

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY  
DAVID J. KEARS, Agency Director



SENT  
02-21-06

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

February 17, 2006

Shahram Shahnazi  
Delta Gas  
300 West S Street  
Woodland, CA 95695

John Rutherford  
Desert Petroleum  
P.O. Box 1601  
Oxnard, CA 93030

Tejindar and Rajinder Singh  
6400 Dublin Boulevard  
Dublin, CA 94568

Mohammed Mushhoon  
9 Commodore, #217  
Emeryville, CA 94608

Subject: Fuel Leak Case No. RO0000276, Desert Petroleum #796, 2844 Mountain Blvd., Oakland, CA

Dear Mr. Shahnazi, Mr. Rutherford, Mr. Singh, and Mr. Mushhoon:

No reports have been submitted to our agency for this case since December 2000. This fuel leak case remains open and additional investigation and cleanup is required for this site. Fuel hydrocarbons including methyl tert-butyl ether (MTBE) and fuel oxygenates are present at elevated concentrations in soil and groundwater at the site and have migrated off-site to adjacent properties. MTBE has been detected at concentrations up to 410,000 micrograms per liter ( $\mu\text{g/L}$ ) in groundwater samples at the edge of your property. The lateral and vertical extent of contamination originating from your site has not been fully defined. In addition, free product is present in the subsurface within the central portion of the site.

The most recent report in our files is a document entitled, "Workplan for Soil and Groundwater Assessment," dated December 7, 2000 and prepared on your behalf by Aqua Science Engineers, Inc. This work plan proposed a scope of work to install five monitoring wells in both on-site and off-site areas where elevated concentrations of fuel hydrocarbons have been detected. The proposed scope of work was approved by ACEH in correspondence dated December 22, 2000. However, this proposed work was apparently not implemented. The December 22, 2000 ACEH correspondence also requested documentation of measures taken to address potential leakage from the existing tank system and requested a proposal for interim remedial action. There is no evidence in the files that any of these requests were acted upon.

ACEH requests that the potential for ongoing leakage from the existing UST system be addressed immediately as requested in technical comment 1 below. The information requested in technical comment 1 is to be provided by **March 3, 2006**.

Due to the extended period of time that has passed since soil and groundwater sampling was conducted at your site, we request that you submit a revised work plan by **April 17, 2006** to address additional data gaps as discussed in technical comment 2 below. We request that you address the following technical comments, perform the proposed work, and send us the reports described below.

### TECHNICAL COMMENTS

1. **Tank System Status.** Previous ACEH correspondence for this site has discussed the possibility that ongoing releases were occurring from the on-site tank system. Please provide documentation of tank system upgrades or removals that have taken place since 1999. If no tank system upgrades or removals have taken place since 1999, please propose an investigation to determine whether recent releases have occurred from the tank system.
2. **Site Characterization.** The lateral and vertical extent of soil and groundwater contamination at the site has not been fully defined. The extent of contaminant migration along preferential pathways such as the storm water line and the drain system for the retaining wall west of the site must also be considered. Please present plans to fully define the lateral and vertical extent of soil and groundwater contamination at the site in the revised Work Plan requested below.

### TECHNICAL REPORT REQUEST

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

- **March 3, 2006** – Documentation of Tank System Upgrades or Removal or Proposal to Investigate Recent Releases from Tank System
- **April 17, 2006** – Revised Work Plan
- **120 days after ACEH approval of Work Plan** – Corrective Action Plan

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

### ELECTRONIC SUBMITTAL OF REPORTS

Effective **January 31, 2006**, the Alameda County Environmental Cleanup Oversight Programs (LOP and SLIC) require submission of all reports in electronic form to the county's ftp site. Paper copies of reports will no longer be accepted. The electronic copy replaces the paper copy and will be used for all public information requests, regulatory review, and compliance/enforcement activities. Instructions for submission of electronic documents to the Alameda County Environmental Cleanup Oversight Program ftp site are provided on the attached "Electronic Report Upload (ftp) Instructions." Please do not submit reports as attachments to electronic mail.

Submission of reports to the Alameda County ftp site is an addition to existing requirements for electronic submittal of information to the State Water Resources Control Board (SWRCB) Geotracker website. Submission of reports to the Geotracker website does not fulfill the

Shahram Shahnazi  
John Rutherford  
Tejindar and Rajinder Singh  
Mohammed Moshhoon  
February 17, 2006  
Page 3

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)).

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](mailto: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.

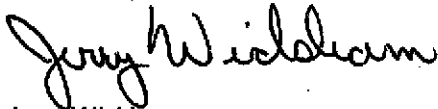
Shahram Shahnazi  
John Rutherford  
Tejinder and Rajinder Singh  
Mohammed Moshhoon  
February 17, 2006  
Page 4

**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: Leroy Griffin  
Oakland Fire Hazardous Materials Unit  
250 Frank Ogawa Plaza, Suite 3341  
Oakland, CA 94612

Robert Kitay  
Aqua Science Engineers, Inc.  
208 West El Pintado  
Danville, CA 94526

Donna Drogos, ACEH  
Jerry Wickham, ACEH  
File

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY  
DAVID J. KEARS, Agency Director



12-27-00

RO276

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

December 22, 2000

Shahram Shahnazi  
140 Geldert Dr.  
Tiburon, CA 94520

Dear Mr. Shahnazi:

Subject: Compare Prices, 2844 Mountain Blvd., Oakland, CA  
StId 851

"Workplan for Soil and Groundwater Assessment..." dated December 7, 2000 by Aqua Science Engineers was reviewed. The proposal for the installation of the five additional groundwater monitoring wells and associated work is acceptable.

- 1) Provide documentation of what's been done to determine that the onsite tank systems have not leaked. Indicate when you plan to have the tank systems replaced. The City of Oakland Fire Services Agency does not have an application to remove the tanks for this site.
- 2) Until the tanks are removed, other remedial measures need to be proposed in a Corrective Action Plan, which includes an assessment of impacts, a feasibility study, and applicable cleanup levels.

Documentation of what's been done to determine that the onsite tank systems have not leaked and when you plan to have the tank systems replaced is expected immediately. If you have any questions, call me at (510) 567-6746.

Sincerely,

Don Hwang  
Hazardous Materials Specialist

C: Leroy Griffin, City of Oakland Fire Services Agency, Office of Emergency Services,  
Hazardous Materials Management Program, 505-14<sup>th</sup> St., 5<sup>th</sup> Floor, Oakland, CA 94612

Robert Kitay, Aqua Science Engineers, Inc., 208 W. El Pintado, Danville, CA 94526

file

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



SENT 7-7-2000

20276

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

July 5, 2000

Shahram Shahnazi  
140 Geldert Dr.  
Tiburon, CA 94520

Dear Mr. Shahnazi:

Subject: Compare Prices, 2844 Mountain Blvd., Oakland, CA  
StId 851

"Report for Soil and Groundwater Assessment..." dated May 24, 2000 by Aqua Science Engineers was reviewed. The report indicated Methyl Tertiary-Butyl Ether (MTBE) concentrations as high as 410,000 ug/l, 170,000 ug/l, and 130,000 ug/l, close to the property boundaries. The highest benzene concentration was 6,400 ug/l, which was adjacent to the property boundary. The recommendation for five additional groundwater monitoring wells is acceptable. However, first, the possibility of the onsite tank system as the source of the MTBE and benzene in the subsurface (tank, pipe joint, spill bucket, surface spill, etc.) needs to be investigated. A summary of suggested methods for determining the source of leaks in tank systems is included in Appendix D (enclosed). After that, the distance to receptors (drinking water wells and surface water supplies) in the vicinity need to be determined. This information can then be used to develop a site conceptual model (SCM). Due to the high concentrations found, interim remedial action is also required.

Provide a workplan which addresses these issues within 30 days. If you have any questions, call me at (510) 567-6746.

Sincerely,

Don Hwang  
Hazardous Materials Specialist

Enclosure (1)

C: Robert Kitay, Aqua Science Engineers, Inc., 208 W. El Pintado, Danville, CA 94526

file

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY  
DAVID J. KEARS, Agency Director



FEB 10 2000

cc's

20276

February 9, 2000

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

STID 851

Mr. Shahram Shahnazi  
140 Geldert Drive  
Tiburon, CA 94520

RE: 2844 Mountain Boulevard, Oakland - Request for modification to approved Soil and Water Investigation scope of work

Dear Mr. Shahnazi:

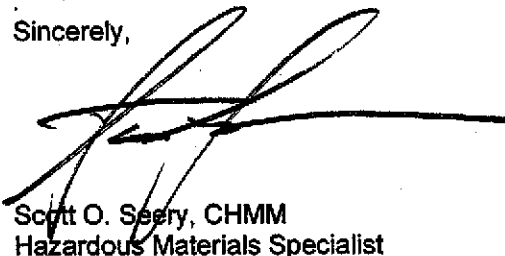
I have completed review of the January 27, 2000 Aqua Science Engineers, Inc. (ASE) "interim" report that documents the completion of four (4) Geoprobe® borings (BH-A through BH-D) emplaced on the opposite side of Mt. Boulevard from the subject site. This work is a portion of that proposed in the ASE workplan dated August 6, 1999. The remaining borings, to be emplaced along the sanitary sewer trenches, are slated to be completed in Spring 2000.

ASE's January 27<sup>th</sup> interim report presents data that demonstrates some degree of fuel hydrocarbon impact to groundwater in off-site locations. Of particular note are the laboratory results from water sampled from boring BH-A, where 15,000 micrograms per liter (ug/l) total petroleum hydrocarbons as gasoline (TPH-G), 370 ug/l benzene, and 4600 ug/l total xylenes, among other compounds, have been identified.

At this time you are requested to augment the remaining scope of the August 6, 1999 ASE workplan with the addition of two (2) more borings in locations south of BH-A, emplaced along the same alignment and spacing as the current boring string of BH-A to BH-D. These two additional borings may be completed at the same time as those planned for completion this Spring.

Please contact me at (510) 567-6783 should you have any questions or comments.

Sincerely,



Scott O. Seery, CHMM  
Hazardous Materials Specialist

cc: Chuck Headlee, RWQCB  
Dave Deaner, SWRCB UST Fund  
Leroy Griffin, Oakland Fire Department  
Jill Duerig, Alameda County District Attorney's Office  
John Rutherford, Desert Petroleum, P.O. Box 1601, Oxnard, CA 93032  
Robert Kitay, Aqua Science Engineers, Inc., 208 W. Pintado Rd., Danville, CA 94526

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY  
DAVID J. KEARS, Agency Director



SENT 11-1-99  
P0276

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

October 29, 1999

STID 851

Mr. Shahram Shahnazi  
140 Geldert Drive  
Tiburon, CA 94520

RE: 2844 Mountain Boulevard, Oakland - Soil and Water Investigation

Dear Mr. Shahnazi:

I have completed review of the August 6, 1999 Aqua Science Engineers Inc. (ASE) soil and water investigation (SWI) work plan for the subject site. This phase of work is intended to: 1) quickly assess potential off-site groundwater impacts using push-tool technology (e.g., Geoprobe<sup>®</sup>, etc.), and 2) determine whether or not sewer line trenches serve as preferential pathways for plume migration away from the site. This SWI work plan was submitted in response to correspondence from this office dated June 10, 1999.

I have been in contact with ASE's Robert Kitay over the last couple of weeks to discuss boring placement strategies and timing for initiation of this two-pronged phase of the pending SWI. We concluded that three (3) additional borings were necessary for proper coverage (revised map is attached). We also concluded that implementation of the proposed scope of work should be in two stages. Those borings proposed for the opposite side of Mountain Boulevard should be completed as soon as the drillers can be scheduled; however, the sewer line assessment should only begin once groundwater levels have recovered in the early Spring of 2000, and utilities have been more precisely located.

The cited ASE work plan has been accepted as currently amended.

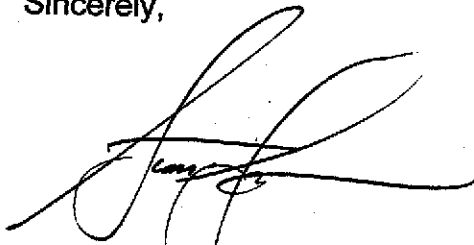
Please have your consultant implement the first stage of the SWI, as articulated above, within 45 days of the date of this letter.



Mr. Shahnazi  
RE: 2844 Mountain Blvd., Oakland  
October 29, 1999  
Page 2 of 2

Please contact me at (510) 567-6783 should you have any questions or comments, and to inform me when field work will begin.

Sincerely,



Scott O. Seery, CHMM  
Hazardous Materials Specialist

Attachment

cc: Chuck Headlee, RWQCB  
Dave Deaner, SWRCB UST Fund (w/ attachment)  
Leroy Griffin, Oakland Fire Department  
Jill Duerig, Alameda County District Attorney's Office  
John Rutherford, Desert Petroleum Inc., (w/ attachment)  
P.O. Box 1601, Oxnard, CA 93032  
Robert Kitay, Aqua Science Engineers Inc.  
208 West El Pintado, Danville, CA 94526

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



R0276

ENVIRONMENTAL HEALTH SERVICES

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

June 10, 1999

STID 851

Mr. Shahram Shahnazi  
140 Geldert Drive  
Tiburon, CA 94520

Mr. John Rutherford  
Desert Petroleum  
P.O. Box 1601  
Oxnard, CA 93030

RE: 2844 Mountain Boulevard, Oakland - Request for Soil and Water Investigation

Dear Messrs. Shahnazi and Rutherford:

I have completed review of the Western Geo-Engineers (WEGE) quarterly sampling and monitoring report dated March 8, 1999. This report also presents the results of a *revised* version of WEGE's earlier subsurface conduit study, which evaluates the potential for utility conduits and fault-related features to affect contaminant dispersal from the site. The conduit study reveals the potential for sanitary sewer trenches to contribute to contaminant migration away from the site. The fault element of the study was less conclusive.

Cumulative sampling and monitoring data clearly demonstrate that the releases from the underground storage tanks at this site have not been fully defined. The conduit study adds an additional layer of uncertainty to the plume definition issue. Consequently, plume definition must be achieved through completion of a soil and water investigation (SWI). Ultimately, an appropriate corrective action plan (CAP) will also be required, the scope of which will be substantially based on what is discovered following completion of the SWI.

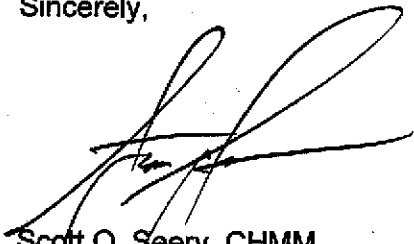
**You directed to submit a SWI work plan for the continued investigation of this gasoline release.** The SWI work plan is due within 60 days of the date of this letter.

This phase of the SWI will involve intrusive investigations of the sanitary sewer trenches, as well as other on- and off-site locations. Consequently, you are encouraged to employ the use of so-called "rapid site assessment tools" (e.g., Geoprobe, etc.) for the initial stage of this investigation. Final, permanent well locations may then be determined based on these initial results.

Messrs. Shahnazi and Rutherford  
RE: 2844 Mountain Blvd., Oakland  
June 10, 1999  
Page 2 of 2

Please contact me at (510) 567-6783 should you have any questions or comments.

Sincerely,

A handwritten signature in black ink, appearing to read 'Scott O. Seery', with a large, sweeping flourish extending to the right.

Scott O. Seery, CHMM  
Hazardous Materials Specialist

cc: Chuck Headlee, RWQCB  
Dave Deaner, SWRCB UST Fund  
Leroy Griffin, Oakland Fire Department  
Jill Duerig, Alameda County District Attorney's Office

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY  
DAVID J. KEARS, Agency Director



RO# 276

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

April 1, 1999

STID 851

Mr. Shahram Shahnazi  
140 Geldert Drive  
Tiburon, CA 94520

**NOTICE OF VIOLATION**

RE: 2844 Mountain Boulevard, Oakland

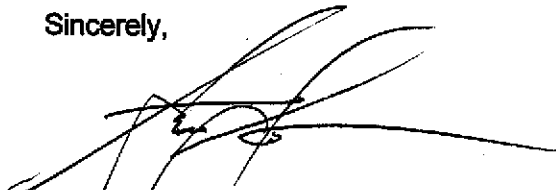
Dear Mr. Shahnazi:

In correspondence from this office dated March 3, 1999, you were directed to submit the first of a series of monthly status reports to this office by March 31, 1999. This report has not been received.

**At this time, the referenced written status report must be submitted within 10 days of the date of this letter. Failure to comply with this request will result in referral of your case to the District Attorney's Office and pursuit of enforcement action.**

Please call me at (510) 567-6783 should you have any questions.

Sincerely,



Scott O. Seery, CHMM  
Hazardous Materials Specialist

cc: Jill Duerig, Alameda County District Attorney's Office  
Leroy Griffin, Oakland Fire Department  
Chuck Headlee, RWQCB  
John Rutherford, Desert Petroleum Inc., P.O. Box 1601, Oxnard, CA 93032

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY  
DAVID J. KEARS, Agency Director



RO# 276

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

March 3, 1999

STID 851

Mr. Shahram Shahnazi  
140 Geldert Drive  
Tiburon, CA 94520

RE: 2844 Mountain Boulevard, Oakland

Dear Mr. Shahnazi:

This letter is sent to memorialize the issues discussed and agreements reached during our meeting yesterday with Ms. Jill Duerig at the Alameda County District Attorney's Office. As the owner of both the subject property and underground storage tanks (UST) located there, you are, by definition, a "responsible party" in accordance with Section 2720 of Article 11, Title 23, California Code of Regulations. Your receipt from this office of the May 5, 1998 "Notice Of Responsibility" was your official notification of this fact. Consequently, you are jointly and severally responsible under the law for ensuring the release(s) from the USTs is (are) adequately assessed and appropriate corrective action implemented.

Up to this point in time, you have not demonstrated through appropriate action your intent to comply with your responsibility under the UST law and regulations. In our view you have violated the law on several fronts. Such violations include, but are not limited to, your lack of cooperative participation with your joint responsible party, Desert Petroleum (Desert), to ensure the on-going assessment is completed, even after committing to do so during our joint meeting with Desert on October 20, 1998.

The District Attorney's Office has agreed to stay, at least temporarily, the filing of a formal enforcement action against you. The District Attorney's Office has also agreed to place you on a "schedule of compliance" in order to track your efforts to comply with the UST law and regulations. Your progress will be closely monitored.

Therefore, for the next 6 months, you are to provide a monthly status report presenting your progress with the following issues:

1. Status of your contractual agreement with Desert Petroleum with respect to your joint cooperation in completion of the on-going assessment of, and eventual development of a final Corrective Action Plan (CAP) for, the release(s) at the subject site
2. The tasks that you have agreed to fulfill under your contract with Desert Petroleum with respect to item 1, above, and your progress with them
3. Status of your application for funding to the State UST Fund

Mr. Shahnazi

RE: 2844 Mountain Blvd., Oakland

March 3, 1999

Page 2 of 2

You are strongly encouraged to seek competent assistance from an environmental consultant with experience in these matters. Consultation with an environmental attorney is also strongly recommended, particularly with respect to entering into contractual agreement with Desert.

**Your first status report is due in this office no later than March 31, 1999. Subsequent status reports are due in this office no later than the last day in each subsequent month.**

Please call me at (510) 567-6783 should you have any questions.

Sincerely,



Scott O. Seery, CHMM  
Hazardous Materials Specialist

cc: Jill Duerig, Alameda County District Attorney's Office  
Leroy Griffin, Oakland Fire Department  
Chuck Headlee, RWQCB  
John Rutherford, Desert Petroleum Inc., P.O. Box 1601, Oxnard, CA 93032

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY  
DAVID J. KEARS, Agency Director



20276

December 15, 1998

STID 851

Mr. Shahram Shahnazi  
140 Geldert Drive  
Tiburon, CA 94520

ENVIRONMENTAL HEALTH SERVICES

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

**NOTICE OF VIOLATION**

RE: 2844 Mountain Boulevard, Oakland – Underground Storage Tank (UST) closure report

Dear Mr. Shahnazi:

You have been advised previously in correspondence from this office dated October 20 and November 4, 1998 that you failed to present a complete underground storage tank (UST) closure report that documents the removal of a fuel UST from the subject site during July 1998. You were to submit this report, initially, within 60 days of the date the UST was removed. Most recently, you were requested to submit a complete report by November 29, 1998. To date, this office has not received this report.

You are currently in violation of the UST closure requirements outlined under Item 22 of the Alameda County Environmental Health Department (ACDEH) tank closure plan which you filed with this agency. Your UST closure permit required that a final report be submitted within 60 days of the UST's removal.

Your case will now be referred to the Alameda County District Attorney's Office for enforcement action. Further, your case may be deemed "ineligible" for reimbursement through the State Water Resources Control Board (SWRCB) UST Cleanup Fund.

Please call me at (510) 567-6783 should you have any questions.

Sincerely,

Scott O. Seery, CHMM

Hazardous Materials Specialist

cc: Mee Ling Tung, Director, Environmental Health  
Larry Blazer, Alameda County District Attorney's Office  
Leroy Griffin, Oakland Fire Department  
Cheryl Gordon, SWRCB UST Fund  
John Rutherford, Desert Petroleum, P.O. Box 1601, Oxnard, CA 93030

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY  
DAVID J. KEARS, Agency Director



RO# 276

November 4, 1998

STID 851

Mr. Shahram Shahnazi  
140 Geldert Drive  
Tiburon, CA 94520

ENVIRONMENTAL HEALTH SERVICES

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

RE: 2844 Mountain Boulevard, Oakland – Underground Storage Tank (UST) closure report

Dear Mr. Shahnazi:

I have reviewed the information you submitted recently to satisfy the requirement for a UST closure report documenting the July 1998 closure of a single fuel UST at your site. My October 20, 1998 correspondence to you indicated this report was to comply with the technical requirements outlined under Item 22 of the Alameda County Environmental Health Department (ACDEH) tank closure plan which you filed with this agency. Your current submittal has not provided all the technical information required under Item 22 of the ACDEH tank closure plan.

I have attached a copy of the technical requirements for an UST closure report under Item 22 of the ACDEH tank closure plan. These instructions were presented to you previously in the UST closure plan packet you received from this office prior to the July UST closure.

A complete UST closure report is to be submitted within 15 calendar days of the date of this letter.

Please call me at (510) 567-6783 should you have any questions.

Sincerely,

Scott O. Seery, CHMM  
Hazardous Materials Specialist

Attachment

cc: Mee Ling Tung, Director, Environmental Health  
Larry Blazer, Alameda County District Attorney's Office  
Leroy Griffin, Oakland Fire Department  
Robert Weston, ACDEH  
Bernabe & Brinker, Inc., 2240 Wood St., Oakland, CA 94607



ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY  
DAVID J. KEARS, Agency Director



RO# 276

October 20, 1998

STID 851

Mr. Shahram Shahnazi  
140 Geldert Drive  
Tiburon, CA 94520

Mr. John Rutherford  
Desert Petroleum  
P.O. Box 1601  
Oxnard, CA 93030

ENVIRONMENTAL HEALTH SERVICES

1131 Harbor Bay Parkway, Suite 250  
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(510) 567-6700  
(510) 337-9335 (FAX)

RE: 2844 Mountain Boulevard, Oakland

Dear Messrs. Shahnazi and Rutherford:

This letter follows in the wake of our meeting today. As we discussed, City of Oakland sewer maps demonstrate the presence of several sewer lines passing by the site both to the north and southwest. Such lines are present beneath Werner Court and Mountain Boulevard. The trenches in which these lines are placed, and perhaps the lines themselves, may present preferential pathways for the migration of contaminated groundwater away from the site source area and in directions which may skirt the current well network. This issue must be evaluated.

In addition, the subject site lies squarely within the Hayward fault zone. Fault-related subsurface features may also play a role in groundwater contaminant dispersal. This issue must also be evaluated.

Please submit a work plan describing plans to evaluate these and other potential utility alignments, as well as fault-related features, as conduits for contaminant dispersal from the site. This work plan is due within 60 days of the date of this letter.

Sincerely,



Scott O. Seery, CHMM  
Hazardous Materials Specialist

cc: Mee Ling Tung, Director, Environmental Health  
Chuck Headlee, RWQCB  
Leroy Griffin, Oakland Fire Department  
Robert Weston, ACDEH

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



Ro# 276

October 20, 1998

ENVIRONMENTAL HEALTH SERVICES

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

STID 851

Mr. Shahram Shahnazi  
140 Geldert Drive  
Tiburon, CA 94520

RE: 2844 Mountain Boulevard, Oakland – Underground Storage Tank (UST) closure report

Dear Mr. Shahnazi:

As we discussed at today's meeting, this office has still not received a copy of the final UST closure report documenting the July 1998 closure of a single fuel UST at your site. This report was due within 60 days of the tank's removal, or by September 7, 1998. This 60 day report submittal deadline was a condition of your permit to have the tank closed, and appears as Item 22 of the Alameda County Environmental Health Department tank closure plan which you filed with this agency

The cited UST closure report is to be submitted within 15 calendar days of the date of this letter.

Please call me at (510) 567-6783 should you have any questions.

Sincerely,

Scott O. Seery, CHMM  
Hazardous Materials Specialist

cc: Mee Ling Tung, Director, Environmental Health  
Larry Blazer, Alameda County District Attorney's Office  
Leroy Griffin, Oakland Fire Department  
Robert Weston, ACDEH  
Bernabe & Brinker, Inc., 2240 Wood St., Oakland, CA 94607

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY  
DAVID J. KEARS, Agency Director



RO#276

October 14, 1998

ENVIRONMENTAL HEALTH SERVICES

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

STID 851

Mr. Shahram Shahnazi  
140 Geldert Drive  
Tiburon, CA 94520

Mr. John Rutherford  
Desert Petroleum  
P.O. Box 1601  
Oxnard, CA 93030

RE: 2844 Mountain Boulevard, Oakland – Meeting confirmation

Dear Messrs. Shahnazi and Rutherford:

This letter confirms our meeting scheduled for Tuesday, October 20, 1998 at 10:30 AM. The meeting will be held at the Alameda County Environmental Health Department offices at the letterhead address.

Please contact me at (510) 567-6783 should you have any questions.

Sincerely,



Scott O. Seery, CHMM  
Hazardous Materials Specialist

cc: Mee Ling Tung, Director, Environmental Health  
Chuck Headlee, RWQCB  
Leroy Griffin, Oakland Fire Department  
Robert Weston, ACDEH

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY  
DAVID J. KEARS, Agency Director



RO# 276

September 25, 1998

ENVIRONMENTAL HEALTH SERVICES

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

STID 851

Mr. Shahram Shahnazi  
140 Geldert Drive  
Tiburon, CA 94520

Mr. John Rutherford  
Desert Petroleum  
P.O. Box 1601  
Oxnard, CA 93030

RE: 2844 Mountain Boulevard, Oakland

Dear Messrs. Shahnazi and Rutherford:

This letter is a request for a meeting to discuss the next phases of work needed to appropriately assess the extent of the releases at the subject site and fair apportionment of project responsibilities. I would like to schedule this meeting within the next 3 weeks.

Please contact me at (510) 567-6783 no later than Thursday, October 1, 1998 so that we may determine an amenable meeting date.

Sincerely,

Scott Q. Seery, CHMM  
Hazardous Materials Specialist

cc: Mee Ling Tung, Director, Environmental Health  
Chuck Headlee, RWQCB  
Leroy Griffin, Oakland Fire Department  
Robert Weston, ACDEH

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY  
DAVID J. KEARS, Agency Director



Ro# 276

May 4, 1998

ENVIRONMENTAL HEALTH SERVICES

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

Ms. Barbara Wightman  
State Water Resources Control Board  
Division of Clean Water Programs  
2014 T Street, Ste. 130  
Sacramento, CA 94244-2120

RE: UST integrity tests performed by TTT Company, Richmond, CA,  
for the site located at 2844 Mountain Blvd., Oakland, CA

Dear Ms. Wightman:

Thank you for speaking to me today about my concerns regarding the methodologies and results for tank system integrity and line leak detector tests reportedly performed by TTT Company during March 1997 at the noted Oakland site. As we discussed, there are a number of issues I have regarding the validity of these tests. Copies of the noted tests are attached.

Following is a listing of the areas that have lead me to question test validity:

USTs

- 1) It is unclear from the submitted form which of the numerous integrity test methods and equipment were used at this site.
- 2) It appears the tester was unsure whether one of the tanks was comprised of steel or fiberglass.
- 3) Depth to ground water was not determined. Historic evidence indicates the tanks are expected to be sitting in ground water at this site. Hence, the "four pound rule" was not appropriately implemented.
- 4) Stated capacity and source of information for determining said capacity of the 10,000 gallon gasoline tank is inconsistent from one area (field 16) to another (work sheet).
- 5) Start and set-up times, and recorded time logs (column 28) for the 10,000 (9700) and 4,000 gallon gasoline tanks appear erroneous.
- 6) The same "strike-outs" appear on lines 10 and 11 on each work sheet for each tank during each test.

Ms. Barbara Wightwood  
RE: UST tests - 2844 Mountain Bl., Oakland  
May 4, 1998  
Page 2 of 2

- 7) Corrected values for net volume change (column 38) during low level tests are identical, line for line, for each tank.
- 8) Leak rates are identical for each tank (+.000 gph).

Leak Detectors

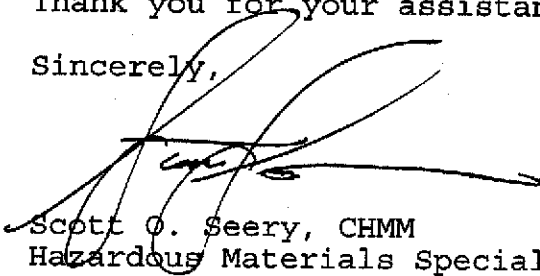
- 1) None of the leak detectors appear to have met the "pass" criteria of detecting a leak at a rate of 3.0 gph at 10 psi.

It is important to note that this site was being considered for "case closure" in early 1996. However, measurable free-phase product (FP) began accumulating in one of the site monitoring wells in September 1996, a phenomena that has continued through the last monitoring event in February 1998. In November 1996, up to 0.75' was measured in one of the site wells. Before September 1996, FP had not been identified at this site. MtBE has likewise been discovered and concentrations have increased in sampled ground water (up to 610,000 ug/l) through February 1998. Consequently, the facts clearly demonstrate that the UST system is not "tight" by any criteria.

Please keep me apprised of your evaluation. Please also keep Mr. Leroy Griffin of the Oakland Fire Department apprised. The City of Oakland is the CUPA for this site. His address appears below.

Thank you for your assistance.

Sincerely,



Scott O. Seery, CHMM  
Hazardous Materials Specialist

attachments

cc: Mee Ling Tung, Director, Environmental Health  
Thomas Peacock, ACDEH  
Robert Weston, ACDEH  
Leroy Griffin, Oakland Fire Department  
1605 Martin Luther King Jr. Way  
Oakland, CA 94612

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY  
DAVID J. KEARS, Agency Director



RO# 276

October 2, 1997  
STID 851

John Rutherford  
Desert Petroleum Inc.  
P. O. Box 1601  
Oxnard, CA 93032

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

re: former Desert petroleum Station, currently N/A Compare  
Prices site, 2844 Mountain Blvd., Oakland, CA 94602

Dear John Rutherford:

This office has received and reviewed a Quarterly Groundwater Sampling Report dated August 18, 1997 by Western Geo-Engineers for the above site. The following comments concern this report:

1. There are extremely high levels of MTBE in RS-1, RS-2 and RS-3. RS-1 has again reported free product. Although it was previously mentioned that there was no downgradient well that was not contaminated it appears that the gradient in this report goes toward RS-4, which has only very minor contamination.
2. This office accepted a workplan dated December 10, 1996 for a soil probe survey, but apparently this was never implemented. Please explain why or say when the work will be done.

Please contact me if you have any questions regarding this letter at 567-6782.

Sincerely,

Thomas Peacock, Manager  
Environmental Protection Division

c: George Converse, Western Geo-Engineers, 1386 East Beamer  
St., Woodland, CA 95776-6003  
Cheryl Gordon, UST CleanUp Fund  
Shahram Shanazi, Compare Prices, 2844 Mountain Blvd.,  
Oakland, CA 94602  
Gordon Coleman - Files

ALAMEDA COUNTY  
HEALTH CARE SERVICES



AGENCY

DAVID J. KEARS, Agency Director

RO#276

September 16, 1997

Shahram Shahnazi

140 Geldert Dr.

Tiburon, CA 94920

ENVIRONMENTAL HEALTH SERVICES

ENVIRONMENTAL PROTECTION (LOP)

1131 Harbor Bay Parkway, Suite 250

Alameda, CA 94502-6577

(510) 567-6700

FAX (510) 337-9335

Re: STID 851, 2844 Mountain Blvd., Oakland, CA 94602

Dear Shahram Shahnazi:

This office has received phone calls from you and a lending institution concerning the above site. There is a continuing soil and groundwater case at the above site. The contamination in the groundwater is being monitored. There is a workplan for soil removal which was approved by this office in a letter dated March 11, 1997. Contamination is still far to great for this site to receive closure.

This site is apparently in the State Cleanup Fund, although current status should be verified with the State Water resources Control Board.

Please contact me at (510) 567-6782 if you have any questions regarding this letter.

Sincerely,

Thomas Peacock, Manager

c: John Rutherford, Desert Petroleum, Inc., P.O. Box 1601, Oxnard, CA 93032  
Gordon Coleman - Files



ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY  
DAVID J. KEARS, Agency Director



RO#276

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

March 25, 1997

Shahram Shahnazi  
Compare Prices Gasoline  
2844 Mountain Blvd.  
Oakland, CA 94602

Dear Mr. Shahnazi:

Re: Compare Prices Gasoline, 2844 Mountain Blvd., Oakland, CA  
94602, STID 851; Underground Storage Tanks Modification

A review of your account indicates that the initial deposit of \$500 for the review of plans and to make inspections associated with the modification of the underground storage tanks for the subject facility was depleted. Enclosed is an accounting of the time spent on this project.

Please submit a check payable to "Alameda County" for \$1,000 to pay for work required to continue this project.

If you have any questions, you may contact me at 510-567-6746.

Sincerely,

Don Hwang  
Hazardous Materials Specialist

Enclosure

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



RO#276

March 11, 1997  
STID 851  
page 1 of 2

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

John Rutherford  
Desert Petroleum Inc.  
PO Box 1601  
Oxnard CA 93032

RE: former Desert Petroleum site #796, currently known as Compare Prices site,  
2844 Mountain Blvd., Oakland CA 94602

Dear Mr. Rutherford,

Since my last letter to you, dated December 27 1996, the following documents have been received in this office:

- 1) "December 1996 Quarterly Groundwater Sampling Report with Results of the Product Area Defining Soil Probe Survey," prepared by Western Geo-Engineers (WEGE), dated 1/24/97; and
- 2) "Interim Remedial Workplan--Excavate and Remove Gasoline Tainted Soils," prepared by WEGE, dated 2/27/97.

The 1/24/97 WEGE report concluded that it appears that the gasoline contamination in the subsurface is due to a faulty product piping and/or dispenser.

The 2/27/97 Workplan involves the excavation of approximately 160 cubic yards of impacted soil around the southeast end of the UST complex, to a depth of 10 to 15 feet bgs (depth of groundwater). Monitoring well RS1 will be destroyed in the process; however, a new 6" Schedule 40 PVC slotted casing will be installed in the clean pea gravel backfill for future free product removal. **This workplan is approved.**

**Please coordinate field work with me at least 2 business days in advance.** If you have any questions or comments, please contact me directly at 510-567-6761.

Sincerely,

Jennifer Eberle  
Hazardous Materials Specialist

March 11, 1997  
STID 851  
page 2 of 2  
John Rutherford

cc: George Converse, Western Geo-Engineers, 1386 East Beamer St., Woodland CA 95776-6003  
Cheryl Gordon, SWRCB, UST CleanUp Fund  
Shahram Shahnazi, Compare Prices, 2844 Mountain Blvd., Oakland CA 94602  
Alex Escobar, The Money Store, 2101 Webster St., Suite 1500, Oakland CA 94612  
Don Hwang/UST file  
J. Eberle/LOP file

je.851-E

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY  
DAVID J. KEARS, Agency Director



RO#276

February 26, 1997

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

Shahran Shahnazi  
Compare Prices Gasoline  
2844 Mountain Blvd. ←  
Oakland, CA 94602  
Stid# 851

Dear Mr. Shahnazi:

You were sent a letter dated September 26, 1996, requesting correction of the violations listed on the inspection report dated May 10, 1996, and submittal of additional items. To date, of the corrections requested, I have only received an application to modify your underground tanks. Because of the discovery of free product in one of the monitoring wells on your site, and that this may be due to your tanks leaking, it is crucial that we receive the information requested.

Submit the following by March 7, 1997:

A) All documents as listed on the inspection report dated May 10, 1996, including current test reports for tanks, piping, and pipeline leak detectors. Note that the submittal of the application to modify your underground tanks does not relieve you from having these equipment tested because of the need to determine if your tank system leaked. However, if the Automatic Tank Gaging System will be installed soon, then during the interim, the submittal of daily Inventory Reconciliation monitoring records since Nov. 28, 1991 will be acceptable in lieu of implementing Statistical Inventory Reconciliation (S.I.R.). Copy of inspection report dated May 10, 1996, and "Underground Storage Tank Permit Application- Form A" and three "Underground Storage Tank Permit Application- Form B" are enclosed (one for each tank).

B) Documents listed on the letter dated September 26, 1996:

- 1) "Certification of Financial Responsibility"
- 2) Letter from the Chief Financial Officer.

If these items are not received, this matter will be referred to the District Attorney's Office. You may call me if you have any questions at 510-567-6746.

Sincerely,

Don Hwang,  
Hazardous Materials Specialist

c:Jennifer Eberle  
c:Desert Petroleum, Inc., P.O.B. 1601, Oxnard, CA 93032  
Enclosure

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



RO# 276

December 27, 1996

STID 851

page 1 of 2

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

John Rutherford  
Desert Petroleum Inc.  
PO Box 1601  
Oxnard CA 93032

RE: former Desert Petroleum site #796, currently known as Compare Prices site,  
2844 Mountain Blvd., Oakland CA 94602

Dear Mr. Rutherford,

Since my last letter to you, dated 6/17/96, the following documents have been received:

- 1) letter from RSI, dated 5/27/96 (faxed on 7/31/96, and original received 8/2/96), requesting a 45-day extension for the revised corrective action plan (CAP);
- 2) fax from Shahram Shahnazi (site tenant), dated 9/17/96, indicating receipt from B & B Associated Services Inc. stating "one dresser wayne meter #4 no more leak," and "repair diesel and super drop tube replace diesel #4 meter calibrate;"
- 3) letter from RSI re "Risk Based CAP/Supplemental Case Closure Criteria," dated 9/17/96;
- 4) "September 1996 Quarterly Groundwater Sampling Report," prepared by Western Geo-Engineers (WEGE), dated 11/5/96; and
- 5) "Workplan to delineate the lateral extent of free product discovered in groundwater monitor well RS-1, September 18, 1996," prepared by WEGE, dated 12/10/96.

Documents #4 and #5 indicate that free product has appeared in well RS-1 for the first time since groundwater monitoring began in May 1990. The maximum thickness encountered thus far has been 0.75 feet (on 11/25/96). This well is the most downgradient well of all four wells. The 12/10/96 WEGE workplan involves rapid site characterization using a soil probe survey (SPS).

**This workplan is acceptable, with the following understandings:**

- A) **The SPS will be utilized primarily to determine the relative thickness of free product in groundwater, and whether the free product is associated with the current operation of the USTs.**
- B) **Samples analyzed via WEGE's non-certified laboratory will not be used for any future risk assessment. (Only results from a state-certified laboratory may be used.)**

December 27, 1996  
STID 851  
page 2 of 2  
John Rutherford

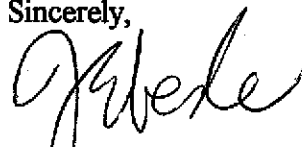
As you know, a case cannot be closed when free product is present. Free product is considered a source material, and must be removed or remediated.

Please note that significant concentrations of the gasoline additive called MTBE have been detected in the groundwater wells. A maximum concentration of 160,000 ug/L was discovered in well RS-2 on 9/18/96. This represents an order-of-magnitude increase. Previous MTBE concentrations were also quite significant. MTBE has been monitored since June 1995 at this site. Well RS-2 is located approximately 8' northwest of the super unleaded UST. **Both the presence of free product and the sudden increase in MTBE are causes of concern, which may indicate a recent release of gasoline from the UST(s).**

If the results from WEGE's field investigation indicate that the UST(s) are the source of the free product contamination, Mr. Shahram Shahnazi will most likely be included as a "responsible party" or RP for the investigation and remediation of this site.

**Please coordinate field work with me at least 3 business days in advance.** If you have any questions or comments, please contact me directly at 510-567-6761.

Sincerely,



Jennifer Eberle  
Hazardous Materials Specialist

cc: George Converse, Western Geo-Engineers, 1386 East Beamer St., Woodland CA 95776-6003  
Cheryl Gordon, SWRCB, UST CleanUp Fund  
Shahram Shahnazi, Compare Prices, 2844 Mountain Blvd., Oakland CA 94602  
Alex Escobar, The Money Store, 2101 Webster St., Suite 1500, Oakland CA 94612  
J. Eberle/file

je.851-D

ALAMEDA COUNTY  
HEALTH CARE SERVICES  
AGENCY



DAVID J. KEARS, Agency Director

20 276

ENVIRONMENTAL HEALTH SERVICES  
ENVIRONMENTAL PROTECTION  
1131 Harbor Bay Parkway  
Alameda, CA 94502-6577  
(510) 567-6700

September 26, 1996

Shahran Shahnazi  
Compare Prices Gasoline  
2844 Mountain Blvd.  
Oakland, CA 94602  
Stid# 851

Dear Mr. Shahnazi:

On May 10, 1996, an inspection of your underground tanks was made. The report was discussed with you and a copy was given to you on that date. Enclosed is another copy of the inspection report. On May 13, 1996, forms to be completed to comply with financial responsibility requirements were also mailed to you. You also indicated that you planned to upgrade the tanks system. To date, I have not received any of the paperwork requested on the inspection report, nor an application to upgrade the tank system.

Jennifer Eberle of our office has expressed concern that your tanks may be leaking due to the discovery of elevated concentrations of Methyl Tertiary Butyl Ether (MTBE) in the wells immediately downgradient from your tanks. Having current tank and piping test reports and monitoring, would be useful in determining if they are leaking. Please make arrangements to have the tanks, piping, and pipeline leak detectors tested, and submit an application to install an automatic tank gaging system or contract to implement Statistical Inventory Reconciliation within a week. Also, please have the other items listed on the inspection report and the financial responsibility forms corrected and/or submitted to me within a week.

You may call me if you have any questions at 510-567-6746.

Sincerely,

Don Hwang,  
Hazardous Materials Specialist

DH:cmb  
c:Jennifer Eberle  
c:Desert Petroleum, Inc., P.O.B. 1601, Oxnard, CA 93032  
Enclosure

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



RO# 276

Alameda County CC4580  
Environmental Protection Services  
1131 Harbor Bay Parkway, Room 250  
Alameda CA 94502-6577

June 17, 1996

STID 851

page 1 of 2

John Rutherford  
Desert Petroleum Inc.  
PO Box 1601  
Oxnard CA 93032

RE: Desert Petroleum site #796, 2844 Mountain Blvd., Oakland CA 94602

Dear Mr. Rutherford,

I have received and reviewed the "Supplemental Risk Based Corrective Action Report," prepared by Remediation Service Int'l (RSI), dated May 1996. This report was to incorporate the "Standard Guide for Risk-Based Corrective Action Applied at Petroleum Release Sites," aka designation E 1739-95, published by the American Society for Testing and Materials (ASTM). However, a qualitative approach was used, which determined that most routes of exposure were "insignificant." A more detailed approach is needed. Site specific concentrations of contaminants should be compared to the Tier 1 look up table RBSLs, if appropriate. In this case, the Tier 1 appears to be inappropriate, due to the site's shallow water table. Tier 1 assumes the depth to water is at least 9.84' bgs (300 cm, as per Table X2.6). Therefore, it appears that you should be utilizing at the Tier 2 equations.

In addition, the following items need to be clarified or corrected:

- 1) Our files indicate no documentation of disposal for soils removed during the piping replacement and excavation of the south end of the super unleaded fuel tank in 1989. The 8/31/89 report by On-Site Technologies does not indicate what happened to the soil. Does your file contain any such information?
- 2) There may be some errors on page 2 of your report, which lists maximum soil contaminants. I believe the TPHg concentration should be 8,400 ppm, the ethylbenzene concentration should be 102 ppm, and the xylenes concentration should be 1,000 ppm. This is based on "sample #5, tank" which was collected during the piping replacement/sampling on 3/22/89. I have enclosed a copy of the lab report.
- 3) The groundwater elevations (GWEs) on Figures 4 and 5 appear to be incorrect, as per the GWEs listed in Table 1 of the last quarterly report (March 1996).



June 17, 1996  
STID 851  
page 2 of 2  
John Rutherford

- 4) The first sentence on page 3 indicates that "FHCs were only detected in soil beneath the tank location on the west portion of the property." Please note that all four piping samples collected on 3/22/89 contained hydrocarbons (see attached lab report). In addition, soil sampled from all four well boreholes contained hydrocarbons. And soil sampled from the former waste oil tank excavation, located between the building and the closest pump island, also contained hydrocarbons.

For all of the above stated reasons, the "Supplemental Risk Based Corrective Action Report" is unacceptable. Please submit a new Corrective Action Plan which incorporates Action Plan which incorporates the issues raised in this letter, and submit it to this office within 45 days, or by August 1, 1996.

In the meantime, groundwater monitoring and sampling should continue on a semi-annual basis, as outlined in my letter dated 4/30/96. Please submit groundwater contour (potentiometric) maps for each future sampling event, as well as the 2/96 and 11/95 events, as requested in my 4/30/96 letter.

If you have any questions or comments, please contact me directly at 510-567-6761.

Sincerely,



Jennifer Eberle  
Hazardous Materials Specialist

cc: Kevin Graves, RWQCB  
Rick Pilat, Remediation Service, Intl, 2060 Knoll Dr., Suite 200, Ventura CA 93003  
Cheryl Gordon, SWRCB, UST CleanUp Fund  
Shahram Shahnazi, Compare Prices, 2844 Mountain Blvd., Oakland CA 94602  
Acting Chief/file

je.851-C  
enclosure

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY  
DAVID J. KEARS, Agency Director



RO# 276

Alameda County Environmental Health Div.  
Mail Code: 430-4580  
Environmental Protection Services  
1131 Harbor Bay Parkway, Room 250  
Alameda CA 94502-6577

April 30, 1996  
STID 851

John Rutherford  
Desert Petroleum Inc.  
PO Box 1601  
Oxnard CA 93032

RE: Desert Petroleum site #796, 2844 Mountain Blvd., Oakland CA 94602

Dear Mr. Rutherford,

Since my last letter to you dated 6/5/95, the following documents have been received in this office:

- 1) "Quarterly Report of 6/14/95 Groundwater Sampling and Water Quality Monitoring," prepared by RSI, dated 8/3/95;
- 2) "Fourth Quarterly Report of 11/14/95 Groundwater Sampling and Water Quality Monitoring," prepared by RSI, dated 1/4/96; and
- 3) "Quarterly Report of 2/29/96 Groundwater Sampling and Water Quality Monitoring," prepared by RSI, dated March 1996.

Groundwater was most recently sampled on 2/29/96. [Please note there was a typo on Table 2. TPH-gasoline for RW-4 should read 0.096 ppm, not 96 ppm.] There have been a total of 15 quarterly monitoring and sampling events since May 1990. Groundwater concentrations are consistent within specific ranges for each well. **Therefore, it would be appropriate to decrease the sampling frequency from quarterly to semi-annually for these four wells. Groundwater should be sampled and monitored in the first and third quarters of each year. Please submit groundwater contour (potentiometric) maps for each future sampling event, as well as the 2/96 and 11/95 events.**

Your Corrective Action Plan (CAP), dated 2/3/95, prepared by RSI, was mentioned in my last letter (6/5/95). This CAP discussed the use of risk based corrective action (RBCA) for this site. Although the American Society for Testing and Materials (ASTM) had already published its "Emergency Standard Guide for Risk-Based Corrective Action Applied at Petroleum Release Sites," in July 1994 (aka designation: ES 38-94), this document was not yet in widespread use by regulatory agencies. This guidance document has since been revised. The current revision was published in November 1995, and is entitled "Standard Guide for Risk-Based Corrective Action Applied at Petroleum Release Sites," aka designation E 1739-95. This document gives three tiers for RBCA. The first tier is simply a look-up table, based on air, soil and groundwater

April 30, 1996  
STID 851  
John Rutherford  
page 2 of 3

contamination, exposure pathways, and receptor scenarios. **Your CAP should be revised to reflect this new RBCA guidance. A letter report outlining the use of this particular guidance document would be acceptable, as opposed to an entirely revised CAP. Please submit this RBCA letter report within 60 days, or by June 30, 1996.**

The ASTM RBCA guidance document is being utilized within the larger framework of defining "low risk soil and groundwater sites." I have enclosed the RWQCB's "Fact Sheet with Questions and Answers on the Interim Guidance on Low Risk Petroleum Hydrocarbon Cleanups."

A Soil Vapor Extraction (SVE) system and groundwater remediation were previously employed at this site to extract volatilized hydrocarbons and treat contaminated groundwater. These methods of active remediation were curtailed, due to asymptotic levels. Natural biodegradation is currently being employed as the remediation option. Soils at the site include silty clay, sandy clay and clayey sand, as well as medium dense silty sand in RS1 from 12' to 22'bgs. Groundwater is being monitored and sampled in order to confirm that the plume is stable and/or decreasing in concentration. **The plume does indeed appear to be stable. Further active remediation will likely not be required, as long as this trend continues. Case closure is conceivable in the near future, particularly if ASTM RBCA guidance demonstrates there is no significant risk to human health.**

The 2/3/95 CAP has already indicated there is no significant risk to the environment: pages 1-4 and 2-5 indicate that a) the closest beneficial use (irrigation) well is approximately 2,200 feet southwest of the site, and b) several layers of clay create an effective aquitard which separates the affected aquifer at 10'bgs from the deeper aquifer at 240'bgs. In addition, there are no surface water bodies within 1,000 feet of the site. The Warren Freeway (highway 13) lies directly downgradient of the site. There are no known sensitive receptors within at least 250 feet of this site. Again, there appears to be no significant risk to the environment from this groundwater plume.

Lastly, it has been noted that MTBE has been detected in significant concentrations in wells RS-1 and RS-2 since June 1995. These two wells are closest to and downgradient from the USTs currently operating onsite. The RWQCB is not providing any cleanup goals for MTBE at this point in time. Case closures may proceed regardless of MTBE concentration. However, the presence of MTBE may indicate a problem with the UST system. This letter is being cc'd to the UST inspector for your district, Don Hwang.

If you have any questions or comments, please contact me directly at 510-567-6761.

April 30, 1996  
STID 851  
John Rutherford  
page 3 of 3

Sincerely,



Jennifer Eberle  
Hazardous Materials Specialist

*of* cc:

Kevin Graves, RWQCB  
Rick Pilat, Remediation Service, Intl, 2060 Knoll Dr., Suite 200, Ventura CA 93003  
Cheryl Gordon, SWRCB, UST CleanUp Fund  
Shahram Shahnazi, Compare Prices, 2844 Mountain Blvd., Oakland CA 94602  
Don Hwang  
Acting Chief/file

je.851-B  
enclosure

ALAMEDA COUNTY  
HEALTH CARE SERVICES  
AGENCY

DAVID J. KEARS, Agency Director



R0276

RAFAT A. SHAHID, DIRECTOR

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

June 5, 1995  
STID 851

John Rutherford  
Desert Petroleum Inc.  
PO Box 1601  
Oxnard CA 93032

RE: Desert Petroleum site #796, 2844 Mountain Blvd., Oakland CA 94602

Dear Mr. Rutherford,

Since my last letter to you dated 9/15/95, the following documents have been received in this office:

- 1) "Quarterly Monitoring Report," prepared by RSI, dated 6/3/94
- 2) "Quarterly Monitoring Report," prepared by RSI, dated 9/9/94
- 3) "Quarterly Monitoring Report," prepared by RSI, dated 12/16/94
- 4) letter from RSI with SAVE system update, dated 1/3/95
- 5) "Corrective Action Plan," prepared by RSI, dated 2/3/95
- 6) "Quarterly Report of February 8, 1995 Groundwater Sampling and Water Quality Monitoring," prepared by RSI, dated 3/3/95

This letter serves to document our meeting on 5/18/95. Attendees included Rick Pilat of RSI, Kevin Graves of the RWQCB, yourself, and myself. We discussed the "Corrective Action Plan" (CAP) during this meeting, and found the following key points contained therein acceptable:

- a) The SAVE system may be shut off. Due to low hydraulic conductivity and therefore low groundwater extraction rates, asymptotic levels have been reached; the system is of limited effectiveness. (Pages 1-3, 3-2)
- b) "Deed notifications should be in place and utility construction workers should be notified of the remaining hydrocarbons in the subsurface soils prior to any subsurface work." You are requested to put the deed notifications in place. (Page 2-7)

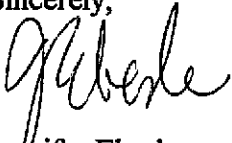
June 5, 1995  
STID 851  
John Rutherford  
page 2 of 2

During the 5/18/95 meeting, you agreed to conduct further groundwater sampling and monitoring, and to continue this on a quarterly basis until further notice. We also agreed to add MTBE analysis along with the BTEX analysis. If the groundwater concentrations increase significantly, you will consider various remediation options.

I have discussed the status of this case with Cheryl Gordon of the SWRCB UST CleanUp Fund today. I indicated that this case appears to be "in compliance," and this status has been noted in the SWRCB office. I understand that your Letter of Commitment (LOC) should be issued after 7/15/95.

If you have any questions or comments, please contact me directly at 510-567-6761.

Sincerely,



Jennifer Eberle  
Hazardous Materials Specialist

cc: Kevin Graves, RWQCB  
Rick Pilat, Remediation Service, Intl, 2060 Knoll Dr., Suite 200, Ventura CA 93003  
Cheryl Gordon, SWRCB, UST CleanUp Fund  
Mee Ling Tung/file

je.851-A

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY  
DAVID J. KEARS, Agency Director



R0276

September 15, 1994  
STID 851

John Rutherford  
Desert Petroleum Inc.  
PO Box 1601  
Oxnard CA 93032

Alameda County CC 4580  
Health Care Services Agency  
Dept. Of Environmental Health  
1131 Harbor Bay Pkwy 2nd Flr.  
Alameda, CA 94502-6577

RE: Desert Petroleum site, 2844 Mountain Blvd., Oakland CA  
94602

Dear Mr. Rutherford,

I am in receipt of the "Waste Oil UST Removal, Over-Excavation Sample Report," prepared by Western Geo-Engineers (WEGE), dated 5/31/94. I am also in receipt of a letter from WEGE to you, dated 9/1/94. These items document the excavation and sampling activities associated with the removal of a 280-gallon waste oil UST on 4/27/94.

Most of the contamination from this UST was reportedly removed by excavation. The volatile organic compounds (8240), semivolatiles organics (8270), and the metals were excavated to ND or background levels. However, up to 700 ppm Oil & Grease remains in the capillary fringe soils. Therefore, you are requested to include TPH-motor oil by EPA Method 3510/8015 in future groundwater analysis for downgradient wells RS1 and RS4, until further notice. Please include potentiometric surface maps with each quarterly report.

The last Quarterly Groundwater Monitoring Report we received was dated 2/18/94. Please note that this was addressed to Larry Seto of this office, at our old address, 80 Swan Way, Oakland CA 94621. Please note our new return address, and please send future reports to my attention. Please send me the quarterly reports completed since February.

Sincerely,

Jennifer Eberle  
Hazardous Materials Specialist

cc: George Converse, Western Geo-Engineers, 1386 E. Beamer ST.,  
Woodland CA 95776  
Rick Pilat, Remediation Service, Intl, 2060 Knoll Dr.,  
Suite 200, Ventura CA 93003  
Ed Howell/file

je 851

ALAMEDA COUNTY  
HEALTH CARE SERVICES  
AGENCY

DAVID J. KEARS, Agency Director



R0076.

RAFAT A. SHAHID, ASST. AGENCY DIRECTOR

DEPARTMENT OF ENVIRONMENTAL HEALTH (4)

State Water Resources Control Board

Division of Clean Water Programs

UST Local Oversight Program

80 Swan Way, Rm 200

Oakland, CA 94621

(510) 271-4530

April 11, 1994

Gary Grimm, Board Legal Counsel  
California Regional Water Quality Control Board  
San Francisco Bay Region  
2101 Webster St., Suite 500  
Oakland, CA 94612

Re: Desert Petroleum Sites in Alameda County

Dear Gary Grimm:

This letter is written pursuant to your memorandum dated March 23, 1994 concerning the Chapter 11, Petition in Bankruptcy, of Desert Petroleum. The following sites are overseen by this agency:

- |         |  |   |
|---------|--|---|
| (R0276) | 2844 Mountain Blvd.<br>Oakland, CA 94602<br>(STID# 851)        | Waste oil tank being removed and investigation is being undertaken                    |
| (R0429) | 4035 Park Blvd.<br>Oakland, CA 94602<br>(STID# 1248)           | Investigation is being undertaken and plan is being put together to remove the tanks. |
| (R0278) | 2008 1st St.<br>Livermore, CA 94550<br>(STID# 1689)            | Monitoring well proposal has been submitted   |
| (R0799) | 15201 Washington Ave.<br>San Leandro, CA 94578<br>(STID# 1176) | A recent Dec. 93 monitoring report has been submitted, for last 3 quarters.           |

Your request was for 5 types of information. Name and location is above. Brief status is above. Brief description of necessary investigation is as follows. The two sites with tanks in the ground must have the tanks removed. Upon removal the sites must be investigated for contamination. The contamination, if found, must be delineated and a plan to remediate the site formulated. All sites must monitor contamination levels and remediate soil and/or groundwater until the sites are clean.

This office does not keep track of the cost of any of these activities. The Underground Storage Tank Clean-up Fund is better suited to this task. It is not known where any of these sites



Gary Grimm  
RWQCB (Desert Petroleum)  
April 11, 1994  
Page 2 of 2

are on any LUST list. I hope this information helps you with your work.

If you have any questions please call this office.

Sincerely,



Thomas F. Peacock, Supervising HMS  
Hazardous Material Division

cc: Edgar Howell, Chief - files  
Mike Harper, SWRCB  
Larry Blazer, Alameda County District Attorney's Office  
Lester Feldman, RWQCB  
William R. Attwater, Chief Counsel, SWRCB, 901 P St.,  
Sacramento, CA 95814

ALAMEDA COUNTY  
HEALTH CARE SERVICES  
AGENCY

DAVID J. KEARS, Agency Director



R0276

RAFAT A. SHAHID, ASST. AGENCY DIRECTOR

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

July 28, 1993

Steven R. Ritchie  
Executive Officer  
California Regional Water Quality Control Board  
2101 Webster Street, Suite 500  
Oakland, CA 94612

Re: Referral of Desert Petroleum sites to Regional Board

Dear Mr. Ritchie:

Several Local Oversight Program sites within Alameda County are owned by Desert Petroleum, Inc. These include:

- (R0276) 2844 Mountain Boulevard  
Oakland, CA 94602  
(Site ID No. 851)
- (R0429) 4035 Park Boulevard  
Oakland, CA 94602  
(Site ID No. 1248)
- (R0278) 2008 1st Street  
Livermore, CA 94550  
(Site ID No. 1689)
- (R0799) 15201 Washington Avenue  
San Leandro, CA 94578  
(Site ID No. 1176)

We have been informed by Desert Petroleum that the corporation is currently in Chapter 11 bankruptcy, and that therefore they cannot release funds to conduct investigations of known releases or the appropriate followup remediation at these sites. A copy of this filing is attached.

Larry Blazer of our District Attorney's Office has checked into the bankruptcy and learned that it is pending in Los Angeles (Case number LA 92-14240-RR; a copy of the notice of filing is attached). He has also learned that a number of other counties are having trouble with Desert Petroleum sites (including Orange, Ventura and Santa Barbara). Mr. Blazer has checked with Mark

(4)

July 28, 1993  
Page 2 of 2  
Steven Ritchie, RWQCB

Urban, a Deputy Attorney General with the Natural Resources Division in Sacramento. Urban told him that if his Division gets a referral of these cases from the Water Board, the AG can appear in the bankruptcy proceeding, file the appropriate claims and coordinate a comprehensive statewide approach to the problem. Although Urban himself may not get the case, he has substantial experience in dealing with multi-county (or multi-state) underground storage tank problems in bankruptcy. (He worked on the recent Circle-K settlement, as well as Thrifty Oil).

In recent discussions with both Gary Grimm and Lester Feldman, they have agreed that this strategy, given the scope of the problem, would be worth a try.

Therefore, please accept this letter as a formal referral of these LOP sites back to the Regional Board.

If you have any questions, please call me or Larry Blazer (569-9281).

Very truly yours,



Thomas F. Peacock  
Supervising Hazardous Materials Specialist

cc: Sandra Malos, State Water Resources Control Board  
Lester Feldman, Regional Water Quality Control Board  
Gary Grimm, Regional Water Quality Control Board  
Larry Blazer, Alameda County District Attorney's Office  
Edgar B. Howell - Chief, Files  
Attachments

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY  
DAVID J. KEARS, Agency Director



R0276

RAFAT A. SHAHID, Assistant Agency Director

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

December 14, 1992

Mr. John Rutherford  
Desert Petroleum, Inc.  
P.O. Box 1601  
Oxnard, CA 93032

RE: Arco #796, 2844 Mountain Blvd., Oakland, CA 94602

Dear Mr. Rutherford:

As per your request, we have reviewed our files concerning the above site. Documents in our file indicate that your company registered the four underground tanks, and paid the State and County fees on April 14, 1988. Desert Petroleum met the requirements of the Underground Tank Law in 1988 by this action.

I you have any questions, please contact me at (510) 271-4320.

Sincerely,

Ron Owcarz  
Hazardous Materials Specialist

cc: Rich Hiatt, RWQCB  
Ed Howell - Files

Mr. Mohammad Mushhoon  
5 Admiral Drive, Unit 301  
Emeryville, CA. 94608  
March 31, 1989  
Page 2 of 2

In addition, please submit to this office, an additional refund /deposit check of \$333.00, payable to Alameda County.

If you have any questions, please contact Larry Seto, Senior Hazard-our Materials Specialist, at 271-4320.

Sincerely,

*Rafat A. Shahid*

Rafat A. Shahid, Chief,  
Hazardous Materials Program

RAS:LS:mnc

cc: Gil Jensen, Alameda County District Attorney Consumer and  
Environmental Protection Agency

Doug Krause, DOHS  
RWQCB  
Larry Seto,  
Files

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY  
DAVID J. KEARS, Agency Director



R0276

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

November 29, 1990

Mr. John Rutherford  
Director, Environmental Affairs  
Desert Petroleum, Inc.  
P.O. Box 1601  
Oxnard, CA 93032

RE: Mountain Blvd. Arco, 2844 Mountain Blvd., Oakland CA 94602

Dear Mr. Rutherford:

I have received your letter dated, November 26, 1990, concerning the twenty-five (25) drums found at the above site. Please send me a copy of your receipt or manifest for their disposal.

If you have any questions, please contact me at (415) 271-4320.

Sincerely,



Larry Seto, Senior  
Hazardous Materials Specialist

LS:mnc

cc: Gil Jensen, Alameda County District Attorney, Consumer and  
Environmental Protection Agency  
Charlene Williams, DOHS  
Mohammad Mushhoon Dealer  
Files

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



R0276

Certified Mail #P 062 128 265

November 15, 1990

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

Mr. John Rutherford  
Director Environmental Affairs  
Desert Petroleum, Inc.  
P.O. Box 1601  
Oxnard, CA 93032

RE: 2844 Mountain Blvd., Oakland, CA 94602

Dear Mr. Rutherford:

On November 11, 1990, I performed a complaint inspection at the above site and discovered approximately thirty (30) 55 gallon drums that were unlabeled in the back of the property. Please contact me immediately and address the following concerns:

1. What material is in the drums?
2. Has this material been tested by a certified laboratory?
3. Has this materials been classified as hazardous in accordance to Article 11 of Title 22?
4. Please identify your disposal site
5. Please identify your hauler
6. What is the expected date the drums will be taken off-site for disposal?

If you have any questions, please contact me at (415) 271-4320.

Sincerely,

  
Larry Seto, Senior  
Hazardous Materials Specialist

LS:mnc

cc: Mohammad Mushhoon, Dealer  
Gil Jensen, Alameda County District Attorney, Consumer and  
Environmental Protection Agency

RWQCB  
Howard Hatayama, DOHS  
Oakland Fire Prevention  
Rafat A. Shahid, Assistant Agency Director, Environmental Health  
Files

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY  
DAVID J. KEARS, Agency Director



R0276

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

August 9, 1990

Mr. John Rutherford  
Desert Petroleum Inc.  
P. O. Box 1601  
Oxnard, CA 93032

RE: ARCO, 2844 MOUNTAIN BLVD., OAKLAND, CA

Dear Mr. Rutherford:

I have reviewed your soil sampling report dated August 31, 1989 that was prepared by On-Site Technologies. This report identified the excavation was halted at its present location due to limited space, and to await the results of sample analysis. Soil impacted with up to 3300 ppm TPH(G) was left in place.

Your site assessment report dated July 25, 1990 that was prepared by Remediation Service International did not make any recommendations for further investigation and remediation. Please submit to this office within thirty days of the receipt of this letter your proposal for further investigation and remediation.

If you have any questions, please contact me at 415/271-4320.

Sincerely,

  
Larry Seto  
Senior HazMat Specialist

LS:mam

cc: Mohammad Mushhoon, Dealer  
RWQCB  
Charlene Williams, DHS  
Gil Jensen, Alameda County District Attorney's Office  
Rafat A. Shahid, Asst. Agency Director, ALCO Dept. of Env. Health



ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



R0276

April 26, 1990

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

Mr. John Rutherford, Director  
Environmental Affairs  
Desert Petroleum, Inc.  
P.O. Box 1601  
Oxnard, CA 93032

RE: Arco, 2844 Mountain Blvd., Oakland, CA 94602

Dear Mr. Rutherford:

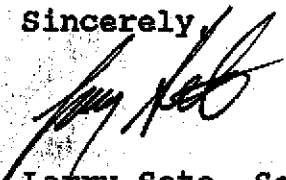
I performed an inspection at the above site on April 23, 1990. The leak detectors in the containment sumps and the alarm system are functioning properly.

Your site investigation contained in a report dated October, 1989, that was prepared by Remediation Services International can commence. Please inform me when this work has been scheduled.

Please submit an additional deposit/refund check for \$558.00 made payable to the County of Alameda. Your current account balance is \$126.00.

If you have any questions, please give me a call at (415) 271-4320.

Sincerely,

  
Larry Seto, Senior  
Hazardous Materials Specialist

LS:mnc

cc: Gil Jensen, Alameda County District Attorney, Consumer and  
Environmental Protection Agency  
Rafat A. Shahid, Assistant Agency Director, Environmental Health  
Mohammad Mushhoon, Dealer  
Charlene Williams, DOHS  
RWQCB  
Files

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY  
DAVID J. KEARS, Agency Director



R0276

Certified Mail #P 062 127 834

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

April 10, 1990

Mr. Mohammad Mushhon  
5 Admiral Drive, Unit 301  
Emeryville, CA 94608

RE: Arco, 2844 Mountain Blvd., Oakland, CA 94602

Dear Mr. Mushhon:

As per our agreement during our meeting on April 9, 1990, the leak detectors for the collection sump and the alarm system must be installed and functioning properly at the above site by April 13, 1990. If this deadline is not met, you are ordered to cease pumping gas effective April 14, 1990, until the above equipment is installed.

In addition, please send another deposit/refund check payable to the County of Alameda for \$375.00.

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

Sincerely,



Larry Seto, Senior,  
Hazardous Materials Specialist

LS:mnc

cc: John Rutherford, Desert Petroleum  
Gil Jensen, Alameda County District Attorney, Consumer and  
Environmental Protection Agency

RWQCB

Charlene Williams, DOHS

Rafat A. Shahid, Assistant Agency Director, Environmental Health  
Files

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY  
DAVID J. KEARS, Director



R0276

Telephone Number: (415)

Certified Mail #P 062 127 850

March 2, 1990

Mr. Mohammad Mushhon  
5 Admiral Drive, Unit 301  
Emeryville, CA 94608

RE: Arco, 2844 Mountain Blvd., Oakland, CA 94602

Dear Mr. Mushhon:

I regret not meeting with you and your contractor, Diablo Tank and Equipment Company at my office on March 1, 1990 for our scheduled meeting you set up that day to discuss the installation of a containment sump and an alarm system at the above site. For whatever reason, you and your contractor were a no show.

Installation at the above site is to cease until the above issue is resolved. Current regulations requires a containment sump and an alarm system on any modifications to an underground tank.

Please contact me at 271-4320 at your earliest convenience to resolve this matter so that we can put this issue to rest.

Sincerely,

  
Larry Seto, Senior  
Hazardous Materials Specialist

LS:mnc

cc: John Rutherford, Desert Petroleum, (Certified Mail)  
Gil Jensen, Alameda County District Attorney, Consumer and  
Environmental Protection Agency

RWQCB  
Charlene, Williams, DOHS  
Rafat A. Shahid, Assistant Agency Director, Environmental Health  
Files

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



R0276

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

Certified Mail # P 062 127 661

December 12, 1989

Mr. John Rutherford, Director  
Environmental Affairs  
Desert Petroleum, Inc.  
P.O. Box 1601  
Oxnard, CA 93032

RE: Mountain Blvd., Arco, 2844 Mountain Blvd., Oakland, CA

Dear Mr. Rutherford:

We were informed by Diablo Tank and Equipment in a letter dated December 1, 1989, that they will be removing their fencing/barricades at the above site on December 08, 1989. This site must be secured. Please contact this office within twenty-four (24) hours of the receipt of this letter to confirm the method that will be used to secure the site.

If you have any questions, please contact me at, (415) 271-4320.

Sincerely,

A handwritten signature in black ink, appearing to read 'Larry Seto', written over a horizontal line.

Larry Seto, Senior  
Hazardous Materials Specialist

LS:mnc

cc: Mohammad Mushhoon, Dealer  
Gil Jensen, Alameda County District Attorney, Consumer and  
Environmental Protection Agency  
Rafat A. Shahid, Assistant Agency Director, Environmental Health

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY  
DAVID J. KEARS, Agency Director



R0276

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

October 5, 1989

Ms. Wendy Wittl  
RSI  
P.O. Box 1601  
Oxnard, CA 93032

RE: Mountain Blvd. Arco, 2844 Mountain Blvd., Oakland, CA 94602

Dear Ms. Wittl:

As per your request, enclosed is the sampling report and our first notice of violation for the above site.

The current balance for this account is (minus) \$101.00. To prevent any further delays, please submit an additional deposit/refund check for the amount of \$450.00, made payable to the County of Alameda, with your investigation plan.

If you have any questions, please me at, (415) 271-4320.

Sincerely,

Larry Seto,  
Sr. Hazardous Materials Specialist

LS:mnc

Enclosure (2)

cc: w/o enclosures

Gil Jensen, Alameda County District Attorney, Consumer and  
Environmental Protection Agency  
Rafat A. Shahid, Assistant Agency Director, Environmental Health  
Mohammad Mushhoon, Dealer  
John Rutherford, Desert Petroleum  
Doug Krause, DOHS  
RWQCB  
Files

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



R0276

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

September 22, 1989

Mr. John Rutherford  
Desert Petroleum, Inc.  
P.O. Box 1601  
Oxnard, CA 93032

RE: Arco Station, 2844 Mountain Blvd., Oakland, CA

Dear Mr. Rutherford:

We have reviewed your soil and water sampling report dated August 31, 1989, that was prepared by On-Site Technologies for the above location. Total petroleum hydrocarbon (TPH) up to 3,300 ppm was detected in your soil samples. In addition, TPH up to 160,000 ppb and benzene up to 720 ppb were questionably detected in your water sample.

Please submit to our office within thirty (30 days of the receipt of this letter, your remediation plan. This plan must include but shall not be limited to the following:

1. Expected implementation date
2. Method to treat contaminated soil (if applicable)
3. Name of hauler
4. Name of disposal facility
5. Proposed locations of your monitoring wells
6. Expected date of completion

If you have any questions, please contact Larry Seto, Sr. Hazardous Materials Specialist, at 271-4320.

Sincerely,

A handwritten signature in cursive script, appearing to read "Edgar B Howell" with a flourish underneath.

Rafat A. Shahid, Chief,  
Hazardous Materials Program

RAS:LS:mnc

cc: Gil Jensen, Alameda County District Attorney, Consumer and  
Environmental Protection Agency  
Doug Krause, DOHS  
Mohammad Mushhoon, Dealer  
Pat McShane, Diablo Tank  
Larry Seto, Alameda County Hazardous Materials  
Files

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



R027C

October 18, 1989

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

Mr. John Rutherford, Director  
Environmental Affairs  
Desert Petroleum, Inc.  
P.O. Box 1601  
Oxnard, CA 93032

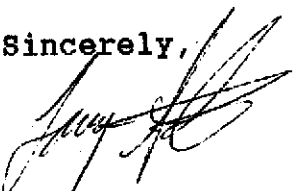
RE: Mountain Blvd. Arco, 2844 Mountain Blvd., Oakland, CA

Dear Mr. Rutherford:

I have reviewed your site assessment work plan dated October, 1989, that was prepared by Remediation Service International, for the above site. It is acceptable.

If you have any questions, please contact me at, (415) 271-4320.

Sincerely,



Larry Seto, Senior  
Hazardous Materials Specialist

LS:mnc

cc: Gil Jensen, Alameda County District Attorney, Consumer and  
Environmental Protection Agency

RWQCB  
Howard Hatayama, DOHS  
Mohammad Mushhoon, Dealer  
Rafat A. Shahid, Assistant Agency Director, Environmental Health  
Files

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



R0276

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

July 17, 1989

Mr. John Rutherford, Director  
Environmental Affairs  
Desert Petroleum  
P.O. Box 1601  
Oxnard, CA 93032

RE: Arco, 2844 Mountain Blvd., Oakland, CA

Dear Mr. Rutherford:

As per your phone conversation with Larry Seto on July 13, 1989, your unleaded underground storage tank must be precision tested after the installation of it's new lines and dispenser.

Soil samples must be taken every twenty (20) linear feet under the old pipelines and tested for TPH (gas) and BTX and E.

If you have any questions, please contact Larry Seto, Sr. Hazardous Materials Specialist, at (415) 271-4320.

Sincerely,

*R/A. SW*

Rafat A. Shahid, Chief,  
Hazardous Materials Program

RAS:LS:mnc

cc: Mohammad Mushhoon, Dealer  
Gil Jensen, Alameda County District Attorney, Consumer and  
Environmental Protection Agency  
Doug Krause, DOHS  
RWQCB  
Larry Seto, Alameda County Hazardous Materials Program  
Files



ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



125  
R0276

Certified Mail # P 833 981 411

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

May 18, 1989

Mr. Mohammad Mushhoon  
5 Admiral Drive, Unit 301  
Emeryville, CA 94608

Second Notice of Violation

RE: 2844 Mountain Blvd., Oakland, CA 94602

Dear Mr. Mushhoon:

A notice of violation was sent to you dated March 31, 1989, requesting a plan of correction. To this date, we have not received it. Please submit this plan within ten days.

Your attention is directed to Section 25189, 25189.5 and 25191 of the California Hazardous Waste Control Law, which provides for civil and criminal penalties of up to \$25,000 per day per violation for violations of the California Hazardous Waste Control Law and/or regulations.

In addition, it was brought to our attention today, that a temporary fence has not been installed around the above site. This must be done immediately to prevent anyone from getting injured.

An additional deposit/refund check for \$333.00, made payable to Alameda County, must be submitted with your plan of correction/

If you have any questions, please contact Larry Seto, Senior Hazardous Materials Specialist, at 271-4320.

Sincerely,

*Rafat A. Shahid*

Rafat A. Shahid, Chief,  
Hazardous Materials Program

RAS:mnc

cc: Gil Jensen, Alameda County District Attorney, Consumer and  
Environmental Protection Agency  
Doug Krause, DOHS  
RWQCB  
Larry Seto, Alameda County Hazardous Materials  
Files

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



R0276

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

Certified Mail # P 833 981 257

Mr. Mohammad Mushhoon  
5 Admiral Drive, Unit 301  
Emeryville, CA 94608

RE: Arco, 2844 Mountain Blvd., Oakland, CA 94602

Dear Mr. Mushhoon:

On March 22, 1989, soil samples were taken below the old pipelines and around the super unleaded tank at the above site. The soil sample taken near the super unleaded gas tank had contamination of 8,400 ppm of TPH (Gasoline). An arrangement should be made between you and the owner of the tank to have a precision test performed and the contaminated soil excavated and disposed of properly.

Section 25189.5, Health and Safety Code, prohibits the disposal of a hazardous waste at any point that is not authorized.

Section 66328(d), requires a written plan of correction, which states the action to be taken and the expected dates of completion.

Your plan of correction should include, but shall not be limited to:

1. Method to be used to determine the extent of the vertical and horizontal contamination.
2. Name of your hazardous waste hauler (if necessary)
3. Name of your disposal facility (if necessary)
4. Name of your tank tester
5. Date your tank will be tested
6. Preventive measures that will be implemented to prevent this problem from occurring again

Your installation plans for your new pipelines and dispensers will not be approved until the above items have been addresses and accepted by this office.