

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



RO# 311

StID 2978

May 14, 1997

Mr. Crandal Mackey
Call Mac Transportation
7400 E. Slauson Ave
Los Angeles, CA 90040

ENVIRONMENTAL HEALTH SERVICES

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

SECOND NOTICE OF VIOLATION

Dear Mr. Mackey:

On July 29, 1996, the Alameda County Department of Environmental Health, Hazardous Materials Division, sent you a letter approving the workplan to overexcavate diesel-impacted soil under the former diesel dispenser at 461 McGraw Ave, Livermore, CA. As of the date of this letter, however, we have not received any communication from you on this matter. Therefore, this letter constitutes a **Second Notice** that you are in violation of specific laws and that field work must commence to delineate the extent of soil, and possibly groundwater, contamination.

According to Section 25298 of the California Health and Safety Code, underground storage tank closure is incomplete until the responsible party characterizes and remediates the contamination resulting from product discharge. Therefore, you, as the responsible party are in violation of this section of the Code, for which Section 25299 specifies civil penalties of up to \$5,000, for each day of violation, upon conviction. Also, failure to furnish technical reports regarding documented or potential groundwater contamination violates Section 13267(b) of the California Water Code. The Regional Water Quality Control Board (RWQCB) can impose civil penalties of up to \$1,000 per day that such a violation continues.

You are required to implement the workplan within 45 days from the date of this letter. **Failure to respond will result in referral of this case to the RWQCB or Alameda County District Attorney to consider for enforcement action. Modification of required tasks or extensions of stated deadlines must be confirmed in writing by either this agency or the RWQCB.**

It is also my understanding that other surface contamination at the site still needs to be addressed. And that a Hazardous Materials Business Plan must be submitted for the facility.

Crandal Mackey
NOV - 461 McGraw Ave, Livermore, CA
May 14, 1997

Page 2

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



eva chu
Hazardous Materials Specialist

c: Bob Chambers, Alameda County District Attorney's Office
Kevin Graves, RWQCB
Danielle Stefani, Livermore-Pleasanton Fire
Robert Weston

ALAMEDA COUNTY
HEALTH CARE SERVICES



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AGENCY
DAVID J. KEARS, Agency Director

Alameda County CC4580
Environmental Health Services
1131 Harbor Bay Pkwy., #250
Alameda CA 94502-6577
(510)567-6700 FAX(510)337-9335

StID 2978

July 29, 1996

Mr. Crandal Mackey
Call Mac Transportation
P.O. Box 50067
Palo Alto, CA 94303

RE: Overexcavation at 461 McGraw Ave, Livermore, CA 94550

Dear Mr. Mackey:

In December 27, 1995 a workplan for the overexcavation of diesel-impacted soil at the former diesel dispenser at the above referenced site was approved by this agency. To date we have not received communication from you that this work has been completed.

Be advised that the California Health and Safety Code (CHSC), Section 25298, states that underground storage tank closure is incomplete until the responsible party characterizes and remediates the contamination resulting from product discharge. Therefore, the approved workplan should be implemented within 45 days of the date of this letter, or by **September 13, 1996**.

Failure to respond will result in referral of this case to the Alameda County District Attorney to consider for enforcement action. Modification of required tasks or extensions of stated deadlines must be confirmed in writing by this agency.

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

eva chu
Hazardous Materials Specialist

c: Gil Jensen, Alameda County district Attorney's Office
Robert Weston, ACDEH
files

ALAMEDA COUNTY
HEALTH CARE SERVICES



AGENCY
DAVID J. KEARS, Agency Director

R0311

ARNOLD PERKINS, DIRECTOR
RAFAT A. SHAHID, DEPUTY DIRECTOR

Alameda County Environmental Health Dept.
Environmental Protection Division
1131 Harbor Bay Parkway, Room 250
Alameda CA 94502-6577
(510)567-6700 fax: (510)337-9331

StID 2978

December 27, 1995

Mr. Crandal Mackey
Call Mac Transportation
P.O. Box 50067
Palo Alto, CA 94303

Re: Workplan Approval for 461 McGraw Ave, Livermore 94550

Dear Mr. Mackey:

I have completed review of Remediation Risk Management, Inc's December 1995 Workplan to Excavate Diesel Impacted Soil Adjacent to the Former Diesel Dispenser for the above referenced site. The workplan is acceptable and field work should commence within 45 days of the date of this letter. Verification soil samples should be analyzed for TPH as diesel. The sample with the highest concentration of diesel, if any, should also be analyzed for polynuclear aromatic compounds.

Please notify me at least 72 hours prior to the start of field activities, as I should be present for the sampling of soil within the excavation. If you have any questions, I can be reached at (510) 567-6762.

eva chu
Hazardous Materials Specialist

cc: Steve Krcik, RRM, P.O. Box 1262, Aptos, CA 95001
Robert Weston, ACDEH
Gil Jensen, Alameda County District Attorney's Office
files

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY

DAVID J. KEARS, Agency Director



R0311

RAFAT A. SHAHID, DIRECTOR

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

StID 2978

November 9, 1995

Mr. Crandal Mackey
Call Mac Transportation
P.O. Box 50067
Palo Alto, CA 94303

RE: PSA for 461 McGraw Ave, Livermore, CA 94550

Dear Mr. Mackey:

I have completed review of Remediation Risk Management, Inc's October 1995 Tank Removal and Sampling Report for the above referenced site. Soil samples collected from beneath the 12K gallon diesel underground storage tank (UST) did not detect total petroleum hydrocarbons as diesel (TPH-D). A soil sample collected from two feet below grade surface beneath the former dispenser island exhibited up to 17,000 parts per million TPH-D. Clearly, an unauthorized release of fuel products have occurred resulting from the operation of the former UST.

At this time, additional investigations are required to determine the extent and severity of soil and possibly groundwater contamination at the site. Such an investigation shall be in the form of a **Preliminary Site Assessment**, or PSA. The information gathered by the PSA will be used to determine an appropriate course of action to remediate the site, if deemed necessary. The PSA must be conducted in accordance with the RWQCB Staff Recommendations for the Initial Evaluation and Investigation of Underground Tanks, and Article 11 of Title 23, California Code of Regulations. The major elements of such an investigation are summarized in the attached Appendix A.

The PSA proposal is due within 45 days of the date of this letter. Once the proposal is approved, field work should commence within 60 days. A report must be submitted within 45 days after the completion of this phase of work at the site. Subsequent reports are to be submitted quarterly until this site qualifies for RWQCB "sign off." All reports and proposals must be submitted under seal of a California Registered Geologist, Certified Engineering Geologist, or Registered Civil Engineer.

Please be advised that this is a formal request for technical reports pursuant to Title 23, CCR, Section 2722(c). Any extensions of the stated deadlines, or modifications of the required tasks, must be confirmed in writing by this agency.

Crandel Mackey
re: PSA for 461 McGraw Av, Livermore
November 9, 1995

Page 2

Should you have any questions about the content of this letter,
please contact me at (510) 567-6762.

Sincerely,



eva chu
Hazardous Materials Specialist

cc: ^{HP} Chris Peoples, P.O. Box 1362, Aptos, CA 95001
files

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



R0311

RAFAT A. SHAHID, DIRECTOR

DEPARTMENT OF ENVIRONMENTAL HEALTH

1131 Harbor Bay Parkway
Alameda, CA 94502-6577
(510) 567-6777

October 25, 1995

Mr. Crandall Mackey
President
"Call Mac" Transportation Company Inc.
P.O. Box 50067
Palo Alto, California 94303

**Subject: Acceptance of Workplan for the site investigation at
461 McGraw Road, Livermore, California 94550**

Dear Mr. Mackey:

This Department has received and reviewed a workplan to investigate and remediate the McGraw Road site from your consultant of record, Remediation Risk Management, Inc. In addition, you have supplied an addendum to the plan including activities for the housekeeping and general clean-up of the Call Mac Transportation facility.

This workplan and the actions required of you to implement the workplan are the result of on-going violations of the California Health and Safety Code (CH&SC) and California Code of Regulations (CCR) identified by this Department and agencies of the City of Livermore.

On October 5, 1995 you and I attended a meeting with Mr. Eckerman of the Federal Environmental Protection Agency (EPA). The purpose of that meeting was to discuss your failure to implement an investigation of your site in a timely manner. The workplan submitted October 20, 1995 is in direct response to a letter from EPA to you in order for you to avoid disbarment action.

The workplan and addendum are acceptable to this Department for implementation. However, the workplan may be required to be expanded in scope, if conditions are found that warrant further investigation.

This Department is authorized to recover costs associated with oversight of environmental investigations. Currently, your account is funded for 3.6 hours of time dedicated to this project at the rate of \$90 per hour. When the time balance drops to two hours, more money will be required to fund the cost of oversight.

"Call Mac" Transportation
October 25, 1995
page 2 of 2

Any monies remaining in your account at the completion of this project will be refunded to you.

If you have any questions related to this matter please contact me directly at (510) 567-6781.

Sincerely,



Robert Weston
Senior Hazardous Materials Specialist

c: Danielle Stephanie, Fire Department, City of Livermore
Darren Greenwood, Water Resources, City of Livermore
Bill Reynolds, East Area Manager, ACDEH
Gil Jensen, Alameda County District Attorney's Office
Chuck Eckerman, EPA

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



20311
RAFAT A. SHAHID, DIRECTOR

October 5, 1995

DEPARTMENT OF ENVIRONMENTAL HEALTH
1131 Harbor Bay Parkway
Alameda, CA 94502-6577
(510) 567-6777

Crandal Mackey
President
Call Mac Transportation Co., Inc.
P.O. Box 50067
Palo Alto, CA 94303

Dear Mr. Mackey:

As you know this Department is actively involved in the oversight of the clean-up and investigation of the property owned by Call Mac Transportation Co., Inc at 461 McGraw Avenue, Livermore, California 94550.

Your company has established an account to fund the cost recovery of this Department's time dedicated to that oversight. Your account balance is now a negative \$242.50. You are required to submit additional monies in order for this Department to continue oversight. You are requested to submit a check payable to "County of Alameda" for \$1200.00. Please include the project #4036A on your check for credit to the proper account. All funds remaining at the end of your project will be refunded. All activities dedicated to your project are debited at the rate of \$90 per hour. A record of all funds received and debited to your account are available upon request.

If you have any questions regarding this matter please contact me at (510)567-6781.

Sincerely,

Robert Weston
Senior Hazardous Materials Specialist

c: Bill Reynolds, East Team Manager

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



R0311

Certified Mailer # P 062 127 762

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

February 8, 1991

Mr. Crandall Mackey
Call Mac Transportation, Inc.
P.O. Box 50067
Palo Alto, CA 94303

FINAL NOTICE OF VIOLATION

Dear Mr. Mackey:

In a July 12 letter, the Alameda County Department of Environmental Health pointed out several deficiencies in the plan of correction submitted for environmental violations at Call Mac's yard at 461 McGraw Ave. in Livermore. These deficiencies involved the following elements, which the plan of correction had not addressed:

- A. Identification of all hazardous materials/wastes on the facility premises, including the contents of all containers, cans, and above-ground tanks on-site;
- B. Disposal or treatment methods for all of these materials, as well as for the large tanks;
- C. Method(s) for identifying and removing all contaminated soil in the yard, and for modifying the pressure-washing setup; and
- D. Means of ensuring that the underground storage tank is properly permitted and monitored for leaks according to state law.

As a result, we required that Call Mac Transportation submit a work plan addressing all aspects of site cleanup, which was prepared and sent to this office by Clayton Environmental Consultants in September 1990. The work plan included a schedule for performance of specific tasks, and indicated that all first-phase environmental investigation and restoration would be completed by January 1991. We accepted this work plan, with certain conditions, in a letter dated October 22. According to Clayton, however, as of the date of this letter, none of the work described in the proposal has begun. This situation is a violation of Sec. 25299.37 of the California Health and Safety Code, which carries daily fines of up to \$10,000

You are directed to submit to this office a written plan of correction to address the ongoing violations at your site in Livermore. This plan of correction is due by February 22, 1991,

Mr. Crandall Mackey
February 8, 1991
Page 2 of 2

and must be accompanied by a deposit of \$500, made out to Alameda County, as requested in our letter of October 22. By this same date, you must send copies of records showing all underground tank monitoring records, which were also requested in the October letter.

Because this office has issued two previous notices of violation to Call Mac Transportation, this letter constitutes a third and final notice of violation. Your attention is directed to Sections 25184, 25189, and 25191 of the California Health and Safety Code, which authorize civil and criminal penalties of up to \$25,000 per day for ongoing violations of hazardous waste regulations. This is in addition to penalties prescribed for violation of Sec. 25299.37, which was discussed above.

Your case will be referred to the Alameda County District Attorney's Office for enforcement. If you have any questions concerning this letter, contact the undersigned at 271-4320.

Sincerely,

Gilbert M. Wistar

Gil Wistar
Hazardous Materials Specialist

c: Howard Hatayama, DOHS
Gil Jensen, Alameda County District Attorney, Consumer and
Environmental Protection Division
Rafat A. Shahid, Asst. Agency Director, Environmental Health
files

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ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



R0311

October 22, 1990

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

Mr. Crandall Mackey
Call Mac Transportation, Inc.
P.O. Box 50067
Palo Alto, CA 94303

RE: Work plan for Call Mac Transportation yard, 461 McGraw Ave.,
Livermore

Dear Mr. Mackey:

Thank you for your work plan for the above site, submitted by Clayton Environmental Consultants. After reading over the plan and discussing it with Mr. Alan Gibbs at Clayton, we feel it is generally acceptable. It does cover the objections raised in our July 12, 1990 letter about the previously submitted plan of action.

However, it is important to note that the Clayton work plan represents a first phase of environmental investigation and restoration at the site; as work progresses, additional information or unexpected developments may require an expanded scope of work to complete this project.

Therefore, we are requiring that your consultant provide us with a status report on site activities and findings on a regular basis, until our office or the Regional Water Quality Control Board (RWQCB) signs off the case. (The RWQCB will become involved if there should be a potential or documented threat to groundwater under the site.) Reports prepared by your consultant must include recommendations for work beyond that specified in the Clayton proposal, should developments at the site warrant such recommendations. In addition, all reports must continue to be signed by a California-registered geologist or engineer.

Finally, please submit a deposit to this office in the amount of \$500. Authorized by Sec. 3-141.6 of the Alameda County Ordinance Code, such deposits are used by Hazardous Materials Specialists on an hourly basis when working on specific projects. If at the conclusion of the project there are unused funds, they would be refunded to you; if on the other hand the deposit is used up before the project is completed, we will request the deposit of additional funds. Please make out your draft to Alameda County, and specify the site address for which it is remitted.

Mr. Crandall Mackey
October 22, 1990
Page 2 of 2

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

Sincerely,

Gilbert M. Wistar

Gil Wistar
Hazardous Materials Specialist

c: Alan Gibbs, Clayton Environmental (1252 Quarry Lane, Pleasanton,
CA 94566)
Howard Hatayama, DOHS
Gil Jensen, Alameda County District Attorney, Consumer and
Environmental Protection Division
Rafat A. Shahid, Asst. Agency Director, Environmental Health
files

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ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



R0311

July 12, 1990

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

Mr. Crandall Mackey
Call Mac Transportation, Inc.
P.O. Box 50067
Palo Alto, CA 94303

RE: "Plan of Correction" submitted to this office for violations at
461 McGraw Ave., Livermore

Dear Mr. Mackey:

Thank you for submitting correspondence to this office regarding corrections at the above site, as well as the tank permit application forms and the completed emergency response plan. The Hazardous Materials Division has reviewed these materials and finds the information acceptable as mitigation for the following violations (reference our letter to you dated May 21, 1990):

- Sec. 66472 (EPA ID number);
- Sec. 66492 (disposal receipts);
- Sec. 66124 (aisle space);
- Sec. 67243 (open containers);
- Sec. 2643 (annual precision testing of underground tank); and
- Sec. 25504 (Hazardous Material Management Plan).

However, with respect to the other violations cited in the May 21 letter, your July 9 correspondence is inadequate as a plan of correction. As stated in this office's Second Notice of Violation to Call Mac Transportation, the Plan of Correction was to contain, at a minimum, a discussion of how the firm would fulfill the following requirements:

- A. Identification of all hazardous materials/wastes on the facility premises, including the contents of all containers, cans, and above-ground tanks on-site;
- B. Disposal or treatment methods for all of these materials, as well as for the large tanks;
- C. Method(s) for identifying and removing all contaminated soil in the yard, and for modifying the steam-cleaning setup;
- D. Means of ensuring that the underground storage tank is properly permitted and monitored for leaks according to state law and;
- E. A treatment of all other violations noted but not specifically mentioned in this subsection.

Mr. Crandall Mackey
July 12, 1990
Page 2 of 2

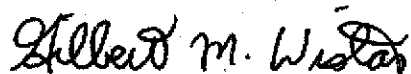
There was virtually no discussion of these issues, other than general statements such as "waste materials will be disposed of," or "plan is to be implemented." We need details, including how work will be done, when it will be accomplished, and who will perform the various tasks. This is precisely why the Division required that the cleanup portion of the Plan of Correction be prepared by a suitably qualified environmental professional. This means a Professional Engineer, Registered Geologist, or Certified Engineering Geologist with experience in hazardous waste cleanups.

Therefore, we are requiring that Call Mac Transportation submit a work plan addressing all aspects of site cleanup that were raised in our May 21 letter to you, from the initial characterization of all hazardous wastes and containers on the property to the identification and cleanup of contaminated soil. This work plan must be signed by an environmental professional, as discussed in the above paragraph; it is due in our office no later than August 20, 1990. Please refrain from any cleanup or sampling until the County has approved your work plan, to ensure that this work proceeds properly and in accordance with applicable regulations.

In addition, in point #9 of your July 9 letter, you indicated that Call Mac has performed systematic monitoring of the underground tank since April 1989. Please submit copies of records showing this systematic monitoring dating from April 1989; this is something I must have missed during the site inspection. Finally, we need more specifics on your plan for getting rid of the lead acid batteries, including an inventory of batteries in the yard, and how you will document that they are disposed of appropriately.

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

Sincerely,



Gil Wistar
Hazardous Materials Specialist

c: Howard Hatayama, DOHS
Gil Jensen, Alameda County District Attorney, Consumer and
Environmental Protection Division
Rafat A. Shahid, Asst. Agency Director, Environmental Health
files

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



R0311

Certified Mailer # P 062 127 943

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

May 21, 1990

Mr. Crandal Mackey
Call Mac Transportation, Inc.
P.O. Box 50067
Palo Alto, CA 94303

SECOND NOTICE OF VIOLATION

Dear Mr. Mackey:

As you're aware, on May 17, 1990, the Alameda County Department of Environmental Health, Hazardous Materials Division, inspected the Call Mac Transportation premises at 461 McGraw Ave. in Livermore. During the inspection, many containers were found in the back portion of the facility, among trucks, trailers, and other vehicles apparently in storage. These containers consisted of 40 or more 55-gallon drums; several smaller (16-gallon) drums; and 1-gallon cans of paint. In addition, there were three or four large storage tanks in this area, two of which you stated had been underground tanks that you'd moved to this location in about 1981; the others were the tanker portions of tanker trucks. There were also many old auto/truck batteries scattered throughout the yard.

Nearly all of these containers was in deteriorated condition, evidence of having been left out in the elements for years. Few were labeled properly, and you stated that your business had no use for any of the materials in them. Several of the 55-gallon drums had rusted to the point that they collapsed completely upon the slightest touch, and because all of the other drums in the area appeared full, it is likely that whatever was in these collapsed drums has long since leaked into the soil. Of the two former underground storage tanks, only one was accessible, and a leak on one end of it has caused contaminants to soak into the ground below.

As mentioned above, there were many old vehicles in storage in the yard, including numerous cabs from tractor-trailers. Each of these cabs has two fuel tanks with a capacity of approximately 50 gallons each. In a random check of these tanks, all had diesel fuel still in them.

Because of this manner of storage of hazardous materials and wastes, significant spillage of contaminants has occurred directly to the ground. Contamination was particularly evident around the

Mr. Crandal Mackey
May 21, 1990
Page 2 of 5

former underground storage tank described above, but there were patches of stained soil throughout the back part of the facility. Such gross spillage constitutes on-site disposal of hazardous waste, which violates Section 25189.5 of the California Health and Safety Code.

The facility's steam-cleaning setup, the runoff from which drains directly onto the ground, is also considered on-site disposal of hazardous waste, and is therefore illegal; uncontrolled drainage from this operation should cease immediately. Should you wish to continue on-site steam-cleaning, the runoff collection area must be designed so that heavy steam-cleaning sludges and lighter hydrocarbons can be collected and disposed of as hazardous waste, or recycled in some manner. Assuming it is fully separated from sludges and hydrocarbons, wastewater from the steam-cleaning process can only be disposed of into the sanitary sewer, which requires an industrial waste discharge permit from the appropriate POTW.

During the inspection, the following additional violations of the California Code of Regulations, Titles 22 and 23, and of the California Health and Safety Code were found at this facility.

Title 22

1. Sec. 66472 - The facility has no EPA identification number, which is required for all generators of hazardous waste. You will need to apply for this number immediately.
2. Sec. 66508 - Unidentified hazardous wastes in containers throughout the facility have been stored for well over 90 days, and no beginning accumulation date was identified on any of the drums or other containers described in previous paragraphs. Only a very small portion of these containers was labeled properly, and it is impossible to distinguish hazardous materials from hazardous wastes.
3. Sec. 66492 - The facility could not produce a set of receipts for disposal of any hazardous wastes, despite the numerous hazardous wastes on-site and the ongoing generation of waste oil from maintenance operations.
4. Sec. 67124 - The hazardous materials and wastes on the property are stored in such a way that they could prevent the unobstructed movement of personnel, fire protection equipment, or spill control/decontamination equipment in an emergency.
5. Sec. 67241 - As described, many drums and other containers throughout the property are badly rusted or otherwise in

Mr. Crandal Mackey
May 21, 1990
Page 3 of 5

deteriorated condition. Hazardous waste in these drums must be identified and disposed of immediately. Usable product in these drums, to the extent that there is any, must be transferred to containers in better condition prior to the final disposition of these materials.

6. Sec. 67243 - The waste oil containers were open; all hazardous waste containers must be kept closed at all times except when adding fluids to them.
7. Sec. 67244 - The facility has failed to carry out regular inspections and maintenance of waste storage areas, which are in poor condition. It appears that drums containing hazardous wastes and materials have been abandoned and left to rot.
8. Sec. 67245 - None of the areas in which waste is stored has a secondary containment system. Because the drums are stored outdoors, the volume of the required secondary containment must be 10% of the combined volume of all drums in storage plus at least 3 inches of freeboard to contain precipitation.

Title 23

9. Sec. 25292 - The underground diesel tank on the facility has no provisions for systematic monitoring to detect unauthorized releases of hazardous materials.
10. Sec. 2712 - The facility does not have records dating back three years regarding underground tank monitoring and results, including inventory reconciliation.
11. Sec. 2643 - The underground tank has not had regular precision leak tests capable of detecting the release of product at a rate of 0.05 gallons per hour. This test is required annually.
12. Sec. 2644 - The tank also has no records of a daily inventory reconciliation, which must be done according to the requirements of this section.

Health and Safety Code

13. Sec. 25504(a) - No emergency business plan has been submitted to this office. The facility business plan requires annual inventory information on all liquid chemicals handled in quantities greater than or equal to 55 gallons. This list has therefore not been provided.
14. Sec. 25504(b) - The business plan also requires emergency response plans and procedures in the event of a reportable release or a threatened release of a hazardous material. At a

Mr. Crandal Mackey
May 21, 1990
Page 4 of 5

minimum, this requirement consists of the following: agency notification procedures; procedures to mitigate a release or threatened release; and evacuation plans and procedures. This material has not been provided.

In accordance with Sec. 66328, you are directed to submit a Plan of Correction to this office within 30 days, or by **June 20, 1990**. The plan should specify the actions Call Mac Transportation will take to address each of the above violations and their expected dates of completion. This plan must be prepared by a professional consultant who is qualified to handle and correct the broad array of violations at your facility in Livermore. At a minimum, this plan must contain the following elements:

- A. Identification of all hazardous materials/wastes on the facility premises, including the contents of all containers, cans, and above-ground tanks on-site;
- B. Disposal or treatment methods for all of these materials, as well as for the large tanks;
- C. Method(s) for identifying and removing all contaminated soil in the yard, and for modifying the steam-cleaning setup;
- D. Means of ensuring that the underground storage tank is properly permitted and monitored for leaks according to state law and;
- E. A treatment of all other violations noted in this letter but not specifically mentioned in this subsection.

A completed business plan is also due in this office at the same time as the Plan of Correction. The inventory portion must include all residual diesel fuel in the tractor-trailer tanks throughout the yard.

According to records in the file, the State Dept. of Health Services, along with our office (formerly called the Division of Environmental Health), the County Building Inspection Dept., and the District Attorney's Office investigated your yard at 461 McGraw Ave., between 1981 and 1982. As of March 23, 1981, there was in your yard:

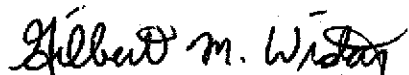
44 drums polyester resin;
37 drums sodium hydroxide;
7 drums chlorinated solvent; and
7 drums oil.

Mr. Crandal Mackey
May 21, 1990
Page 5 of 5

In a letter from this office dated June 29, 1981, you were directed to remove the drums from the site and dispose of them properly, or to repackage them in containers in better condition. Because of the condition of the drums found during the May 1990 inspection, it appears that many, if not all of these drums have remained at this site since 1981. However, whether or not the drums are the same, you are being cited for substantially similar violations now as then. Therefore, this letter constitutes a second notice of violation. Your attention is directed to Sections 25184, 25189, and 25191 of the California Health and Safety Code, which authorize civil and criminal penalties of up to \$25,000 per day for each violation of these regulations.

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

Sincerely,



Gil Wistar
Hazardous Materials Specialist

c: Randy Griffith, Livermore Fire Dept.
Howard Hatayama, DOHS
Leon Horst, Livermore Planning Dept. (1052 S. Livermore Ave.,
Livermore, CA 94550)
Gil Jensen, Alameda County District Attorney, Consumer and
Environmental Protection Division
Rafat A. Shahid, Asst. Agency Director, Environmental Health
files

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



R0311

10 April, 1989

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

Crandal Mackey
"Call Mac" Transportation Company
461 McGraw Ave.
Livermore, Ca. 94550
P.O. Box 50067
Palo Alto, Ca. 94303

Subject: Underground Storage Tank Permit for 461 McGraw Ave.
Livermore.

Dear Mr. Mackey:

The following actions will have to be taken so that a five-year operating permit can be issued for the 12,000 gallon diesel tank at your facility:

- 1) Submit a proposal to this office identifying which of the leak monitoring alternatives specified in Section 2641 of Title 23 of the California Code of Regulations, you desire to utilize at this facility. A synopsis of the applicable monitoring alternatives is included with this letter.
- 2) Include with your monitoring proposal, a description of the record keeping system which you will incorporate into your tank monitoring program. A quarterly report will have to be submitted to our office during the period that the tank is permitted to operate.
- 3) Following a review of the submitted documents, an on-site inspection of the facility will be scheduled.

At the completion of the process, an operating permit, valid for a period of five years will be issued by this office.

If you have any questions or require further clarification concerning the actions which need to be taken to address this issue, please contact, Dennis Byrne, Hazardous Materials Specialist, at (415) 271-4320.

Sincerely,

Rafat A. Shahid
Rafat A. Shahid, Chief,
Hazardous Materials Division