

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



SENT
02-09-06

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

February 8, 2006

Mr. Carlos Murillo
Reliable Trucking, Inc.
5141 Commercial Circle
Concord, CA 94520-8523

Mr. Don Kahler
Jamieson Company
P.O. Box 850
Pleasanton, CA 94566

Subject: Fuel Leak Case No. RO0002634, Reliable Trucking, 51 El Charro Road, Pleasanton, CA
– Work Plan Approval

Dear Mr. Murillo and Mr. Kahler:

Alameda County Environmental Health (ACEH) staff has reviewed the case file for the above referenced site and the document entitled, "Proposed Investigation Workplan, Reliable Trucking, 51 El Charro Road, Pleasanton, California," dated January 24, 2006, prepared on your behalf by Hydro Analysis, Inc. The Work Plan proposes a scope of work to advance one soil boring to assess the vertical extent of residual soil contamination and assess the presence of any dissolved phase petroleum hydrocarbons in the first groundwater zone encountered beneath the site. ACEH concurs with the proposed scope of work.

We request that you perform the proposed work and send us the report described below.

TECHNICAL REPORT REQUEST

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

- **June 16, 2006 – Site 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

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

Mr. Carlos Murillo
Mr. Don Kahler
February 8, 2006
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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.

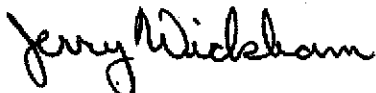
Mr. Carlos Murillo
Mr. Don Kahler
February 8, 2006
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AGENCY OVERSIGHT

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

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

Sincerely,



Jerry Wickham
Hazardous Materials Specialist

Enclosure: ACEH Electronic Report Upload (ftp) Instructions

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

Gary Aguiar
Hydro Analysis, Inc.
11100 San Pablo Avenue, Suite 200-A
El Cerrito, CA 94530

Donna Drogos, ACEH
Jerry Wickham, ACEH
File

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



SENT
11-14-05

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

November 10, 2005

Mr. Carlos Murillo
Reliable Trucking, Inc.
5141 Commercial Circle
Concord, CA 94520-8523

Mr. Don Kahler
Jamieson Company
P.O. Box 850
Pleasanton, CA 94566

Subject: Fuel Leak Case No. RO0002634, Reliable Trucking, 51 El Charro Road, Pleasanton, CA
– Request for Work Plan

Dear Mr. Murillo and Mr. Kahler:

I am the caseworker recently assigned to your case. Please send future correspondence or inquiries regarding this case to my attention. Alameda County Environmental Health (ACEH) staff has reviewed the case file for the above referenced site and the report entitled, "Certification of Underground Storage Tank Removal," dated May 12, 2004, prepared on your behalf by Hydro Analysis, Inc. The report summarizes the results from the removal of one 10,000-gallon diesel underground storage tanks (UST). Total petroleum hydrocarbons as diesel (TPHd) were detected in soil at concentrations up to 140 milligrams per kilogram (mg/kg).

The site is within the Livermore-Amador Valley, which is an area where groundwater is actively used as a drinking water supply. Groundwater within the Livermore-Amador Groundwater Basin constitutes a valuable current and future resource. Due to the location of your site within a groundwater basin where groundwater is used for drinking water, we request that you conduct an investigation to assess whether groundwater at the site has been impacted.

Please submit a work plan detailing your proposal to define the extent of soil and groundwater contamination by **January 26, 2006**. This report is being requested pursuant to the Regional Water Quality Control Board's (Regional Board) authority under Section 13267 of the California Water Code.

TECHNICAL REPORT REQUEST

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

- **January 26, 2006 – Work Plan for Site Assessment**

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

Mr. Carlos Murillo
Mr. Don Kahler
November 10, 2005
Page 2

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.

LANDOWNER NOTIFICATION REQUIREMENTS

Pursuant to California Health & Safety Code Section 25297.15, the active or primary responsible party for a fuel leak case must inform all current property owners of the site of cleanup actions or requests for closure. Furthermore, ACEH may not consider any cleanup proposals or requests

for case closure without assurance that this notification requirement has been met. Additionally, the active or primary responsible party is required to forward to ACEH a complete mailing list of all record fee title holders to the site. If you have not already submitted a list of record fee title owners in response to the Notice of Responsibility we require that you submit a complete mailing list of all record fee title owners of the site by **December 14, 2005**, which states, at a minimum, the following:

A. *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:*

- OR -

B. *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.*

(Note: Complete item A if there are multiple site landowners. If you are the sole site landowner, skip item A and complete item B.)

In the future, for you to meet these requirements when submitting cleanup proposals or requests for case closure, ACEH requires that you:

1. Notify all current record owners of fee title to the site of any cleanup proposals or requests for case closure;
2. Submit a letter to ACEH which certifies that the notification requirement in 25297.15(a) of the Health and Safety Code has been met;
3. Forward to ACEH a copy of your complete mailing list of all record fee title holders to the site; and
4. Update your mailing list of all record fee title holders, and repeat the process outlined above prior to submittal of any additional *Corrective Action Plan* or your *Request for Case Closure*.

Your written certification to ACEH (Item 2 above) must state, at a minimum, the following:

A. *In accordance with Section 25297.15(a) 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)

request for case closure

local agency intention to make a determination that no further action is required

local agency intention to issue a closure letter

- OR -

B. *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.*

Mr. Carlos Murillo
Mr. Don Kahler
November 10, 2005
Page 4

(Note: Complete item A if there are multiple site landowners. If you are the sole site landowner, skip item A and complete item B.)

UNDERGROUND STORAGE TANK CLEANUP FUND

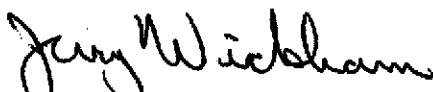
Please be aware that you may be eligible for reimbursement of the costs of investigation from the California Underground Storage Tank Cleanup Fund (Fund). In some cases, a deductible amount may apply. If you believe you meet the eligibility requirements, I strongly encourage you to call the Fund for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

AGENCY OVERSIGHT

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

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

Sincerely,



Jerry Wickham
Hazardous Materials Specialist

Enclosure: ACEH Electronic Report Upload (ftp) Instructions

cc: Colleen Winey, QIC 80201
Zone 7 Water Agency
100 North Canyons Parkway
Livermore, CA 94551

Randal Wilson
Hydro Analysis, Inc.
11100 San Pablo Avenue, Suite 200-A
El Cerrito, CA 94530

Donna Drogos, ACEH
Jerry Wickham, ACEH
File

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



07-16-01

PO2634

July 12, 2001

STID 4657 / PR0501248

Mr. Kenny Benson, Plant Manager
Vulcan Materials
P.O. Box 636
Pleasanton, CA 94566

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

NOTICE OF VIOLATION

Re: Inspection of Vulcan Materials, 50 El Charro Road., Pleasanton

Dear Mr. Benson:

A regulatory compliance inspection was performed at the subject facility on July 10, 2001. A representative of Reinholdt Engineering Construction facilitated the inspection. The purpose of the inspection was to determine compliance with conditions of the facility underground storage tank (UST) operating permit, as well as provisions of Title 23, California Code of Regulations (CCR) and California Health and Safety Code (HSC) Chapter 6.7.

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

- Dispenser #4 containment was filled with diesel fuel. The float mechanism designed to trigger the dispenser shear valve was not properly adjusted, so that the dispenser continued to operate under these conditions. Severe staining around the dispenser/island demonstrates past product releases.
- Dispenser #1 was missing, reportedly due to an impact from a loader.
- Dispenser #3 shows evidence of product release (e.g., product in float amplifier well, staining around dispenser, etc.). Shear valve was triggered upon arrival to the site by contractor.
- Liquid was evident in the float amplifier well of dispenser #5 containment, yet the shear valve was not triggered. Float chain too loose.
- Float chain in dispenser #2 containment was too loose.
- Leak Alert monitoring panel is located inside an equipment shed located proximal to the tank and dispenser area. Hence, when the system was tested, alarm conditions could not be heard unless one was inside the shed at the time. The shed door is normally closed and locked.
- Leak Alert tank monitoring system is not operating properly. Testing reveals that when the diesel tank piping sump liquid sensor is tested, the vapor channel of the monitoring panel is triggered.

Mr. Benson
Re: 50 El Charro Road
July 12, 2001
Page 2 of 4

- Gasoline tank annulus had both vapor and liquid sensors configured into the Leak Alert monitoring system. Attempts to remove the (redundant) vapor sensor rendered the monitoring system inoperative for this tank.
- Tank administrative records were not available for review at the time of the inspection. The list of unavailable documents includes, but is not necessarily limited to : *Operating Permit and Conditions, Statement of Financial Responsibility, Monitoring Procedures / Release Response Plan*; written records of all alarm conditions and their resolution, records of all maintenance performed on the tank and monitoring system(s), records documenting training of employee(s) responsible for tank monitoring and maintenance, among others possible.

Several violations of provisions of HSC have been identified, as follows:

- HSC Sec. 25293 – The operator of the underground tank system shall monitor the tank system using the method specified on the permit for the tank system. Records of monitoring,shall be kept in sufficient detail to enable the local agency to determine whether the underground tank system is in compliance with the applicable provisions of [HSC Chapter 6.7], the regulations,, and the permit issued for the operation of the tank system.

Tanks and piping were not being monitored in accordance with your permit and permit conditions. The Leak Alert system was not functioning properly. The under dispenser containment float/shut-off mechanisms were not properly adjusted, and, hence, were inoperative in many cases. Records of tank system monitoring, employee training, etc., were not available for review. Results of the annual electronic monitoring equipment operational tests were not available for review during the inspection. Results of annual mechanical line leak detector tests were not available for review during the inspection. Results of annual product piping integrity tests were not available for review during the inspection. Each item violates a condition of your permit to operate the tank system at this site.

- HSC Sec. 25294 – Any unauthorized release from the primary containment which the operator is able to clean up within 8 hours after the release was detected *or should reasonably have been detected*, and which does not escape from the secondary containment,shall be recorded on the operator's monitoring reports. [emphasis added]

The presence of accumulated product within dispenser containment, the apparent lack of documents recording this release, and the failure to cleanup the release within 8 hours after the release should reasonably have been detected is a violation of this section.

- HSC Sec. 25295(a)(1) – Any unauthorized release... [that] increases the hazard or fire or explosion... shall be reported by the operator to the local agency within 24 hours after the release had been detected *or should have been detected*. A full written report shall be transmitted to the local agency within 5 days. [emphasis added]

Product releases into the dispenser containment were neither cleaned up nor reported.

Mr. Benson
Re: 50 El Charro Road
July 12, 2001
Page 3 of 4

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

- (2) Violation of any applicable requirement of the permit
- (3) Failure to maintain records
- (6) Violation of any applicable requirements of HSC Chapter 6.7
- (7) Failure to perform any monitoring, testing, and reporting

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

- (4) Knowing failure to take reasonable and necessary steps to assure compliance with HSC Chapter 6.7 by the operator
- (5) Violation of any applicable requirement of the permit
- (6) Violation of any applicable requirements of HSC Chapter 6.7
- (7) Failure to perform any monitoring, testing, and reporting

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

- Submit plans for the installation of an external alarm annunciator. Include equipment cut-sheets.
- Submit copies of 1999 – 2001 annual electronic monitoring equipment tests and certifications
- Submit copies of 1999 – 2001 annual mechanical leak detector test results
- Submit copies of 1999 – 2001 UST maintenance records
- Correct the operation, maintenance, and administrative problems identified during the 7/10/01 inspection and as articulated in this report.
- Initiate training of a designated employee, or employees, whose responsibility is to regularly inspect the tank and monitoring systems to ensure proper operation and maintenance, to identify functional problems, and to provide feedback to management should problems be identified that require correction.
- Initiate weekly inspections of the UST fueling complex, including the monitoring system, to ensure proper operation and maintenance. Maintain a log memorializing each inspection.

Mr. Benson
Re: 50 El Charro Road
July 12, 2001
Page 4 of 4

- **Maintain** a copy of the operating permit and conditions on-site. Maintain written records of all alarm conditions and their resolution on-site, including those associated with the under dispenser containment. Maintain records of all maintenance performed on the tank and monitoring systems on-site. Maintain certification of financial responsibility on-site. Maintain UST system inspection records.

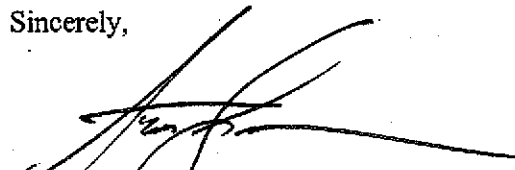
Pursuant to HSC Sec. 25288(d), you are required to submit a *Plan of Correction* **within 60 days**. This plan shall indicate the tasks to be completed, or those that have been completed already, and the schedule for doing so. We will expect that accompanying this Plan will be the UST monitoring system modification plans and component cut-sheets, and other requested records.

You must certify, once all the necessary repairs and other tasks have been completed, that the tank system is in full compliance with HSC Chapter 6.7 and UST regulations, as, pursuant to HSC Sec. 25285(b), this agency cannot issue or renew the UST permit until we determine the UST system is in full compliance. We recommend, therefore, that you contract your own inspector to ensure that this requirement is met, and to provide the appropriate level of quality control that you will likely need to make this certification.

Please be advised that future violations of your permit conditions will result in permit revocation.

Please contact me at (510) 567-6783 should you have any questions about the content of this letter.

Sincerely,



Scott O. Seery, CHMM
Hazardous Materials Specialist

cc: Susan Torrence, Alameda County District Attorney's Office
Robert Weston, ACDEH

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



202634

January 2, 2001

STID 3241

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

Eric Moore
Reliable Trucking Inc.
51 El Charro Road
Pleasanton, CA 94588

NOTICE OF VIOLATION

Re: Inspection of Reliable Trucking, 51 El Charro Road, Pleasanton CA 94588

Dear Mr. Moore:

A regulatory compliance inspection was performed at the facility on December 6, 2000. A representative of Rich Environmental facilitated the inspection along with Peter Lalley, Reliable Trucking staff. The purpose of the inspection was to determine compliance with conditions of the facility underground storage tank (UST) operating permit, as well as provisions of Title 23, California Code of Regulations (CCR) and California Health and Safety Code (HSC) Chapter 6.7.

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

- Monthly tank leak detection using the automatic tank gauge has not been performed as required. The tank has only two months of documented leak detection results for all of calendar year 2000. Leak tests for calendar year 1999 indicate passing results for only three of 12 months. This single wall fiberglass tank is required by law to be tested at least monthly. The test report is required to be printed out and retained as part of the operating records for the tank. This is a serious violation of the operating permit and the HSC.
- Submersible turbine pump (STP) sump contains accumulated diesel fuel of approximately one half inch.
- Leak detector probe in the diesel STP sump was intentionally elevated to avoid contact with the accumulated diesel fuel.

- Diesel dispensers have no secondary containment to capture leaks from the dispenser mechanism. Evidence of soil contamination is visible under both dispensers from leaks in joints and piping failures. Under dispenser containment is required, by State law, to be installed on all dispensers no later than December 31, 2003. This Office recommends installation of containment as soon as possible to eliminate further contamination of the soil and groundwater.
- Diesel fuel drop tube equipped with positive shutoff overfill prevention is damaged and non-functional. Metal drop tube found resting on the tank bottom with mounting flange broken loose from threaded hose adapter.
- Alarm panel for leak detection is not visible from dispenser area or from parts office. Requested that signage be posted instructing persons using dispensers to call posted telephone number to make report of alarm.
- Alarm history for tank system operation failed to be recorded in an operations log. No record for cause of alarm or resolution of alarm condition. Permit conditions require recordkeeping for all alarms and the resolution of the problem.

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

- **HSC Sec. 25293 – The operator of the underground tank system shall monitor the tank system using the method specified on the permit for the tank system.** Reliable Trucking has failed to properly monitor the 10,000-gallon diesel fuel tank for leaks in the prescribed method and frequency. During calendar year 2000 only two tests were performed that demonstrated a passing result. Twelve tests are required during a calendar year, one for each month. Calendar year 1999 had three passing tests, two invalid tests and one failed test. The failed tests are required to be reported to this office within 24 hours. No such report was made. The other six months are missing from your files. Problems are also present in November and December of 1998. No results are available for those months. Looking at the past 36 months there have been 7 passing tests, 3 fails, and 3 invalid tests, 23 no data or test results available.
- **HSC Sec. 25299(b)(4) – The facility operator may not knowingly fail to take reasonable and necessary steps to assure compliance.** The issue of timely and effective monthly tank testing is a condition of the permit to operate. Failure to perform monitoring has been addressed in prior inspections. The failure to test monthly is a repeat violation.
- **HSC Sec. 25299(a)(3) – The facility operator must maintain the required records.** All alarms on the monitoring system shall be included in the log of the operation of the tank system. Included in the log shall be the actions taken to resolve problems and all maintenance performed on the tank system.
- **Please be advised that HSC Sec. 25299(a) provides for civil liabilities imposed on the tank operator of up to \$5000 per tank per day per violation for:**
 - (6) Violation of any applicable requirements of HSC Chapter 6.7

- (9) Tampering with or otherwise disabling automatic leak detection devices or alarms

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

Knowing failure to take reasonable and necessary steps to assure compliance with HSC Chapter 6.7 by the operator

- (5) Violation of any applicable requirement of the permit issued for operation of the underground tank system
- (6) Violation of any applicable requirements of HSC Chapter 6.7

In addition, HSC Sec. 25299(d)(2) provides for civil penalties of no less than \$5000 and up to \$10,000, by imprisonment in the county jail for not more than one year, or by both the fine and imprisonment, to be imposed on any person who intentionally disables or tampers with an automatic leak detection system in a manner that would prevent the automatic leak detection system from detecting a leak or alerting the owner or operator of the leak. During the inspection, the sensor in the turbine piping sump, was found raised out of the normal position to keep from coming into contact with diesel and setting off the alarm.

At this time, Reliable Trucking is required to correct the tank system violations specified in this inspection report, namely:

- Correct the operation and maintenance problems identified during the December 6, 2000 inspection and as articulated in this report.
- Complete and submit the attached set of updated UST Registration Forms
- Submit a copy of the monthly tank test results within 10 days of the end of the previous month. Monthly test results will be submitted to this office until further notice. For example: results for January are due in this office no later than February 10.
- Remove contaminated soil in the area of the diesel dispensers. Provide documentation for the proper disposal of the impacted soil. Make repairs and inspections to confirm the integrity of the dispenser mechanisms. Obtain estimates for installation of dispenser containment.

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

Reliable Trucking must certify, once all the necessary repairs and other tasks have been completed, that the tank system is in full compliance with HSC Chapter 6.7 and UST regulations. Pursuant to HSC Sec. 25285(b), this Agency cannot renew the UST permit, when due, until we determine the UST system is in full compliance

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

Sincerely,

A handwritten signature in black ink, appearing to read "Robert Weston". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Robert Weston
Sr. Hazardous Materials Specialist

Attachments

cc: Mike O'Connor, Alameda County District Attorney's Office
Douglas Jamieson, Jamieson Company, 505 El Charro Road, Pleasanton CA
Tom Peacock, ACDEH

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



R02634

RAFAT A. SHAHID, Assistant Agency Director

April 21, 1992

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

Mr. Carlos Murillo
Reliable Trucking
51 El Charro Rd.
Pleasanton, Ca 94588

Re: FIVE-YEAR PERMIT FOR OPERATION OF ONE
UNDERGROUND STORAGE TANKS (UST'S) AT 51
EL CHARRO RD. PLEASANTON

According to our records the above mentioned facility has not received a five-year permit to operate UST's. Please complete the following items marked below and return them to me within 30 days. The example plans enclosed, should be used only as guidelines and may not meet your requirements under Title 23.

- 1. An accurate and complete plot plan.
- 2. A written spill response plan. (enclosed)
- 3. A written tank monitoring plan. (enclosed)
- 4. Results of precision tank test(s) (initial and annual).
- 5. Results of precision pipeline leak detector tests (initial and annual).
- 6. Complete UST PERMIT FORM A-one per facility. (enclosed)
- 7. Complete UST PERMIT FORM B-one per tank. (enclosed)
- 8. Complete UST PERMIT FORM C-one per tank if information is available. (enclosed)

Title 23 of the California Code of Regulation prohibits the operation of ANY UST without a permit. Please feel free to contact Jeff Shapiro at (510) 271-4320, if you have any questions which may arise in completing the mandatory five-year permit process.

Sincerely,

Ravi Arulanantham
Senior Hazardous Materials Specialist

c: Gil Jensen, Alameda County District Attorney
Rafat Shahid, Assistant Agency Director, Alameda
County Department of Environmental Health