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

10-8-03

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

October 13, 2003

Mr. Paul Supple
BP Oil
PO Box 6549
Moraga, CA 94570

Dear Mr. Supple:

Subject: Fuel Leak Case No. RO0000014, BP Station #11132, 3201 35th Ave., Oakland, CA

Alameda County Environmental Health (ACEH) staff has reviewed "Soil and Groundwater Investigation Workplan Amendment" dated May 28, 2003 by URS Corporation (URS). We generally concur with the work proposed. We request that you address the following technical comments and send us the technical reports requested below.

TECHNICAL COMMENTS

1. Corrective Action Plan – The California Regional Water Quality Control Board, San Francisco Bay Region (SFRWQCB)'s "Screening For Environmental Concerns at Sites With Contaminated Soil and Groundwater (Interim Final - July 2003)" is acceptable for risk evaluation. The Oakland Risk-Based Corrective Action (RBCA) approach to evaluate risk may also be used for Benzene, Toluene, Ethyl Benzene, Xylene (BTEX).
2. Contaminant Source Characterization – Proposed borings UB-7 and UB-8 are located downgradient of the underground tanks. We would like them moved as close to the tanks as possible but in native soil. There may have been releases since the tanks were replaced in 1986. Please locate borings UB-7 and UB-8 closer to the tanks.
3. Preferential Pathway Survey – In addition to the map(s) to be submitted, please use cross-sections showing the location and depth of all utility lines and trenches (including sewers, storm drains, pipelines, trench backfill, etc.) within and near the site and plume area(s). Evaluate the probability of the contaminant plumes encountering preferential pathways and conduits that could spread the contamination, particularly in the vertical direction to deeper water aquifers. Please submit.
4. Well Survey – Locate wells within a quarter mile radius of the site. Show the location of the wells on a map and list well construction details for each well. Indicate which of the wells may be potential receptors.

5. Missing reports
    a. 1986 - removal of underground tanks
    b. September 4, 1990 – installation of MW4, MW5, MW6, MW7, RW1
    c. October 11, 1990 – sampling of D1, D2, D3, PT-1, 2, 3, 4
    d. December 16, 1994 - sampling of THP1-S-4-4.5
    e. March 1991 - SB 8, 9, 10

    Please submit.

TECHINCAL REPORT REQUEST

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

December 13, 2003 – Site plan showing borings UB-7 and UB-8 closer to the tanks.
December 13, 2003 – Preferential Pathway Survey
December 13, 2003 – Well Survey
December 13, 2003 – Missing reports

These reports are being requested pursuant to the Regional Water Quality Control Board's (Regional Board) authority under Section 13267 of the California Water Code. If you have any questions, please call me at (510) 567-6746.

Sincerely,

Don Hwang
Hazardous Materials Specialist
Local Oversight Program

C: Leonard Niles, URS Corporation, 500-12th St., Suite 200, Oakland, CA 94607-4014
Donna Drogos
File

03-21-03

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

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

March 19, 2003

Mr. Scott Hooton
BP Oil
295 SW 41st Street, Bldg 13, Suite N
Renton, CA 98055-4931

Mr. Dave DeWitt
Tosco Marketing Co
2000 Crow Canyon Pl, Ste 400
San Ramon, CA 95118-3686

Dear Messrs. Hooton and DeWitt:

Subject: Fuel Leak Case No. RO0000014, BP Station #11132, 3201 35th Ave., Oakland, CA

Our office is in receipt of the March 7, 2003 letter from URS Corporation (URS) regarding their submission of their workplan dated October 28, 2002, their disagreement with a conversation from our office, which requested additional investigation, and their intent to implement the workplan by March 20, 2003. URS and Mr. Scott Hooton of BP Oil were notified by our office on November 1, 2002 that the workplan was not approved and an addendum to the workplan was required. We request that you address the following technical comments and send us the technical reports requested below.

TECHNICAL COMMENTS

1. Contaminant Plume Definition - We do not agree that the proposal to install groundwater monitoring wells will determine the extent of contamination in the soil and groundwater. Instead, we want a proposal for borings for that purpose. Submit your proposal in the Workplan Addendum requested below.
2. Groundwater Contaminant Plume Monitoring – We do not agree with the proposal to install groundwater monitoring wells at this time. Instead, we want a proposal for borings to better determine the location for future wells. Submit a proposal for borings to locate wells in the Workplan Addendum requested below.
3. Corrective Action Plan - We do not agree with the proposal to solely use the Oakland Risk-Based Corrective Action (RBCA) approach to evaluate risk. The Oakland RBCA does not include Total Petroleum Hydrocarbons (TPH). The ceiling value of 5,000 ug/l found in the State Regional Water Quality Control Board (SRWQCB)'s "Application of Risk Based Screening Levels and Decision Making to Sites with Impacted Soil and Groundwater" dated December 2001, may be used. Also, we judge the RBCA process to be inappropriate for Methyl Tertiary-Butyl Ether (MTBE) but instead use a resource protection cleanup goal of not greater than 5 ppb. Characterization and definition of your contaminant plumes should be completed before performing risk evaluation. Submit a proposal to evaluate risk from TPH, and MTBE using the resource protection cleanup goal of 5 ppb in the Workplan Addendum requested below.

4. Contaminant Source Characterization - The workplan proposes to incorporate soil data into the conceptual site model (CSM). The data need not be limited to soil only. Modify the workplan in the Workplan Addendum requested below.

TECHINCAL REPORT REQUEST

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

May 19, 2003 - Workplan Addendum

These reports are being requested pursuant to the Regional Water Quality Control Board's (Regional Board) authority under Section 13267 of the California Water Code. If you have any questions, please call me at (510) 567-6746.

Sincerely,

Don Hwang
Hazardous Materials Specialist
Local Oversight Program

C: Leonard Niles, URS Corporation, 500-12th St., Suite 200, Oakland, CA 94607-4014
Donna Drogos
File

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

c1-13-04

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

January 13, 2003

Mr. Paul Supple
BP Oil
PO Box 6549
Moraga, CA 94570

Dear Mr. Supple:

Subject: Fuel Leak Case No. RO0000014, BP Station #11132, 3201 35th Ave., Oakland, CA

Alameda County Environmental Health (ACEH) staff has reviewed "… Response to Technical Comments from ACHCS on 'Soil and Groundwater Investigation Workplan Amendment,' May 28, 2003" dated December 12, 2003 by URS Corporation (URS). ACEH approves of "Soil and Groundwater Investigation Workplan Amendment, dated May 28, 2003" with the "… Response …" dated December 12, 2003. We request that you perform the work proposed and send us the technical reports requested below.

TECHINCAL REPORT REQUEST

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

March 13, 2004 - Soil and Groundwater Investigation

These reports are being requested pursuant to the Regional Water Quality Control Board's (Regional Board) authority under Section 13267 of the California Water Code. If you have any questions, please call me at (510) 567-6746.

Sincerely,

Don Hwang

Don Hwang
Hazardous Materials Specialist
Local Oversight Program

C: Leonard Niles, URS Corporation, 500-12th St., Suite 200, Oakland, CA 94607-4014
Donna Drogos
File

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

RO0000014

September 9, 2002

Mr. Scott Hooton
BP Oil
295 SW 41st Street, Bldg 13, Suite N
Renton, CA 98055-4931

Mr. Dave DeWitt
Tosco Marketing Co
2000 Crow Canyon Pl, Ste 400
San Ramon, CA 95118-3686

**RE: SWI and CAP for BP Station #11132 at 3201 35th Ave, Oakland, CA**

Dear Messrs. Hooton and DeWitt:

I have completed review of the fuel leak case file for the above referenced site. Up to 1,700,000 ppb TPHg, 19,000 ppb benzene and 56,000 ppb MTBE has been detected in groundwater. Separate phase hydrocarbon has been noted in wells RW-1 and MW-1 since July 1990. This letter presents a request for full three-dimensional definition, investigation, and a proposal for cleanup of soil and groundwater contamination from the unauthorized release at the site. You are hereby required to complete a Soil and Water investigation and prepare a Corrective Action Plan (CAP) for the subject site in accordance with California Code of Regulations, Title 23, Division 3, Chapter 16, Article11, "Corrective Action Requirements; State Water Resources Control Board Resolution 92-49, "Policies and Procedure for Investigation, Cleanup and Abatement of Discharges Under Water Code Section 13304"; and with the Regional Water Quality Control Board Water Quality Control Plan for the basin.

The following technical comments address investigation and cleanup performance objectives that shall be considered as part of the required Soil and Water Investigation and CAP. A workplan for the Soil and Water Investigation is **due by October 28, 2002** that addresses each of the following technical comments.

**TECHNICAL COMMENTS**

1. **Conduit Study**

   The purpose of the conduit study is to locate potential migration pathways and potential conduits and determine the probability of the plume encountering preferential pathways and conduits that could spread the contamination. Please provide a map showing the location and depth of all utility lines and trenches (including sewers and storm drains), wells (water supply, irrigation, monitoring, abandoned and improperly-destroyed), and creeks (former and present) or underground water channels.

   Using the results of the conduit study and data from previous investigations at the site, you are to develop the initial three-dimensional conceptual model of site conditions. You are to use this initial conceptual model to determine the appropriate configuration for samplings points in the SWI phase of work at this site. Discuss your analysis and interpretation of the results of the conduit study and explain your rationale for the configuration of sampling points in the SWI work plan requested below.

## 2. Contaminant Plume Definition

The purpose of contaminant plume definition is to determine the three-dimensional extent of contamination in soil and groundwater. The plume extent at the site is undefined. In July 2002, up to 86,000 ppb TPHg, 7,310 ppb benzene and 2,520 ppb MTBE was detected in groundwater. Free phase product is currently present at the site.

MTBE is more mobile in soil and groundwater than the typical petroleum hydrocarbon compounds, is highly soluble in groundwater, and is not readily biodegradable. MTBE plumes can be long, narrow, and erratic. Because of these characteristics, conventional investigation techniques and monitoring well networks currently used at fuel leak sites are generally insufficient to adequately characterize MTBE contamination. Therefore, it is recommended that you propose an investigation that will include depth discrete soil and groundwater sampling. Soil and groundwater samples should be collected at 5 feet intervals, areas of obvious contamination, the soil/groundwater interface, and at each unit of lithology change. It is recommended that your investigation incorporate expedited site assessment techniques and borings installed along transects to define and quantify the full three-dimensional extent of MTBE. The borings should be continuously cored. Detailed cross sections, fence diagrams, structural contours, isopachs, and rose diagrams for groundwater should be subsequently incorporated in the SWI completion report. Discuss your proposal for performing this work in the SWI work plan requested below.

Expedited site assessment tools and methods are a scientifically valid and cost-effective approach to fully define the three-dimensional extent of the plume. Technical protocol for expedited site assessments are provide in the US EPA "Expedited Site Assessment Tools for Underground Storage Tank Sites: A guide for Regulators" (EPA 510-B-97-001), dated March 1997.

## 3. Contaminant Source Characterization

The purpose of contaminant source characterization is to determine the nature and extent of free product (liquid phase), petroleum saturate soils (residual phase), hydrocarbons dissolved in groundwater (aqueous phase), and high concentrations of soil vapor (vapor phase) that will continue to increase the concentration and mass of the dissolved phase contaminant plume.

It is requested that source area characterization be initiated at the start of the Soil and Water Investigation phase of work. Source area characterization and contaminant mass estimations are needed to determine the necessity and aggressiveness of interim source cleanup and/or dissolved phase mass removal. Report the results of your work in the Soil and Water Investigation Report requested below.

## 4. Groundwater Contaminant Plume Monitoring

The purpose of groundwater monitoring is to determine the three-dimensional movement of the plume, the rate of plume growth, and the effectiveness of cleanup activities.

Once the extent of the plume is defined, we request that you install permanent monitoring wells to monitor the three-dimensional movement of the plume. Multi-depth discrete wells may be required. We request that you use the detailed cross section, structural contours, isopachs, and rose diagrams for groundwater gradient developed during Task 2 above, to determine the appropriate locations and designs for monitoring

wells that are necessary to appropriately monitor the movement of the plume. Please submit your proposal for the installation of monitoring wells in the Soil and Water Investigation Report and report on the installation of the wells in the Soil and Water Investigation Completion Report.

Quarterly groundwater monitoring should continue at the site. Analysis for ether oxygenates, ethanol, EDB and 1,2-DCA (using EPA Method 8260) should be included for the next two quarters, at a minimum.

**5. Corrective Action Plan**

The purpose of the CAP is to use the information obtained during investigation activities to propose cost-effective **final cleanup objective for the entire contaminant plume and remedial alternative for soil and groundwater** that will adequately protect human health and safety, the environment, eliminate nuisance conditions, and protect water resources.

A CAP for the final cleanup of contamination in soil and groundwater caused by an unauthorized release at the site will be requested upon completion of the Soil and Water Investigation in accordance with the schedule specified below. The CAP shall address at least two technically and economically feasible methods to restore and protect beneficial uses of water and to meet the cleanup objectives for each contaminant established in the CAP. The CAP must propose verification monitoring to confirm completion of corrective actions and evaluate CAP implementation effectiveness.

**TECHINCAL REPORT REQUEST**

Please submit technical reports according to the following schedule:

**October 28, 2002** – Work plan for Soil and Water Investigation

**110 Days from Work Plan Approval** – Soil and Water Investigation (Results of Expedited Site Assessment) Report

**180 Days from Submittal of Soil and Water Investigation Report** – Soil and Water Investigation Completion Report

**90 Days after Submittal of Soil and Water Investigation Completion Report** - Corrective Action Plan

**October 30, 2002** – Quarterly Report for the Third Quarter 2002

**January 30, 2003** – Quarterly Report for the Fourth Quarter 2002

**April 30, 2003** – Quarterly Report for the First Quarter 2003

These reports are being requested pursuant to the Regional Board's authority under Section 13267 of the California Water Code. **Each report shall include conclusions and recommendations for the next phases of work required at the site.** It is requested that all required work be performed in a prompt and timely manner. I have proposed a schedule for the submittal of the Soil and Water Investigation Report and the CAP. Revisions to the proposed schedule shall be requested in writing with appropriate justification for anticipated delays.

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

Sincerely,

eva chu
Hazardous Materials Specialist

bp11132-1

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

RAFAT A. SHAHID, Assistant Agency Director

R014

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

June 2, 1992

Mr. Peter J. DeSantis
BP Oil Company
2868 Prospect Park Drive
Rancho Cordova, CA 95670

Subject: BP Service Station No 11132,, 3201 35th. Ave., Oakland, CA

Dear Mr. DeSantis,

This office has received and review the "Interim Remedial Action Plan", dated March 20, 1992, and submitted by Hydro Environmental Technologies(HET), your consultant of record. Thank you for the prompt attention given to this site.

Upon review of the document, this office concurs with the plan as submitted, with the following clarifications:

1) Submit all copies of the requisite permits to this office as required by other concerned agencies, especially the City of Oakland Fire Department in regards to the use of above-ground tanks for the purpose of containing possible "Free-product".

2) Provide an adequate Quality Control Plan for the pumped water to be discharged into the sanitary sewer system.

3) Give this office at least forty-eight (48) hours notice prior to the commencement of any work contemplated at the site discharged.

4) Please remit all copies of future correspondence concerning this site to Rich Hiett, SFBRWQCB.

If you should have any questions concerning this site, please do not hesitate to call this office. The number is (510) 271-4320.

Sincerely,

Brian P Oliva

Brian P. Oliva, REHS
Hazardous Materials Specialist

cc: Mark Thomson, Alameda Co. District Attorney's Office
Fred Moss, Hydro Environmental Technologies Inc.
Rich Hiett, SFBRWQCB

E.C.

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

R014

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

November 15, 1991

B P Oil Co.
2868 Prospect Drive,
Suite 360
Rancho Cordova, CA 95670

RE: Underground Storage Tank Operating Permit for BP facility #11131, at 3201 35th Avenue, Oakland, CA 94619

Dear Mr. Desantis:

Enclosed is a five year underground storage tank operating permit for your facility. To operate under a valid permit, you are required to comply with the conditions as described in the California Code of Regulations, Title 23, Subchapter 16, Section 2712. These conditions are summarized below:

1. The permittee shall report to this office within 30 days any changes in the uses of any underground storage tank. Storage of any new hazardous substances, changes in monitoring procedures, or replacement/repair of any part or all of an underground storage tank are among the changes that must be reported.

2. The permittee shall report to this office any unauthorized releases as described in Sections 2652 (b) and (c).

3. Written records of all monitoring performed shall be maintained onsite for a period of at least three years from the date the monitoring was performed. These records shall be made available for inspection during any site inspection by a representative of this office.

4. Permits may be transferred to new underground storage tank owners if the new tank owner does not change any conditions of the permit, the transfer is registered with this office within 30 days of the change in ownership, and any necessary modifications are made to the permit application information. This office may review, modify, or terminate the permit to operate the underground storage tank upon receiving the ownership transfer request.

5. Provide this office with evidence of annual leak line detetor service by a qualified agent/contractor. These records are to be submitted on a yearly basis.

You may contact me with any questions about your underground tanks at 271-4320.

Sincerely,

Brian P. Oliva

Brian P. Oliva, REHS
Hazardous Materials Specialist

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

R014

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

Certifed Mailer #: P 367 604 358

September 13, 1991

BP Oil Co.
3201 - 35th Avenue
Oakland, CA 94619
Attn: Alfie Malik

**SECOND NOTICE OF VIOLATION**

SUBJ: Five-Year Permit to Operate Three Underground Storage Tanks at BP Oil Company, Facility #11132, 3201 - 35th Avenue Oakland, California 94619

Dear Mr. Malik:

On July 22, 1991, Young Fong from our office inspected the above premises. The inspection was performed to evaluate whether the conditions for the 5-year underground storage permit were being met prior to its issuance.

As you are aware, three double-walled underground storage tanks exist at the subject facility. During this inspection, Mr. Fong noted the following violations of Title 23, California Code of Regulations (CCR) and California Health and Safety Code (H&SC):

1) Section 2635(b)(6) & (7), CCR and Section 25289(b) of H&SC - This office has not received the initial tank and piping tightness/leak detection test results for all the tanks at the subject facility. Please provide us with a copy of test results;

2) We have received a copy of your proposed format of a **written monitoring plan and spill/leak response plan** for BP stations in Alameda County. This format does not adhere to the requirements of Title 23 which were specified in the first Notice of Violations sent to your office. The following is a summary of comments on the documents you have submitted:

I. **Routine Monitoring Plan** - A proposed written routine monitoring was submitted although it contains insufficient information. Please be advised that a **site specific** written routine monitoring plan shall conform with the requirements of Title 23 and shall include the following information:

a) The frequency of performing the monitoring method;

b) The methods and equipment to be used for performing the monitoring;

c) The location(s) where the monitoring will be performed;

d) The name(s) and title(s) of the person(s) responsible for performing the monitoring and/or maintaining the equipment;

e) The reporting format;

f) The preventive maintenance schedule for the monitoring equipment. The maintenance schedule shall be in accordance with the manufacturer's instructions; and

g) A description of the training needed for the operation of both the tank system and the monitoring equipment.

The following are comments on the proposed written routine monitoring plan submitted:

a) DESCRIPTION - Provide a better way of defining the underground storage tank systems. Include information on sizes, contents and basic specifications.

b) MONITORING FREQUENCY - Include information on the presence, function and monitoring

frequency of **Leak Alert** and continuous pipeline leak detectors (e.g. "Red Jacket").

c) METHOD OF MONITORING - Please note that a routine monitoring plan should be **site specific** and method(s) and monitoring equipment(s) may vary by station. Make the appropriate changes.

d) MONITORING SYSTEM DESCRIPTION -

1. Underground Tanks and Piping - This is not part of a **routine monitoring procedure** and should be deleted from the proposed plan.

2. Provide explanation on what is included in the annual inspection of tanks and piping systems to ensure proper operation. **Please note that preventive maintenance schedule including calibration of the monitoring equipment(s) shall be in accordance with the manufacturer's instructions;**

In addition to the items mentioned above, include the following information in the proposed routine monitoring plan:

1. Locations of probes in the interstitial space(s) where electronic monitoring device(s) (e.g. **Leak Alert** , etc.) monitor for leaks - whether probes are installed in the interstitial space of tank(s), piping, sumps, island trench, etc.;

2. Description of training needed for operators and BP Maintenance employees or contractors for the routine operation and maintenance of both the tank system and the monitoring equipment(s);

3. Reporting format.

II. **Spill/Leak Response Plan** - The proposed

spill/leak response plan submitted contains insufficient information. The following information must be included in the plan:

a) BP Oil Maintenance Department's phone number (whether 24-hr. or not) and time frame of responding to the call. Include type of calls Maintenance Department respond to and specify extent of BP Maintenance Department's responsibilities. Also, indicate the number of pump-out truck(s) which respond to calls on a 24-hr. basis and availability of back-up truck should one breaks down or numerous emergency calls are received;

b) Procedures to be followed by BP Maintenance staff should liquid in the interstitial space or secondary containment system be determined to be product, waste oil or water;

c) Integrity tests schedule, where applicable;

d) Manager/owner's responsibility as far as determining leak occurrence or that the monitoring device has malfunctioned. Include procedures on what they have to follow in order to conduct this preliminary investigation;

e) Reporting and recording procedures and/or responsibilities in the event of unauthorized release, per Article 5, Title 23, CCR;

You may utilize the requirements for spill/leak response plan according to Sections 2632(e)(2) or 2634(c) of the revised Title 23, California Code of Regulations (CCR), whichever is applicable. The following requirements are presented for your reference:

1. Section 2632(e)(2), Title 23, CCR - The spill/leak response plan **should demonstrate that any unauthorized release will be removed from the secondary containment system within the time consistent with the ability of the secondary containment system to contain the hazardous substance, but not more than 30 calendar days.** The response plan shall include, but is not limited to, the following:

   a) A description of the proposed methods and equipment(s) to be used for removing and properly disposing of any hazardous substances, including the location and availability of the required equipment(s) if not permanently on-site, and an equipment maintenance schedule for the equipment located on-site;

   b) The name(s) and title(s) of the person(s) responsible for authorizing any work necessary under the response plan.

The requirements mentioned above can be used for new underground storage tanks, both fuel and non-fuel type (including waste oil), constructed according to standards set forth in Section 2631, Title 23, CCR.

2. Section 2634(c), Title 23, CCR - The following requirements can only be implemented if the leak interception and detection system DOES NOT meet the volumetric requirements of subsection 2631(d), Title 23, CCR. The response plan shall consider the following:

   a) The volume of the leak interception and detection system in relation to the volume of the primary container;

   b) The amount of time the leak interception and detection system must provide containment in relation to the period of

time between detection of an unauthorized release and cleanup of the leaked material;

c) The depth from the bottom of the leak interception and detection system to the highest anticipated level of groundwater;

d) The nature of the unsaturated soils under the leak interception and detection system and their ability to absorb contaminants or to allow movement of contaminants; and

e) The methods and scheduling for removing all of the hazardous substances which may have been discharged from the primary container and are located in the unsaturated soils between the primary container and ground water, including the leak interception and detection system sump.

The requirements mentioned above can be utilized for new motor vehicle fuel underground storage tanks only, if they meet the alternate construction requirements, pursuant to Section 2633, Title 23, CCR.

**Please be advised that the requirements discussed in Sections 2632(e)(2) and 2634(c) are adopted from the revised Title 23, CCR and were effective August 9, 1991.** You may obtain a copy of the regulations by contacting State Water Resources Control Board at (916) 324-1262.

3) Section 2635, Title 23, CCR - Our office has not received as-built documents regarding the subject site. Per the above section, you are required to submit these documents to our office and should include at least the following:

a) Drawings that show the locations of all tanks,

piping, sumps, overfill basins, etc.;

b) Materials used for tank and piping (i.e. brands, single or double-walled, steel or PVC, etc.)

c) Locations and type of equipment used for continuous leak detection. Include types of probes and probe positions.

III. Our agency does not have on file current copies of underground storage tank permit applications. Per Section 2711, you are required to submit to our agency correctly and completely filled out Form A for the facility and Form B for each underground storage tank.

Please note that copies of the documents requested above and other related tank/pipe integrity records shall be maintained on-site for at least three (3) years.

Submit all the required materials to this office **within 10 working days, i.e. no later than September 27, 1991.** A follow-up inspection will be conducted upon receipt and review of the required documents, and a five-year operating permit will be issued when the above requirements are met.

Failure to respond in a timely manner could result in civil liabilities under Division 20, Chapter 6.7, Section 25299 of the Health and Safety Code, of not less than five hundred dollars ($500) or more than five thousand dollars ($5,000) for each underground storage tank for each day of violation.

Should you have any questions or concerns regarding the contents of this letter, please feel free to contact either Brian Oliva or myself, at (510) 271-4320.

Sincerely,

Thomas Peacock
Sr. Hazardous Materials Spec.

FYF:fyf

cc: Pete DeSantis, Environmental Coordinator, BP Oil Company
Dale Swain, Alton Geoscience

Gil Jensen, Alameda County District Attorney, Consumer and Environmental Protection Division

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

R014

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

August 2, 1991

Mr. Alfie Malik
BP Oil Co.
3201 - 35th Avenue
Oakland, CA 94619

**NOTICE OF VIOLATION**

SUBJ: Five-Year Permit to Operate Four Underground Storage Tanks at BP Oil Company Facility #11132, 3201 - 35th Avenue Oakland, CA 94619

Dear Mr. Malik:

On July 22, 1991, Young Fong from our office inspected the above premises. The inspection was performed to evaluate whether the conditions for the 5-year underground storage permit were being met prior to its issuance.

As you are aware, three underground storage tanks exist at the subject facility. During this inspection, Mr. Fong noted the following violations of Title 23, California Code of Regulations (CCR) and California Health and Safety Code (H&SC):

1) Section 2643, CCR and Section 25292 of H&SC - This office has not received copies of annual automatic line leak detector test and annual tightness test results for pressurized piping. Per the above sections, the under-ground storage tank owner is required to have the automatic line leak detector and underground pressurized piping tightness tested annually. Please provide our office with the results of automatic line leak detection tests and pipeline leak detection tests.

2) The double-walled tanks which were installed in 1986, you are required to submit the following items:

   a) Correctly completed underground storage tank permit application - Form A and Form B one for each tank.

   b) A written routine monitoring procedure/plan per Section 2632(d)(1) or 2634(d)(2), Title 23, CCR, which includes, where applicable: the frequency of performing the monitoring method, the methods and equipment to be used for monitoring, where monitoring will be

R014

performed, the location(s) from which the monitoring will be performed, the name(s) or title(s) of the person(s) responsible for performing the monitoring and/or maintaining the equipment, and the reporting format;

c) A written spill/leak response plan per Section 2632(d)(2), Title 23, CCR. This plan should demonstrate that in the event of an unauthorized release, product would be removed from the secondary container within the shortest possible time. It should include at least the following:

1)A description of the proposed methods and equipment to be used for removing the hazardous substances, including the location and availability of the required equipment, if not permanently on-site, and an equipment maintenance schedule for the equipment located on-site.

2) The name(s) or title(s) of the person(s) responsible for authorizing the work to be performed.

Please note that copies of the documents requested above and other related tank/pipe integrity records shall be maintained on-site for at least three (3) years.

Submit all of the required materials to this office **no later than August 22, 1991.** A follow-up inspection will be conducted upon receipt and review of the required documents, and a five-year operating permit will be issued when the above requirements are met.

Failure to respond in a timely manner could result in civil liabilities under Division 20, Chapter 6.7, Section 25299 of the Health and Safety Code.

Should you have any questions or concerns regarding the contents of this letter, please feel free to contact either Young Fong or myself, at (415) 271-4320.

Sincerely,

Thomas Peacock

Thomas Peacock, Sr. Hazmat Specialist
Hazardous Materials Division

FYF:fyf
cc: Lou Parisi, BP Oil Company
Gil Jensen, Alameda County District Attorney, Consumer and Environmental Protection Division

Files

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

R014

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

June 15, 1990

Ms. Annette Smith
Tait & Associates, Inc.
7803 Madison Avenue, Suite 700
Citrus Heights, CA 95610

Dear Ms. Smith:

This office has accepted the dispenser plans for the BP facility at 3201 - 35th Avenue, Oakland, California. It is our understanding that fibertrenching will extend to the dispensers.

We will require at least 48 hours notification for both the primary piping and fibertrench testing, and you also need to notify Oakland Fire Prevention.

If you have any questions, please call Cynthia Chapman at 415/271-4320.

Sincerely,

Edgar B. Howell

Edgar B. Howell, III
Chief, Hazardous Materials

EBH:CAC:cc