

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

August 8, 2006

Mr. Paul Supple  
PO Box 6459  
Moraga, CA 94570

Subject: Fuel Leak Case No. RO0000239, Former BP Service Station 11124, 3315 High Street, Oakland, CA.

Dear Mr Supple:

Alameda County Environmental Health Department (ACEH) staff has reviewed the case file and recently submitted reports entitled, "Soil Water Investigation Report (SWI), Former BP service Station #11124", dated February 20, 2006 and prepared on your behalf by Broadbent Associates, Inc. Additionally, groundwater samples were collected from three onsite monitoring wells as part of the quarterly groundwater monitoring schedule. The SWI was submitted in response to a request by ACEH dated December 2005. The SWI report presents results obtained during the installation of five soil borings and associated grab groundwater sampling conducted on February 20, 2006. The SWI also recommends the installation of two additional groundwater monitoring wells. ACEH concurs with the proposed scope of work described in the SWI report.

We request that you address the following technical comments and send us the reports described below. Please provide 72-hour advance written notification to this office (e-mail preferred to [steven.plunkett@acgov.org](mailto:steven.plunkett@acgov.org)) prior to the start of field activities.

**TECHNICAL COMMENTS**

1. **Proposed Monitoring Well Installation.** Currently, three monitoring wells at the site have screen intervals that are at least 20 feet in length. Please explain the rationale to define the vertical extent of groundwater contamination and to assess, based on site-specific conditions, whether the long screen wells provide accurate groundwater monitoring results, which may not be consistent with the collection of depth discrete groundwater samples due to various conditions that can occur within the well bore. ACEH suggests the use of monitoring wells designed with sand pack intervals of 2'-5 or less, as these wells will likely be representative of depth discrete groundwater conditions.
2. **Groundwater Monitoring.** ACEH recommends that the proposed new monitoring wells be included in the current monitoring program. Please provide an updated schedule for the sampling of the all site wells.
3. **Hydrogeologic Cross Sections.** The report is to include one cross section in the groundwater flow direction and one cross section approximately perpendicular to the direction of groundwater flow. Each cross section should include the following:

- a. Surface topography. The cross sections should be extended off-site where necessary to show significant breaks in slope.
- b. Soil descriptions for all borings and wells along the line of section.
- c. Screen and filter pack intervals for each monitoring well.
- d. Sampling locations and results for soil and grab groundwater samples.
- e. Site features such as the tank pit, dispensers, etc.
- f. Where appropriate, monitoring well location and soil boring locations will be projected back to the strike of the cross section line.

### **TECHNICAL REPORT REQUEST**

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

- **60 days following completion of monitoring well installation – Well Completion Report.**

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

### **ELECTRONIC SUBMITTAL OF REPORTS**

The Alameda County Environmental Cleanup Oversight Programs (LOP and SLIC) require submission of all reports in electronic form to the county's ftp site. Paper copies of reports will no longer be accepted. The electronic copy replaces the paper copy and will be used for all public information requests, regulatory review, and compliance/enforcement activities. Instructions for submission of electronic documents to the Alameda County Environmental Cleanup Oversight Program ftp site are provided on the attached "Electronic Report Upload (ftp) Instructions." Please do not submit reports as attachments to electronic mail.

Submission of reports to the Alameda County ftp site is an addition to existing requirements for electronic submittal of information to the State Water Resources Control Board (SWRCB) Geotracker website. Submission of reports to the Geotracker website does not fulfill the requirement to submit documents to the Alameda County ftp site. In September 2004, the SWRCB adopted regulations that require electronic submittal of information for groundwater cleanup programs. For several years, responsible parties for cleanup of leaks from underground storage tanks (USTs) have been required to submit groundwater analytical data, surveyed locations of monitor wells, and other data to the Geotracker database over the Internet. Beginning July 1, 2005, electronic submittal of a complete copy of all necessary reports was required in Geotracker (in PDF format). Please visit the SWRCB website for more information on these requirements ([http://www.swrcb.ca.gov/ust/cleanup/electronic\\_reporting](http://www.swrcb.ca.gov/ust/cleanup/electronic_reporting)).

### **PERJURY STATEMENT**

All work plans, technical reports, or technical documents submitted to ACEH must be accompanied by a cover letter from the responsible party that states, at a minimum, the following:

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

#### PROFESSIONAL CERTIFICATION & CONCLUSIONS/RECOMMENDATIONS

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

#### UNDERGROUND STORAGE TANK CLEANUP FUND

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

#### AGENCY OVERSIGHT

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

If you have any questions, please call me at (510) 383-1767.

Sincerely,



Steven Plunkett  
Hazardous Materials Specialist

cc: Mr. Tom Venus  
Broadbent & Associates, Inc.  
1324 Mangrove Ave., Suite 212  
Chico, CA 95926

Donna Drogos, ACEH  
Steven Plunkett, ACEH  
File

<b>Alameda County Environmental Cleanup Oversight Programs (LOP and SLIC)</b>	<b>ISSUE DATE:</b> July 20, 2005
	<b>REVISION DATE:</b> May 31, 2006
	<b>PREVIOUS REVISIONS:</b> October 31, 2005, December 16, 2005
<b>SECTION:</b> Miscellaneous Administrative Topics & Procedures	<b>SUBJECT:</b> Electronic Report Upload (ftp) Instructions

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.

#### REQUIREMENTS

- Entire report including cover letter must be submitted to the ftp site as a **single portable document format (PDF) with no password protection**. (Please do not submit reports as attachments to electronic mail.)
- It is **preferable** that reports be converted to PDF format from their original format, (e.g., Microsoft Word) rather than scanned.
- Signature pages and perjury statements **must** be included and have either original or electronic signature.
- **Do not password protect the document**. Once indexed and inserted into the correct electronic case file, the document will be secured in compliance with the County's current security standards and a password. **Documents with password protection will not be accepted.**
- Each page in the PDF document should be rotated in the direction that will make it easiest to read on a computer monitor.
- Reports must be named and saved using the following naming convention:  
RO#\_Report Name\_Year-Month-Date (e.g., RO#5555\_WorkPlan\_2005-06-14)

#### Additional Recommendations

- A separate copy of the tables in the document should be submitted by e-mail to your Caseworker in **Excel** format. These are for use by assigned Caseworker only.

#### Submission Instructions

- 1) Obtain User Name and Password:
  - a) Contact the Alameda County Environmental Health Department to obtain a User Name and Password to upload files to the ftp site.
    - i) Send an e-mail to [dehloptoxic@acgov.org](mailto:dehloptoxic@acgov.org)
    - or
    - ii) Send a fax on company letterhead to (510) 337-9335, to the attention of: **ftp Site Coordinator**.
  - b) In the subject line of your request, be sure to include **"ftp PASSWORD REQUEST"** and in the body of your request, include the **Contact Information, Site Addresses, and the Case Numbers (RO# available in Geotracker)** you will be posting for.
- 2) Upload Files to the ftp Site
  - a) Using Internet Explorer (IE4+), go to <ftp://alcoftp1.acgov.org>
    - (i) Note: Netscape and Firefox browsers will not open the FTP site.
  - b) Click on File, then on Login As.
  - c) Enter your User Name and Password. (Note: Both are Case Sensitive.)
  - d) Open "My Computer" on your computer and navigate to the file(s) you wish to upload to the ftp site.
  - e) With both "My Computer" and the ftp site open in separate windows, drag and drop the file(s) from "My Computer" to the ftp window.
- 3) Send E-mail Notifications to the Environmental Cleanup Oversight Programs
  - a) Send email to [dehloptoxic@acgov.org](mailto:dehloptoxic@acgov.org) notify us that you have placed a report on our ftp site.
  - b) Copy your Caseworker on the e-mail. Your Caseworker's e-mail address is the entire first name then a period and entire last name at acgov.org. (e.g., [firstname.lastname@acgov.org](mailto:firstname.lastname@acgov.org))
  - c) The subject line of the e-mail must start with the RO# followed by **Report Upload**. (e.g., Subject: RO1234 Report Upload)

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY  
DAVID J. KEARS, Agency Director



SENT  
12-27-05

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

December 23, 2005

Kyle Christie  
Atlantic Richfield Co.  
(a BP affiliated co.)  
PO Box 6549  
Moraga, CA 94570

Dear Mr. Christie:

Subject: Fuel Leak Case No. RO0000239, BP Station #11124, 3315 High St.,  
Oakland, CA

Alameda County Environmental Health (ACEH) staff has reviewed "Work Plan For Additional Site Investigation" dated December 7, 2004 by URS Corp. We approve of the Work Plan. We request that you perform the proposed work, address the following technical comments, and send us the technical reports requested below.

#### TECHNICAL COMMENTS

Historical Hydraulic Gradients – Please show using a rose diagram with magnitude and direction; include cumulative groundwater gradients in all future reports submitted for this site.

#### TECHINICAL REPORT REQUEST

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

February 23, 2006 - Soil and Water Investigation Report

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.

#### ELECTRONIC SUBMITTAL OF REPORTS

The Alameda County Environmental Cleanup Oversight Programs (LOP and Toxics) now request submission of reports in electronic form. The electronic copy is intended to replace the need for a paper copy and is expected to be relied upon for all public information requests, regulatory review, and compliance/enforcement activities.

Instructions for submission of electronic documents to the Alameda County Environmental Cleanup Oversight Program FTP site are provided on the attached "Electronic Report Upload Instructions." Submission of reports to the Alameda County FTP site is separate from and in addition to existing requirements for electronic submittal of information to the State Water Resources Control Board (SWRCB) Geotracker website. In September 2004, the SWRCB adopted regulations that require electronic submittal of information for groundwater cleanup programs. For several years, parties responsible for cleanup of leaks from underground storage tanks (USTs) have been required to submit groundwater analytical data, surveyed locations of monitor wells, and other data to the Geotracker database over the Internet. Beginning July 1, 2005, electronic submittal of a complete copy of all necessary reports is required in Geotracker (in PDF format). Please visit the State Water Resources Control Board for more information on these requirements ([http://www.swrcb.ca.gov/ust/cleanup/electronic\\_reporting](http://www.swrcb.ca.gov/ust/cleanup/electronic_reporting)).

## PROJECT APPROACH AND INVESTIGATION REPORTING

We anticipate that characterization and remediation work in addition to what is requested in this letter will be necessary at and downgradient from your site. Considerable cost savings can be realized if your consultant focuses on developing and refining a viable Site Conceptual Model (SCM) for the project. A SCM is a set of working hypotheses pertaining to all aspects of the contaminant release, including site geology, hydrogeology, release history, residual and dissolved contamination, attenuation mechanisms, pathways to nearby receptors, and likely magnitude of potential impacts to receptors. The SCM is used to identify data gaps that are subsequently filled as the investigation proceeds. As the data gaps are filled, the working hypotheses are modified, and the overall SCM is refined and strengthened. Subsurface investigations continue until the SCM no longer changes as new data are collected. At this point, the SCM is said to be "validated." The validated SCM then forms the foundation for developing the most cost-effective corrective action plan to protect existing and potential receptors.

When performed properly, the process of developing, refining and ultimately validating the SCM effectively guides the scope of the entire site investigation. We have identified, based on our review of existing data, some initial key data gaps in this letter and have described several tasks that we believe will provide important new data to refine the SCM. We request that your consultant develop a SCM for this site, identify data gaps, and propose specific supplemental tasks for future investigations. There may need to be additional phases of investigations, each building on the results of the prior work, to validate the SCM. Characterizing the site in this way will improve the efficiency of the work and limit its overall cost.

The SCM approach is endorsed by both industry and the regulatory community. Technical guidance for developing SCMs is presented in API's Publication No. 4699 and EPA's Publication No. EPA 510-B-97-001 both referenced above; and "Guidelines

for Investigation and Cleanup of MTBE and Other Ether-Based Oxygenates, Appendix C," prepared by the State Water Resources Control Board, dated March 27, 2000.

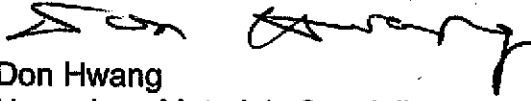
The SCM for this project shall incorporate, but not be limited to, the following:

- a) A concise narrative discussion of the regional geologic and hydrogeologic setting obtained from your background study. Include a list of technical references you reviewed, and copies (photocopies are sufficient) of regional geologic maps, groundwater contours, cross-sections, etc.
- b) A concise discussion of the on-site and off-site geology, hydrogeology, release history, source zone, plume development and migration, attenuation mechanisms, preferential pathways, and potential threat to downgradient and above-ground receptors. Be sure to include the vapor pathway in your analysis. Maximize the use of large-scale graphics (e.g., maps, cross-sections, contour maps, etc.) and conceptual diagrams to illustrate key points. Include structural contour maps (top of unit) and isopach maps to describe the geology at your site.
- c) Identification and listing of specific data gaps that require further investigation during subsequent phases of work.
- d) Proposed activities to investigate and fill data gaps identified above.
- e) The SCM shall include an analysis of the hydraulic flow system at and downgradient from the site. Include rose diagrams for groundwater gradients. The rose diagram shall be plotted on groundwater contour maps and updated in all future reports submitted for your site. Include an analysis of vertical hydraulic gradients. Note that these likely change due to seasonal precipitation and pumping.
- f) Temporal changes in the plume location and concentrations are also a key element of the SCM. In addition to providing a measure of the magnitude of the problem, these data are often useful to confirm details of the flow system inferred from the hydraulic head measurements. Include plots of the contaminant plumes on your maps, cross-sections, and diagrams.
- g) Several other contaminant release sites exist in the vicinity of your site. Hydrogeologic and contaminant data from those sites may prove helpful in testing certain hypotheses for your SCM. Include a summary of work and technical findings from nearby release sites and incorporate the findings from nearby site investigations into your SCM.

Report the information discussed above in your initial SCM and include it in the Work Plan requested below. Include updates to your SCM in the Soil and Water Investigation (Results of Expedited Site Assessment) Report requested below.

Mr. Christie  
December 23, 2005  
Page 4 of 4

Sincerely,



Don Hwang  
Hazardous Materials Specialist  
Local Oversight Program

C: Leonard Niles, URS Corp., 1333 Broadway, Suite 800 Oakland, CA 94612-1924  
Donna Drogos  
File



ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY  
DAVID J. KEARS, Agency Director



10-22-03

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

October 22, 2003

Paul Supple  
Atlantic Richfield Co.  
(a BP affiliated co.)  
PO Box 6549  
Moraga, CA 94570

Dear Mr. Supple:

Subject: Fuel Leak Case No. RO0000239, BP Station #11124, 3315 High St., Oakland, CA

Alameda County Environmental Health (ACEH) staff has reviewed the Leaking Underground Storage Tank Oversight Program file. We do not believe that the case is ready for closure. We request that you address the following technical comments and send us the technical reports requested below.

#### TECHNICAL COMMENTS

1. Groundwater Monitoring Well Locations – There are no wells close to and downgradient of the former underground gasoline tanks and dispensers. The dissolved contaminant plume may have been missed by the wells. Please propose a sampling scheme to determine if this is the case and also propose sampling locations close to and downgradient of the former underground gasoline tanks and dispensers in the Work Plan requested below. Also, the analyses of the borings will need to include methyl tertiary-butyl ether (MTBE), the lead scavengers, EDB and EDC, in soil samples.
2. Groundwater Analyses – We request that you include methyl tertiary-butyl ether (MTBE) and the other fuel oxygenates Tertiary Amyl Methyl Ether (TAME), Ethyl Tertiary Butyl Ether (ETBE), Di-Isopropyl Ether (DIPE), and Tertiary Butyl Alcohol (TBA), Ethanol by EPA Method 8260 and the lead scavengers, Ethylene Dibromide (EDB), Ethylene Dichloride (EDC) for analyses of grab and monitoring well groundwater samples. Additionally, 5,200 ug/l Total Oil & Grease (TOG) was detected from MW-4 the last time this well was sampled, on September 30, 1992.
3. Oil/Water Separator – Soil samples detected 970 mg/kg and 750 mg/kg TPH-G at 0.5 feet depth and 2 feet depth, respectively. We request that you propose additional borings to delineate the lateral and vertical extent of soil contamination in the source area. Additionally, groundwater impact must be evaluated. Please propose boring locations in the Work Plan requested below.

Mr. Supple  
October 22, 2003  
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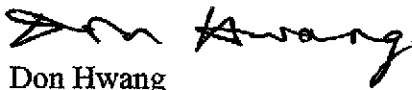
## TECHINCAL REPORT REQUEST

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

December 30, 2003 – Workplan  
60 days after Work Plan approval - Soil and Water Investigation Report

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: Donna Drogos  
File

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



R0239

DEPARTMENT OF ENVIRONMENTAL HEALTH  
Hazardous Materials Program  
50 Swan Way, Rm. 300  
Oakland, CA 94621  
(415)

Certified Mailer #: P 062 128 217

September 13, 1991

BP Oil Co.  
3315 High Street  
Oakland, CA 94619  
Attn: Arthur Yu

**SECOND NOTICE OF VIOLATION**

**SUBJ: Five-Year Permit to Operate Four Underground Storage Tanks  
at BP Oil Company, Facility #11124, 3315 High Street  
Oakland, California 94619**

Dear Mr. Yu:

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, four double-walled underground storage tanks (three product and one waste oil) 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:

3315 High Street  
September 13, 1991  
Page 2 of 8

- 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

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September 13, 1991  
Page 3 of 8

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

3315 High Street  
September 13, 1991  
Page 4 of 8

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



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September 13, 1991  
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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 90 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

3315 High Street  
September 13, 1991  
Page 6 of 8

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



3315 High Street  
September 13, 1991  
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PVC, etc.)

- c) Locations and type of equipment used for continuous leak detection. Include types of probes and probe positions.
- 4) For the double-walled waste oil tank which was installed 1986, in addition to the requirements mentioned above, you are required to perform the following action:
  - a) Install a continuous electronic leak detection system with audio and visual alarms for the interstitial space.
- 5) 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.

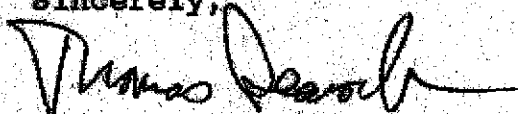
Please note that copies of the documents requested above (except item # 4) and other related tank/pipe integrity records shall be maintained on-site for at least three (3) years.

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

3315 High Street  
September 13, 1991  
Page 8 of 8

cc: Pete DeSantis, Environmental Coordinator, BP Oil Company  
Dale Swain, Alton Geoscience  
Gil Jensen, Alameda County District Attorney, Consumer and  
Environmental Protection Division



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

July 29, 1991

Mr. Arthur Yu  
BP Oil Co.  
3315 High Street  
Oakland, CA 94619

**NOTICE OF VIOLATION**

**SUBJ: Five-Year Permit to Operate Four Underground Storage Tanks  
at BP Oil Company Facility #11124, 3315 High Street  
Oakland, California 94619**

Dear Mr. Yu:

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, four underground storage tanks (three fuel and one double-walled waste oil) 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.

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- 2) For 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 B for each tank.
  - b) Initial tank and pipeline precision test results, per Section 2635(7), CCR and Section 25289(b) of the Health and Safety Code;
  - c) 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 performing the monitoring, where monitoring will be 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;
  - d) 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 waste oil, 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 within 30 days, i.e. no later than August 22, 1991. A follow-up inspection will be conducted upon receipt and review of the required

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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 25399 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,



Paul Smith, Hazmat Specialist  
Hazardous Materials Division

FYP:fyf

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

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