SCVT
06-02-06

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY
DAVID J. KEARS, Agency Director

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

June 2, 2006

Mr. Aris Krimetz
Wente Winery
5565 Tesla Road
Livermore, CA 94550-9149

Subject: Fuel Leak Case No. RO0002585, Wente Winery, 5565 Tesla Road, Livermore, CA – Work Plan Approval

Dear Mr. Krimetz:

Alameda County Environmental Health (ACEH) staff has reviewed the fuel leak case file for the above-referenced site and the documents entitled, "Revised Work Plan and Response to Alameda County Environmental Health Staff's May 3, 2006 Comments, Fuel Leak Case No. RO0002585," dated May 25, 2006 and "Second Quarter 2006 Groundwater Monitoring Report," dated May 24, 2006. The "Revised Work Plan and Response to Alameda County Environmental Health Staff's May 3, 2006 Comments, Fuel Leak Case No. RO0002585," adequately addresses our May 3, 2006 comments. We concur with the Revised Work Plan provided that technical comment 1 is addressed during the field investigation.

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

TECHNICAL COMMENTS

1. **Comment 4 - Analysis of Lower Soil Sample in Hand Auger Borings.** The Revised Work Plan proposes to analyze the lower soil sample (3 to 3.5 feet bgs) only if the results of laboratory analysis on the shallower depth interval (1 to 1.5 feet bgs) show, "detectable levels of targeted constituents." This proposal is generally acceptable; however, the lower soil sample is to be analyzed regardless of laboratory results if any evidence of contamination such as staining, odor, or elevated PID readings is observed in the field at any interval within the hand auger boring. The proposed laboratory results criterion of "detectable levels of targeted constituents," to trigger analysis of the lower soil sample is acceptable for TPH, VOCs, polynuclear aromatic hydrocarbons, pesticides, and PCBs. For metals, the criterion should be clarified as concentrations exceeding ambient rather than "detectable levels of targeted constituents," since ambient concentrations of metals are likely to be detected.

2. **Second Quarter 2006 Groundwater Monitoring.** No analyses for tetrahydrofuran appear to have been performed on groundwater samples collected for quarterly monitoring on May 5, 2006. Tetrahydrofuran is a chemical of concern for the site due to the detection of 19,700 micrograms per liter of tetrahydrofuran in groundwater collected from the off-site supply well during the fourth quarter 2005 monitoring event. Tetrahydrofuran was included as an analyte for samples collected during the February 2006 groundwater sampling event. It is unclear

why tetrahydrofuran would not be included as an analyte during the May 5, 2006 groundwater sampling event. Tetrahydrofuran is to be included as an analyte for all VOC analyses performed at the site. Quarterly groundwater monitoring is to be continued.

TECHNICAL REPORT REQUEST

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

- **October 10, 2006** – Subsurface Investigation Report
- **October 17, 2006** – Quarterly Monitoring Report for the Third Quarter 2006

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.

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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 or send me an electronic mail message at jerry.wickham@acgov.org.

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

Mansour Sepehr, SOMA Environmental Engineering, 6620 Owens Drive, Suite A
Pleasanton CA 94588-3334

Donna Drogos, ACEH
Jerry Wickham, ACEH
File

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY
DAVID J. KEARS, Agency Director

SENT 05-04-06

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ENVIRONMENTAL PROTECTION
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May 3, 2006

Mr. Aris Krimetz
Wente Winery
5565 Tesla Road
Livermore, CA 94550-9149

Subject: Fuel Leak Case No. RO0002585, Wente Winery, 5565 Tesla Road, Livermore, CA

Dear Mr. Krimetz:

Alameda County Environmental Health (ACEH) staff has reviewed the fuel leak case file for the above-referenced site and the documents entitled, "Response to Alameda County Environmental Health Staff's Comments/Work Plan," dated April 14, 2006. The "Response to Alameda County Environmental Health Staff's Comments/Work Plan," dated April 14, 2006 proposes hand auger borings and depth-discrete groundwater sampling in the steam-cleaning and Welding Shop areas. The purpose of the proposed work is to characterize the extent of contamination in the area of an unlined drainage ditch and the steam-cleaning areas near the Welding Shop. Based on our review of the document, a number of additional site investigation activities beyond the proposed hand auger borings and depth-discrete groundwater sampling are required to fully characterize the extent of contamination in these areas. Therefore, we request that you submit a **revised Work Plan by July 11, 2006** that includes the items requested in the technical comments below.

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

TECHNICAL COMMENTS

1. **Proposed Depth-discrete Groundwater Sampling from GS-1.** The Response to Comments/Work Plan proposes the collection of grab groundwater samples from intervals of 11 to 16 and 39 to 44 feet bgs at proposed location GS-1. We also request that a grab groundwater sample be collected from a depth of 58 to 63 feet bgs at proposed location GS-1. We request that proposed location GS-1 be moved to a location downgradient from the Steam Cleaning Area as shown on the attached "Revised Hand Auger and Depth-discrete Groundwater Sampling Locations Figure."

2. **Proposed Grab Groundwater Sampling from GS-2.** The Response to Comments/Work Plan proposes the collection of grab groundwater samples from intervals of 19 to 24 and 56 to 61 feet bgs at location GS-2. We concur with the proposed depth intervals for the depth-discrete grab groundwater sampling in GS-2. We request that proposed location GS-2 be moved to a location downgradient from the former unlined drainage ditch and Steam Cleaning Bay as shown on the attached "Revised Hand Auger and Depth-discrete Groundwater Sampling Locations Figure."

3. **Investigation of Soil Contamination in Area of Former Unlined Drainage Ditch.** The Response to Comments/Work Plan currently proposes the collection of soil samples for metals analysis from hand auger borings in the area of the former unlined drainage ditch and Welding Shop. Laboratory analyses in addition to metals are required based on the types of contaminants potentially discharged from the steam cleaning areas. In the revised Work Plan requested below, please propose laboratory analyses for TPH, VOCs, polynuclear aromatic hydrocarbons, pesticides, and PCBs for soil samples collected in the area of the former unlined drainage ditch and steam-cleaning areas. Because the locations of the former unlined drainage ditch and stained soil are approximately known, we also request that soil vapor samples be collected from 6 locations as shown on the attached, "Revised Hand Auger and Depth-discrete Groundwater Sampling Locations Figure." Two soil vapor samples are also to be collected adjacent to the steam-cleaning area at the northern end of the Welding Shop. Please include plans for soil vapor sampling and laboratory analysis of the soil vapor samples in the revised Work Plan requested below.

4. **Proposed Depths for Soil Sampling in Hand Auger Borings.** The three proposed sampling intervals of 1 to 1.5, 2 to 2.5, and 3 to 3.5 feet bgs in each hand auger boring may be reduced to two sampling intervals of 1 to 1.5 and 3 to 3.5 feet bgs.

5. **Metals Analysis of Soil Samples.** Please identify in the revised Work Plan requested below, the specific metals that will be analyzed by proposed EPA Method 6010. Please see technical comment 3 regarding additional required analyses for soil samples collected in the area of the unlined drainage ditch and steam-cleaning areas.

6. **Quarterly Monitoring.** Quarterly groundwater sampling is to be continued for the three monitoring wells, the on-site water supply well, and the off-site water supply well at 5443 Tesla Road. Groundwater samples from the water supply wells are to be analyzed for TPH as gasoline, TPH as diesel, TPH as motor oil, volatile organics (full target list plus oxygenates), 1,2-dichloroethane, ethylene dibromide, and metals. Groundwater samples from the three on-site monitoring wells are to be analyzed for TPH as gasoline, TPH as diesel, TPH as motor oil, and volatile organics (full target list including MTBE). Please present the quarterly monitoring results in the reports requested below.

TECHNICAL REPORT REQUEST

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

- **July 11, 2006** – Revised Work Plan
- **July 17, 2006** – Quarterly Report for the Second Quarter 2006

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.

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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

Attachment: Revised Hand Auger and Depth-discrete Groundwater Sampling Locations Figure

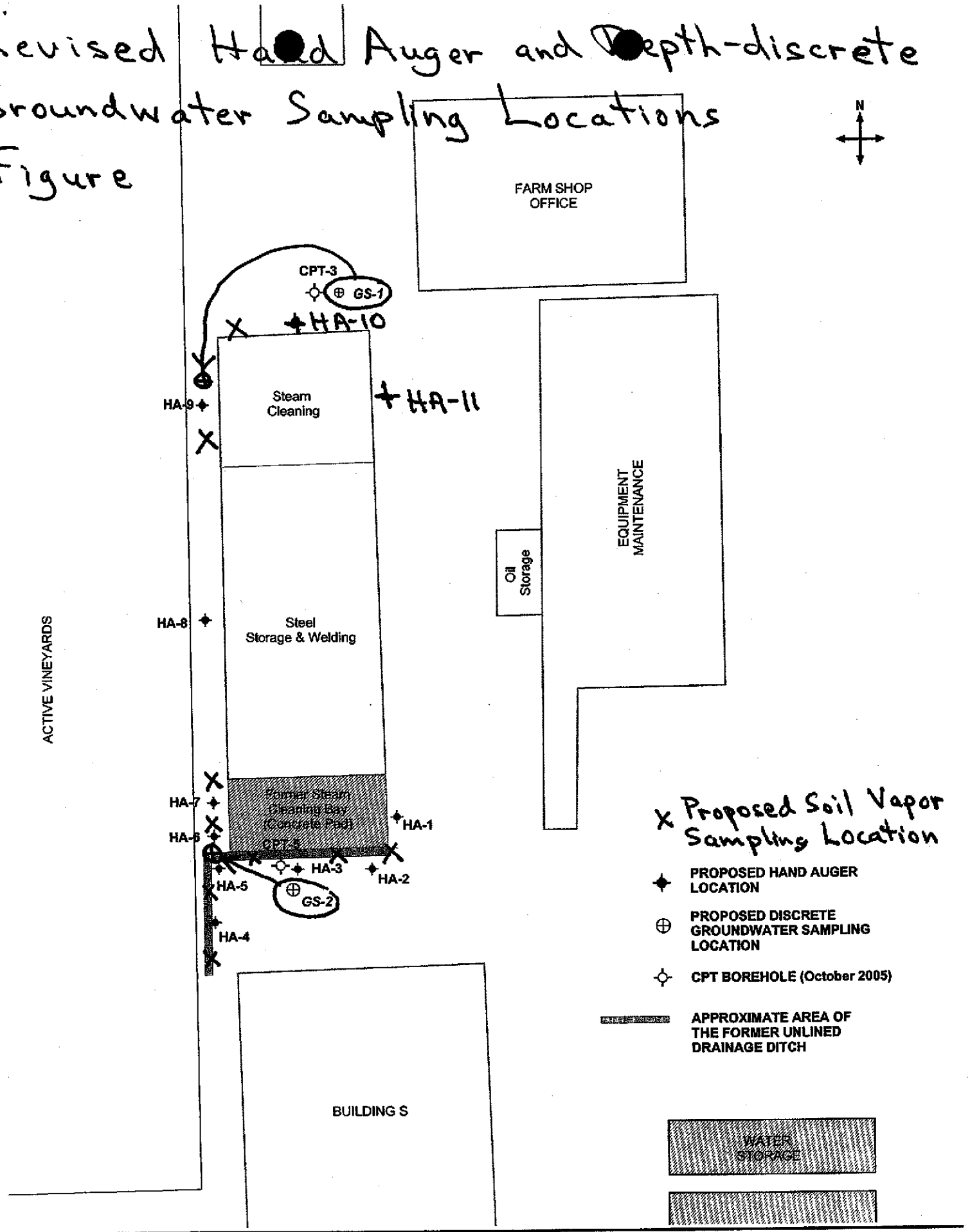
Enclosure: ACEH Electronic Report Upload (ftp) Instructions

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

Mansour Sepehr
SOMA Environmental Engineering
6620 Owens Drive, Suite A
Pleasanton CA 94588-3334

Donna Drogos, ACEH
Jerry Wickham, ACEH
File

Revised Hand Auger and Depth-discrete Groundwater Sampling Locations Figure



approximate scale in feet

0 20 40

Site Map Showing the Proposed Hand Auger and Discrete Groundwater Sampling Locations

SOMA ENVIRONMENTAL ENGINEERING, INC. SAN RAMON CA (925) 244 6500

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY
DAVID J. KEARS, Agency Director

Sent 02-1706

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February 16, 2006

Mr. Aris Krimetz
Wente Winery
5565 Tesla Road
Livermore, CA 94550-9149

Subject: Fuel Leak Case No. RO0002585, Wente Winery, 5565 Tesla Road, Livermore, CA

Dear Mr. Krimetz:

Alameda County Environmental Health (ACEH) staff has reviewed the fuel leak case file for the above-referenced site and report entitled, "Additional Site Investigation to Evaluate the Extent of Groundwater Contamination," dated December 6, 2005. The report presents the results from six cone penetrometer (CPT) borings and depth-discrete groundwater sampling in two areas of the site. Four CPT borings were advanced in the area of a former UST fuel leak and the remaining two CPT borings were advanced in the area of steam-cleaning operations near the building identified on site figures as the Welding Shop. Total petroleum hydrocarbons (TPH) as gasoline were at concentrations up to 260 micrograms per liter (µg/L) and benzene was detected at concentrations up to 2.4 µg/L in grab groundwater samples collected from the six CPT boring locations. Quarterly groundwater monitoring for the UST fuel leak is to be continued as discussed in the technical comments below. No further investigation in the area of the UST fuel leak beyond continued groundwater monitoring is required at this time.

Please see the technical comments below regarding requirements for the steam-cleaning area. A Response to Agency Comments or a Work Plan to conduct additional investigation in the area of steam-cleaning operations and the Welding Shop is to be submitted **by April 20, 2006** to address the technical comments below. We request that you address the following technical comments, perform the proposed work, and send us the reports described below.

TECHNICAL COMMENTS

1. **Volatile Organic Compounds in Off-site Well.** Tetrahydrofuran was detected at a concentration of 19,700 micrograms per liter (µg/L) and chloroethane was detected at a concentration of 380 µg/L in a groundwater sample collected on October 26, 2005 from an off-site water supply well at 5443 Tesla Road. Requirements to continue quarterly groundwater monitoring of the off-site supply well were previously provided in ACEH correspondence dated February 14, 2006. Tetrahydrofuran and chloroethane were not detected in a groundwater sample collected on January 16, 2006 from the water supply well at 5443 Tesla Road. The source or cause of the single detection of tetrahydrofuran and chloroethane in the off-site water supply well is currently not known. The area of the Welding Shop and Building S is southeast (upgradient) of the off-site water supply well at 5443 Tesla Road and is a potential source area. Chloroethane was not detected in grab groundwater samples collected from boring locations CPT-3 and CPT-5. However, no laboratory analyses

for tetrahydrofuran appear to have been conducted for groundwater samples collected from boring locations CPT-3 and CPT-5. Grab groundwater samples collected from borings CPT-3 and CPT-5 were analyzed for volatile organic compounds (VOCs) by EPA Method 8260 but tetrahydrofuran was not an analyte. In addition, no laboratory analyses for tetrahydrofuran have been conducted on previous soil and groundwater samples collected in the area of steam-cleaning operations and the Welding Shop. Therefore, no data are available to evaluate whether the area of steam-cleaning operations and the Welding Shop is a source for the tetrahydrofuran detected in the October 26, 2005 off-site groundwater sample. Please address this issue in a Response to Agency Comments or a Work Plan to conduct additional investigation in the area of steam-cleaning operations and the Welding Shop.

2. **Metals in Soil and Groundwater in the Area of Welding Shop and Steam-cleaning Area.** Nickel was detected in soil samples collected at a depth of one-foot bgs from two borings (B-3 and B-4) in the area of the Welding Shop at concentrations exceeding Tier 1 San Francisco Bay Regional Water Quality Control Board Environmental Screening Levels (ESLs) for shallow soil and commercial land use. Elevated concentrations of chromium, nickel, and lead were detected in a groundwater sample collected in June 2005 from boring B-10. Due to the presence of suspended sediment in the sample, the elevated concentrations of metals in the grab groundwater sample from boring B-10 may not be an accurate representation of dissolved phase metals concentrations. Groundwater samples collected from borings CPT-3 and CPT-5 in the area of the former steam-cleaning operations were also analyzed for metals. As shown on Table 1 of the "Additional Site Investigation to Evaluate the Extent of Groundwater Contamination," metals were detected in groundwater at concentrations exceeding the Tier 1 ESLs. However, the samples were filtered prior to laboratory analysis and therefore, the results are considered semi-quantitative. A review of the laboratory reports in the appendix to the report indicates that molybdenum was detected in the groundwater sample collected at CPT-5 from 19 to 24 feet bgs at a concentration of 59 µg/L. Please include molybdenum on future tables showing groundwater analytical results. We request that you address the issue of elevated concentrations of metals in soil and groundwater in the area of the Welding Shop in a Response to Comments or Work Plan as requested below.

3. **Discharges from Steam-cleaning Area.** A Notice of Violation (NOV) was issued by ACEH on December 11, 1990 (copy included as Attachment A) for spillage around the maintenance shop and discharges from the steam-cleaning area to an unlined runoff ditch. The NOV requested a Plan of Correction to include removal of all areas of soil contamination in and around the unlined drainage ditch as well as other areas of stained soil followed by confirmation sampling and analysis. In response to the NOV, correspondence from Wente Brothers dated January 11, 1991 (copy included as Attachment B), indicated that a closed loop system would be used for steam cleaning and that soil around the previous steam cleaning area will be sampled and tested by a state certified laboratory and that contamination will be remediated. Results of the removal and confirmation sampling are not in the ACEH files. Please provide the results from the corrective actions described in the January 11, 1991 correspondence with a Response to Agency Comments and/or present a Work Plan to complete these activities. In addition, a map showing the locations of the stained soil and the unlined drainage ditch is to be included with the Response to Agency Comments or Work Plan.

4. **Quarterly Monitoring.** Quarterly groundwater sampling is to be continued for the three monitoring wells, the on-site water supply well, and the off-site water supply well at 5443 Tesla Road. Groundwater samples from the water supply wells are to be analyzed for TPH as gasoline, TPH as diesel, TPH as motor oil, volatile organics (full target list plus oxygenates), 1,2-dichloroethane, ethylene dibromide, and metals. Groundwater samples from the three on-site monitoring wells are to be analyzed for TPH as gasoline, TPH as diesel, TPH as motor oil, and volatile organics (full target list including MTBE). Please present the quarterly monitoring results in the reports requested below.

TECHNICAL REPORT REQUEST

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

- **April 17, 2006** – Quarterly Report for the First Quarter 2006
- **April 20, 2006** – Response to Agency Comments or Work Plan
- **July 17, 2006** – Quarterly Report for the Second Quarter 2006

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.

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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

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PROFESSIONAL CERTIFICATION & CONCLUSIONS/RECOMMENDATIONS

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UNDERGROUND STORAGE TANK CLEANUP FUND

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AGENCY OVERSIGHT

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

Sincerely,

Jerry Wickham
Hazardous Materials Specialist

Attachment A: ACEH correspondence dated December 11, 1990
Attachment B: Wente Brothers correspondence dated January 11, 1991

Enclosure: ACEH Electronic Report Upload (ftp) Instructions

cc: Matt Katen, QIC 80201
Zone 7 Water Agency
100 North Canyons Parkway
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February 14, 2006

Mr. Aris Krimetz
Wente Winery
5565 Tesla Road
Livermore, CA 94550-9149

Subject: Fuel Leak Case No. RO0002585, Wente Winery, 5565 Tesla Road, Livermore, CA

Dear Mr. Krimetz:

Alameda County Environmental Health (ACEH) staff has reviewed the fuel leak case file for the above-referenced site and the results from the January 16, 2006 re-sampling of the off-site water supply well at the Steven Kent Winery at 5443 Tesla Road provide in correspondence dated February 1, 2006. The well was re-sampled in response to detections of tetrahydrofuran, chloroethane, and total petroleum hydrocarbons (TPH) as diesel in a groundwater sample collected on November 28, 2005. During the November 28, 2005 groundwater monitoring event, tetrahydrofuran was detected at a concentration of 19,700 micrograms per liter (µg/L), chloroethane was detected at a concentration of 380 µg/L, and TPH as diesel was detected at a concentration of 120 µg/L in the groundwater sample collected from the water supply well at 5443 Tesla Road.

Tetrahydrofuran, chloroethane, and TPH as diesel were not detected in the more recent groundwater sample collected on January 16, 2006. No other volatile organic compounds, fuel hydrocarbons, or metals were detected at concentrations exceeding drinking water criteria. In order to confirm these results, the off-site water supply well at 5443 Tesla Road is to be sampled on a quarterly basis with the three existing monitoring wells and on-site water supply well at 5565 Tesla Road. Further comments on investigation of the fuel leak case at 5565 Tesla Road will be provided in separate correspondence from ACEH related to the December 6, 2005 report entitled, "Additional Site Investigation to Evaluate the Extent of Groundwater Contamination."

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

TECHNICAL COMMENTS

1. **Sampling of Well at 5443 Tesla Road.** Please provide additional description of the purging procedures used to sample the well at 5443 Tesla Road. In future quarterly monitoring reports, please describe the type of pump used for purging, whether the pump is dedicated to the well, and the depth at which the pump is placed in the well.

2. **Future Use of Well at 5443 Tesla Road.** The well at 5443 Tesla Road is not to be used for water supply until the results from further sampling are evaluated and written approval is provided by ACEH.

3. **Table 1 – Historical Groundwater Elevation Data and Analytical Results.** The May 20, 2005 sampling results for the well at 5443 Tesla Road are missing from this table. Please add the May 20, 2005 sampling results to future versions of this table in the quarterly monitoring reports requested below.

4. **Quarterly Monitoring.** Quarterly groundwater sampling is to be continued for the three monitoring wells, the on-site water supply well, and the off-site water supply well at 5443 Tesla Road. Groundwater samples from the water supply wells are to be analyzed for TPH as gasoline, TPH as diesel, TPH as motor oil, volatile organics (full target list plus oxygenates), 1,2-dichloroethane, ethylene dibromide, and metals. Groundwater samples from the three on-site monitoring wells are to be analyzed for TPH as gasoline, TPH as diesel, TPH as motor oil, and volatile organics (full target list including MTBE). Please present the quarterly monitoring results in the reports requested below.

TECHNICAL REPORT REQUEST

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

- **April 15, 2006** – Quarterly Report for the First Quarter 2006
- **July 15, 2006** – Quarterly Report for the Second Quarter 2006

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.

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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

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UNDERGROUND STORAGE TANK CLEANUP FUND

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

AGENCY OVERSIGHT

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

Sincerely,

Jerry Wickham
Hazardous Materials Specialist

Enclosure: ACEH Electronic Report Upload (ftp) Instructions

cc: Janis Fisher
Steven Kent Winery
5443 Tesla Road
Livermore, CA 94550

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

Mansour Sepehr
SOMA Environmental Engineering
6620 Owens Drive, Suite A
Pleasanton CA 94588-3334

Donna Drogos, ACEH
Jerry Wickham, ACEH
File

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY
DAVID J. KEARS, Agency Director

SENT 01-05-06

ENVIRONMENTAL HEALTH SERVICES
ENVIRONMENTAL PROTECTION
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(510) 567-6700
FAX (510) 337-9335

January 4, 2006

Aris Krimetz
Wente Winery
5565 Tesla Road
Livermore, CA 94550-9149

Subject: Fuel Leak Case No. RO0002585, Wente Winery, 5565 Tesla Road, Livermore, CA

Dear Mr. Krimetz:

Alameda County Environmental Health (ACEH) staff has reviewed the fuel leak case file for the above-referenced site and data submitted to the Geotracker website from groundwater sampling conducted on November 28, 2005. During the November 28, 2005 groundwater monitoring event, groundwater samples were collected from the three monitoring wells at 5565 Tesla Road, the on-site water supply well at 5565 Tesla Road, and a water supply well at the Steven Kent Winery at 5443 Tesla Road. Elevated concentrations of volatile organic compounds (VOCs) were detected in the sample collected from the water supply well at 5443 Tesla Road. Tetrahydrofuran was detected at a concentration of 19,700 micrograms per liter (µg/L) and chloroethane was detected at a concentration of 380 µg/L in the groundwater sample collected from the water supply well at 5443 Tesla Road. As we discussed by telephone on January 4, 2006, the elevated concentrations of VOCs detected in the water supply well at 5443 Tesla Road pose a human health risk for potable water use. Total petroleum hydrocarbons as diesel (TPHd) were also detected at a concentration of 120 µg/L.

Tetrahydrofuran was not detected in the water supply well at 5565 Tesla Road; however, chloroethane was detected at a concentration of 3.4 µg/L in the sample collected from the water supply well at 5565 Tesla Road. TPHd was detected at a concentration of 100 µg/L in the groundwater sample collected from the water supply well at 5565 Tesla Road.

Based on our January 4, 2006 conversation, we understand that Wente Winery provides water to the Steven Kent Winery using the well at 5565 Tesla Road, which is sometimes mixed with water from the 5443 Tesla Road well when the flow is high enough. As agreed during our January 4, 2006 conversation, the well at 5443 Tesla Road will not be used for water supply until further sampling is conducted and the results evaluated. The well at 5443 Tesla Road is to be sampled again as soon as possible to determine whether the elevated concentrations of VOCs detected are present in a groundwater plume or whether the detections are from a transient source. Ms. Janis Fisher of Steven Kent Winery was informed of the November 28, 2005 sampling results on January 3, 2006 and the potential human health risk if water from the well at 5443 Tesla Road were used as potable water.

If elevated concentrations of VOCs are detected in the sample to be collected from the well at 5443 Tesla Road, additional investigation of the source of the VOCs will be required. Specifically, further investigation of the area of Building S at 5565 Tesla Road will be required. This area is upgradient from the well at 5443 Tesla Road and historic discharges have occurred in this area.

Further comments on the investigation of this area as well as the fuel leak from former USTs at 5565 Tesla Road will be provided by ACEH in comments on your recently submitted report entitled, "Additional Site Investigation to Evaluate the Extent of Groundwater Contamination."

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

TECHNICAL COMMENTS

1. **Sampling of Well at 5443 Tesla Road.** The water supply well at 5443 Tesla Road is to be sampled again as soon as possible. Groundwater collected from the water supply well is to be analyzed for TPH as gasoline, TPH as diesel, TPH as motor oil, volatile organics (full target list plus oxygenates), 1,2-dichloroethane, ethylene dibromide, and metals. Please provide the laboratory analytical results and a complete description of the methods used to purge and sample the well, including a including a diagram of the piping at the wellhead by **February 6, 2006** as requested below. Please also include a discussion of the use of water from the well in the water distribution system and, if necessary, a diagram to illustrate the potential for backflow from the water distribution system to the well.

2. **Future Use of Well at 5443 Tesla Road.** The well at 5443 Tesla Road is not to be used for water supply until the results from further sampling are evaluated and written approval is provided by ACEH.

3. **Quarterly Monitoring.** Quarterly groundwater sampling is to be continued for the three monitoring wells, the on-site water supply well, and the off-site water supply well at 5443 Tesla Road. Groundwater samples from the water supply wells are to be analyzed for TPH as gasoline, TPH as diesel, TPH as motor oil, volatile organics (full target list plus oxygenates), 1,2-dichloroethane, ethylene dibromide, and metals. Groundwater samples from the three on-site monitoring wells are to be analyzed initially for TPH as gasoline, TPH as diesel, TPH as motor oil, volatile organics (full target list plus oxygenates), 1,2-dichloroethane, and ethylene dibromide. If fuel oxygenates, 1,2-dichloroethane, and ethylene dibromide are not detected in the three monitoring wells during the initial quarterly sampling event, analyses for these compounds may be discontinued during subsequent quarterly monitoring events. Please present the quarterly monitoring results in the reports requested below.

TECHNICAL REPORT REQUEST

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

- **February 6, 2006** – Analytical Results from Sampling of Well at 5443 Tesla Road
- **March 15, 2006** – Quarterly Report for the First Quarter 2006
- **June 15, 2006** – Quarterly Report for the Second Quarter 2006

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.

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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.

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PROFESSIONAL CERTIFICATION & CONCLUSIONS/RECOMMENDATIONS

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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: Janis Fisher
Steven Kent Winery
5443 Tesla Road
Livermore, CA 94550

Matt Katen, QIC 80201
Zone 7 Water Agency
100 North Canyons Parkway
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Mansour Sepehr, SOMA Environmental Engineering, 6620 Owens Drive, Suite A, Pleasanton CA 94588-3334

Donna Drogos, ACEH
Jerry Wickham, ACEH
File

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY
DAVID J. KEARS, Agency Director

SENT 9-21-05

ENVIRONMENTAL HEALTH SERVICES
ENVIRONMENTAL PROTECTION
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Alameda, CA 94502-6577
(510) 567-6700
FAX (510) 337-9335

September 19, 2005

Aris Krimetz
Wente Winery
5565 Tesla Road
Livermore, CA 94550-9149

Subject: Fuel Leak Case No. RO0002585, Wente Winery, 5565 Tesla Road, Livermore, CA

Dear Mr. Krimetz:

Alameda County Environmental Health (ACEH) staff has reviewed the fuel leak case file for the above-referenced site and the report entitled, "Phase I: Soil and Groundwater Investigation," dated July 25, 2005 and prepared on your behalf by SOMA Environmental Engineering, Inc. The report presents the results of soil and groundwater sampling conducted at the above referenced site in May and June, 2005. Fuel hydrocarbons were detected in soil and groundwater at elevated concentrations in the area of two former underground storage tanks (USTs). Elevated concentrations of metals were detected in a groundwater sample collected adjacent to a former steam cleaning bay. Benzene was detected at a concentration of 0.77 micrograms per liter (µg/L) in an off-site well located west of the former USTs. Toluene was detected at concentrations of 1.08 and 0.85 µg/L in the off-site well and an on-site well, respectively. Based on these results, the Phase I Soil and Groundwater Investigation Report recommended further investigation to complete site characterization. ACEH concurs that additional investigation is needed to complete site characterization.

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

TECHNICAL COMMENTS

1. **Proposed CPT/MIP Boring Locations.** The Phase I Investigation Report proposes to use cone penetrometer test/membrane interface probe (CPT/MIP) data to select intervals for depth-discrete groundwater sampling. Depth-discrete groundwater samples are to be collected from each water-bearing zone and/or each zone where the MIP data indicate contamination. The borings are to be extended to a minimum depth of 60 feet below grade. ACEH requests that a CPT/MIP boring be placed along the western boundary of the site midway between monitoring wells MW-1 and MW-2. Please move proposed boring CPT/MIP-1 to a location that is directly northwest of the former USTs. The purpose of proposed boring CPT/MIP-3 is not clear. We request that boring CPT-MIP-3 be moved to a location north of the Welding Shop that is downgradient (northwest of) the steam cleaning area and oil storage area shown in this area of the site on Figure 2 in the June 23, 2003 Clayton report entitled, "Preliminary Subsurface Investigation." Please assure that proposed boring CPT/MIP-5 is located downgradient from the former steam-cleaning area. The purpose of proposed boring CPT/MIP-6, which is located east of the former USTs, is also not

clear. Please provide an explanation of the rationale for CPT/MIP-6 or move the boring to the requested location midway between wells MW-1 and MW-2.

2. **Laboratory Analyses for Depth-discrete Groundwater Samples.** ACEH requests that the groundwater samples collected from CPT/MIP borings CPT/MIP-1, -2, -4, and -6 be analyzed for total petroleum hydrocarbons (TPH) as gasoline, TPH as diesel, TPH as motor oil, BTEX, 1,2-dichloroethane, and ethylene dibromide. Groundwater samples collected from CPT/MIP borings CPT/MIP-3 and -5 are to be analyzed for TPH as gasoline, TPH as diesel, TPH as motor oil, volatile organics (full target list), and metals.

3. **Off-Site Water Supply Well.** ACEH is concerned with the detection of benzene and toluene in the off-site well at 5443 Tesla Road. Please contact the current well owner for 5443 Tesla Road to provide the analytical results from the May 20, 2005 sampling and to obtain additional information on the construction and use of the well. Please provide this information along with the current contact information for the well owner in the Work Plan requested below.

4. **Sampling Water Supply Wells.** ACEH requests that both the off-site water supply well at 5443 Tesla Road and the on-site water supply well be sampled as part of the quarterly groundwater monitoring requested below. Groundwater samples collected from these two water supply wells are to be analyzed for TPH as gasoline, TPH as diesel, TPH as motor oil, volatile organics (full target list plus oxygenates), 1,2-dichloroethane, ethylene dibromide, and metals. Please sample and analyze groundwater from these wells on a quarterly basis and present the results in the Quarterly Monitoring Reports requested below.

5. **Quarterly Monitoring.** The three monitoring wells, the on-site water supply well, and the off-site water supply well at 5443 Tesla Road are to be sampled quarterly. As previously discussed in comment 4 above, groundwater samples from the on-site and off-site water supply wells are to be analyzed for TPH as gasoline, TPH as diesel, TPH as motor oil, volatile organics (full target list plus oxygenates), 1,2-dichloroethane, ethylene dibromide, and metals. Groundwater samples from the three on-site monitoring wells are to be analyzed initially for TPH as gasoline, TPH as diesel, TPH as motor oil, BTEX plus fuel oxygenates, 1,2-dichloroethane, and ethylene dibromide. If fuel oxygenates, 1,2-dichloroethane, and ethylene dibromide are not detected in the three monitoring wells during the initial quarterly sampling event, analyses for these compounds may be discontinued during subsequent quarterly monitoring events.

6. **Metals in Groundwater.** Elevated concentrations of metals were detected in the groundwater sample collected from boring B-10. ACEH concurs that the elevated concentrations of metals in the grab groundwater sample from boring B-10 may not be an accurate representation of dissolved phase metals concentrations due to the sampling method. The Phase I Investigation Report recommends that groundwater samples collected near the steam-cleaning areas be filtered and analyzed for metals. The depth-discrete groundwater samples to be collected for metals analysis from CPT/MIP borings CPT-3 and CPT-5 may be filtered in the field using a 0.45-micron filter. However, filtering of samples prior to analysis may alter the sample and affect the analytical results. Therefore, the metals results from filtered samples will be considered semiquantitative results.

7. **Cross Sections.** Please use the results of the proposed investigation along with results from previous investigations to prepare a minimum of two hydrogeologic cross sections (one approximately perpendicular and one approximately parallel to the groundwater flow direction for the site. The cross sections are to illustrate the lateral and vertical extent of soil layers, where groundwater was first encountered in borings and the static water levels, observations of free product, staining, and odor, and sample locations and results. Please include the cross sections in the Soil and Groundwater Investigation Report requested below.

TECHNICAL REPORT REQUEST

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

- **January 15, 2006** - Quarterly Monitoring Report for the Fourth Quarter 2005
- **January 27, 2006** – Phase II Soil and Groundwater Investigation Report

These reports are being requested pursuant to California Health and Safety Code Section 25296.10. 23 CCR Sections 2652 through 2654, and 2721 through 2728 outline the responsibilities of a responsible party in response to an unauthorized release from a petroleum UST system, and require your compliance with this request.

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UNDERGROUND STORAGE TANK CLEANUP FUND

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AGENCY OVERSIGHT

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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: Mansour Sepehr, SOMA Environmental Engineering, 6620 Owens Drive, Suite A, Pleasanton CA 94588-3334

Donna Drogos, ACEH
Jerry Wickham, ACEH
File

SENT 0404-05

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY
DAVID J. KEARS, Agency Director

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FAX (510) 337-9335

April 4, 2005

Aris Krimetz
Wente Bros.
5565 Tesla Rd.
Livermore, CA 94550-9149

Subject: Fuel Leak Case No. RO0002585, Wente Vineyards, 5565 Tesla Road, Livermore, California – Workplan Approval

Dear Mr. Krimetz:

Alameda County Environmental Health (ACEH) has reviewed the March 9, 2005, *Addendum to Third Workplan* prepared by SOMA Environmental Engineering, Inc., for the above-referenced site. We concur with your workplan provided the following conditions are met:

1. As required by 23 CCR 2729 and 2729.1, all analytical data, monitoring well locations and top-of-casing elevations will be uploaded to the State Geotracker database. Confirmation will be submitted to ACEH in the report requested below.
2. If deemed necessary by your geologist or engineer to fully define the vertical and lateral extent of contamination, additional soil or groundwater samples will be collected as part of the current investigation efforts. ACEH will be informed via telephone or email of any additions to the sampling and analysis plan. Any additional work will follow the workplan-specified procedures. Dynamic investigations are consistent with USEPA protocol for expedited site assessments, which are scientifically valid and offer a cost-effective approach to fully define a plume and to help progress a case toward closure.
3. 72-hr advance written notification (email preferred) will be provided to ACEH prior to field sampling activities.

Please implement the proposed investigation and submit technical reports following the schedule below. In addition, we have the following technical comments regarding your workplan addendum.

TECHNICAL COMMENTS

1. Cost Effectiveness of Investigation Approach

In accordance with Water Code Section 13307, State Water Resources Control Board (SWRCB) Resolution 92-49, *Policies and Procedures for Investigation and Cleanup and Abatement of Discharges Under Water Code Section 13304,* as amended October 2, 1996, Resolution III, D, requires that the responsible party for a cleanup be made aware of and be allowed to consider techniques which provide a cost-effective basis for initial assessment. In our January 19, 2005, letter, ACEH concurred with SOMA's proposed use of dual-tube direct push drilling. Dual-tube technology is an industry-accepted drilling technique that has shown to be cost-effective for shallow soil and groundwater investigations.

In their January 31, 2005, *Revised Workplan*, instead of addressing ACEH's concerns regarding SOMA's proposed protocol for dual-tube direct push drilling, SOMA proposed CPT drilling with a

MIP probe. ACEH disputed SOMA's selection of CPT drilling for sample collection and soil profiling because the total depth of drilling necessary at this site may not exceed the depth typically achievable using a less expensive geoprobe drill rig (see Comment #2, below). In response, SOMA submitted cost estimates on March 8, 2005 indicating that SOMA believes that CPT drilling will be less expensive than dual-tube drilling. SOMA submitted no previous analysis of analogous sites, as suggested by Resolution 92-49. Contrary to the statements in SOMA's March 9, 2005, workplan addendum, ACEH does not agree with SOMA's cost evaluation. We take no position on the cost-effectiveness of the proposed approach, and at this site, we do not require the specific use of a CPT rig with a MIP probe or otherwise specify drilling techniques for sample collection.

2. Proposed Drilling Depths

The maximum depth of confirmed contamination reported in Clayton Group Services' June 23, 2004, *Preliminary Subsurface Investigation* is 14 ft bgs. Accordingly, ACEH recommends that drilling during the proposed investigation extend to at least 24 ft bgs. SOMA proposes drilling to 50 ft bgs. ACEH recommends that the need for drilling to 50 ft bgs be reassessed during drilling, based on field data. As stated in our January 19, 2005, letter, we recommend that you collect and analyze soil samples from a boring within or immediately downgradient of the former UST location to at least 10 ft below the total depth of impact, as identified by field screening of samples.

REPORT REQUEST

Please submit your *Soil and Water Investigation Report* by **June 4, 2005**. ACEH makes this request pursuant to California Health & Safety Code Section 25296.10. 23 CCR Sections 2652 through 2654, and 2721 through 2778 outline the responsibilities of a responsible party for an unauthorized release from an UST system, and require your compliance with this request.

Professional Certification and Conclusions/Recommendations

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Perjury Statement

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UNDERGROUND STORAGE TANK CLEANUP FUND

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

AGENCY OVERSIGHT

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

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

Sincerely,

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

cc: Mansour Sepehr, SOMA Environmental Engineering, Inc., 2680 Bishop Dr., Ste. 203, San Ramon, CA 94583
Matt Katen, Zone 7 Water Agency, QIC 80201
Donna Drogos, ACEH
file

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY
DAVID J. KEARS, Agency Director

Sent 01-19-05

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FAX (510) 337-9335

January 19, 2005

Aris Krimetz
Wente Bros.
5565 Tesla Rd.
Livermore, CA 94550-9149

Subject: Fuel Leak Case No. RO0002585, Wente Vineyards, 5565 Tesla Road, Livermore, California – Response to Workplan

Dear Mr. Krimetz:

Alameda County Environmental Health (ACEH) has reviewed your October 12, 2004, *Revised Workplan to Conduct Additional Soil and Groundwater Investigation* prepared by SOMA Environmental Engineering, Inc., for the above-referenced site. Up to 24 mg/kg TPHg and 1.3 mg/kg 1,2,4-trimethylbenzene were detected in soil, and up to 200,000 ug/L TPHg, 150,000 ug/L TPHd, 2,100 ug/L benzene, 34,000 ug/L toluene, and 1,800 ug/L naphthalene were detected in groundwater in the location of the former underground storage tanks (USTs) removed in 1987. Three aboveground storage tanks (ASTs) are currently located in this same location. In addition, up to 180 ug/L TPHd and 370 ug/L TPHmo were detected in groundwater near a former steam cleaning area located approximately 190 ft south-southwest of the former USTs. Onsite drinking water supply well 3S/2E 23C 1 is located approximately 265 ft south of the former UST location, and drinking water supply well 3S/2E 23C 2 is located within 300 ft in the approximate downgradient direction from the site. The lateral and vertical extent of contamination is currently undefined. SOMA proposes installation of 9 additional soil borings to further delineate petroleum hydrocarbons and VOCs in groundwater. Please revise your workplan and submit an addendum to address the technical comments below.

TECHNICAL COMMENTS

1. Depth-Discrete Groundwater Sampling

SOMA proposes dual-tube direct push sampling and use of a Watera sampler. It is not clear from SOMA's sampling and analysis plan how cross-contamination will be prevented during collection of multiple depth-discrete samples from a single soil boring. It is also not clear how target groundwater sampling zones will be identified prior to drilling through the target zone. No information was provided regarding the Watera sampler. Typically, depth-discrete groundwater sampling using dual-tube drilling technology requires: 1) a pilot bore hole to identify lithology, and 2) additional boreholes to collect groundwater from each water-bearing zone identified in the pilot borehole. ACEH is willing to consider innovative sampling approaches; however, additional description of methods is required. Please amend your sampling and analysis plan in the workplan addendum requested below.

2. Vertical Definition

To evaluate the vertical extent of groundwater contamination, SOMA states that "the drilling crew will advance the cased DPT sampler to collect discrete groundwater samples from deeper water-bearing zones." Please more fully describe your proposed approach to define the vertical extent of contamination. Please state 1) your proposed screened interval for each depth-

discrete groundwater sample (not greater than 5 ft), and 2) your criteria for determining when further drilling is no longer necessary. To define the vertical extent of source area contamination, we recommend that you collect and analyze soil samples from a boring within or immediately downgradient of the former UST location to at least 10 ft below the total depth of impact, as identified by field screening of samples. Please amend your sampling and analysis plan in the workplan addendum requested below.

3. Drinking Water Supply Well Sampling

SOMA identified well 3S/2E 23C 2 at the property downgradient of and adjacent to the site. According to SOMA, no DWR driller's report was available for this well. Due to the close proximity of this well to the site and the potential for the well to be screened in a shallow zone, we request that you sample this well as part of the current investigation. Both well 3S/2E 23C 2 and onsite well 3S/2E 23C 1 need to be sampled during pumping conditions. If the wells are found to be inactive prior to sampling, we require that the wells be purged and that water quality parameters (including temperature, pH, and electrical conductivity, at a minimum) be monitored until apparent steady-state conditions are achieved. Depending on the results of your groundwater investigation, ambient condition and/or depth-discrete sampling from these wells may also be required in the future. Please amend your sampling and analysis plan in the workplan addendum requested below.

REPORT REQUEST

Please submit your *Workplan Addendum,* which addresses the comments above by **April 19, 2005**. ACEH makes this request pursuant to California Health & Safety Code Section 25296.10. 23 CCR Sections 2652 through 2654, and 2721 through 2778 outline the responsibilities of a responsible party for an unauthorized release from an UST system, and require your compliance with this request.

Professional Certification and Conclusions/Recommendations

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

Perjury Statement

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

UNDERGROUND STORAGE TANK CLEANUP FUND

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

AGENCY OVERSIGHT

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

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

Sincerely,

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

cc: Mansour Sepehr, SOMA Environmental Engineering, Inc., 2680 Bishop Dr., Ste. 203, San Ramon, CA 94583
Matt Katen, Zone 7 Water Agency, QIC 80201
Donna Drogos, ACEH
Robert W. Schultz, ACEH

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY
DAVID J. KEARS, Agency Director

SENT 8-17-04

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

August 12, 2004

Aris Krimetz
Wente Bros.
5565 Tesla Rd.
Livermore, CA 94550-9149

Subject: Fuel Leak Case No. RO0002585, Wente Vineyards, 5565 Tesla Road, Livermore, California

Dear Mr. Krimetz:

Alameda County Environmental Health (ACEH) has reviewed the May 11, 2004, *Workplan For Conducting An Additional Site Investigation and Groundwater Monitoring Well Installation* and the case file for the above-referenced site. The Workplan was prepared and submitted on your behalf by SOMA Environmental Engineering, Inc. We do not concur with SOMA's proposed scope of work or with the proposed technical approach. We request that you address the following technical comments and submit a revised workplan by the due date specified below.

TECHNICAL COMMENTS

The June 23, 2003 *Preliminary Subsurface Investigation* report prepared by Clayton Group Services, Inc., documents the presence of petroleum hydrocarbon contamination in soil and groundwater at the site. Up to 24 mg/kg TPHg and 1.3 mg/kg 1,2,4-trimethylbenzene were detected in soil, and up to 200,000 ug/L TPHg, 2,100 ug/L benzene and 34,000 ug/L toluene were detected in groundwater in the location of the former underground storage tanks (USTs) removed in 1987. Three aboveground storage tanks (ASTs) are currently located in this same location. In addition, up to 180 ug/L TPHd and 370 ug/L TPHmo were detected in groundwater near a former steam cleaning area located approximately 190 ft south-southwest of the former USTs.

In addition, a drinking water supply well is located approximately 265 ft south of the former UST location. We understand that Wente Bros. uses groundwater from the well as a backup drinking water source and for facility process water.

In response to the subsurface petroleum hydrocarbon detections, SOMA proposes to install three groundwater monitoring wells: 1) adjacent and northwest of the former USTs, 2) approximately 50 ft west of the former USTs, and 3) approximately 125 ft northwest of the former USTs. SOMA proposes these locations to evaluate the groundwater gradient and the extent of groundwater contamination in the estimated downgradient direction from the USTs.

1. Site Characterization

Clayton estimates the current local groundwater flow direction to be toward the north-northwest; however, this estimate has not been field confirmed. The monitoring well locations proposed by SOMA may or may not be downgradient of the former USTs. Appropriate screening intervals for the future wells and the influence of the onsite water supply well on shallow groundwater have

not been evaluated. Accordingly, prior to proposing installation of monitoring wells, we request that your scope of work include the following:

- Evaluation of total well depth, screened interval(s), lithology (as available from historical drilling reports), and static depth to groundwater in the onsite water supply well;
- Analysis of a water sample from the supply well (TPHd, TPHg, BTEX and MTBE by EPA Method 8260);
- Additional lithologic characterization to better define the "shallow/perched water-bearing zone" discussed by SOMA;
- Vertical definition of petroleum hydrocarbon contamination in soil and groundwater beneath the former USTs; and
- Depth discrete groundwater sampling to define the plume extent.

As part of your depth discrete groundwater sampling effort we recommend you consider installation of temporary piezometers to evaluate the local groundwater gradient. Once additional hydrogeologic information is available, and once depth discrete groundwater sampling has defined the vertical and horizontal extent of the dissolved contaminant plume(s), monitoring wells may be appropriately sited and installed. Prior to installing wells, we will require an investigation report with a workplan for well installation. Include your proposal for this work in the revised workplan requested below.

In addition, we recommend further assessment of the petroleum hydrocarbon impact near the former steam cleaning area to the south-southwest of the former UST area as part of the current investigation.

2. Regional Hydrogeologic Study

We request that you perform a study of the regional geologic and hydrogeologic setting for your site by reviewing the available technical literature for the area. The objectives of a regional geologic and hydrogeologic study are to 1) provide data to develop an initial Conceptual Site Model (CSM), 2) identify regional hydrogeologic features - and phenomena such as historical water level fluctuations - that could influence or control the migration of contamination, and 3) determine the appropriate scope of initial investigation activities. Background information for your review includes but is not limited to regional geologic maps, United States Geological Survey (USGS) technical reports and documents, Department of Water Resources (DWR) Bulletins, Regional Water Quality Control Board reports on the groundwater basin, data from contaminant investigations in the area, and driller's reports from the well survey requested below (Comment #3). Provide a narrative discussion of the regional geologic and hydrogeologic setting obtained from your background study. Include an evaluation of the potential significance of regional geologic features on site contaminant migration. Use photocopies of regional geologic maps, groundwater contours, cross-sections, etc., to illustrate your results and include a list of the technical references reviewed. Report your results as part of the workplan requested below.

3. Well Survey

We request that you perform a well survey to locate all wells (monitoring and production wells: active, inactive, standby, decommissioned, abandoned and dewatering, drainage and cathodic protection wells) within a 2,000 foot radius of the subject site. Submittal of maps showing the

location of all wells identified in your study, and the use of tables to report the data collected as part of your survey are required. We recommend that you obtain well information from both Zone 7 Water Agency and the State of California Department of Water Resources, at a minimum. Please include an analysis and interpretation of your findings, and report your results in the workplan requested below.

REPORT REQUEST

Please submit a *Revised Soil and Groundwater Investigation Workplan* addressing the comments above to ACEH by **September 12, 2004**. Pursuant to Section 25297 of the California Health and Safety Code, ACEH requests this report utilizing the Regional Water Quality Control Board's authority defined under Section 13267 of the California Water Code.

PROFESSIONAL CERTIFICATION AND 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.

PERJURY STATEMENT

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

UNDERGROUND STORAGE TANK CLEANUP FUND

Please be aware that you may be eligible for reimbursement of the costs of investigation from the California Underground Storage Tank Cleanup Fund (USTCF). Information regarding the USTCF is available at: http://www.swrcb.ca.gov/cwphome/ustcf/. If you believe you meet the eligibility requirements, I strongly encourage you to obtain an application form online or call the USTCF 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 County District Attorney or other appropriate agency, for enforcement. California Health and Safety Code, Section 25299.76 authorizes ACEH enforcement including administrative action or monetary penalties of up to $10,000 per day for each day of violation.

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

Sincerely,

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

Cc: Mansour Sepehr, SOMA Environmental Engineering, Inc., 2680 Bishop Dr., Ste. 203, San Ramon, CA 94583
Matt Katen, Zone 7 Water Agency, QIC 80201
Donna Drogos, ACEH
Robert W. Schultz, ACEH

WENTE BROS.
Fine Wines Since 1883

91 JAN 14 PM 3:19

January 11, 1991

Mr. Gil Wistar
Hazardous Materials Specialist
DEPT. OF ENVIRONMENTAL HEALTH
80 Swan Way, Room 200
Oakland, CA 94621

RE: Plan of Correction of Violations Per
Certified Mailer #P 062 128 106

Wente Bros. is prepared to correct the following violations noted in your correspondence dated December 11, 1990.

1. All steam cleaning operations have ceased and will not resume until an appropriate waste water handling system is installed. At this time, the specific equipment has not been identified, but it will be in the form of a closed loop system with no future discharges.

2. The soil around the previous steam cleaning area as well as other areas noted in your letter will be sampled and tested by a state certified laboratory and in case of contamination will be remediated on site. The remediation process shall be performed by Wente Bros. personnel or agents thereof. The process will adhere to appropriate regulations and practices established by your office and other agencies involved. These activities will begin immediately, or as soon as weather permits.

3. In the future, all hazardous wastes shall be stored separately in approved, enclosed containers with appropriate labeling. The containers shall be kept in a suitable building and/or be provided with an acceptable secondary containment. Our present plan is to incorporate these measures with the construction of the steam cleaning facility as soon as all components are identified.

4. Immediate provisions shall be made to maintain and properly dispose of hazardous wastes at least every 90 days, and a system of recording will be implemented to provide proper documentation to agents of your office and/or other agencies that may be involved.

If you have any questions regarding this letter please contact me at 447-3603.

Sincerely,

Aris Krimetz
Chief Engineer

AK:hf

5565 TESLA ROAD LIVERMORE, CALIFORNIA 94550 U.S.A. (415) 447-3603
VINEYARDS & WINERY BONDED WINERY NO. 893

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY
DAVID J. KEARS, Agency Director

RO2585

Certified Mailer # P 062 128 106

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

December 11, 1990

Mr. Aris Krimitz
Plant Engineer
Wente Brothers Winery
5565 Tesla Rd.
Livermore, CA 94550

NOTICE OF VIOLATION

Dear Mr. Krimitz:

On November 28, 1990 the Alameda County Department of Environmental Health, Hazardous Materials Division inspected the Wente Brothers facility in Livermore. During this inspection, the Division found several areas of stained soil around the maintenance shop, where hydrocarbon or solvent spillage had occurred. Contamination was particularly evident around a group of unlabeled 55-gallon drums behind the shop. Another area of noticeable contamination was the unlined runoff ditch adjacent to the steam-cleaning pad, where wastes from the steam cleaning of vehicles and equipment have drained directly to the soil for years.

Such gross spillage, and intentional drainage of clearly contaminated runoff, constitute on-site disposal of hazardous waste; this violates Section 25189.5 of the California Health and Safety Code (H&SC). Therefore, the steam-cleaning operation must cease immediately, and all free liquid in the runoff ditch must be pumped into a holding tank until proper disposal arrangements can be made. Then, all areas of soil contamination, in and around this ditch as well as in all other areas of stained soil, should be excavated, followed by sampling and analysis of soil beneath the contamination to confirm that all affected soil has been removed. A work plan for these tasks needs to be developed and submitted to this office for approval; it should be signed by a California-registered engineer or geologist, and must take into account the potential for groundwater contamination resulting from the facility's past operations. (As indicated to you on the telephone, it is acceptable to begin remediation before a work plan is submitted here, as long as the tasks completed conform to requirements laid out in this letter.)

Should Wente Brothers wish to resume steam-cleaning operations at this facility, an appropriate oil/water separator must be installed and serviced so that liquid and solid contaminants are removed and

recycled/disposed of as hazardous waste. Assuming it is fully separated from sludges and hydrocarbons, treated wastewater from the steam-cleaning process can only be discharged into surface waters under a federal NPDES permit, from the San Francisco Bay Regional Water Quality Control Board (RWQCB). Disposal to land requires a state Waste Discharge Requirements permit, also from the RWQCB. **In either case, discharges cannot occur unless the water is treated in some manner to "non-detect" levels.** Another option for a steam-cleaning setup would be the use of a closed-loop system that would not require any discharge of wastewater.

During the inspection, the Hazardous Materials Division also noted the following violations of the California Code of Regulations, Title 22, at the Wente Brothers facility.

1. Sec. 66508 - Waste oils in the above-ground tank behind the maintenance shed have been stored for over 90 days, and no beginning accumulation date was identified on the tank. Additionally, neither this tank nor any of the 55-gallon drums in this area (presumably containing waste) were labeled properly. All vessels containing hazardous waste must be clearly labeled and disposed of at least every 90 days.

2. Sec. 66492 - The facility could not produce a set of receipts for waste oil disposal dating back three years.

3. Sec. 67241 - Some 55-gallon drums are rusted or otherwise in deteriorated condition. Product (as opposed to waste) in such drums should be used up immediately or transferred to containers in better condition. Hazardous waste in such drums must be disposed of promptly, and the drums retired thereafter.

4. Sec. 67242 - The facility has made a practice of mixing solvents into the waste oil tank. These wastes should be stored, labeled, and handled separately.

5. Sec. 67243 - Several hazardous waste containers were found to be open during the inspection; they must always be kept closed to minimize spillage and prevent overflow.

6. Sec. 67244 - Wente Brothers Winery has failed to carry out frequent inspections and maintenance of waste storage areas, which appear neglected and in poor condition. Accumulation of unmarked, unidentified drums is a consequence of such neglect.

7. Sec. 67245 - Because hazardous wastes at the facility are stored outdoors, secondary containment is required. The volume of such systems should be 10% of the combined volume of all drums or containers in storage plus at least 3 inches of freeboard to contain precipitation.

In accordance with Sec. 66328 of Title 22, please submit a Plan of Correction to this office within 30 days, or by **January 11, 1991.** The plan should specify the actions to be taken to address each of the above violations and their expected dates of completion. It should also include the work plan described above, as well as a description of procedures to be put into place to prevent future violations.

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

Sincerely,

Gilbert M. Wistar

Gil Wistar
Hazardous Materials Specialist

c: Howard Hatayama, DOHS
Gil Jensen, Alameda County District Attorney, Consumer and Environmental Protection Division
Lester Feldman, RWQCB
Rafat Shahid, Assistant Agency Director, Environmental Health
files

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY
DAVID J. KEARS, Agency Director

R02585

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

Certified Mailer # P 062 128 106

December 11, 1990

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Wente Brothers Winery
5565 Tesla Rd.
Livermore, CA 94550

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Sincerely,

Gilbert M. Wistar

Gil Wistar
Hazardous Materials Specialist

c: Howard Hatayama, DOHS
Gil Jensen, Alameda County District Attorney, Consumer and Environmental Protection Division
Lester Feldman, RWQCB
Rafat Shahid, Assistant Agency Director, Environmental Health
files

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY
DAVID J. KEARS, Agency Director

R02585

DEPARTMENT OF ENVIRONMENTAL HEALTH
Hazardous Materials Division
80 Swan Way, Rm. 200
Oakland, CA 94621
(415) 271-4320

June 30, 1988

Mr. Ralph Riva
Wente Bros.
5565 Tesla Road
Livermore, CA 94550

Dear Mr. Riva:

Please find enclosed, a copy of the "DRAFT" proposal being submitted for the regulation of above ground fuel tanks.

If you have any questions, please call Edgar B. Howell, III Senior Hazardous Materials Specialist, at 271-4320.

Sincerely,

R.A. Shahid

Rafat A. Shahid, Chief,
Hazardous Materials Division

RAS:EBH:mnc

ALAMEDA COUNTY
HEALTH CARE SERVICES
DAVID J. KEARS, AGENCY
[illegible], Agency Director

R02585

470-27th Street, Third Floor
Oakland, California 94612
(415) 874-7237

August 31, 1987

Mr. Aris Krimetz
Wente Brothers Winery
5565 Tesla Road
Livermore, CA 94550

Dear Mr. Krimetz:

Referring to your inquiry about the building of a sump for the containment of accidental spills of fuel in your place of business, please find attached an abstract from a New York State publication, "Technology for the storage of hazardous liquids." This abstract describes aboveground spill containment systems. Please use this material as a guideline. City building Department and Fire Department requirements and permits should be obtained before attempting to build this sump. As you know, structures such as sumps (except sumps used as a part of a monitoring system) are not regulated as underground tanks as per Health and Safety Code, Chapter 6.7. It is also worth noting that construction of this sump will not negate your responsibilities of reporting and mitigating product releases from your underground tanks.

Please feel free to call this office for any further assistance.

Very truly yours,

R.A. Shahid

Rafat A. Shahid, Chief
Hazardous Materials Division

RAS:mam

cc: File

attachment