNIA
JACK G. BLUE
COUNTY RECORDER

1046
of Calif
Inc.
San Francisco
4-1014

70-71353

7362 34 A

LOAN

360

3-26

THIS INSTRUMENT, dated May 10, 1970 by and between DALE E. HANSEN and HELEN E. HANSEN, his wife, hereinafter called "Lessor," and SHERRILL GIL CROMBIE OF OAKLAND, hereinafter called "Lessee,"

WITNESSETH:

That for the term and upon the terms and conditions set forth in that certain written lease agreement, bearing date April 1, 1969, and Lease Modification Agreement of even date herewith, between Lessor and Lessee, all of which terms and conditions are hereby made a part hereof, as fully and completely as if herein specifically set out in full, Lessor has leased, demised and let, and does hereby lease, demise and let, unto Lessee, the following described real property, situate, lying and being in the Township of Murray, County of Alameda, State of California, more particularly described as follows, to-wit:

Commencing at the point of intersection of the northwesterly line of County Road No. 618, otherwise known as the County Road from Livermore to Stockton, with the westerly line of that certain right of way of Public Highway conveyed by Lydia J. Crane to the County of Alameda by deed dated March 10, 1924 and recorded March 17, 1924 in Volume 2840 of Books, page 130, said point being distant S 11° 15' 22" E 82.47 feet from Station 6702 plus 96.44 P.O.C. on the centerline of Extension of State Highway between Greenville and Livermore. Thence from said point of commencement along said northwesterly line of County Road No. 618, S 58° 37' 45" E a distance of 46.63 feet to the point of beginning.

Thence from said point of beginning S 58° 30' 45" W 220.00 feet, thence S 31° 29' 15" W 128.78 feet to a point on the westerly right of way line, County Road No. 6013, formerly California State Highway as widened (100 feet wide) said point being on a curve concave to the north, the tangent of said curve at said point bears S 89° 47' 30" E, thence along the arc of said curve 226.99 feet through a central angle of 6° 00' 35" and having a radius of 2070 feet to a point of intersection with a curve concave to the north, a tangent of said curve bears S 89° 37' 25" E, thence along the arc of said curve 99.10 feet through a central angle of 6° 50' 26" and having a radius of 830 feet to a point of intersection with a curve concave to the west, a tangent of said curve bears S 27° 55' 09" E, thence along the arc of said curve 22.63 feet through a central angle of 86° 25' 54" and having a radius of 15 feet to the point of beginning of this description.

The lease referred to herein terminates and supersedes that certain lease affecting the above described real property, now operative between the

RECORDING INSTRUMENT
LEGALITY AND CORRECTNESS OF THE COPY
UPON THE ORIGINAL IN A PORTION OF THE
COUNTY RECORDS

parties hereto dated May 1, 1965, an instrument of which was recorded September 8, 1965 in Book 1993, Page 361 of Official Records, County of Alameda, State of California.

IN WITNESS WHEREOF, the parties have executed this instrument.

Ralph B. Pahlmeyer
 Ralph B. Pahlmeyer, Lessor
Helen E. Pahlmeyer
 Helen E. Pahlmeyer, Lessor
Ralph B. Pahlmeyer
 Ralph B. Pahlmeyer, Lessor
 attorney in fact
 HAROLD K. FRIEDMAN, Lessor
H. K. Friedman
 Attorney in Fact

10-7-353

10-7-353

10-7-353

STATE OF CALIFORNIA }
COUNTY OF ALAMEDA } ss.

On this 28th day of May, 1970, before me, HAROLD K. FRIEDMAN, a Notary Public in and for said County and State, residing therein, duly commissioned and sworn, personally appeared RALPH B. PAHLMAYER, known to me to be the person whose name is subscribed to the within instrument as the Attorney-in-Fact of HELEN E. PAHLMAYER, and acknowledged to me that he subscribed the name of HELEN E. PAHLMAYER thereto as principal, and his own name as Attorney-in-Fact.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Official Seal, the day and year in this certificate first above written.

Harold K. Friedman
HAROLD K. FRIEDMAN



2. LEASES AND MISCELLANEOUS

1. LEASE:

RECORDED: 06-26-1945
 LESSOR: Coast Manufacturing & Supply Company
 LESSEE: Standard Oil Company
 INSTRUMENT: Bk 4723, Pg 286

2. LEASE:

RECORDED: 09-08-1965
 LESSOR: Coast Manufacturing & Supply Company
 LESSEE: Standard Oil Company
 INSTRUMENT: Bk 1593, Pg 361

3. No environmental liens were found of record.

Project No. N99-1692

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



SENT
6-14-04
ENVIRONMENTAL HEALTH SERVICES
ENVIRONMENTAL PROTECTION
1131 Harbor Bay Parkway, Suite 250
Alameda, CA 94502-6577
(510) 567-6700
FAX (510) 337-9335

June 10, 2004

Mr. Bruce H. Qvale
First Street LLC
3800 1st St.
Livermore, CA 94551

Subject: Fuel Leak Case No. RO2611
Livermore Honda
3884 1st St.
Livermore, California

Dear Mr. Qvale:

Alameda County Environmental Health (ACEH) staff have reviewed your February 18, 2004 *Request for Agency Consultation* (and the reports enclosed therewith) for the above-referenced site. Geomatrix Consultants, Inc. (Geomatrix) prepared the request on your behalf and stated that the site should qualify for "a no further action status under a low risk soil scenario." In addition and at your request, ACEH staff met with Geomatrix and representatives of First Street LLC on May 6, 2004, and reviewed the following documents:

- Geomatrix's *Summary of Site Information* submitted on May 6, 2004;
- Chain of title and lease agreement documents submitted electronically on May 11 and 12, 2004; and
- Historical aerial photographs of the site for the years 1957, 1959, 1966, 1973, 1978, 1980, 1984 submitted by Geomatrix on May 24, 2004.

ACEH has listed this case in our database of fuel leak sites, and sent Notice of Responsibility to First Street LLC. Please review the following technical comments and submit the requested report following the schedule below.

BACKGROUND INFORMATION

The site overlies a sensitive drinking water aquifer. No active, permitted drinking water wells have been located within 1/4-mile of the site; however, there is existing beneficial use of the underlying Livermore Valley groundwater basin (DWR No. 2-10) and the potential presence of improperly abandoned wells and other vertical conduits has not been evaluated. Currently the site is paved and is used as a car sales lot. The property is in the midst of a transaction, and redevelopment including a change of site use may be contemplated.

According to the documents submitted to ACEH, Coast Manufacturing & Supply Company purchased the site in 1917, and leased the property to Standard Oil Company in 1945 and again in 1965. Wells Fargo Bank purchased the site in 1967. The aerial photographs provided by Geomatrix suggest that an automotive service station was operated at the site between at least 1957 and 1969. The 1973 photograph submitted by Geomatrix shows an apparent change in the site development configuration. Based on City of Livermore records, Geomatrix states that Standard Oil occupied the site from 1967 until at least 1975.

To evaluate the potential presence of subsurface UST system components and to evaluate the associated environmental concern, Tom Edwards & Associates (TEA) performed a subsurface investigation of the site in December 1999. TEA's investigation included a geophysical survey to identify possible UST, former UST pit, and subsurface piping locations. Based on the geophysical survey results, TEA drilled six soil borings to 20 ft bgs at the site and analyzed soil samples for petroleum hydrocarbons. Results from this work detected up to 40,000 mg/kg TRPH, 39,000 TPHmo, 280 mg/kg TPHg, 0.03 mg/kg benzene, 0.62 mg/kg toluene, 0.62 mg/kg ethylbenzene, and 6.8 mg/kg xylenes in site soil. Geomatrix states that the petroleum impacted soil is limited vertically. According to TEA's December 1999 *Preliminary Subsurface Investigation Report*, the geophysical survey identified six possible UST or former UST pit locations and an associated 20-ft long piping run. The December 1999 investigation included four borings in potential former or current UST locations and one boring in a potential 20-ft long piping run location. No USTs or piping were encountered during drilling.

RESPONSE TO RP DESIGNATION REQUEST

Geomatrix has requested that Alameda County name Standard Oil as a responsible party for the identified contamination. ACEH staff have considered this request and have the following concerns:

- No documentation has been provided indicating the location of the detected subsurface contamination in relation to the former site UST system or other features of the former service station. A map of the geophysical survey results with superimposed sampling locations was not submitted. Furthermore, the data presented to the County indicates that the highest soil impact is at 5 ft bgs in boring B-2 and that concentrations decrease with depth. This concentration pattern is not consistent with typical UST releases where concentrations are typically highest beneath the USTs (at least 8 ft bgs).
- The Preliminary ESA performed in 1999 did not rule out other potential sources of petroleum hydrocarbons that could have contributed to or been the source of the impacts detected in site soil. In particular, the Golder 1999 report states, "The nature of operations conducted by Coast Manufacturing and Supply Company on the subject property is unknown." Also the 1973 aerial photograph appears to suggest redevelopment of the service station prior to paving and use as a car sales lot.

Accordingly, there is insufficient information at this time for ACEH to name Standard Oil Company (currently ChevronTexaco) as a responsible party for the site. Please note that this finding also requires that ACEH reconsider placement of the case in the Local Oversight Program (LOP). ACEH will notify you once we have transferred your case to our Toxics Program.

TECHNICAL COMMENTS

Site Characterization

In order to consider a site for case closure under a low risk soil scenario, ACEH requires that soil contamination be defined. At your site, the source of petroleum hydrocarbons needs to be identified, the vertical and horizontal extent of petroleum hydrocarbons need to be defined, and the potential for the site to impact groundwater needs to be evaluated. If you conclude that the former service station was the source of the reported petroleum hydrocarbons, all areas of the site susceptible to impact from the various components of the former UST system should be addressed (including former UST, piping and dispenser locations). Please include your site

conceptual model as background information supporting your proposed scope of work. Please submit a Work Plan describing your proposed investigation by the date specified below.

Well Survey

ACEH requests that you locate all wells (monitoring and production wells: active, inactive, standby, decommissioned, abandoned and dewatering, drainage and cathodic protection wells) within a 1/4-mile radius of the subject site. 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 recommend that you obtain well information from both Zone 7 Water Agency and the State of California Department of Water Resources, at a minimum. Please include an analysis and interpretation of your findings, and report your results in the work plan requested below.

Professional Certification and Cover Letters

Please note that 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. In addition, all work plans and technical reports submitted to this office must be accompanied by a cover letter from the responsible party that states the following: "I declare under penalty of perjury, that the information and/or recommendations contained in the attached proposal 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.

REPORT SUBMITTAL

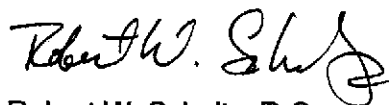
We request that you submit a **Work Plan** for additional subsurface investigation by **July 21, 2004**. ACEH requests this report pursuant to the Regional Water Quality Control Board's authority under Section 13267 of the California Water Code.

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 County District Attorney or other appropriate agency, for enforcement. Enforcement 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.

Please call me at (510) 567-6719 with any questions regarding this case.

Sincerely,



Robert W. Schultz, R.G.
Hazardous Materials Specialist

Cc: Sandi Nichols, Stoel Rives, LLP, 111 Sutter St., Ste. 700, San Francisco, CA 94104
Susan Gallardo, Geomatrix Consultants, Inc., 2101 Webster St., 12th Floor, Oakland, CA 94612
Matt Katen, Zone 7 Water District, 5997 Parkside Drive, Pleasanton, CA 94588
Karen Streich, ChevronTexaco, P.O. Box 6012 San Ramon, CA 94583-2324

Alameda County

April 27, 2004

APR 29 2004

Environmental Health

Ms. Donna Drogos
Supervising Hazardous Materials Specialist
Alameda County Health Care Services
1131 Harbor Bay Parkway, Suite 250
Alameda, CA 94502-6577

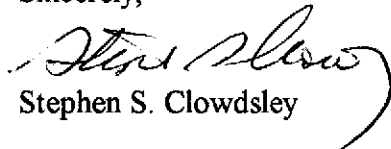
Re: Livermore Honda 3800 1st Street, Livermore, CA 94551
Landowner Notification and Participation Agreements

Dear Ms. Drogos:

Enclosed please find the two (2) executed certificates in regards to the above-referenced property as requested in your letter dated April 1, 2004. These notices were prepared in accordance with the sample "list of landowners" and "notice of proposed action submitted to local agency" forms.

If you have any questions, please don't hesitate to call me at (925) 939-7229.

Sincerely,


Stephen S. Clowdsley

Ms. Donna Drogos
Supervising Hazardous Materials Specialist
Alameda County Health Care Services
1131 Harbor Bay Parkway, Suite 250
Alameda, CA 94502-6577

Subject: Certified List of Record Fee Title Owners
Livermore Honda, 3800 First Street, Livermore, California 94551

Dear Ms. Drogos:

In accordance with Section 25297.15(a) of Chapter 6.7 of the Health & Safety Code, I,
First Street, LLC, certify that I am the sole landowner for the above site.

Sincerely,

First Street, LLC

By:



Bruce H. Qvale, Member

Ms. Donna Drogos
Supervising Hazardous Materials Specialist
Alameda County Health Care Services
1131 Harbor Bay Parkway, Suite 250
Alameda, CA 94502-6577

Subject: Notice of Proposed Action Submitted to Local Agency
Livermore Honda, 3800 First Street, Livermore, California 94551

Dear Ms. Drogos:

In accordance with Section 25297.15(a) of Chapter 6.7 of the Health & Safety Code, I, **First Street, LLC**, 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 closure letter

Sincerely,

First Street, LLC

By:



Bruce H. Qvale, Member

Drogos, Donna, Env. Health

From: Drogos, Donna, Env. Health
Sent: Friday, April 16, 2004 3:23 PM
To: 'sgallardo@geomatrix.com'
Subject: RO2611 - meeting on 4/29

Hi Susan,

I have a room reserved for our meeting on 4/29 from 2-3p. See you then.
Do you need directions to my office?

Donna

4/16/2004

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



2020 11

April 1, 2004
RO0002611

Mr. Don Endo
First Street LLC
3800 1st St.
Livermore, CA 94551

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

RE: Livermore Honda, 3800 1st Street, Livermore, California 94551

LANDOWNER NOTIFICATION AND PARTICIPATION REQUIREMENTS

Dear Mr. Endo:

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, First Street LLC, c/o yourself, has 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. In addition, our office is considering your request for site closure. Please also complete and submit a "notice of proposed action submitted to local agency" form. You may use sample letter 3, enclosed.

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: 3800 1st Street, Livermore, CA 94551

April 1, 2004

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) 567-6721 should you have any questions about the content of this letter.

Sincerely,



Donna Drogos
Supervising Hazardous Materials Specialist

Attachments

cc: Betty Graham, RWQCB

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

COM No.	REMOTE STATION	START TIME	DURATION	PAGES	RESULT	USER ID	REMARKS
550	510 663 4141	03-29 18:52	00' 47"	02/02	OK		

7499402046

03/29/04 MON 17:55 FAX 510 663 4141

GEOMATRIX OAKLAND

001



FAX

from **Geomatrix Consultants, Inc.**
2101 Webster Street, 12th Floor, Oakland, CA 94612
www.geomatrix.com

Date: March 29, 2004

Number of pages including cover sheet: 2

The information in this telecopy is intended for the named recipient(s) only. It may contain privileged and confidential matter. If you have received this telecopy in error, please notify the sender immediately. Thank you.

To: **Donna Drogos**
Alameda County Environmental Health

From: **Charles Dowman**

Fax Phone: 510-337-9335
Phone: 510-567-6700
cc: _____

Fax Phone: 510-663-4141
Phone: 510-863-4100
Direct dial: 510-663-4219
Email: cdowman@geomatrix.com
Project No.: 9538.000
Project Name: Livermore Honda Dealership

REMARKS:

- Hard copy to follow Urgent For your review Reply ASAP Please comment

Hello Donna,

Enclosed is the well report release agreement for access to Department of Water Resources records regarding production wells within a 1/4 mile radius from 3800 1st Street in Livermore, California. Ann Roth was able to send me a copy of the form. Please contact me if you have any questions.

Thanks for your assistance,

Charles

ALL



FAX

from **Geomatrix Consultants, Inc.**
2101 Webster Street, 12th Floor, Oakland, CA 94612
www.geomatrix.com

The information in this telecopy is intended for the named recipient(s) only. It may contain privileged and confidential matter. If you have received this telecopy in error, please notify the sender immediately. Thank you.

Date: March 29, 2004

Number of pages including cover sheet: 2

To: Donna Drogos
Alameda County Environmental Health

From: Charles Dowman

Fax Phone: 510-337-9335

Fax Phone: 510-663-4141

Phone: 510-567-6700

Phone: 510-663-4100

cc:

Direct dial: 510-663-4219

Email: cdowman@geomatrix.com

Project No.: 9538,000

Project Name: Livermore Honda Dealership

REMARKS:

- Hard copy to follow
- Urgent
- For your review
- Reply ASAP
- Please comment

Hello Donna,

Enclosed is the well report release agreement for access to Department of Water Resources records regarding production wells within a ¼ mile radius from 3800 1st Street in Livermore, California. Ann Roth was able to send me a copy of the form. Please contact me if you have any questions,

Thanks for your assistance,

Charles
Charles Dowman

CHARLES, CAN IF YOU ARE UNCLEAR RE: INFO NEEDED & CONSIDERATIONS RE: WELL SURVEYS

Donna

STATE OF CALIFORNIA - THE RESOURCES AGENCY

GRAY DAVIS, Governor

DEPARTMENT OF WATER RESOURCES

CENTRAL DISTRICT
3251 S Street
Sacramento, CA 95815
(916) 227-7632
(916) 227-7800 (Fax)

NORTHERN DISTRICT
2440 Main Street
Red Bluff, CA 96080
(530) 928-7300
(530) 528-7322 (Fax)

SAN JOAQUIN DISTRICT
3374 East Shields Avenue
Fresno, CA 93726
(559) 230-3300
(559) 230-3301 (Fax)

SOUTHERN DISTRICT
770 Fairmont Avenue
Glendale, CA 91203
(818) 543-4600
(818) 543-4804 (Fax)

WELL COMPLETION REPORT RELEASE AGREEMENT--AGENCY
(Government and Regulatory Agencies and their Authorized Agents)

Project/Contract No. 9538 County Alameda

Township, Range, and Section Coordinates [37:41:22N(37.68), 121:45:22W(-121.75)] Radius (3/4 mile)
(Must include entire study area and a map that shows the area of interest)

Under California Water Code Section 13752, the agency named below requests permission from Department of Water Resources to inspect or copy, or for our authorized agent named below to inspect or copy, Well Completion Reports filed pursuant to Section 13751 to (check one):

Make a study, or,

Perform an environmental cleanup study associated with an unauthorized release of a contaminant within a distance of 2 miles.

In accordance with Section 13752, information obtained from these reports shall be kept confidential and shall not be disseminated, published, or made available for inspection by the public without written authorization from the owner(s) of the well(s). The information shall be used only for the purpose of conducting the study. Copies obtained shall be stamped CONFIDENTIAL and shall be kept in a restricted file accessible only to agency staff or the authorized agent.

Geomatrix Consultants, Inc.
Authorized Agent

2101 Webster St. 12TH Floor
Address

OAKLAND, CA 94612
City, State, and Zip Code

Signature [Signature]

Title Staff Geologist

Telephone (510) 663-4219

Fax (510) 663-4141

Date 3/29/04

E-mail GDOWNA@geomatrix.com

Alameda County Department of Environmental Health
Government or Regulatory Agency

1131 Harbor Bay Parkway
Address

Alameda, CA 94502
City, State, and Zip Code

Signature [Signature]

Title Supervisor IHMS

Telephone (510) 567-6721

Fax (510) 337-9335

Date 3/29/04

E-mail donna.drogos@acgov.org

6 June 2001

2101 Webster Street
12th Floor
Oakland, CA 94612
(510) 663-4100 • FAX (510) 663-4141

Ro 2611



Alameda County

FEB 18 2004

Environmental Health

February 18, 2004
Project 9538.000.0

Ms. Donna Drogos
Alameda County Health Care Services Agency
Department of Environmental Health
1131 Harbor Bay Parkway
Alameda, California 94502

Subject: Request for Agency Consultation
3884 3800 First Street Property
Livermore, California 94550

Dear Ms. Drogos:

Pursuant to our telephone conversation last week, Geomatrix Consultants, Inc. (Geomatrix) is submitting environmental information generated for the 3800 First Street property (the site) on behalf of our client, First Street LLC, the current owner of the property. As we discussed, the site previously was under the oversight of the Alameda County Health Care Services Agency (ACHCSA), Case Designation StID 2937, for groundwater monitoring to evaluate potential petroleum impacts from three former underground storage tanks (USTs). Site closure relative to the USTs was authorized by ACHCSA in June 1995. With this information submittal, we are requesting an opportunity to meet with ACHSCA to discuss other petroleum impacts at the site that are unrelated to the former USTs, and what, if any, additional activities may be necessary in order to obtain a "no further action" status for the site under a low risk soil scenario.

By way of background for this request, the site currently is used as a car dealership. A preliminary environmental site assessment (ESA) for the site was conducted for a third party (lender) in 1999. A finding of the ESA was that Standard Oil occupied an approximate 0.5-acre, triangular portion of the eastern area of the site for use as a service station prior to the use of the site as a car dealership. The chain-of-title indicates that Standard Oil leased the property from Coast Manufacturing and Supply Company from 1945 to 1967, and City of Livermore records indicate that Standard Oil occupied the site from 1967 until at least 1975. Car dealerships have been present at the site since 1979 (the ESA report does not report occupancy or ownership during the time frame between 1975 and 1979).

In late 1999, an investigation of the area previously occupied by Standard Oil was conducted. This investigation included a geophysical survey and collection of soil samples from six borings to evaluate potential impacts in areas where subsurface geophysical anomalies were noted. The subsurface anomalies were reported as possible USTs, UST graves, and subsurface piping, although upon investigation, no USTs or piping were found. The

FEB 18 2004

Ms. Donna Drogos
Alameda County Health Care Services Agency
Department of Environmental Health
February 18, 2004
Page 2

Environmental Health

analytical results of the program indicate that elevated concentrations of petroleum hydrocarbons quantified against a motor oil standard (TPHmo) were present in samples from one boring (B-2) at depths of 5 and 10 feet below ground surface (bgs). No petroleum was detected in samples collected at 15 and 20 feet bgs in this boring. An elevated detection of TPHmo also was reported in a 10-foot sample from boring B-3, but was present at significantly lower concentrations in the 15- and 20-foot samples from this boring.

We believe that this site qualifies for a no further action status under a low risk soil scenario for the following major reasons:

- The detected petroleum is primarily in the motor oil range, which is relatively immobile and insoluble. Volatile, aromatic constituents, where detected, were at low concentrations.
- Petroleum impacted soil is limited vertically based on analytical testing results.
- Depth to groundwater at the site was documented during quarterly monitoring in 1993 and 1994 as ranging between 40 and 65 feet bgs; based on these depths, the separation between petroleum-impacted soil and groundwater is a minimum of 25 feet.
- The stratigraphy in the eastern area of the site, where petroleum-impacted soil has been detected, is characterized as "silty, sandy, gravelly" fill to depths ranging between 4 and 7 feet bgs. This unit is underlain by clay and silty clay to 20 feet bgs, the maximum depth of the borings. In the western area of the site near the former car dealership USTs, soil is characterized in the upper 10 to 15 feet as sandy gravelly clay. The sandy gravelly clay is underlain by sandy and silty clay to 65 feet bgs, the maximum depth of the borings. The high clay content of the soil at the site provides a natural barrier to downward migration.
- The log for boring B2, the location where the highest concentrations of petroleum have been detected, documents the clayey soil color as greenish-gray, whereas the color of clayey soil in other borings is documented as yellowish brown. This discoloration suggests that natural biodegradation is occurring at this location.

As I mentioned during our conversation, this site currently is in the midst of a transaction. We would therefore appreciate meeting with you as soon as possible to discuss the regulatory status of this site and potential agency requirements to move this site towards a low risk

FEB 18 2004

Ms. Donna Drogos
Alameda County Health Care Services Agency
Department of Environmental Health
February 18, 2004
Page 3

Environmental Health

closure. We greatly appreciate your attention to this site. Please feel free to call me if I can be of assistance to facilitate your review.

Sincerely yours,
GEOMATRIX CONSULTANTS, INC.



Susan M. Gallardo, P.E.
Principal Engineer

SMG/ldu

Enclosures: (see attached list)

Ms. Donna Drogos
Alameda County Health Care Services Agency
Department of Environmental Health
February 18, 2004
Page 4

LIST OF DOCUMENTS:

Alameda County Health Care Services Agency, Department of Environmental Health,
Hazardous Material Division, 1995, Remedial Action Completion Certification, StID
2937 – 3800 First Street, Livermore 94550, June 14.

Golder Associates Inc., 1999, Preliminary Environmental Site Assessment Report, Livermore
Honda, Audi, Subaru Dealership, 3800 First Street, Livermore, California 94550,
Prepared for Primus Financial Services, Inc., Prepared by Golder Associates Inc. (on
behalf of GCS Contracting), October 8.

Soil Tech Engineering, Inc., 1993, Preliminary Soil and Groundwater Assessment in the
Vicinity of Former Underground Tanks for Livermore Honda, Located at 3800 First
Street, Livermore, California, Prepared for Mr. Edwin Spencer, Prepared by, Soil Tech
Engineering, Inc., August 16.

Soil Tech Engineering, Inc., 1993, Quarterly Groundwater Monitoring and Sampling at the
Property, Located at 3800 First Street, Livermore, California, Prepared for Mr. Edwin
Spencer, Prepared by, Soil Tech Engineering, Inc., December 21.

Soil Tech Engineering, Inc., 1994, Quarterly Groundwater Monitoring and Sampling for the
Property, Located at 3800 First Street, Livermore, California, Prepared for Mr. Edwin
Spencer, Prepared by, Soil Tech Engineering, Inc., March 9.

Soil Tech Engineering, Inc., 1994, Quarterly Groundwater Monitoring and Sampling at the
Property, Located at 3800 First Street, Livermore, California, Prepared for Mr. Edwin
Spencer, Prepared by, Soil Tech Engineering, Inc., August 5.

Tom Edwards & Associates, Environmental Consulting Engineer, 1999, Aerial Photograph
Review for 3800 First Street, Livermore, October 21.

Tom Edwards & Associates, Environmental Consulting Engineer, 1999, Preliminary
Subsurface Investigation Report, Livermore Honda Dealership Used Car Lot, 3800
First Street, Livermore, December.

Tom Edwards & Associates

Environmental Consulting

Telephone (510) 724-3121

2243 Del Monte Drive
San Pablo, California 94806

Fax (510) 724-3157

October 21, 1999

Alameda County

FEB 18 2004

TEA Proj. # 42299

Mr. John Tregenza
FIRST REPUBLIC BANK
111 Pine Street
San Francisco, California 94111

Environmental Health

SUBJECT: AERIAL PHOTOGRAPH REVIEW FOR 3800 FIRST STREET, LIVERMORE

Dear Mr. Tregenza:

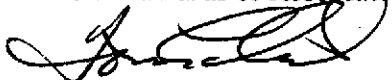
In our letter dated October 13, 1999, we suggested that a more thorough aerial photograph review may reveal that the Standard Oil service station was located at the rear of the property. This would have concluded that the subsurface investigation following the tank removal in 1995 may have environmentally cleared the site. Unfortunately, our review of five photographs from 1950 through 1978 revealed the station occupied the southeastern most boundaries of the property. This area was not a part of the 1995 investigation. Additionally, research by Golder Associates revealed no documentation that the subsurface tanks had been removed and that contamination did not exist.

In light of this information, we are recommending a subsurface survey for underground tanks and piping and sampling of soils and groundwater to clear the property of contamination resulting from the former service station.

Golder Associates Inc. performed the Phase I assessment and would be most knowledgeable of the site to perform the Phase II investigation. Also, during the investigation Golder may gather sufficient information concerning the oil water separator to clear it as an environmental concern. If Golder is not retained to perform the work, we would recommend obtaining three competitive bids for the work by reputable companies.

If you should have any questions or comments concerning this letter, please contact me at your convenience.

Respectfully Submitted,
Tom Edwards & Associates



Tom Edwards, REA #2645

Attachment: Aerial photographs

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



RAFAT A. SHAHID, Assistant Agency Director

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

REMEDIAL ACTION COMPLETION CERTIFICATION

StID 2937 - 3800 1st Street, Livermore 94550

June 14, 1995

Mr. Edwin Spencer
880 Columbine Ct
Danville, CA 94526

Dear Mr. Spencer:

This letter confirms the completion of site investigation and remedial action for the three former underground storage tanks (a 550 and a 2,000 gallon gasoline tank, and a 550 waste oil tank) removed from the above site on December 22, 1992.

Based upon the available information and with the provision that the information provided to this agency was accurate and representative of site conditions, no further action related to the underground tank release is required.

This notice is issued pursuant to a regulation contained in Title 23, Division 3, Chapter 16, Section 2721(e) of the California Code of Regulations. Please contact Ms. Eva Chu at (510) 567-6700 if you have any questions regarding this matter.

Very truly yours,

Rafat A. Shahid, Director

cc: Chief, Division of Environmental Protection
Kevin Graves, RWQCB
Mike Harper, SWRCB (with attachment)
files (honda1.6)

JUN 0 2 1995 KG

CASE CLOSURE SUMMARY **QUALITY CONTROL BOARD**
Leaking Underground Fuel Storage Tank Program

I. AGENCY INFORMATION

Date: April 11, 1995

Agency name: Alameda County-HazMat Address: 1131 Harbor Bay Pkwy
City/State/Zip: Alameda, CA 94502 Phone: (510) 567-6700
Responsible staff person: Eva Chu Title: Hazardous Materials Spec.

II. CASE INFORMATION

Site facility name: Livermore Honda
Site facility address: 3800 1st Street, Livermore 94550
RB LUSTIS Case No: N/A Local Case No./LOP Case No.: 2937
URF filing date: 7/22/93 SWEEPS No: N/A

<u>Responsible Parties:</u>	<u>Addresses:</u>	<u>Phone Numbers:</u>
Edwin Spencer	880 Columbine Ct Danville 94526	(510) 837-6204

<u>Tank No:</u>	<u>Size in gal.:</u>	<u>Contents:</u>	<u>Closed in-place or removed?:</u>	<u>Date:</u>
1	550	Gasoline	Removed	12/22/92
2	550	Waste Oil	Removed	12/22/92
3	2,000	Gasoline	Removed	12/22/92

III. RELEASE AND SITE CHARACTERIZATION INFORMATION

Cause and type of release: Possible overfilling of USTs
Site characterization complete? YES
Date approved by oversight agency: 10/7/94
Monitoring Wells installed? Yes Number: 3
Proper screened interval? Yes, downgradient well screened from 40-65'
Highest GW depth below ground surface: 45.69' Lowest depth: 48.58' (MW-3)
Flow direction: S, SW
Most sensitive current use: Drinking water
Are drinking water wells affected? No Aquifer name:
Is surface water affected? No Nearest affected SW name:
Off-site beneficial use impacts (addresses/locations): None

Report(s) on file? YES Where is report(s) filed? Alameda County
1131 Harbor Bay Pkwy
Alameda, CA 94502

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AGENCY
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Treatment and Disposal of Affected Material:

<u>Material</u>	<u>Amount (include units)</u>	<u>Action (Treatment or Disposal w/destination)</u>	<u>Date</u>
Tank Piping Free Product	3 USTs	Erickson, Richmond CA	12/22/92
Soil Groundwater Barrels	120 cy	City of Mountain View L. F.	9/30/93

Maximum Documented Contaminant Concentrations - - Before and After Cleanup

Contaminant	Soil (ppm)		Water (ppb)	
	Before	After	Before	After
TPH (Gas)	98	ND	ND	ND
TPH (Diesel)	1.6	ND	ND	ND
Benzene	.03	ND	ND	ND
Toluene	.15	ND	ND	ND
Ethylbenzene	.17	ND	ND	1.0
Xylenes	.47	ND	ND	4.0
Oil & Grease	95	ND	ND	ND
Heavy metals Cd Cr Pb Ni Zn	1.0, 25,	11, 42, 43		
Other Cl-HC	ND	ND	ND	ND

Comments (Depth of Remediation, etc.):

Initial soil samples collected at the time of UST removal exhibited up to 98ppm TPH-G, 95ppm total oil and grease (TOG) and low levels of BTEX. The pit was overexcavated where four sidewall samples and one pit bottom sample collected did not detect contaminants sought.

IV. CLOSURE

Does completed corrective action protect existing beneficial uses per the Regional Board Basin Plan? **YES**
 Does completed corrective action protect potential beneficial uses per the Regional Board Basin Plan? **YES**
 Does corrective action protect public health for current land use? **YES**
 Site management requirements: **None**

Should corrective action be reviewed if land use changes? **YES**
 Monitoring wells Decommissioned: **None, pending site closure**
 Number Decommissioned: **0** Number Retained: **3**
 List enforcement actions taken: **NA**
 List enforcement actions rescinded: **NA**

V. LOCAL AGENCY REPRESENTATIVE DATA

Name: Eva Chu Title: Haz Mat Specialist

Signature: *Eva Chu* Date: 5/26/95

Reviewed by

Name: Juliet Shin Title: Sr. Haz Mat Specialist

Signature: *Juliet Shin* Date: 4/11/95

Name: Barney Chan Title: Haz Mat Specialist

Signature: *Barney Chan* Date: 5/26/95

VI. RWQCB NOTIFICATION

Date Submitted to RB: 5/26/95

RB Response: *Approved*

RWQCB Staff Name: Kevin Graves

Title: AWRCE

Signature: *Kevin Graves*

Date: 6/6/95

VII. ADDITIONAL COMMENTS, DATA, ETC.

Three underground storage tanks (USTs) were removed in December 22, 1992. The 550 gallon gasoline UST showed signs of gasoline contamination, that is, the tar wrap was partially dissolved, soil beneath the tank was stained, and gasoline odor was noted from the pit. Water was noted beneath each tank, but was determined to be run-off water. No analysis was required of the water in the pit.

Overexcavation began on July 8, 1993 to remove additional contaminated soil. Four sidewall and one bottom pit samples collected did not detect TPH-G, BTEX, or TOG above the detection limits.

To determine if groundwater was impacted by the fuel release, four soil borings were advanced around the pit, of which three were converted into groundwater monitoring wells. Soil collected from these borings did not detect target compounds sought.

Groundwater has been sampled for four consecutive quarters, from July 1993 to August 1994. The fuel release does not appear to have impacted groundwater beneath the site.