

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



Scout
09-21-06

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

September 20, 2006

Masood and Amini Sharbano
Springtown Gas
909 Bluebell Drive
Livermore, CA 94551-1419

Subject: Fuel Leak Case No. RO0002894, Springtown Gas, 909 Bluebell Drive, Livermore, CA –

Dear Masood and Amini Sharbano:

In correspondence dated November 3, 2005, Alameda County Environmental Health (ACEH) requested a Work Plan for soil and water investigation at the above-referenced site by January 17, 2006. We reiterated our request for a Work Plan in correspondence dated March 16, 2006. To date, we have not received a Work Plan or a request for a schedule extension. Your site overlies a sensitive drinking water aquifer, and limited progress has been made toward evaluating potential petroleum hydrocarbon impacts. The lateral and vertical extents of subsurface contamination at the site are undefined. **Your site is out of compliance with directives from this agency.**

In order for your site to return to compliance, please **submit the previously requested Work Plan within 30 days of the date of this letter (by October 20, 2006).** This date is not an extension of your due date, reports for this site are late and your site is out of compliance. Due to the lack of compliance with ACEH requests, ACEH recommends that the Underground Storage Tank Cleanup Fund not reimburse you for work until the site is brought back into compliance.

Please note that we have started the enforcement process on this case by requesting a revocation of your eligibility to receive grant money from the state's Underground Storage Tank Fund (Senate Bill 2004) to reimburse you for the cost of investigation and cleanup. Further delays in investigation, late reports, or enforcement actions may result in referral of 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.

TECHNICAL REPORT REQUEST

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

- **October 20, 2006 – Work Plan for Soil and Groundwater Investigation**

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).

PERJURY STATEMENT

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

PROFESSIONAL CERTIFICATION & CONCLUSIONS/RECOMMENDATIONS

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

UNDERGROUND STORAGE TANK CLEANUP FUND

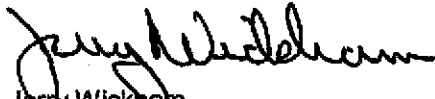
Please note that delays in investigation, later reports, or enforcement actions may result in your becoming ineligible to receive grant money from the state's Underground Storage Tank Cleanup Fund (Senate Bill 2004) to reimburse you for the cost of cleanup.

AGENCY OVERSIGHT

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

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

Sincerely,



Jerry Wickham

Hazardous Materials Specialist

Enclosure: ACEH Electronic Report Upload (ftp) Instructions

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

Danielle Stefani
Livermore-Pleasanton Fire Department
3560 Nevada Street
Pleasanton, CA 94566

Sunil Ramdass
SWRCB Cleanup Fund
1001 I Street, 17th floor
Sacramento, CA 95814-2828

Shari Knierem
SWRCB Cleanup Fund
1001 I Street, 17th floor
Sacramento, CA 95814-2828

Donna Drogos, ACEH
Jerry Wickham, ACEH
File

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



SCWT
03-17-06

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

March 16, 2006

Masood and Amini Sharbano
Springtown Gas
909 Bluebell Drive
Livermore, CA 94551-1419

Subject: Fuel Leak Case No. RO0002894, Springtown Gas, 909 Bluebell Drive, Livermore, CA – Request for Work Plan

Dear Masood and Amini Sharbano:

In correspondence dated November 3, 2005, Alameda County Environmental Health (ACEH) requested a Work Plan for soil and water investigation at the above-referenced site by January 17, 2006. To date, we have not received a Work Plan. Your site overlies a sensitive drinking water aquifer, and limited progress has been made toward evaluating potential petroleum hydrocarbon impacts. The lateral and vertical extents of subsurface contamination at the site are undefined. We reiterate the request made in our November 3, 2005 correspondence (copy attached) to evaluate whether groundwater has potentially been affected by a fuel release.

Your soil and water investigation Work Plan is late, and your fuel leak site is not in compliance with ACEH directives. We request that you submit a Work Plan **no later than April 18, 2006**. ACEH makes this request pursuant to California Health & Safety Code Section 25296.10, 23 CCR sections 2652 through 2654, and 2721 through 2728 outline the duties of a responsible party in response to a reportable unauthorized release from a petroleum UST system, and require your compliance with this request.

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 note that further delays in investigation, late reports, or enforcement actions may result in your becoming ineligible to receive cost reimbursement from the State's Underground Storage Tank Cleanup Fund.

TECHNICAL REPORT REQUEST

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

- **April 18, 2006** – Work Plan for Soil and Groundwater Investigation

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

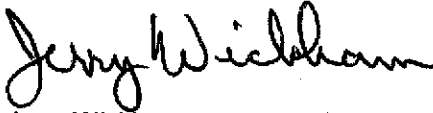
Please note that delays in investigation, later reports, or enforcement actions may result in your becoming ineligible to receive grant money from the state's Underground Storage Tank Cleanup Fund (Senate Bill 2004) to reimburse you for the cost of cleanup.

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
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

Danielle Stefani
Livermore-Pleasanton Fire Department
3560 Nevada Street
Pleasanton, CA 94566

Gary Lowe
H2O Geol
P.O. Box 2165
Livermore, CA 94551-2165

Donna Drogos, ACEH
Jerry Wickham, ACEH
File

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



*Out
11-7-05*

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

November 3, 2005

Masood and Amini Sharbano
Springtown Gas
909 Bluebell Drive
Livermore, CA 94551-1419

Subject: Fuel Leak Case No. RO0002894, Springtown Gas, 909 Bluebell Drive, Livermore, CA – Request for Work Plan

Dear Masood and Amini Sharbano:

Alameda County Environmental Health (ACEH) staff has reviewed the case file for the above-referenced site, including correspondence entitled, "Report on Dispenser and Fuel Pipeline Soil Sampling – Springtown Gas," dated July 29, 2005, prepared on your behalf by H2O Geol. The correspondence summarizes the results from soil samples collected on June 29, 2005. Total petroleum hydrocarbons as diesel (TPHd) were detected in five soil samples at concentrations up to 150 milligrams per kilogram (mg/kg). Total petroleum hydrocarbons as gasoline (TPHg) were detected in three soil samples at concentrations up to 220 mg/kg. The fuel oxygenates methyl tert-butyl ether (MTBE) and tert-butyl alcohol (TBA) were detected in more than half of the soil samples at concentrations up to 4.2 and 120 mg/kg, respectively. TPHd, TPHg, MTBE, and TBA were also detected in a groundwater sample collected from the excavation.

Based on the concentrations of TPH and fuel oxygenates detected in the soil and water samples, an investigation is required to assess the extent of soil and groundwater contamination beneath your site. We recommend that your investigation incorporate expedited site assessment techniques. Expedited site assessment tools and methods are a scientifically valid and cost-effective approach to fully define the three-dimensional extent of groundwater contamination. Technical protocol for expedited site assessments are provided in the U.S. Environmental Protection Agency's "Expedited Site Assessment tools for Underground Storage Tanks: A Guide for Regulators," (EPA 510-B-97-001), dated March 1997. Therefore, we recommend that you utilize direct push technology to collect soil samples and depth-discrete groundwater samples prior to the installation of groundwater monitoring wells. Sampling locations should be located to assess the extent of soil and groundwater contamination. Other options for additional investigation may be appropriate to define contamination at your site.

Please submit a work plan detailing your proposal to define the extent of soil and groundwater contamination by **January 17, 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.

REQUEST FOR INFORMATION

ACEH's case files for the subject site contains only the correspondence entitled, "Report on Dispenser and Fuel Pipeline Soil Sampling – Springtown Gas," dated July 29, 2005 without appendices. Please submit a copy of this report with appendices and any other reports you have

documenting investigation activities or other work related to this UST system/site with the work plan requested below. In addition, we request that you submit a completed unauthorized release form for the fuel leak.

TECHNICAL REPORT REQUEST

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

- **January 17, 2006** – Work Plan for Soil and Groundwater Investigation

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](http://www.swrcb.ca.gov/ust/cleanup/electronic%20reporting)).

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.

At this time, we require that you submit a complete mailing list of all record fee title owners of the site by **December 9, 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.

(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

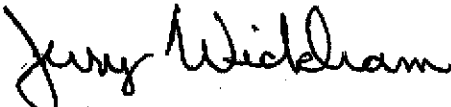
Please be aware that you may be eligible for reimbursement of the costs of investigation from the California Underground Storage Tank Cleanup Fund (Fund). In some cases, a deductible amount may apply. If you believe you meet the eligibility requirements, I strongly encourage you to call the Fund for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

Danielle Stefani, Livermore-Pleasanton Fire Department, 3560 Nevada Street
Pleasanton, CA 94566

Donna Drogos, ACEH
Jerry Wickham, ACEH

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



SEWT
9-19-05

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

September 14, 2005

Mr. Stephen Wong
CW Investment Group
132 9th Street #200
Oakland, CA 94607

Subject: SLIC Case RO0002895, Wash Time Laundromat, 1815 Park Boulevard, Oakland, CA

Dear Mr. Wong:

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 \$3,000.00 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 "SLIC" (the type of project), the site address, and the AR# 0314916 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



SCWT

9-19-05

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

September 13, 2005

Mr. Curtis Eisenberger
1396 Fifth Street Associates
555 Florida St., #100
San Francisco, CA 94110

Dear Mr. Eisenberger:

Subject: TOXICS Case RO0002896, 1396 Fifth St., Oakland, CA 94607-1852

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.

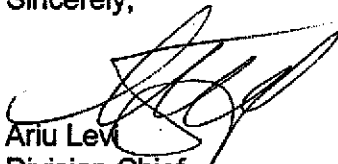
This initial deposit may or may not be sufficient to provide all necessary regulatory oversight. ACEH will deduct actual costs incurred based upon the hourly rate specified below. If these funds are insufficient, additional deposit will be requested. Otherwise, any unused monies will be refunded to you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

If you have any questions, please contact Barney Chan at (510) 567-6765.

Sincerely,



Ariu Levi
Division Chief

cc: D. Drogos, J. Jacobs, B. Chan

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY

DAVID J. KEARS, Agency Director



✓ R02894
R01050

RAFAT A. SHAHID, DIRECTOR

DEPARTMENT OF ENVIRONMENTAL HEALTH
State Water Resources Control Board
Division of Clean Water Programs
UST Local Oversight Program
1131 Harbor Bay Parkway
Alameda, CA 94502-6577
(510) 567-6700

StID 2112

July 10, 1995

Mr. James McAtee Jr
7664 Gardella Dr
Dublin, CA 94568

Mr. Masood Filabaldi
909 Bluebell Dr
Livermore, CA 94550

SECOND NOTICE OF VIOLATION

Dear Messrs. McAtee and Filabaldi:

On May 4, 1995, the Alameda County Department of Environmental Health, Hazardous Materials Division, sent you a letter requesting that work commence for the installation of three groundwater monitoring wells at 909 Bluebell Dr, Livermore. As of the date of this letter, however, we have not received any communication from you on this matter. Therefore, this letter constitutes a Second Notice that you are in violation of specific laws and that the required investigation is due.

According to Section 25298 of the California Health and Safety Code, underground storage tank closure is incomplete until the responsible party characterizes and remediates the contamination resulting from product discharge. Therefore, you, as the responsible party are in violation of this section of the Code, for which Section 25299 specifies civil penalties of up to \$5,000, for each day of violation, upon conviction.

You are required to continue with the subsurface investigation at this site within 30 days from the date of this letter. Failure to respond will result in referral of this case to the RWQCB or Alameda County District Attorney to consider for enforcement action. Modification of required tasks or extensions of stated deadlines must be confirmed in writing by either this agency or the RWQCB.

If you have any questions, I can be reached at (510) 567-6762.

eva chu
Hazardous Materials Specialist

cc: Susan Hugo, ACDEH
files (arcol.8)

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



Ro 1050
✓ RO 2894
RAFAT A. SHAHID, Assistant Agency Director

StID 2112

May 4, 1995

Mr. James McAtee Jr
7664 Gardella Dr
Dublin, CA 94568

ALAMEDA COUNTY-ENV. HEALTH DEPT.
ENVIRONMENTAL PROTECTION DIV.
1131 HARBOR BAY PKWY., #250
ALAMEDA CA 94502-6577
(510)567-6700

RE: Groundwater Investigation at 909 Bluebell Dr, Livermore

Dear Mr. McAtee:

I have recently received and reviewed facsimiles of analytical results from Trace Analysis Laboratory of soil collected from:

1. stockpiled soil from former gasoline pit,
2. stockpiled soil from former waste oil pit, and
3. sidewall samples from waste oil pit.

At this time, soil from the waste oil pit should be disposed at an approved facility. Bills of lading must be provide when this job has been completed. Both the former gasoline and waste oil pits should be backfilled and properly compacted. The "clean" stockpiled soil may be used for this purpose.

Also, a groundwater investigation should commence with the installation of three monitoring wells, as proposed in the approved workplan dated September 2, 1994, prepared by National Vapor Industries. Field work should begin within 45 days of the date of this letter, or **by June 22, 1995**. Please notify me at least 72 hours prior to the start of field activities.

If you have any questions, I can be reached at (510) 567-6762.

eva chu
Hazardous Materials Specialist

cc: Masood Filabaldi, 909 Bluebell Dr, Livermore 94550
Susan Hugo, ACDEH
files

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



✓ RO# 1050

✓ RO# 2894

RAFAT A. SHAHID, Assistant Agency Director

ALAMEDA COUNTY-ENV. HEALTH DEPT.
ENVIRONMENTAL PROTECTION DIV.
1131 HARBOR BAY PKWY., #250
ALAMEDA CA 94502-6577
(510)567-6700

StID 2112

February 10, 1995

Mr. James McAtee Jr
7664 Gardella Dr
Dublin, CA 94568

RE: Continued Investigations at 909 Bluebell Dr, Livermore

Dear Mr. McAtee:

In October 1994 this office was notified that stockpiled soil resulting from the removal of the former underground storage tanks was taken offsite for disposal. Following our investigations, it appears that soil was "clean" overburden, from the excavation for the installation of the new tanks. However, you were instructed not to remove additional soil without prior approval from this office as per our conversation on October 18, and per an inspection report dated October 19, 1994.

Again, in February 1995 this office was notified that the remaining "clean" overburden and the contaminated soil from the removal of the waste oil tank on February 7, 1992 was taken offsite. Please provide bills of lading for the disposal of the contaminated soil. As you know, this soil must have been taken to an approved disposal facility.

In a recent visit to the site (Feb 8, 1995), it was observed that the former gasoline tank pit was still unfilled. Asphalt surrounding the pit has caved into the pit, and will continue to do so. For safety reasons this pit should be backfilled with clean engineered fill material and should be properly compacted. The north end of the pit can be overexcavated at a later date to remove additional contaminated soil, as was already proposed in an approved workplan dated September 2, 1994, prepared by National Vapor Industries.

This office will work with your consultant and oversee the sampling of the treated stockpiled soil and the re-excavated waste oil pit.

If you have any questions, I can be reached at (510) 567-6762, or you may contact Ms. Susan Hugo at (510) 567-6780 in my absence during the week of February 13th.

Jamees McAtee Jr
re: 909 Bluebell Dr, Livermore
February 10, 1995

Page 2

Sincerely,



eva chu
Hazardous Materials Specialist

cc: Gil Jensen, Alameda County District Attorney's Office
Masood Filabaldi, 909 Bluebell Dr, Livermore 94550
Susan Hugo, ACDEH
files (arccol.6)

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY

DAVID J. KEARS, Agency Director



✓ R02894
R01050

RAFAT A. SHAHID, ASST. AGENCY DIRECTOR

DEPARTMENT OF ENVIRONMENTAL HEALTH
State Water Resources Control Board
Division of Clean Water Programs
UST Local Oversight Program
80 Swan Way, Rm 200
Oakland, CA 94621
(510) 271-4530

CERTIFIED MAIL #P 422 218 112

December 2, 1993
STID# 2112

Mr. James E. McAtee Jr.
7664 Gardella Drive
Dublin, California 94568

***** S E C O N D N O T I C E *****

**RE: Underground Storage Tank Removal at Springtown ARCO
909 Bluebell Drive, Livermore CA 94550**

Dear Mr. Mcatee:

The Alameda County Department of Environmental Health, Hazardous Materials Division has reviewed the files concerning the removal of one waste oil underground storage tank on February 7, 1992 at the referenced site. This office **has not received any response** regarding the issues raised in a letter dated February 3, 1993. Please be aware that this letter is being issued as a **Second Notice to comply with the corrective action requirements of the California Code of Regulations Title 23**. We are in receipt of the following reports:

- * Removal of One Underground Storage Tank at Springtown ARCO Property, dated February 21, 1992 and submitted by Alpha Geo Services Inc.
- * Soil Sampling Report for Springtown ARCO Property, dated February 21, 1992 and submitted by Soil Tech Engineering

Soil sample collected beneath the tank area at six feet depth showed elevated levels of Total Oil & Grease (5,000 ppm), Total Petroleum Hydrocarbon as diesel (89 ppm), and lead (140 ppm). Because of the degree of contamination found at the site which exceeded regulatory threshold levels, further environmental assessment is required. Enclosed is a copy of "Underground Storage Tank Unauthorized Release (Leak) / Contamination Site Report" which must be completed and returned to this office within five working days.

This office will be the lead agency overseeing the environmental investigation and cleanup activities at the site. A preliminary assessment should be conducted to determine the extent of soil and/or groundwater contamination that has resulted from the former leaking tank. The information gathered by this investigation will be used to assess the need for additional actions at the site. The preliminary assessment should be designed to provide all of the

Mr. James McAtee Jr.
RE: 909 Bluebell Drive, Livermore, CA 94550
December 2, 1993
Page 2 of 3

information in the format shown in the attachment at the end of this letter, which is based on the RWQCB's guidelines. You should be prepared to install at a minimum, three monitoring wells to establish gradient direction of the groundwater at the site. One of the wells should be installed within 10 feet downgradient of the former tank location. Monthly water elevation reading for twelve months is necessary to determine groundwater flow direction and quarterly sampling must occur to determine extent of the groundwater contamination.

Until cleanup is complete, you will need to submit reports to this office every three months (or at a more frequent interval, if specified at any time by this agency). This reports must include information pertaining to further investigative results; the methods of cleanup actions implemented to date; and the method and disposal of any contaminated material. Copies of manifests for such disposal must be sent to this office. On site visit conducted on December 3, 1992 showed that the excavation pit had been backfilled at this time. Stockpiled soil from pit may not be used to backfill these holes without authorization from this office. Only clean fill can be used to backfill the excavation pit. Please provide our office with documentation of the stockpiled soil disposal.

This office issued an Underground Storage Tank Closure Permit to remove the remaining three tanks at the site. The closure plan was approved with the provision that all contamination (soil and/or groundwater) must be addressed. A work plan must be submitted to this office within ten working days after the removal of the three tanks or no later than January 17, 1994 if the tanks will not be removed.

All reports and proposals must be submitted under seal of a California Registered Geologist or Registered Civil Engineer with a statement of qualifications for each lead professionals involved with the project.

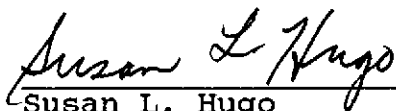
Because we are overseeing this site under the designated authority of the Regional Water Quality Control Board, this letter constitutes a formal requests for technical reports pursuant to California Water Code Section 13267(b). Any extensions of stated deadlines or changes in the workplan must be confirmed in writing and approved by this agency.

Enclosed is a copy of Appendix A (Workplan for Initial Subsurface Investigation (August 20, 1991) for your reference.

Mr. James McAtee
RE: 909 Bluebell Drive, Livermore, CA 94550
December 2, 1993
Page 3 of 3

Should you have any questions regarding this letter, please contact me at (510) 271-4530.

Sincerely,



Susan L. Hugo
Senior Hazardous Materials Specialist

Enclosures

cc: Rafat A. Shahid, Asst. Agency Director, Environmental Health
Rich Hiett, San Francisco Bay RWQCB
Gil Jensen, Alameda County District Attorney's Office
Edgar B. Howell, Chief, Hazardous Materials Division / file
Randy Griffith, Livermore Fire Department
Masood Filabadi, Springtown Arco, 909 Bluebell Drive
Livermore, California 94550
Frank Hamedi, Soil Tech Engineering, Inc., 298 Brokaw Road
Santa Clara, California 95050

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY

DAVID J. KEARS, Agency Director



R01050

✓ R02894

RAFAT A. SHAHID, ASST. AGENCY DIRECTOR

DEPARTMENT OF ENVIRONMENTAL HEALTH
State Water Resources Control Board
Division of Clean Water Programs
UST Local Oversight Program
80 Swan Way, Rm 200
Oakland, CA 94621
(510) 271-4530

May 19, 1993

Mr. Amini Masood
Springtown Arco
909 Bluebell Dr.
Livermore, CA 94550

***** NOTICE OF VIOLATION *****

**Re: ARCO STATION LOCATED AT 909 BLUEBELL DRIVE,
LIVERMORE.**

Dear Mr Masood:

Our records indicate that there are three underground storage tanks (UST's) located at the above facility. You are required by law to EITHER PERMIT OR REMOVE THESE UST'S.

In accordance with the California code of Regulations, Title 23, Chapter 3, Subchapter 16 Underground Tank Regulations one of the following actions must be taken:

1. Submit a tank closure plan to this Department as required by Article 7, 2670(b) forms available from this office, or
2. Apply for a permit as required by Article 10, 2711 and 2712. Permit application Part A and B are available from this office.

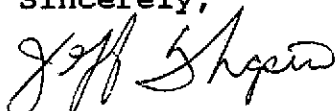
Please note that section 25299 of the California Health and Safety Code states that any operator or owner of an underground storage tank is liable for a civil penalty of not less than \$500 or more than \$5,000 per day for failure to obtain a permit, or failing to properly close an underground storage tank, as required by section 25298.

Within 15 days, contact this office with your decision. Furthermore, if you plan to submit an application for a UST operating permit, your permit must be submitted within 30 days.

R01050
✓R02894

If you have any further questions, contact me directly at: (510)
271-4320.

Sincerely,



Jeff Shapiro
Hazardous Materials Specialist

C: Gil Jensen, Alameda County District Attorney

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY



DAVID J. KEARS, Agency Director

February 3, 1993
STID# 2112

Mr. James E. Mcatee Jr.
Springtown ARCO
909 Bluebell Drive
Livermore, California 94550

**RE: Underground Storage Tank Removal at Springtown ARCO
909 Bluebell Drive, Livermore CA 94550**

Dear Mr. Mcatee:

The Alameda County Department of Environmental Health, Hazardous Materials Division has reviewed the files concerning the removal of one waste oil underground storage tank on February 7, 1992 at the referenced site. We are in receipt of the following reports:

- * Removal of One Underground Storage Tank at Springtown ARCO Property, dated February 21, 1992 and submitted by Alpha Geo Services Inc.
- * Soil Sampling Report for Springtown ARCO Property, dated February 21, 1992 and submitted by Soil Tech Engineering

Soil sample collected beneath the tank area at six feet depth showed elevated levels of Total Oil & Grease (5,000 ppm), Total Petroleum Hydrocarbon as diesel (89 ppm), and lead (140 ppm). Because of the degree of contamination found at the site which exceeded regulatory threshold levels, further environmental assessment is required. Enclosed is a copy of "Underground Storage Tank Unauthorized Release (Leak) / Contamination Site Report" which must be completed and returned to this office within five working days.

This office will be the lead agency overseeing the environmental investigation and cleanup activities at the site. The RWQCB has delegated this authority to our office. However, you must keep the Water Board apprised of all actions taken to characterize and remediate contamination at the site, because the Board retains the ultimate responsibility for ensuring protection of the waters of the state.

A preliminary assessment should be conducted to determine the extent of soil and/or groundwater contamination that has resulted from the former leaking tank. The information gathered by this investigation will be used to assess the need for additional actions at the site. The preliminary assessment should be designed to provide all of the information in the format shown in the attachment at the end of this letter, which is based on the RWQCB's guidelines. You should be prepared to install at a minimum, three

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✓R01050

RAFAT A. SHAHID, ASST. AGENCY DIRECTOR

DEPARTMENT OF ENVIRONMENTAL HEALTH
State Water Resources Control Board
Division of Clean Water Programs
UST Local Oversight Program
80 Swan Way, Rm 200
Oakland, CA 94621
(510) 271-4530

Mr. James Mcatee Jr.
RE: 909 Bluebell Drive, Livermore, CA 94550
February 3, 1993
Page 2 of 3

monitoring wells to establish gradient direction of the groundwater at the site. One of the wells should be installed within 10 feet downgradient of the former tank location. Monthly water elevation reading for twelve months is necessary to determine groundwater flow direction and quarterly sampling must occur to determine extent of the groundwater contamination.

Until cleanup is complete, you will need to submit reports to this office and to RWQCB every three months (or at a more frequent interval, if specified at any time by either agency). This reports must include information pertaining to further investigative results; the methods of cleanup actions implemented to date; and the method and disposal of any contaminated material. Copies of manifests for such disposal must be sent to this office. On site visit conducted on December 3, 1992 showed that the excavation pit had been backfilled at this time. Stockpiled soil from the pit may not be used to backfill these holes without authorization from this office. Only clean fill can be used to backfill the excavation pit. Please provide our office with documentation of the stockpiled soil disposal.

Your work plan must be submitted to this office no later than **March 19, 1993**. All reports and proposals must be submitted under seal of a California Registered Geologist or Registered Civil Engineer with a statement of qualifications for each lead professionals involved with the project. Copies of the reports and proposals must also be submitted to:

Rich Hiett
RWQCB, San Francisco Bay Region
2101 Webster Street, Fourth Floor
Oakland, California 94612

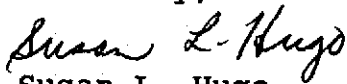
Because we are overseeing this site under the designated authority of the Regional Water Quality Control Board, this letter constitutes a formal requests for technical reports pursuant to California Water Code Section 13267(b). Any extensions of stated deadlines or changes in the workplan must be confirmed in writing and approved by this agency or RWQCB.

Enclosed is a copy of Appendix A (Workplan for Initial Subsurface Investigation (August 20, 1991) for your reference.

Mr. James Mcatee Jr.
RE: 909 Bluebell Drive, Livermore CA 94550
February 3, 1993
Page 3 of 3

Should you have any questions regarding this letter, please contact me at (510) 271-4530.

Sincerely,



Susan L. Hugo
Senior Hazardous Materials Specialist

Enclosures

cc: Rafat A. Shahid, Asst. Agency Director, Environmental Health
Rich Hiett, San Francisco Bay RWQCB
Gil Jensen, Alameda County District Attorney's Office
Edgar B. Howell, Chief, Hazardous Materials Division / file
Randy Griffith, Livermore Fire Department

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



R01050
✓R02894

Certified Mailer # P 062 127 876

July 25, 1990

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

Mr. James McAtee
Springtown Towing
909 Bluebell Dr.
Livermore, CA 94550

FINAL NOTICE OF VIOLATION

Dear Mr. McAtee:

On March 19, 1990, the Alameda County Department of Environmental Health, Hazardous Materials Division inspected the Springtown ARCO/Springtown Towing facility at 909 Bluebell Dr. You are the property owner at this address, and also own the Springtown Towing business. You lease part of the parcel to the Springtown ARCO operation, which has converted to a gasoline/retail "minimart." During its inspection, the Division noted the presence of four underground storage tanks; three contain gasoline and the fourth was formerly used to store waste oil.

State law requires monitoring for these tanks, typically consisting of annual precision testing, working pipeline leak detectors, and daily inventory reconciliation. Records of daily monitoring must be summarized and submitted to this office on a quarterly basis; the facility must also submit to this office records of annual precision tests for each of the three tanks. Our office has received no indication that this has been done. This lack of proper permitting and monitoring record-keeping violates Sec. 2641 of Title 23, Chapter 3, Subchapter 16 of the California Code of Regulations.

In addition, as indicated in an initial letter dated March 27, 1990 and a second letter dated May 15, 1990, each of the three operational tanks must be permitted through this office. (I left blank permit application forms with Mohsen Amini during the March 19 inspection, and explained that they were to be completed and returned to this office by April 26, 1990.) The second notice of violation set forth a deadline of May 25, 1990. The May 15 letter also set a deadline of May 25 for the submittal of a facility business plan, including a hazardous material/waste inventory and spill/release contingency procedures. Again, I left blanks with Mr. Amini during the March 19 inspection, and explained business plan requirements. As of the date of this letter, we still have received nothing from the facility, a violation of Secs. 25503.5 and 25509 of the California Health and Safety Code (H&SC).

Mr. James McAtee
July 25, 1990
Page 2 of 2

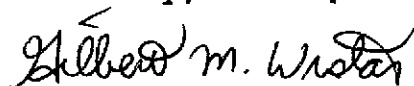
As this office communicated to you in the March 27 and May 15 letters, the abandonment of the waste oil tank violates Sec. 25298(a) and (c), H&SC. This tank must be removed. In the first letter, I enclosed forms and information regarding the closure of underground tanks in Alameda County. You will need to hire a contractor and have the closure form filled out and sent in triplicate, along with a deposit of \$375, to this office. This completed closure form and deposit were due on May 25, 1990; we have received neither.

Please submit all relevant documents pertaining to the underground tanks, including testing and monitoring, and permit applications, to this office within 15 days. Please also submit a tank closure application with a \$375 deposit, as well as a completed business plan to this office by the same August 9 date.

We are sending you this Final Notice of Violation because of a lack of communication of any kind following the first and second notices of violation. This case will now be referred to the Alameda County District Attorney for enforcement. Your attention is directed to Sections 25189 and 25191 of the Health and Safety Code, which provide for daily penalties of up to \$25,000 for continuing violation of these regulations.

If you have any questions about this letter or about underground tank regulations enforced by this office, please contact the undersigned at 271-4320.

Sincerely,



Gil Wistar
Hazardous Materials Specialist

cc: 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



R01050
VR02894

Certified Mailer # P 062 128 189

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

May 15, 1990

Mr. James McAtee
Springtown Towing
909 Bluebell Dr.
Livermore, CA 94550

SECOND NOTICE OF VIOLATION

Dear Mr. McAtee:

On March 19, 1990, the Alameda County Department of Environmental Health, Hazardous Materials Division inspected the Springtown ARCO/Springtown Towing facility at 909 Bluebell Dr. Apparently, you are the property owner at this address, and also own the Springtown Towing business. You lease part of the parcel to the Springtown ARCO operation, which has recently converted to a gasoline/retail "minimart." During the course of its inspection, the Division noted the presence of four underground storage tanks, three of which are currently pumping gas and one of which was formerly used as a waste oil storage container.

As indicated to you in a letter dated March 27, 1990, each of the three operational tanks must be permitted through this office. I left blank permit application forms with Mohsen Amini during the March 19 inspection, and indicated that they were to be completed and returned to this office by April 26, 1990. In addition, state law requires monitoring for these tanks, typically consisting of annual precision testing, working pipeline leak detectors, and daily inventory reconciliation. Records of daily monitoring must be summarized and submitted to this office on a quarterly basis; the facility must also submit to this office records of annual precision tests for each of the three tanks. To date, none of this has been done. This lack of proper permitting and monitoring record-keeping violates Sec. 2641 of Title 23, Chapter 3, Subchapter 16 of the California Code of Regulations.

In the March 27 letter this office also set a deadline of April 26, 1990 for the submittal of a facility business plan that includes a hazardous material/waste inventory and spill/release contingency procedures. Again, blanks were left with Mr. Amini during the March 19 inspection, and business plan requirements were explained. As of the date of this letter, we have received nothing from the facility, a violation of Secs. 25503.5 and 25509 of the California Health and Safety Code (H&SC).

Mr. James McAtee
May 15, 1990
Page 2 of 2

As this office communicated to you in the March 27 letter, the continued presence of the waste oil tank violates Sec. 25298(a) and (c) of the H&SC. In this letter, we enclosed forms and information regarding the closure of underground tanks in Alameda County. You will need to hire a contractor and have the closure form filled out and sent in triplicate, along with a deposit of \$375, to this office. As a reminder, this completed closure form and deposit are due no later than May 25, 1990. By this same date, we are requiring that the facility submit all relevant documents pertaining to the underground tanks, including testing and monitoring, and permit applications. We are also requiring the submittal of a completed business plan by May 25.

We are sending this Second Notice of Violation to you rather than to the station operator, because as the property owner you have the ultimate responsibility for ensuring that the facility meets all appropriate environmental regulations. Your attention is directed to Sections 25189 and 25191 of the Health and Safety Code, which provide for daily penalties of up to \$25,000 for continuing violation of these regulations.

If you have any questions about this letter or about underground tank regulations enforced by this office, please contact the undersigned at 271-4320.

Sincerely,

Gilbert M. Wistar

Gil Wistar
Hazardous Materials Specialist

cc: 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, Director



ALAMEDA COUNTY HLTH CARE SVC
HAZARDOUS MATERIALS DIVISION
80 SWAN WAY, SUITE 200
OAKLAND, CA 94621
(415) 271-4320

R01050 (ARCO)

VR02894

Certified Mailer # P062 127 913

Telephone Number: (415)

March 27, 1990

Mr. James McAtee
Springtown Towing
909 Bluebell Dr.
Livermore, CA 94550

NOTICE OF VIOLATION

Dear Mr. McAtee:

On March 19, 1990, the Alameda County Department of Environmental Health, Hazardous Materials Division inspected the Springtown ARCO/Springtown Towing facility at 909 Bluebell Dr. Apparently, you are the property owner at this address, and also own the Springtown Towing business. You lease part of the parcel to the Springtown ARCO operation, which has recently converted to a gasoline/retail "minimart." No auto repair is done at this facility. During the course of its inspection, the Division noted the presence of four underground storage tanks, one of which was formerly used as a waste oil storage container.

The continued presence of the waste oil tank, which is now out of use and for which no future use is foreseen, violates Sec. 25298(a) and (c) of the California Health and Safety Code (H&SC). These sections of code state that underground tanks must undergo proper closure (i.e., removal) as soon as they go out of operation. Abandonment is specifically forbidden. In addition, Sec. 25299(a)(5) of the H&SC authorizes civil penalties of up to \$5,000 per day to be assessed as long as violations of Sec. 25298 continue.

Therefore, the waste oil tank must be removed immediately, under closure procedures established by this office. Tank closure includes the cleanup of any soil or groundwater contamination that may have resulted from the tank systems. Enclosed are forms and information regarding the closure of underground tanks in Alameda County. You will need to hire a contractor and have the closure form filled out and sent in triplicate, along with a deposit of \$375, to this office. This completed closure form and deposit are due in 60 days, i.e., no later than **May 25, 1990**.

With regards to the three tanks that will continue to be used in association with the ARCO filling station, each must be permitted through this office. I left blank permit application forms with

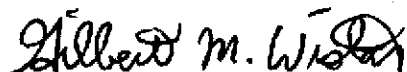
Mr. James McAtee
March 27, 1990
Page 2 of 2

Mohsen Amini during the March 19 inspection, and these must be completed and returned to this office within 30 days of the date of this letter. State law requires that monitoring occur for these tanks, typically consisting of annual precision testing, working pipeline leak detectors, and daily inventory reconciliation. Records of daily monitoring need to be summarized and submitted to this office on a quarterly basis; in addition, the tank operator will need to submit records of the annual precision tank test to this office.

Finally, a business plan for hazardous materials must be submitted to this office within 30 days of the date of this letter. Again, blanks were left with Mr. Amini during the March 19 inspection, and business plan requirements were explained.

If you have any questions about this letter or about underground tank regulations enforced by this office, please contact the undersigned at 271-4320.

Sincerely,



Gil Wistar
Hazardous Materials Specialist

enc.

cc (letter only):

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, Director



R02894

Telephone Number: (415)

⑥

January 17, 1990

Mr. Tim Berger
BSK & Associates
5729-F Sonoma Drive
Pleasanton, CA 94566

RE: SITE SEARCH REQUEST, PROPOSED MOTEL 6, LIVERMORE, CALIFORNIA

Dear Mr. Berger:

The following is in response to your request on information regarding fourteen (14) locations around the site of a proposed Motel 6 construction. As mentioned per our phone conversation, the county's information is from our inspections, underground storage tank activities and requirement for business plans at facilities.

4514 First St., Livermore

Current information from several engineering companies could not detect any underground storage tanks. Analysis by Earth Metrics Inc. of San Mateo will involve soil borings and soil testing as part of their second phase assessment.

(R0560) 4707 First St., Livermore

Mobil Station #10 has two 10,000-gallon tanks for super-unleaded and regular, a 12,000-gallon unleaded tank and a 1000-gallon waste oil tank, all double walled. Inspection in May 1988 revealed a number of deficiencies including:

1. No copy of precision tank tests available at that time;
2. No documentation of leak detection installed in the new tanks;
3. No copies of waste oil and solvent disposal receipts;
4. No EPA ID Number, and
5. No well water analysis results available from the groundwater monitoring wells.

A business plan has been submitted as required under the Health & Safety Code (H&SC), Chapter 6.95.

(R0258) 4700 First St., Livermore

Unocal #6034- A service station with 2-1000 gallon gasoline tanks and a 550-gallon waste oil tank. All three tanks passed precision tank tests done in May 1988. Previously, in 1987, four UGTs were removed: One 10,000-gallon, one 8000-gallon and one 6000-gallon gasoline tank and a 250-gallon waste oil tank. Remediation of tank pit soil contamination was performed by Kaprealian Engineering, Inc. and six monitoring wells were placed to monitor water impact. As mentioned previously, the three tanks currently in place tested tight in May 1988. Business plans have been submitted by this facility.

(R0477) 4904 So. Front St., Livermore

Bill's Chevron, Station #91924 - A service station with three underground fuel tanks and one (1) waste oil tank installed in April 1985. An interim permit was issued to this facility in February 1988.

4977 So. Front St., Livermore

Cal Gas - A propane gas supplier with four above-ground tanks with liquid capacities of 20000, 5722, 6670 and 11,500 gallons. A waste oil tank was removed at the site in 1989.

✓(R02894) 909 Bluebell Dr., Livermore

(R01050) Springtown Arco Service Station has three 10,000-gallon gasoline tanks and one (1) waste oil tank. In an August 1988 inspection, a number of deficiencies were found including:

1. Failure to fill out and submit UGT application forms.
2. Failure to fill out business plan and return within 30 days.
3. All hazardous waste to be disposed of by licensed hazardous waste hauler.

(R0834) 3797 - 1st St., Livermore

PG&E Line Construction - This facility has one 2000-gallon gasoline tank and one 500-gallon waste oil tank. Both tanks tested tight by precision tests in 1988 and have been issued temporary permits. A business plan has been received listing chemicals used at the site. A list of chemicals present, starting from largest volume first includes: mineral oil in transformers, diesel fuel, gasoline, motor oil, fuel additive and hydraulic oil.

Motel 6 Sitesearch
January 17, 1990
Page 3 of 3

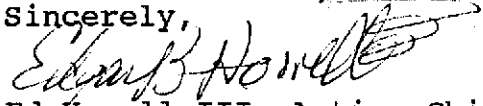
The county presently has no information on underground tanks, business plans or generation of hazardous materials on the following addresses:

COMPANY NAME	ADDRESS
1. Tech Machine Shop	4749 Las Positas Rd.
2. Tri-valley Tire Service	4908 So. Front St.
3. N/A	5147 So. Front St.
4. Big 4 Equipment Rental	5187 So. Front St.
5. J&L Screen Printing	314 Preston Court
6. MCR Ironworks	542 McGraw Avenue

This is limited to information available to this department and does not reflect any additional information which may be obtained from other agencies.

You will be billed for the provision of this service. Enclosed please find a copy of the form in which we will send to our Billing Unit.

Should you have any questions or require further information, please call Barney Chan at (415) 271-4320.

Sincerely,

Ed Howell III, Acting Chief
Hazardous Materials Division

BC:mam

cc: Files