

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY  
DAVID J. KEARS, Agency Director



SENT  
8-28-06

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

August 21, 2006

Gary A. Thompson  
Thompson & Thompson Fence Co. Inc.  
2584 Grant Ave.  
San Lorenzo, CA 94580

Dear Mr. Thompson:

Subject: Fuel Leak Case Number RO0000467, Thompson & Thompson Fence Co. Inc., 2584 Grant Avenue, San Lorenzo, CA

Alameda County Environmental Health (ACEH) staff has reviewed the recently submitted document entitled "Groundwater Monitoring Report", dated October 7, 2005 and prepared by Ninyo & Moore. According to a letter from this office dated May 26, 2005 you are required to perform quarterly groundwater monitoring at your site to expedite the regulatory closure process. We have not received the 2006 Quarterly Groundwater Monitoring Report, as required by this office. For your site to return to compliance please complete the required quarterly groundwater monitoring and submit the 3<sup>rd</sup> Quarter 2006 Groundwater Monitoring Report to this office.

Based on ACEH staff review of the case file, we request that send us the reports described below. Please provide 72-hour advance written notification to this office (e-mail preferred to [steven.plunkett@acgov.org](mailto:steven.plunkett@acgov.org)) prior to the start of field activities.

#### TECHNICAL REPORT REQUEST

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

- September 15, 2006 – 3<sup>rd</sup> Quarter 2006 Groundwater Monitoring Report
- December 15, 2006 – 4<sup>th</sup> Quarter 2006 Groundwater Monitoring Report
- March 15, 2006 – 1<sup>st</sup> Quarter 2007 Groundwater Monitoring Report
- June 15, 2006 – 2<sup>nd</sup> Quarter 2007 Groundwater Monitoring Report

These reports are being requested pursuant to California Health and Safety Code Section 25296.10. 23 CCR

Gary Thompson  
August 18, 2006  
Page 2

Sections 2652 through 2654, and 2721 through 2728 outline the responsibilities of a responsible party in response to an unauthorized release from a petroleum UST system, and require your compliance with this request.

#### ELECTRONIC SUBMITTAL OF REPORTS

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

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

#### PERJURY STATEMENT

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

#### PROFESSIONAL CERTIFICATION & CONCLUSIONS/RECOMMENDATIONS

The California Business and Professions Code (Sections 6735, 6835, and 7835.1) require 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

Gary Thompson  
August 18, 2006  
Page 3

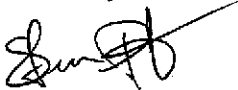
ineligible to receive grant money from the state's Underground Storage Tank Cleanup Fund (Senate Bill 2004) to reimburse you for the cost of cleanup.

AGENCY OVERSIGHT

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

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

Sincerely,



Steven Plunkett  
Hazardous Materials Specialist  
Local Oversight Program

Enclosure

cc: Mr. Kris Larson  
Ninyo & Moore  
1956 Webster Street, Suite 400  
Oakland, CA 94612

Donna Drogos, ACEH  
Steven Plunkett, ACEH  
File

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY  
DAVID J. KEARS, Agency Director



Scout  
5-27-05

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

**May 26, 2005**

Gary A. Thompson  
Thompson & Thompson Fence Co. 2584 Grant Ave.  
San Lorenzo, CA 94580

**RE: Fuel Leak Case #RO0000467, Thompson & Thompson, 2584 Grant Ave.,  
San Lorenzo, CA**

Dear Mr. Thompson:

Alameda County Environmental Health, Local Oversight Program (LOP), has received and reviewed the files regarding the above referenced property. It has come to our attention that you have not submitted any quarterly monitoring report since August 30<sup>th</sup>, 1999. This is despite the fact that the last report indicated Benzene level at 1,900ppm, MTBE at 150ppb, and TPH-G at 13,000ppb in groundwater. Our office requests that you address the following technical comments when performing the proposed work and provide the technical report(s) requested below.

Technical Comments

- You are required to submit quarterly monitoring report as required unless otherwise directed by this office. The last report provided to this office was on August 30<sup>th</sup>, 1999 submitted by Mr. Michael Swaney of Chaney, Walton & McCall (LLC).
- In your report please provide explanation regarding the concentrations of the constituents in MW-2 since the groundwater flow gradient indicates and almost northerly direction (August 1999 report) while this well is upgradient from the former UST location. Please provide some explanation for the above scenario in the next quarterly groundwater monitoring report due immediately.

Technical Report Request

- Quarterly monitoring report by July 27<sup>th</sup>, 2005

Please contact me at (510) 567-6876 if you have any questions.

Sincerely,



Amir K. Gholami  
Hazardous Materials Specialist

C: Michael W. Swaney, Chaney, Walton, McCall LLC, 35 Embarcadero Cove,  
Oakland, CA 94606-5203  
A.Gholami/D.Drogos, files

ALAMEDA COUNTY  
HEALTH CARE SERVICES



AGENCY  
DAVID J. KEARS, Agency Director

R0467

STID 3191

September 20, 1999

Gary A. Thompson  
Thompson & Thompson Fence Co.  
2584 Grant Ave.  
San Lorenzo, CA 94580

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

**RE: Required investigation at 2584 Grant Ave., San Lorenzo, CA**

Dear Mr. Thompson:

I am in receipt of "Quarterly Monitoring Report, Shallow Groundwater Monitoring Wells" report dated August 30<sup>th</sup>, 1999 submitted by Mr. Michael Swaney of Chaney, Walton & McCall (LLC). Thank you for submittal of the report.

This report indicates that MW-1 well has presently the highest concentrations of the constituents including Benzene at 1,900ppb, and MTBE at 150ppb, and TPH-G at 13,000ppb in groundwater. However, there seems to be a decrease in the concentrations of the constituents in MW-1 and MW-2 wells since the last laboratory analysis made in 1/21/1999.

The groundwater flow gradient indicates and almost northerly direction. However, this does not explain the concentrations of constituents in MW-2, which is upgradient from the former UST location. Please provide some explanation for the above scenario in the next quarterly groundwater monitoring report due by November of 1999.

I will be looking forward for the next quarterly monitoring report.

If you have any questions and or concerns, please call me at (510)-567-6876.

Sincerely,

Amir K. Gholami, REHS  
Hazardous Materials Specialist

C: Michael W. Swaney, Chaney, Walton, McCall LLC,  
35 Embarcadero Cove, Oakland, CA 94606-5203  
Files

ALAMEDA COUNTY  
HEALTH CARE SERVICES



AGENCY

DAVID J. KEARS, Agency Director

R04467

STID 3191

July 27, 1999

Gary A. Thompson  
Thompson & Thompson Fence Co.  
2584 Grant Ave.  
San Lorenzo, CA 94580 San Lorenzo, CA 94580

ENVIRONMENTAL HEALTH SERVICES

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

RE: Required investigation at 2584 Grant Ave., San Lorenzo,

LANDOWNER NOTIFICATION AND PARTICIPATION REQUIREMENTS

Dear Mr. Thompson:

This letter is to inform you of new legislative requirements pertaining to cleanup and closure of sites where an unauthorized release of hazardous substance, including petroleum, has occurred from an underground storage tank (UST). Section 25297.15(a) of Ch. 6.7 of the Health & Safety Code requires the primary or active responsible party to notify all current record owners of fee title to the site of: 1) a site cleanup proposal, 2) a site closure proposal, 3) a local agency intention to make a determination that no further action is required, and 4) a local agency intention to issue a closure letter. Section 25297.15(b) requires the local agency to take all reasonable steps to accommodate responsible landowners' participation in the cleanup or site closure process and to consider their input and recommendations.

For purposes of implementing these sections, you have been identified as the primary or active responsible party. Please provide to this agency, within twenty (20) calendar days of receipt of this notice, a complete mailing list of all current record owners of fee title to the site. You may use the enclosed "list of landowners" form (sample letter 2) as a template to comply with this requirement. If the list of current record owners of fee title to the site changes, you must notify the local agency of the change within 20 calendar days from when you are notified of the change.

If you are the sole landowner, please indicate that on the landowner list form. The following notice requirements do not apply to responsible parties who are the sole landowner for the site.

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY  
DAVID J. KEARS, Agency Director



20467

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

STID 3191

May 20, 1999

Gary A. Thompson  
Thompson & Thompson Fence Co.  
2584 Grant Ave.  
San Lorenzo, CA 94580

**RE: Required investigation at 2584 Grant Ave., San Lorenzo, CA**

Dear Mr. Thompson:

This office is in receipt of your letter dated May 14, 1999. Thank you for clarifying the contact person, I understand that Mr. Argy Leyton of Leyton & Associates Environmental Consulting is no longer associated with the tank closure project and that Mr. Michael W. Swaney of Chaney, Walton & McCall LLC is your present contact and service project manager. Per your request, I will inform Mr. Swaney of the above change as well.

As requested previously, please provide a chronological table of laboratory results with the next quarterly groundwater monitoring report due in August 1999.

I will be looking forward for the next quarterly monitoring report.

If you have any question, Please do not hesitate to call me at (510)-567-6876.

Sincerely,

Amir K. Gholami, REHS  
Hazardous Materials Specialist

C: Michael W. Swaney, Chaney, Walton, McCall LLC,  
35 Embarcadero Cove, Oakland, CA 94606-5203  
Files



ALAMEDA COUNTY  
HEALTH CARE SERVICES



AGENCY  
DAVID J. KEARS, Agency Director

R0467

ENVIRONMENTAL HEALTH SERVICES

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

StId 3191

May 11, 1999

Gary Thompson  
Thompson & Thompson Fence Co.  
2584 Grant Ave.  
San Lorenzo, CA 94580

**RE: Required investigation at 2584 Grant Ave., San Lorenzo, CA**

Dear Mr. Thompson:

This office is in receipt of the report dated April 8th, 1999, along with the necessary items requested in my letter dated May 3<sup>rd</sup>, 1999. This document was submitted by Mr. William W. Swaney of Chaney, Walton & McCall LLC. Thank you for the submittal of the above report. As indicated earlier this report indicates overall compliance with the items requested in the letter dated March 25<sup>th</sup>, 1999, which includes surveying of the monitoring wells to an established benchmark, laboratory analysis for TPH-G, BTEX, MTBE, etc.

In addition, this report reveals the concentration of Benzene and MTBE as high as 1800ppb, and 300ppb in MW-1 and MW-2 respectively. The concentration of TPHg was noted as high as 24000ppb in MW-1. There were other chemical constituents found in the monitoring wells as well.

Please provide a chronological table of laboratory results with the next quarterly groundwater monitoring report due in August 1999.

I will be looking forward for the next quarterly monitoring report.

If you have any question, Please call me at (510)-567-6876.

Sincerely,

Amir K. Gholami, REHS  
Hazardous Materials Specialist

C: Argy Leyton, Senior Project Manager, Leyton & Associates  
Environmental Consulting, 316 Cashew Lane, Oakley, CA 94561  
Michael W. Swaney, Chaney, Walton, McCall LLC,  
35 Embarcadero Cove, Oakland, CA 94606-5203  
Files

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



R0467

StId 3191

May 3, 1999

Gary Thompson  
Thompson & Thompson Fence Co.  
2584 Grant Ave.  
San Lorenzo, CA 94580

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

RE: Required investigation at 2584 Grant Ave., San Lorenzo, CA

Dear Mr. Thompson:


I am in receipt of the report dated April 8, 1999 submitted by Mr. William W. Swaney of Chaney, Walton & McCall LLC. Thank you for the submittal of the above report. This report indicates overall compliance with the items requested in the letter dated March 25<sup>th</sup>, 1999, which includes surveying of the monitoring wells to an established benchmark, laboratory analysis for TPH-G, BTEX, MTBE, etc.

However, the report does not include the laboratory analysis results, chain of custody, the field data, etc. The indicated items were not included in the package submitted to this office, even though the report indicates otherwise.

Please submit the complete report along with the state-certified laboratory analysis to the office by 5/10/99.

If you have any question, Please call me at (510)-567-6876.

Sincerely,

  
Amir K. Gholami, REHS  
Hazardous Materials Specialist

C: Argy Leyton, Senior Project Manager, Leyton & Associates  
Environmental Consulting, 316 Cashew Lane, Oakley, CA 94561  
Michael W. Swaney, Chaney, Walton, McCall LLC,  
35 Embarcadero Cove, Oakland, CA 94606-5203  
Files



StId 3191

March 25, 1999

Gary Thompson  
Thompson & Thompson Fence Co.  
2584 Grant Ave.  
San Lorenzo, CA 94580

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

### Notice of Violation

RE: Required investigation at 2584 Grant Ave., San Lorenzo, CA

Dear Mr. Thompson:

I sent you a letter on 23<sup>rd</sup> of November 1998 regarding the required investigation at the above referenced site. In that letter I indicated the need to follow up on the letter dated October 18, 1996 by Amy Leech formerly of this office. I also discussed the case with Mr. Dan Self on 1/13/99. I requested that you comply with this office's requirements regarding the above referenced site by 12/19/98. To this date this office has not received any responses and or plan of action from you.

The requirements stated in October 18, 1996, among others, included the following:

- Surveying of Monitoring wells to an established benchmark (mean sea level)
- Groundwater elevation and gradients must be determined on a monthly basis for one year and submitted along with the quarterly monitoring reports
- Laboratory analysis should include TPH-G, BTEX, and MTBE
- Quarterly Monitoring Reports must be submitted by the first day of the second month of each subsequent quarter and are required until the site can be qualified for closure

This is a formal request for soil and groundwater investigation pursuant to Section 2725(a) of Title 23 California Code of Regulations.

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



RO#467

StId 3191

November 23, 1998

Gary Thompson  
Thompson & Thompson Fence Co.  
2584 Grant Ave  
San Lorenzo, CA 94580

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

Subject: 2584 Grant Ave, San Lorenzo, CA

Dear Mr. Thompson:

I will be handling the clean up issues regarding the above site since Amy Leech no longer works with us. After reviewing the files, it has come to my attention that Amy Leech had requested several items in her letter dated October 18, 1996 addressed to you. The items she requested have not yet been complied with. This among others includes quarterly monitoring (which none exists since the report dated 3/28/97), proper surveying of the well to an established benchmark (MSL), monthly ground water measurements, and proper delineation of ground water contamination.

Please comply with the above issues by 12/19/98. If you have any question, call me at (510)-567-6876.

Sincerely,

  
Amir K. Gholami, REHS  
Hazardous Materials Specialist

C: files

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



RO#467

StId 3191

October 18, 1996

Gary Thompson  
Thompson & Thompson Fence Co.  
2584 Grant Ave  
San Lorenzo CA 94580

**Subject: 2584 Grant Avenue, San Lorenzo, CA**

Dear Mr. Thompson:

Per your request this office has reviewed Leyton & Associates' *Risk Assessment Report*, dated September 1996, and the Polymatrix Associates' *Quarterly Self-Monitoring Report*, dated October 8, 1996, for the subject site. As you are aware, an investigation of soil and groundwater has been required at this site in response to a confirmed release of petroleum hydrocarbons from a former 1,000-gallon gasoline underground storage tank (UST) that was removed from the site in November 1992.

Three groundwater monitoring wells were installed at this site in the May 1996 to assess the impact of gasoline contamination to groundwater beneath the site. Because limited groundwater data is available for this site and the groundwater contaminant plume is not defined south of the former UST pit, this office requested you to complete further groundwater monitoring investigations (one to two more quarters) before requiring further investigations (see August 12, 1996 letter attached). However, it is our understanding that a risk assessment of the property was recently completed by Leyton & Associates (Leyton) as a condition for refinancing a loan.

The Leyton risk assessment found that there is no significant risk (excess lifetime cancer risk (ELCR) =  $3.5 \times 10^{-5}$ ) to human health from exposure to dissolved benzene in groundwater from vapor intrusion into buildings at this site for the current land-use and site configuration. The ELCR from this report was based on a calculated maximum benzene concentration for the site of 1,800 ppb benzene in groundwater.

This office has the following comments concerning the risk assessment:

- The soil contamination volatilization to outdoor air exposure pathway was not assessed. Since benzene concentrations of up to 38 ppm were identified in soil in the vicinity of the former UST pit and this value exceeds the ASTM E1739-95 Standard Guide for Risk-Based Corrective Action Applied at Petroleum Release Sites (RBCA) Tier 1 Risk-Based Screening Level (RBSL) example look-up table, this pathway should be evaluated as part of the site-specific risk assessment.
- Some default values were used in the risk assessment instead of incorporating site-specific values in the calculations (e.g. site-specific building foundation parameters). These default

ENVIRONMENTAL HEALTH SERVICES  
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Thompson  
Re: 2584 Grant Ave  
October 18, 1996  
Page 2 of 3

values may or may not be more conservative for the current building structure on the site; therefore, site-specific parameters should be used or a rationale for using default values versus site-specific parameters should be discussed.

- The Leyton risk assessment was based on preliminary groundwater results which are not necessarily representative of the maximum concentrations of benzene in groundwater at the site. Benzene concentrations increased up to 4,700 ppb during the last quarterly sampling event in October 1996. This data indicates that there is not yet sufficient data to establish the maximum concentration of benzene in groundwater at the site. Therefore, the risk calculation will need to be re-calculated once enough historical groundwater data has been accumulated.

Therefore, at this time, it is best to adhere to the requirements as stated in our August 12, 1996 letter:

1. Monitoring wells must be surveyed to an established benchmark (i.e. mean sea level) with an accuracy of 0.01 foot. A confirmation that this survey has been completed is **due to this office no later than November 1, 1996.**
2. Groundwater elevations and corresponding gradient determinations are to be conducted on a monthly basis for 12 consecutive months and reported to this office as part of the required quarterly reporting.
3. In addition to monthly groundwater measurements, the monitoring wells are to be sampled and analyzed for TPH-G, BTEX, and MTBE on a quarterly basis until this site qualifies for closure.
4. Quarterly Monitoring Reports are due to this office until this site qualifies for final RWQCB "sign-off". Such **quarterly reports are due the first day of the second month of each subsequent quarter.** Quarterly reports must describe the status of the investigation and must include, among others, the following elements:
  - o Details and results of all work performed during the designated period of time: records of field observations and data, boring and well construction logs, water level data, chain-of-custody forms, laboratory results for all samples collected and analyzed, tabulations of free product thicknesses and dissolved fractions, etc.
  - o Status of ground water contamination characterization.
  - o Interpretations of results: water level contour maps showing gradients, free and dissolved product plume definition maps for each target component, geologic cross sections, historical summary of groundwater measurements and analytical results, etc.



Thompson  
Re: 2584 Grant Ave  
October 18, 1996  
Page 3 of 3

- o Recommendations or plans for additional investigative work or remediation.
5. Based on results of the preliminary site assessment completed in May 1996 and most recent groundwater data collected in October 1996, it appears that the extent of groundwater contamination has *not* been defined at this site. Additional rounds of quarterly monitoring data and monthly gradient determinations should be collected to assist in determining the extent and severity of ground water contamination (at minimum, data from one hydrologic cycle may be necessary). After this data is collected, it may be necessary to conduct additional investigations to further delineate the extent of groundwater contamination and/or to submit a revision/addendum on the evaluation of risk to human health and the environment associated with the potential exposures to gasoline contaminated soil and groundwater at this site. The revision/addendum to the risk assessment should address the above mentioned deficiencies.

In addition, although soil contamination at this site identified during UST removal activities appears to be limited in extent, it may still be a significant source of contamination to groundwater. A viable option to consider when assessing this site for further investigations would be to remove the contaminated soil in the vicinity of the former UST pit. This option would address the source removal requirement for the definition of a "Low Risk Groundwater Case" as described in the San Francisco Bay Regional Water Quality Control Boards's *Interim Guidance on Required Cleanup at Low Risk Fuel Sites*, dated December 8, 1995. The feasibility, risks, and cost-benefit of overexcavation of this soil should be compared to other corrective action options, such as costs for further risk assessment or long-term monitoring to confirm natural attenuation.

Please contact me at 510-567-6755 if you have questions or need additional information.

Sincerely,



Amy Leech  
Hazardous Materials Specialist

#### ATTACHMENT

c: Argy Leyton, Leyton & Associates, 316 Cashew Lane, Oakley, CA 94561 w/attachments  
Dick Holdstock fax # (916)753-7921  
Gordon Coleman - File(ALL)

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



R0467

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

StId 3191

August 12, 1996

Gary Thompson  
Thompson & Thompson Fence Co.  
2584 Grant Ave  
San Lorenzo CA 94580

**Subject: Investigations at 2584 Grant Avenue, San Lorenzo, CA**

Dear Mr. Thompson:

This office has reviewed Leyton & Associates' Preliminary Site Assessment Report, dated May 31, 1996, for the subject site. Three monitoring wells (MW-1, MW-2, and MW-3) were installed during this investigation. Soil and groundwater samples were collected from each monitoring well/boring location. Elevated levels of Total Petroleum Hydrocarbons as Gasoline (TPH-G) and benzene, toluene, ethylbenzene, and xylenes (BTEX) were identified in groundwater samples collected from monitoring wells MW-1 and MW-2.

You are directed to begin quarterly monitoring of all on-site monitoring wells. Ground water elevations and corresponding gradient determinations are to be conducted monthly for 12 consecutive months and then quarterly thereafter until this site qualifies for closure. Gradient maps for each event are to be presented in commensurate quarterly reports. Please be reminded that all monitoring wells are to be surveyed to an established bench mark (i.e. mean sea level), with an accuracy of 0.01 foot. A report of each quarterly monitoring event is due to this office the first day of the second month of each subsequent quarter until this site qualifies for final RWQCB "sign-off". The next quarterly report is due to this office no later than September 30, 1996.

Based on the results of the initial ground water samples, it appears that the extent of groundwater contamination has *not* been defined at this site. One or two additional rounds of quarterly monitoring data and monthly gradient determinations should be collected to assist in determining the extent and severity of ground water contamination. After this data is collected, you may be directed to submit a work plan to this office proposing to further delineate the extent of groundwater contamination and/or submit an evaluation of risk to human health and the environment associated with the potential exposures to gasoline contaminated soil and groundwater at this site. The ASTM ES 1739-95 Standard Guide for Risk-Based Corrective Action Applied at Petroleum Release Sites (RBCA) can be used to assist in completing this type of evaluation. For more information, please see the attached interim guidance document issued by the San Francisco Bay Area Regional Water Quality Control Board's (RWQCB) issued on January 5, 1996 regarding required cleanup at underground storage tank fuel sites.

As indicated in our February 26, 1996 letter (see attached), the petroleum contaminated soil stockpiled at your site must be adequately characterized before it is reused or disposed of off-site. You are

Thompson  
Re: 2584 Grant Ave  
August 12, 1996  
Page 2 of 2

**required to submit manifests for the off-site disposal or analytical results of this soil no later than September 30, 1996.**

Please contact me at 510-567-6755 if you have questions or need additional information.

Sincerely,



Amy Leech  
Hazardous Materials Specialist

**ATTACHMENTS (2)**

c: Argy Leyton, Leyton & Associates, 316 Cashew Lane, Oakley, CA 94561 w/attachments  
Gordon Coleman - File(ALL)



Std 3191

February 26, 1996

DEPARTMENT OF ENVIRONMENTAL HEALTH  
1131 Harbor Bay Parkway  
Alameda, CA 94502  
(510) 567-6700

Gary Thompson  
Thompson & Thompson Fence Co.  
2584 Grant Ave  
San Lorenzo CA 94580

**Subject: Workplan for investigations at 2584 Grant Avenue, San Lorenzo, CA**

Dear Mr. Thompson:

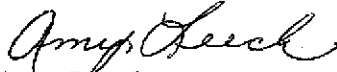
This office has reviewed Leyton & Associates' work plan, dated February 16, 1996. This work plan proposes to install three groundwater monitoring wells in the vicinity of the former underground storage tank (UST) pit at the subject site. This work plan is acceptable to this office with the following comments/additions:

- In order to more accurately assess the health and safety risks, if any, in the area of the office and shop areas, we recommend relocating two of the proposed monitoring wells west of the underground storage tank (UST) pit. Per my telephone conversation with Ms. Leyton on February 26, 1996, one of the proposed monitoring wells (TW-1) could be located northwest from the northern end of the former tank pit and another monitoring well (TW-2) could be located southwest from the southern end of the former tank pit. Please submit an addendum to Figure 2 of the work plan that indicates these new sample locations.
- The three monitoring wells should be sufficiently separated in order to produce meaningful site-specific gradient determinations. Please be aware that should there be a need to convert the temporary wells to permanent monitoring wells, then these wells must be surveyed to an established benchmark (i.e., mean sea level) with an accuracy of 0.01 foot.
- As stated in the work plan, based on the soil and groundwater sample results of this investigation, there may be a need to convert the three temporary monitoring wells to permanent monitoring wells. Monitoring well completion would include the installation of approved sanitary seals and security vaults with locks.
- Per our records and my conversation with Ms. Leyton, there is approximately 60 cubic yards of petroleum contaminated soil at your site which has been stockpiled since the 1992 tank removal. You are required to either dispose of this soil at a certified disposal facility, or if you plan to reuse it on site, you are required to re-sample this soil in order to determine if it is suitable for on-site reuse. Please include the sample results or manifests for disposal for this soil in the report documenting the soil and groundwater investigations. A discrete sample must be analyzed for every 20 cubic yards for reuse of soil on site, and a composite sample for every 50 cubic yards is required for off-site disposal.

Thompson  
Re: 2584 Grant Ave.  
February 26, 1996  
Page 2 of 2


Please notify this office at least 72 hours before field work begins. Field work should commence within the next 30 days. A report must be submitted within 45 days after the completion of this phase of work at the site. If you have questions, please call me at (510)567-6755.

Sincerely,



Amy Leech  
Hazardous Materials Specialist

**ATTACHMENT**

 c: Leyton & Associates, 316 Cashew Ln, Oakley, CA 94561  
Gordon Coleman-File(ALL)

ALAMEDA COUNTY  
HEALTH CARE SERVICES  
AGENCY

DAVID J. KEARS, Agency Director



R0467

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 3191

September 21, 1995

Gary Thompson  
Thompson & Thompson Fence Co.  
2584 Grant Ave  
San Lorenzo CA 94580

**Subject: Required investigations at 2584 Grant Avenue, San Lorenzo, CA**

Dear Mr. Thompson:

Per our telephone conversation on September 20 1995, this office has reviewed reports and correspondence regarding the November 1992 removal of a 1,000-gallon gasoline underground storage tank (UST) at the subject site. Total Petroleum Hydrocarbons as gasoline (TPHg) and benzene, toluene, ethylbenzene, and xylenes (BTEX) were detected up to 2,000 parts per million (ppm), 38 ppm, 120 ppm, 36 ppm, and 190 ppm, respectively, in soil samples collected from the tank pit in November 1992. Based on this information this office requested that you submit a work plan for a Preliminary Site Assessment for further soil and groundwater investigations at this site by June 1994 and recommended that you contact the State UST Cleanup Fund for financial assistance (see attached letter for requirements dated March 21, 1994).

During our recent telephone conversation, you indicated that you had not applied with the State UST Cleanup Fund or pursued further soil and groundwater investigations at your site. You, also, indicated that contaminated soil excavated during the UST removal is currently stockpiled at your site. As we discussed, a **work plan for further soil and groundwater investigations at this site must be submitted to this office within 45 days of the date of this letter.** Please refer to the attached March 21, 1994 letter for specific Preliminary Site Assessment requirements.


Please be advised that this is a formal request for technical reports pursuant to California Water Code Section 13267 (b). Any extensions of the stated deadlines, or modifications of the required tasks, must be confirmed in writing by either this agency or the San Francisco Bay Regional Water Quality Control Board.

Attached are phone numbers for and information regarding the State UST Cleanup Fund. This office encourages you to apply with the Cleanup Fund as soon as possible. In addition, **please complete and return the attached "Underground Storage Tank Unauthorized Release (Leak)/Contamination Site Report" to this office by October 6, 1995.** If you have already filed this report with the State Water Resources Control Board, please forward a copy of that report to this office.

Thompson  
Re: 2584 Grant Ave.  
September 21, 1995  
Page 2 of 2

Please contact me at 510-567-6755 if you have questions or need additional information. I look forward to receiving the work plan for further soil and groundwater investigation at your site by November 6, 1995.

Sincerely,



Amy Leech  
Hazardous Materials Specialist

**ATTACHMENTS**

c: Gil Jensen, Alameda County District Attorney's Office  
Acting Chief of Environmental Protection - File(ALL)

ALAMEDA COUNTY  
HEALTH CARE SERVICES  
AGENCY

DAVID J. KEARS, Agency Director



R0467

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

April 4, 1994

Mr. Gary Thompson  
Thompson & Thompson  
Fence Co., Inc.  
2584 Grant Ave.  
San Lorenzo, CA 94580-0206

STID 3191

Re: Investigations at 2584 Grant Ave., San Lorenzo, California

Dear Mr. Thompson,

Per our meeting on March 31, 1994, you stated that, due to financial difficulties, you are currently unable to conduct the required soil and ground water investigations at the above site. It is the understanding of this office that you will apply for the State Trust Fund and submit it to the State Clean Water Program within the next month. This office will extend the deadline for the required investigations, given in the County's March 21, 1994 letter, until the State determines your site's eligibility and ranking. Subsequent to obtaining this information, you will be required to submit a timeline for site investigations and remediation.

In the meantime, you are required to keep this office posted as to the progress of the Cleanup Fund application. If you have any questions or comments, please contact me at (510) 271-4530.

Sincerely,

  
Juliet Shin  
Hazardous Materials Specialist

cc: Edgar Howell-File(JS)



ALAMEDA COUNTY  
HEALTH CARE SERVICES  
AGENCY

DAVID J. KEARS, Agency Director



R0467

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

March 21, 1994

Mr. Gary A. Thompson  
Thompson & Thompson Fence Co.  
2584 Grant Ave.  
San Lorenzo, CA 94580

STID 3191

Re: Required investigations at 2584 Grant Ave., San Lorenzo,  
California

Dear Mr. Thompson,

On November 6, 1992, one 1,000-gallon leaded gasoline underground storage tank (UST) was removed from the site. Soil samples collected from beneath this UST identified up to 2,000 parts per million (ppm) Total Petroleum Hydrocarbons as gasoline (TPHg) and 38 ppm benzene.

Guidelines established by the California Regional Water Quality Control Board (RWQCB) require that soil and ground water investigations be conducted when there is evidence to indicate that a release from an UST will impact or may have impacted the ground water.

You are required to conduct a **Preliminary Site Assessment (PSA)** to determine the lateral and vertical extent and severity of **both soil and ground water** contamination resulting from the release at the site. 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's Staff Recommendations for the Initial Evaluation and Investigation of Underground Tanks, and be consistent with requirements set forth in Article 11 of Title 23, California Code of Regulations. The major elements of such an investigation are summarized in the attached **Appendix A**. The major elements of the guidelines include, but are not limited to, the following:

- o At least one ground water monitoring well must be installed within 10 feet of the observed soil contamination, oriented in the confirmed downgradient direction relative to ground water flow. In the absence of neighboring monitoring wells located within 100 feet of the site, or any other data identifying the confirmed downgradient direction, a minimum of three wells will be required to verify gradient direction. It appears that, in the case of this site, the

Mr. Gary A. Thompson  
Re: 2584 Grant Ave.  
March 21, 1994  
Page 2 of 4

nearest UST site with monitoring wells is over 1,000 feet away. Therefore, **three monitoring wells must be installed at the site in order to characterize the ground water gradient flow.** During the installation of these wells, soil samples are to be collected at five-foot-depth intervals and any significant changes in lithology.

- o Subsequent to the installation of the monitoring wells, these wells must be **surveyed to an established benchmark**, (i.e., Mean Sea Level) with an accuracy of 0.01 foot. Ground water samples are to be collected and analyzed quarterly, and water level measurements are to be **collected monthly for the first three months**, and then quarterly thereafter. If the initial ground water elevation contours indicate that ground water flow directions vary greatly than you will be required to continue monthly water level measurements until the ground water gradient behavior is known. **Both soil and ground water samples must be analyzed for TPHg and benzene, toluene, ethylbenzene, xylenes, and lead.**

This Department will oversee the assessment and remediation of your site. Our oversight will include the review of and comment on work proposals and technical guidance on appropriate investigative approaches and monitoring schedules. The issuance of well drilling permits, however, will be through the Alameda County Flood Control and Water Conservation District, Zone 7, in Pleasanton. The RWQCB may choose to take over as lead agency if it is determined, following the completion of the initial assessment, that there has been a substantial impact to ground water.

In order to properly conduct a site investigation, you are required to obtain professional services of a reputable environmental consultant. **All reports and proposals must be submitted under seal of a California-Registered Geologist, -Certified Engineering Geologist, or -Registered Civil Engineer.**

**The PSA proposal is due within 60 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

Mr. Gary A. Thompson  
Re: 2584 Grant Ave.  
March 21, 1994  
Page 3 of 4

qualifies for final RWQCB "sign-off". Such quarterly reports are due the first day of the second month of each subsequent quarter.

The referenced initial and quarterly reports must describe the status of the investigation and must include, among others, the following elements:

- o Details and results of all work performed during the designated period of time: records of field observations and data, boring and well construction logs, water level data, chain-of-custody forms, laboratory results for all samples collected and analyzed, tabulations of free product thicknesses and dissolved fractions, etc.
- o Status of ground water contamination characterization.
- o Interpretations of results: water level contour maps showing gradients, free and dissolved product plume definition maps for each target component, geologic cross sections, etc.
- o Recommendations or plans for additional investigative work or remediation.

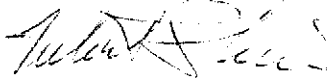
Please be advised that this is a formal request for a work plan pursuant to **Section 2722 (c)(d) of Title 23 California Code of Regulations**. Any extensions of the stated deadlines, or modifications of the required tasks, must be confirmed in writing by either this agency or RWQCB.

Lastly, it is the understanding of this office that the excavated soil from the tank removal is still stockpiled on your site. You are required to either dispose of this soil at a certified disposal facility, or if you have plans to reuse this soil on site, you are required to resample this soil to determine whether or not the concentrations are acceptable for reuse.

If you have any questions or comments, please contact me at (510) 271-4530.

Mr. Gary A. Thompson  
Re: 2584 Grant Ave.  
March 21, 1994  
Page 4 of 4

Sincerely,



Juliet Shin  
Hazardous Materials Specialist

cc: Edgar Howell-File(JS)



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

October 20, 1993

Gary A. Thompson  
Thompson & Thompson Fence Co.  
2584 Grant Ave.  
San Lorenzo CA 94580

**FINAL NOTICE OF VIOLATION**

RE: Soil Sampling Results from Tank Removal

Dear Mr. Thompson:

On November 6, 1992 an underground leaded gasoline storage tank was removed from your property. To date, this office has not received the following required information and documents:

1. Laboratory analysis results of soil samples collected from the tank pit and from excavated soils. Laboratory generated analysis results, accompanied by chain-of-custody records and sampler's field notes, are required.
2. Copies of Hazardous Waste Manifests for tanks, piping, tank rinsates and soil hauled as hazardous waste. A copy of the form signed by disposal facility staff is required.
3. Information regarding disposition of excavated soil. Please provide information as to whether excavated soils were hauled away or left on site. If soils were hauled away, provide documentation establishing the disposal site.

Section 13267 (b) of the California Water Code requires that the above information be submitted. Please provide the requested information by November 3, 1993. You may contact me with any questions at (510)271-4320.

Sincerely,

Pamela J. Evans  
Senior Hazardous Materials Specialist

c: Gil Jensen, Alameda County District Attorney's Office  
Richard Hiett, Regional Water Quality Control Board



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

June 30, 1993

Gary A. Thompson  
Thompson & Thompson Fence Co.  
2584 Grant Ave.  
San Lorenzo CA 94580

**NOTICE OF VIOLATION**

RE: Soil Sampling Results from Tank Removal

Dear Mr. Thompson:

On November 6, 1992 an underground leaded gasoline storage tank was removed from your property. To date, this office has not received the following required information and documents:

1. Laboratory analysis results of soil samples collected from the tank pit and from excavated soils. Laboratory generated analysis results, accompanied by chain-of-custody records and sampler's field notes, are required.
2. Copies of Hazardous Waste Manifests for tanks, piping, tank rinsates and soil hauled as hazardous waste. A copy of the form signed by disposal facility staff is required.
3. Information regarding disposition of excavated soil. Please provide information as to whether excavated soils were hauled away or left on site. If soils were hauled away, provide documentation establishing the disposal site.

Section 2672 of Title 23, California Code of Regulations requires that the above information be submitted to this office. Please provide the requested information by July 15, 1993. You may contact me with any questions at (510) 271-4320.

Sincerely,

Pamela J. Evans  
Senior Hazardous Materials Specialist

c: Gil Jensen, Alameda County District Attorney's Office  
James Ferdinand, Alameda County Fire Department

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY  
DAVID J. KEARS, Agency Director



R0467

RAFAT A. SHAHID, Assistant Agency Director

March 8, 1993

Gary Hunt  
1187 Westbay Av.  
San Leandro CA 94577

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

**RE: Storage of Waste Oil at 2572-2584 Grant Av., San Lorenzo**

Dear Mr. Hunt:

As you know, I responded to a complaint of illegal waste oil disposal in the vicinity of a row of businesses that on your Grant Av property. East Bay Regional Park Department personnel reported finding plastic gallon jugs of waste oil in their park dumpster and along the drive way of your business property.

I spoke with a number of your tenants regarding hazardous waste disposal practices at your property. I observed six one-gallon jugs and one metal 55 gallon drum apparently containing waste oil in the driveway of 2572-2584 Grant. It appears that none of the businesses accumulates waste oil as a result of their regular business activity. However, it seems that the business people are working on personal cars and leaving used motor oil and transmission fluid in the drum and in plastic jugs along the driveway.

As we discussed, accumulation, storage and disposal of used oil is subject to regulation and fees by local agencies. It is my understanding that all accumulated waste oil has now been removed from the site. As there is no apparent need for the businesses on your property to accumulate waste oil, they must cease this practice immediately or be subject to regulation and fees.

I will pay a follow up visit to the site in the next few weeks to verify that no waste oil or waste oil containers remain on the premises. Meanwhile, you or your tenants may contact me with any questions at (510)271-4320.

Sincerely,

Pamela J. Evans  
Senior Hazardous Materials Specialist

c: Mark Taylor, East Bay Regional Parks Department  
Shere Foster, California Department of Fish and Game  
James Ferdinand, Eden-Castro Valley Fire District  
Ken Johnson, Advanced Sheet Metal  
Rick Stefani, D&D Cycles  
Robert Burt, Vend It Services

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY  
DAVID J. KEARS, Agency Director



R0467

RAFAT A. SHAHID, Assistant Agency Director

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

March 8, 1993

Gary A. Thompson  
Thompson & Thompson Fence Co.  
2584 Grant Ave.  
San Lorenzo CA 94580

**RE: Soil Sampling Analysis Results from Tank Removal**

Dear Mr. Thompson:

On November 6, 1992, an underground leaded gasoline storage tank was removed from your property. To date, this office has not received the following information and documents:

1. **Laboratory analysis results** of soil samples collected from the tank pit and excavated soils: Laboratory generated analysis results, accompanied by chain-of-custody records and sampler's field notes, are required.
2. **Copies of Hazardous Waste Manifests** for tanks, piping, tank rinsates and any soil hauled as hazardous waste: A copy of the form signed by disposal facility staff is required.
3. **Information regarding disposition of excavated soil:** Please provide information as to whether excavated soils were hauled away or left on site. If soils were hauled away, provide documentation establishing the disposal site.

The underground tank closure plan requires that the above information be submitted to this office within 60 days of the date of tank removal. **Please provide the information and documents listed above by March 22, 1993.** You may contact me with any questions at 271-4320.

Sincerely,

Pamela J. Evans  
Senior Hazardous Materials Specialist

c: Michael O'Connor, Alameda County District Attorney's Office  
James Ferdinand, Eden-Castro Valley Fire District  
Hagop Kevork, Kaprealian Engineering, Inc.



ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY  
DAVID J. KEARS, Agency Director



R0467

RAFAT A. SHAHID, Assistant Agency Director

August 3, 1992

Gary A. Thompson  
Thompson & Thompson Fence Co.  
2584 Grant Ave.  
San Lorenzo CA 94580

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

Dear Mr. Thompson:

As you are aware from past Notices from this office, Thompson and Thompson has been in violation of Section 25298 of the Health and Safety Code of California for at least 1 1/2 years. This Section requires that unused underground fuel storage tanks be monitored or removed. A removal plan was reviewed and accepted by this office over one year ago. To date, the tank has neither been removed nor monitored.

In my last Notice, you were instructed to submit documentation of tank monitoring or removal activities by July 22, 1992. Paradiso Construction Co.'s letter of July 31, 1992 was the first formal response to this deadline. Based on my recent conversations with Deanna Harding of Paradiso, it is my understanding that the first week of November, is the earliest date that Paradiso Construction Co. can remove the tank at your site.

Thompson & Thompson is required to notify this office in writing of the date by which the tank will be removed. In no case is the tank to remain onsite past November 6, 1992. You must also supply this office with completed tank permit application forms (blanks enclosed). Please submit your timetable and completed permit forms by August 15, 1992.

While I understand that tank removal scheduling must be coordinated with the contractor, November 6, 1992 is a deadline that must not be exceeded. Should you fail to remove the tank by that date, this matter will be immediately referred to the Alameda County District Attorney's Office for further enforcement action. You may contact me with any questions at 271-4320.

Sincerely,

Pamela J. Evans  
Senior Hazardous Materials Specialist

Enclosure

c: Mark Thomson, Alameda County District Attorney's Office  
Richard Hiatt, Regional Water Quality Control Board  
James Ferdinand, Eden Fire District

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY  
DAVID J. KEARS, Agency Director



R0467

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

June 27, 1991

Gary A. Thompson  
Thompson & Thompson Fence Co.  
2584 Grant Ave.  
San Lorenzo CA 94580

RE: Abandoned Underground Tank

SECOND NOTICE OF VIOLATION

Dear Mr. Thompson:

On November 16, 1990, I inspected your premises at the above noted address. At that time, you stated to me that the underground fuel tank onsite was empty and had not been used in over two years. You also stated that you did not intend to use the tank to store motor vehicle fuel in the future. I explained to you that unused fuel tanks must be either permitted and monitored or removed.

In accordance with the California Code of Regulations, Title 23, Section 2670, and consistent with your stated intentions regarding the underground tanks, you must submit permit forms and a tank closure plan to this office. These documents must be received by this office **by July 10, 1991**. Include a written timetable of your planned tank removal activities.

Please note that Section 25299 (a) of the Health and Safety Code of California states that any operator of an underground tank system shall be liable for a civil penalty of not less than \$500 per day for operating an underground tank without a permit or for failing to properly close an underground tank.

You may contact me with any questions at 271-4320.

Sincerely,

Pamela J. Evans  
Hazardous Materials Specialist

c: Gil Jensen, Alameda County District Attorney's Office  
Richard Hiett, Regional Water Quality Control Board  
James Ferdinand, Eden Consolidated Fire Prevention District

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY  
DAVID J. KEARS, Agency Director



R0467

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

June 27, 1991

Gary A. Thompson  
Thompson & Thompson Fence Co.  
2584 Grant Ave.  
San Lorenzo CA 94580

RE: Abandoned Underground Tank

**FINAL NOTICE OF VIOLATION**

Dear Mr. Thompson:

On November 16, 1990, I inspected your premises at the above noted address. At that time, you stated to me that the underground fuel tank onsite was empty and had not been used in over two years. You also stated that you did not intend to use the tank to store motor vehicle fuel in the future. On July 18, 1991 I completed my review of your closure plan. On September 17, 1991 I spoke with your office and was told that no date had been set for the tank removal.

Based upon your description of the use of the tank, Thompson and Thompson has been in violation of Section 25298 of the Health and Safety Code of California for at least 1 1/2 years. Section 25298 requires that unused underground fuel storage tanks be monitored or removed. Please note that Section 25299 (a) of the Health and Safety Code of California states that any operator of an underground tank system shall be liable for a civil penalty of not less than \$500 per day for operating an underground tank without a permit or for failing to properly close an underground tank.

You are required either to begin monitoring your tank or remove it by August 7, 1992. Please submit either of the following by July 22, 1992:

1. A monitoring plan that complies with the provisions of Article 4, Chapter 16, Division 3 of Title 23 of the California Code of Regulations.

Gary A. Thompson  
Thompson and Thompson  
July 7, 1992  
Page 2 of 2

R0467

2. An updated tank closure plan. Please include any changes to the original plan.

You may contact me with any questions at 271-4320.

Sincerely,



Pamela J. Evans  
Senior Hazardous Materials Specialist

c: Gil Jensen, Alameda County District Attorney's Office  
Richard Hiett, Regional Water Quality Control Board  
James Ferdinand, Eden Fire District

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY  
DAVID J. KEARS, Agency Director



R0467

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

June 27, 1991

Gary A. Thompson  
Thompson & Thompson Fence Co.  
2584 Grant Ave.  
San Lorenzo CA 94580

RE: Abandoned Underground Tank

SECOND NOTICE OF VIOLATION

Dear Mr. Thompson:

On November 16, 1990, I inspected your premises at the above noted address. At that time, you stated to me that the underground fuel tank onsite was empty and had not been used in over two years. You also stated that you did not intend to use the tank to store motor vehicle fuel in the future. I explained to you that unused fuel tanks must be either permitted and monitored or removed.

In accordance with the California Code of Regulations, Title 23, Section 2670, and consistent with your stated intentions regarding the underground tanks, you must submit permit forms and a tank closure plan to this office. These documents must be received by this office by July 10, 1991. Include a written timetable of your planned tank removal activities.

Please note that Section 25299 (a) of the Health and Safety Code of California states that any operator of an underground tank system shall be liable for a civil penalty of not less than \$500 per day for operating an underground tank without a permit or for failing to properly close an underground tank.

You may contact me with any questions at 271-4320.

Sincerely,

A handwritten signature in cursive script that reads "Pamela J. Evans".

Pamela J. Evans  
Hazardous Materials Specialist

c: Gil Jensen, Alameda County District Attorney's Office  
Richard Hiatt, Regional Water Quality Control Board  
James Ferdinand, Eden Consolidated Fire Prevention District

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY  
DAVID J. KEARS, Agency Director



R0467

January 24, 1991

Gary A. Thompson  
Thompson & Thompson Fence Co.  
✓ 2584 Grant Ave.  
San Lorenzo CA 94580

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

RE: Abandoned Underground Tank

**NOTICE OF VIOLATION**

Dear Mr. Thompson:

On November 16, 1990, I inspected your premises at the above noted address. At that time, you stated to me that the underground fuel tank onsite was empty and had not been used in over two years. You also stated that you did not intend to use the tank to store motor vehicle fuel in the future. I explained to you that unused fuel tanks must be either monitored or removed. As it is not feasible to monitor an empty tank according to the requirements set forth in Title 23 of the California Code of Regulations, I informed you that your only choice was to remove the tank. I instructed you in writing to submit underground tank permit forms and a timetable for tank removal to my office by December 16, 1990.

Since that date you have not contacted this office or submitted any of the required information or documents. In accordance with the California Code of Regulations, Title 23, Section 2670, and consistent with your stated intentions regarding the underground tanks, you must submit a permit forms and a tank closure plan (enclosed) to this office. These documents must be received by this office by February 28, 1991. Attach a written timetable of your planned tank removal activities. You may contact me with any questions at 271-4320.

Sincerely,

A handwritten signature in cursive script that reads "Pamela J. Evans".

Pamela J. Evans  
Hazardous Materials Specialist

Enclosures

c: Gil Jensen, Alameda County District Attorney's Office  
Richard Hiatt, Regional Water Quality Control Board