

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



SENT
07-13-06

July 10, 2006

Mr. Edmundo Alire
TDW Construction
P.O. Box 111
Livermore, CA 94551

Vivian Gibbons
15820 South Harlan Road, #113
Livermore, CA 94550

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

Subject: SLIC Case RO0002868, TDW Construction, 101 Greenville Road, Livermore, CA

Dear Mr. Alire and Ms. Gibbons:

A Spills, Leaks, Investigations, and Cleanup (SLIC) case is currently open for the above-referenced site. In order for Alameda County Environmental Health (ACEH) to review the case, we require an oversight account. To set up an oversight account, please send a check made payable to Alameda County Environmental Health in the amount of \$6,000. Please send your check to the attention of our Finance Department.

This deposit may or may not be sufficient to provide all necessary regulatory oversight. ACEH will deduct actual costs incurred based upon the hourly rate specified below. If these funds are insufficient, an additional deposit will be requested. Otherwise, any unused monies will be refunded to you or your designee.

The deposit is authorized in Section 6.92.040L of the Alameda County Ordinance Code. Work on this project is being debited at the Ordinance specified rate, currently \$166.00 per hour.

Please write "SLIC" (the type of project), the site address, and the AR# 0314826 on your check.

If you have any questions, please contact Jerry Wickham at (510) 567-6791.

Sincerely,


Ariu Levi
Division Chief

cc: D. Drogos, J. Jacobs, Jerry Wickham

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



SENT
06-08-06

June 5, 2006

Mr. Edmundo Alire
TDW Construction
P.O. Box 111
Livermore, CA 94551

Benedict and Vivian Gibbons
C/o NW Cornett Realty Co.
1499 Chelsea Way
Livermore, CA 94550-6506

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

Subject: SLIC Case RO0002868, TDW Construction, 101 Greenville Road, Livermore, CA

Dear Mr. Alire and Mr. and Ms. Gibbons:

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Please write "SLIC" (the type of project), the site address, and the AR# 0314826 on your check.

If you have any questions, please contact Jerry Wickham at (510) 567-6791.

Sincerely,


Ariu Lev
Division Chief

cc: D. Drogos, J. Jacobs, Jerry Wickham

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



SENT
9-1-88

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

August 17, 2005

Mr. Edmundo Alire
TDW Construction
PO Box 111
Livermore, CA 94551

Dear Mr. Edmundo Alire:

Subject: TOXICS Case RO0002868, TDW Construction, 101 Greenville Rd., Livermore, CA 94550

In order for ACEH to review reports for your site, we would require an oversight account for the above-referenced site. To set up your account, please send a check in the amount of \$6000.00 payable to Alameda County Environmental Health. Please send your check to the attention of our Finance Department.


This initial deposit may or may not be sufficient to provide all necessary regulatory oversight. ACEH will deduct actual costs incurred based upon the hourly rate specified below. If these funds are insufficient, additional deposit will be requested. Otherwise, any unused monies will be refunded to you or your designee.

The deposit is authorized in Section 6.92.040L of the Alameda County Ordinance Code. Work on this project is being debited at the Ordinance specified rate, currently \$166.00 per hour.

Please write "TOXICS" (the type of project) the site address and the AR# 0314826 on your check.

If you have any questions, please contact Jerry Wickham at (510) 567-6791.

Sincerely,


for Ariu Levi
Division Chief

cc: D. Drogos, J. Jacobs, J. Wickham

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



R02868

Certified Mailer # P 062 128 115

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

December 20, 1990

Mr. Ben Gibbons
Livermore Auto Sales and Salvage
101 North Greenville Rd.
Livermore, CA 94550

SECOND NOTICE OF VIOLATION

Dear Mr. Gibbons:

As you may remember, on September 21, 1990, the Alameda County Department of Environmental Health, Hazardous Materials Division inspected your auto salvage operation in Livermore, partly as a result of several complaints of improper handling and storage of waste oil and other automotive fluids. During the inspection, oil staining of soil was apparent in several portions of the facility. This indicates spillage and other releases of hazardous materials/wastes, and violates Sec. 25189.5 of the California Health and Safety Code. As a result of this finding, our office issued a Notice of Violation, which required that all significant areas of contaminated soil be excavated and either removed to a suitable waste disposal facility, or treated on site to reduce or eliminate hydrocarbon content. The Notice also stated that following excavation, soil samples would need to be collected below each area of soil staining to demonstrate that all contaminated materials have in fact been removed. Sample locations were required to be indicated on a site map, and the samples themselves analyzed by a state-certified laboratory.

The additional hazardous material storage and handling violations listed in the paragraph below were found during the inspection; all are from Title 22 of the California Code of Regulations. These were also specified in the Notice of Violation, which established a deadline of November 5, 1990 for the submission of a Plan of Correction addressing the violations. As of the date of this letter, we have received nothing from Livermore Auto Sales and Salvage, and are therefore issuing this Second Notice of Violation.

1. Sec. 66508 - None of the waste oil or other containers throughout the yard are not labeled properly. In addition, none of the containers had beginning accumulation dates indicated on them, and hazardous wastes on-site have been stored well beyond the 90-day limit.

Mr. Ben Gibbons
December 20, 1990
Page 2 of 3

2. Sec. 66492 - The facility could not produce a set of receipts for waste oil or antifreeze disposal. These must date back at least three years.
3. Sec. 67124 - Hazardous waste storage areas are cluttered to the point that they would not permit the unobstructed movement of personnel and response equipment in the event of an emergency. These areas need free access to all containers and should be kept clear of all debris but the containers.
4. Sec. 67241 - Many drums throughout the property are rusted, dented, lying on their sides, or otherwise in deteriorated condition. All hazardous waste at this site, regardless of the containers in which they're stored, must be disposed of immediately; virgin products in such deteriorated drums should either be used up immediately or transferred to containers in better condition.
5. Sec. 67242 - It is illegal to mix used oils and waste coolant in the same container, because they are incompatible wastes. Spent antifreeze is a hazardous waste and must be stored, labeled, and disposed of appropriately.
6. Sec. 67243 - Many containers of hazardous waste at the facility were found to be open during the inspection, and there were several open pans containing what appeared to be waste oil. All hazardous waste must be kept in closed containers at all times.
7. Sec. 67244 - Based on the violations noted above, the facility has failed to carry out weekly inspections of product and waste storage areas, which are required to ensure the proper storage and handling of hazardous wastes. Oil and other fluid removal from vehicles needs to take place in an area that is self-enclosed and cleaned regularly, to reduce or eliminate the spillage of oil directly to the ground. In addition, there are stray containers of hazardous wastes in the rear portion of the yard; these should be consolidated and stored with the hazardous wastes in front of the building.
8. Sec. 67245 - The outdoor waste oil storage area has no provision for secondary containment. A required secondary containment system should have an impervious floor and a berm on all sides. It must also have a capacity of at least 10% of the combined volume of all drums in storage plus at least 3 inches of freeboard to contain precipitation.

In accordance with Sec. 66328 of Title 22, Livermore Auto Sales and Salvage must submit a Plan of Correction to this office no later than January 18, 1991. The plan must specify the actions your

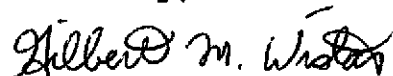
Mr. Ben Gibbons
December 20, 1990
Page 3 of 3

business will take to address each of the violations shown above and their expected dates of completion. This document must include a plan for identifying and removing contaminated soil at the site, as well as strategy for preventing such contamination in the future.

Your attention is directed to Sections 25189 and 25191 of the California Health and Safety Code, which authorize civil and criminal penalties of up to \$25,000 per day to be levied for each violation of hazardous waste handling and storage regulations.

If you have any questions concerning this letter, please contact the undersigned at 271-4320.

Sincerely,



Gil Wistar
Hazardous Materials Specialist

c: Randy Griffith, Livermore Fire Dept.
Howard Hatayama, DOHS
Gil Jensen, Alameda County District Attorney, Consumer and
Environmental Protection Division
Rafat A. Shahid, Asst. Agency Director, Environmental Health
files



ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



R02868

Certified Mailer # P 062 128 098

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

October 5, 1990

Mr. Ben Gibbons
Livermore Auto Sales and Salvage
101 North Greenville Rd.
Livermore, CA 94550

NOTICE OF VIOLATION

Dear Mr. Gibbons:

On September 21, 1990, the Alameda County Department of Environmental Health, Hazardous Materials Division, inspected your auto salvage operation in Livermore, partly as a result of several complaints of improper handling and storage of waste oil and other automotive fluids. During the inspection, oil staining of soil was apparent in several portions of the facility. This indicates spillage and other releases of hazardous materials/wastes, and violates Sec. 25189.5 of the California Health and Safety Code. Therefore, all significant areas of contaminated soil must be excavated and either removed to a suitable waste disposal facility, or treated on site to reduce or eliminate hydrocarbon content. Following excavation, you will need to have soil samples collected below each area of soil staining to demonstrate that all contaminated materials have in fact been removed. Sample locations should be indicated on a site map, and the samples themselves analyzed by a state-certified laboratory.

The following additional hazardous material storage and handling violations were found during the inspection, all from Title 22 of the California Code of Regulations.

1. Sec. 66508 - None of the waste oil or other containers throughout the yard are not labeled properly. In addition, none of the containers had beginning accumulation dates indicated on them, and hazardous wastes on-site have been stored well beyond the 90-day limit.
2. Sec. 66492 - The facility could not produce a set of receipts for waste oil or antifreeze disposal. These must date back at least three years.
3. Sec. 67124 - Hazardous waste storage areas are cluttered to the point that they would not permit the unobstructed movement of

Mr. Ben Gibbons
October 5, 1990
Page 2 of 3

personnel and response equipment in the event of an emergency. These areas need free access to all containers and should be kept clear of all debris but the containers.

4. Sec. 67241 - Many drums throughout the property are rusted, dented, lying on their sides, or otherwise in deteriorated condition. All hazardous waste at this site, regardless of the containers in which they're stored, must be disposed of immediately; virgin products in such deteriorated drums should either be used up immediately or transferred to containers in better condition.
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7. Sec. 67244 - Based on the violations noted above, the facility has failed to carry out weekly inspections of product and waste storage areas, which are required to ensure the proper storage and handling of hazardous wastes. Oil and other fluid removal from vehicles needs to take place in an area that is self-enclosed and cleaned regularly, to reduce or eliminate the spillage of oil directly to the ground. In addition, there are stray containers of hazardous wastes in the rear portion of the yard; these should be consolidated and stored with the hazardous wastes in front of the building.
8. Sec. 67245 - The outdoor waste oil storage area has no provision for secondary containment. A required secondary containment system should have an impervious floor and a berm on all sides. It must also have a capacity of at least 10% of the combined volume of all drums in storage plus at least 3 inches of freeboard to contain precipitation.

In accordance with Sec. 66328 of Title 22, Livermore Auto Sales and Salvage must submit a Plan of Correction to this office within 30 days, that is, no later than **November 5, 1990**. The plan should specify the actions your business will take to address each of the eight violations shown above and their expected dates of completion. This document must include a plan for identifying and removing contaminated soil at the site, as well as strategy for preventing such contamination in the future.

Mr. Ben Gibbons
October 5, 1990
Page 3 of 3

If you have any questions concerning this letter, please contact the undersigned at 271-4320.

Sincerely,

Gilbert M. Wistar

Gil Wistar
Hazardous Materials Specialist

c: Randy Griffith, Livermore Fire Dept.
Howard Hatayama, DOHS
Gil Jensen, Alameda County District Attorney, Consumer and
Environmental Protection Division
Rafat A. Shahid, Asst. Agency Director, Environmental Health
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