

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



05-07-01
1
PO497

STID 3101

May 4, 2001

Rick Gold
Engine Research Co.,
584 East Lewelling Blvd.,
San Lorenzo, CA 94580

Max Gracio
508 East Lewelling Blvd.,
San Lorenzo, CA 94580

Trinh Hoang and Oanh Tran
508 East Lewelling Blvd.,
San Lorenzo, CA 94580

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

Re: Required investigations at 508 East Lewelling Blvd., San Lorenzo, CA

Dear Messrs. Gold, Gracio, Hoang, and Mrs. Tran:

I am in receipt of faxed copy of a letter dated April 30, 2001 by Mr. Siegel of Eras Environmental as well as an addendum dated December 29, 2000, to the workplan for groundwater investigation dated December 19, 2000, prepared by Ms. Gail Jones of Eras Environmental Inc., regarding the above referenced site. This addendum proposes to take three additional grab groundwater samples in addition to the soil/groundwater samples already proposed in the workplan dated September 22, 2000. The additional proposed samples as depicted on figure 2 of the addendum dated December 29, 2000, are acceptable and will assist to delineate the extent of plume at the above referenced site.

Two additional grab groundwater samples will be taken at northern, southeastern of the property and one grab groundwater sample will be taken offsite of the property on south end of East Lewelling Boulevard across the above referenced site. The most recent addendum, dated April 30, 2001, was requested after my discussion with Mr. Siegel of ERAS Environmental, your consultant, and due to Clean Up fund (USTCF) requirements. I understand that standard 2-inch diameter casing will be used during the monitoring well constructions.

I concur with the addendum to the specified workplan per my discussion with Mr. Siegel of ERAS Environmental. However, as you are aware more investigation might be necessary based on the result of this workplan implementation.

The laboratory analysis of the groundwater/soil samples must include MTBE as well as other constituents.


A representative of this office is to be present during the soil and groundwater sampling events. Please inform this office several days prior to the actual sampling events.

Furthermore, please be advised that both previous and present owners and operators, which includes all individuals mentioned above, are considered "**Responsible Party**" per Section 2720 Article 11, Title 23 California Code of Regulation (CCR), regardless of the status of property. Therefor, I urge you to apply for the State Clean up fund and comply with the legal requirements as specified by this office.

Enclosed please find a copy of Section 2720 Title 23 CCR defining "Responsible Party".

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

Sincerely,


Amir K. Gholami, REHS
Hazardous Materials Specialist

C: Mr. David Siegel, Eras Environmental Inc., 3787 Brookdale Boulevard, Castro Valley, CA
94546
Files

ARTICLE 11. CORRECTIVE ACTION REQUIREMENTS

2720. Additional Definitions

Unless the context clearly indicates otherwise, the following definition shall apply to terms used in this Article.

"Corrective action" means any activity necessary to investigate and analyze the effects of an unauthorized release; propose a cost-effective plan to adequately protect human health, safety, and the environment and to restore or protect current and potential beneficial uses of water; and implement and evaluate the effectiveness of the activity(ies). Corrective action does not include any of the following activities:

- (1) Detection, confirmation, or reporting of the unauthorized release; or
- (2) Repair, upgrade, replacement or removal of the underground storage tank.

"Cost effective" means actions that achieve similar or greater water quality benefits at an equal or lesser cost than other corrective actions.

"Federal act" means Subchapter IX (commencing with Section 6991) of Chapter 82 of Title 42 of the United States Code, as added by the Hazardous and Solid Waste Amendments of 1984 (P.L. 98-616), or as it may subsequently be amended or supplemented, and the regulations adopted pursuant thereto.

"Regulatory agency" means the Board, regional board, or any local, state, or federal agency which has responsibility for regulating underground storage tanks or which has responsibility for overseeing cleanup of unauthorized releases from underground storage tanks.

"Responsible party" means one or more of the following:

- (1) Any person who owns or operates an underground storage tank used for the storage of any hazardous substance;
- (2) In the case of any underground storage tank no longer in use, any person who owned or operated the underground storage tank immediately before the discontinuation of its use;
- (3) Any owner of property where an unauthorized release of a hazardous substance from an underground storage tank has occurred; and
- (4) Any person who had or has control over an underground storage tank at the time of or following an unauthorized release of a hazardous substance.

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



12-21-00

1

20497

STID 3101

December 19, 2000

Rick Gold
Engine Research Co.,
584 East Lewelling Blvd.,
San Lorenzo, CA 94580

Max Gracio
508 East Lewelling Blvd.,
San Lorenzo, CA 94580

Trinh Hoang and Oanh Tran
508 East Lewelling Blvd.,
San Lorenzo, CA 94580

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

Re: Required investigations at 508 East Lewelling Blvd., San Lorenzo, CA

Dear Messrs. Gold, Gracio, Hoang, and Tran:

I am in receipt of an addendum to the workplan for groundwater investigation dated December 19, 2000, prepared by Ms. Gail Jones of Eras Environmental Inc., regarding the above referenced site. I have also discussed this addendum with Ms. Gail Jones. This addendum proposes to take three additional grab groundwater samples in addition to the soil/groundwater samples already proposed in the workplan dated September 22, 2000. The additional samples will improve, but not completely delineate the extent of plume at the above referenced site.

Two additional grab groundwater samples will be taken at northern, southeastern of the property and one grab groundwater sample will be taken offsite of the property on south of East Lewelling Boulevard.

I concur with this addendum to the specified workplan per my discussion with Ms. Jones. However, as you are aware more investigation might be necessary based on the result of this workplan implementation.

The laboratory analysis of the groundwater/soil samples must include MTBE as well as other constituents.

A representative of this office is to be present during the soil and groundwater sampling events. Please inform this office several days prior to the actual sampling events.

Please call me at (510)-567-6876, should you have any questions.

Sincerely,



Amir K. Gholami, REHS
Hazardous Materials Specialist

C: Mr. David Siegel, Eras Environmental Inc., 3787 Brookdale Boulevard, Castro Valley, CA
94546
Files



R0497

STID 3101

December 6, 2000

Rick Gold
Engine Research Co.,
584 East Lewelling Blvd.,
San Lorenzo, CA 94580

Max Gracio
508 East Lewelling Blvd.,
San Lorenzo, CA 94580

Trinh Hoang and Oanh Tran
508 East Lewelling Blvd.,
San Lorenzo, CA 94580

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

Re: Required investigations at 508 East Lewelling Blvd., San Lorenzo, CA

Dear Messrs. Gold, Gracio, Hoang, and Tran:

I am in receipt of "workplan for groundwater investigation" dated September 22, 2000, prepared by Mr. David Siegel of Eras Environmental Inc., regarding the above referenced site. As you are aware this workplan proposes how to proceed with the groundwater investigation at the above referenced site.

I have reviewed this workplan and I generally concur with Mr. Siegel of Eras Environmental regarding the above referenced site. However, a previous investigation regarding the groundwater flow direction on the surrounding properties had revealed the groundwater flow to be from southwesterly to northwesterly direction. However according to figure 2 of this report, the sample AEI-2 had reveal up to 15,000 ppb of TPH-g. Since the groundwater flow varies southwesterly to northwesterly, I would recommend taking some additional grab ground water samples at area around AEI-2. and to the west of this area. Therefore, please take two additional soil/groundwater samples at these locations. This will allow better delineation of the existing plume.


Subsection "Geology" within the aforementioned workplan has not been completed at the last paragraph.

The laboratory analysis of the groundwater/soil samples must include MTBE as well as other constituents.

A representative of this office is to be present during the soil and groundwater sampling events. Please inform this office several days prior to the actual sampling events.

If you have any questions or comments, please do not hesitate to contact me at (510) 567-6876.

Sincerely,


Amir K. Gholami, REHS
Hazardous Materials Specialist

C: Mr. David Siegel, Eras Environmental Inc., 3787 Brookdale Boulevard, Castro Valley, CA
94546
Files

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



11-2-00₁

R0497

STID 3101

November 1, 2000

Rick Gold
Engine Research Co.,
584 East Lewelling Blvd.,
San Lorenzo, CA 94580

Max Gracio
508 East Lewelling Blvd.,
San Lorenzo, CA 94580

Trinh Hoang and Oanh Tran
508 East Lewelling Blvd.,
San Lorenzo, CA 94580

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

NOTICE OF VIOLATION

Re: Required investigations at 508 East Lewelling Blvd., San Lorenzo, CA

Dear Messrs. Gold, Gracio, Hoang, and Tran:

I would like to remind you that there was a deadline on October 9th, 2000 for you to submit a workplan regarding the above referenced site. In fact this deadline had been postponed several times including the latest by your recent consultant, Mr. David Siegel of Eras Environmental. This workplan submittal was originally due on September 25, 2000.

Per my letter dated September 25, 2000, even though Mr. Trinh Hoang and Mr. Oanh Tran have purchased the above referenced property, Mr. Gracio as the original property owner, is still the responsible party regardless of who will actually be in charge of implementing the environmental clean up activities. This responsibility is, in fact, spelled out in **Title 23 CCR, Underground Tank Storage Regulations, Article 11, Section 2720(1) through (4)**. However, Mr. Hoang and Oanh share this responsibility as well.

To my knowledge Mr. David Siegel of Eras Environmental, was supposed to be helping you in regard to the implementation of "Phase II Subsurface Investigations dated December 3rd, 1999 by Ms. Carrie Locke of All Environmental Inc. regarding the above referenced site.

According to a report by Ms. Locke of All Environmental a significant amount of chemical release has occurred at your site. This report indicated that AEI 1-W water sample contained 460,000ppb of TPH (g), up to 1,300ppb of MTBE, 990ppb of Benzene, 37,000ppb of Toluene, 19,000ppb of Ethylbenzene, and 90,000ppb of Xylene; And AEI 4-W water sample contained 430,000ppb of TPH (g), up to 500ppb of MTBE, 3,400ppb of Benzene, 66,000ppb of Toluene, 12,000ppb of Ethylbenzene, and 6,100ppb of Xylene.

You are required to further investigate the groundwater by installment of monitoring wells, and to determine groundwater flow gradient, etc. Furthermore, this office concurred with Ms. Locke's

STID 3101

November 1, 2000

recommendations for further investigation of the site due to the fact that the investigation has revealed significant release of petroleum hydrocarbon at the above referenced site.

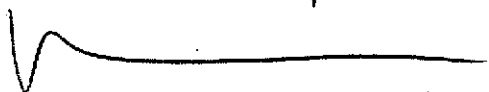
You are required to submit a workplan, which incorporates steps to delineate the existing plume including installation of monitoring wells etc. This must be performed to proceed further with the investigation of the subsurface condition at the above referenced site. **This work must be performed pursuant to Section 2722(c)(d) of Title 23 California Code of Regulations.**

Please be advised that you have a legal obligation to submit a plan to address these issues by the recently set deadline of December 1, 2000.

You should inform this office several days prior to the actual sampling events so that a representative of this office could be present, if necessary, during the soil and groundwater sampling events.

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

Sincerely,



Amir K. Gholami, REHS
Hazardous Materials Specialist

C: Mr. David Siegel of Eras Environmental, 3787 Brookdale blvd., Castro Valley, CA 94546
Files



STID 3101

September 25, 2000

Rick Gold
Engine Research Co.,
584 East Lewelling Blvd.,
San Lorenzo, CA 94580

Max Gracio
508 East Lewelling Blvd.,
San Lorenzo, CA 94580

Trinh Hoang and Oanh Tran
508 East Lewelling Blvd.,
San Lorenzo, CA 94580

Re: Required investigations at 508 East Lewelling Blvd., San Lorenzo, CA.

Dear Messrs. Gold, Gracio, Hoang, and Tran:

I have received a phone call from Mr. David Siegel of Eras Environmental, your recent consultant, who requested for an extension for the submittal of a workplan, which was due on September 25, 2000. Mr. Siegel has requested this extension due to some technicalities. This extension is granted. Please submit the required plan by October 9th, 2000.

Please be advised that even though Mr. Trinh Hoang and Mr. Oanh Tran have purchased the above referenced property, Mr. Gracio as the original property owner, is still the responsible party regardless of who will actually will be in charge of implementing the environmental clean up activities. However, Mr. Hoang and Oanh share this responsibility as well. Please ensure that your activities are approved for reimbursement by the State Fund office.

I understand that Mr. David Siegel of Eras Environmental will be helping you in regard to the implementation of "Phase II Subsurface Investigations dated December 3rd, 1999 by Ms. Carrie Locke of All Environmental Inc. regarding the above referenced site.

Per our discussion and the report by Ms. Locke of All Environmental indicated that, AEI 1-W water sample revealed 460,000ppb of TPH (g), up to 1,300ppb of MTBE, 990ppb of Benzene, 37,000ppb of Toluene, 19,000ppb of Ethylbenzene, and 90,000ppb of Xylene. While AEI 4-W water sample revealed 430,000ppb of TPH (g), up to 500ppb of MTBE, 3,400ppb of Benzene, 66,000ppb of Toluene, 12,000ppb of Ethylbenzene, and 6,100ppb of Xylene.

You are required to further investigate the groundwater by installment of monitoring wells, and to determine groundwater flow gradient, etc. Furthermore, this office concurred with Ms. Locke's recommendations for further investigation of the site due to the fact that the investigation has revealed significant release of petroleum hydrocarbon at the above referenced site.

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

STID 3101
September 25, 2000

You must submit a workplan, which incorporates steps to delineate the existing plum including installation of monitoring wells etc. This must be performed to proceed further with the investigation of the subsurface condition at the above referenced site. This work must be performed pursuant to Section 2722(c)(d) of Title 23 California Code of Regulations.

I would like to remind you of your legal obligation to submit a plan to address these issues by the recently set deadline of October 9th, 2000.

Please inform this office several days prior to the actual sampling events so that a representative of this office could be present, if necessary, during the soil and groundwater sampling events.

Should you have any questions or comments, please do not hesitate to call me at (510) 567-6876.

Sincerely,



Amir K. Gholami, REHS
Hazardous Materials Specialist

C: Mr. David Siegel of Eras Environmental, 3787 Brookdale blvd., Castro Valley, CA 94546
Files

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



SENT 9-12-2000
1

20497

STID 3101

September 11, 2000

Rick Gold
Engine Research Co.,
584 East Lewelling Blvd.,
San Lorenzo, CA 94580

Max Gracio
508 East Lewelling Blvd.,
San Lorenzo, CA 94580

Trinh Hoang and Oanh Tran
508 East Lewelling Blvd.,
San Lorenzo, CA 94580

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

Re: Required investigations at 508 East Lewelling Blvd., San Lorenzo, CA

Dear Messrs. Gold, Gracio, Hoang, and Tran:

This office is in receipt of a letter dated July 31, 2000, which was received on September 7, 2000. Attached with this letter is a copy of purchase agreement for the property at the above referenced site. I understand that Mr. Trinh Hoang and Mr. Oanh Tran have purchased the above referenced property. Please be advised that Mr. Gracio as the original property owner, is still the responsible party regardless of who will actually will be in charge of implementing the environmental clean up activities. However, Mr. Hoang and Oanh share this responsibility as well. Please ensure that your activities are approved for reimbursement by the State Fund office.

Additionally, per my last letter dated August 14, 2000, you still need to submit plan regarding the issues at the above referenced site. I understood that Mr. David Siegel of Eras Environmental, 3787 Brookdale blvd., Castro Valley, CA 94546, would be working with you regarding the implementation of "Phase II Subsurface Investigations dated December 3rd, 1999 by Ms. Carrie Locke of All Environmental Inc. regarding the above referenced site. Mr. Siegel had previously indicated that he would be submitting a workplan to proceed further with this case.

As you are aware previous report by Ms. Locke of All Environmental indicated that, AEI 1-W water sample revealed 460,000ppb of TPH (g), up to 1,300ppb of MTBE, 990ppb of Benzene, 37,000ppb of Toluene, 19,000ppb of Ethylbenzene, and 90,000ppb of Xylene. While AEI 4-W water sample revealed 430,000ppb of TPH (g), up to 500ppb of MTBE, 3,400ppb of Benzene, 66,000ppb of Toluene, 12,000ppb of Ethylbenzene, and 6,100ppb of Xylene.

This office required you to further investigate the groundwater by installment of monitoring wells, and to determine groundwater flow gradient, etc. This office concurred with Ms. Locke's recommendations for further investigation of the site due to the fact that the investigation has revealed significant release of petroleum hydrocarbon at the above referenced site.

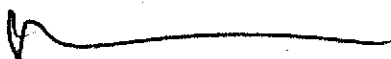
You must submit a workplan, which incorporates steps to delineate the existing plum including installation of monitoring wells etc. This must be performed to proceed further with the investigation of the subsurface condition at the above referenced site. The plan, which was due on June 23rd, 2000, has not been submitted yet. Mr. Siegel of Eras Environmental assured me that he will be submitting a workplan within two weeks pending your approval of his work. This work must be performed pursuant to Section 2722(c)(d) of Title 23 California Code of Regulations.

I would like to remind you of your previous legal obligation to submit a plan to address these issues by September 14th, 2000. I will extend this deadline to September 25, 2000 to allow you more time during the change of ownership transition. However, please be advised that this case will be transferred to Alameda County District Attorney's office if the work plan is not received by the newly set deadline.

Additionally, please inform this office several days prior to the actual sampling events so that a representative of this office could be present, if necessary, during the soil and groundwater sampling events.

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

Sincerely,



Amir K. Gholami, REHS
Hazardous Materials Specialist

C: Mr. David Siegel of Eras Environmental, 3787 Brookdale blvd., Castro Valley, CA 94546
Files

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



SENT 8-14-2000

1

RO# 497

STID 3101

August 14, 2000

Rick Gold
Engine Research Co.,
584 East Lewelling Blvd.,
San Lorenzo, CA 94580

Max Gracio
508 East Lewelling Blvd.,
San Lorenzo, CA 94580

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

Re: Required investigations at 508 East Lewelling Blvd., San Lorenzo, CA

Dear Messrs. Gold and Mr. Gracio:

I just received a phone call from Mr. David Siegel of Eras Environmental, 3787 Brookdale Blvd., Castro Valley, CA 94546. Mr. Siegel informed me that he would be working with you regarding the implementation of "Phase II Subsurface Investigations dated December 3rd, 1999 by Ms. Carrie Locke of All Environmental Inc. regarding the above referenced site. Mr. Siegel indicated that he would be submitting a workplan to proceed further with this case.

As you are aware previous report by Ms. Locke of All Environmental indicated that, AEI 1-W water sample revealed 460,000ppb of TPH (g), up to 1,300ppb of MTBE, 990ppb of Benzene, 37,000ppb of Toluene, 19,000ppb of Ethylbenzene, and 90,000ppb of Xylene. While AEI 4-W water sample revealed 430,000ppb of TPH (g), up to 500ppb of MTBE, 3,400ppb of Benzene, 66,000ppb of Toluene, 12,000ppb of Ethylbenzene, and 6,100ppb of Xylene.

This office required you to further investigate the groundwater by installment of monitoring wells, and to determine groundwater flow gradient, etc. This office concurred with Ms. Locke's recommendations for further investigation of the site due to the fact that the investigation has revealed significant release of petroleum hydrocarbon at the above referenced site.

You must submit a workplan, which incorporates steps to delineate the existing plume including installation of monitoring wells etc. This must be performed to proceed further with the investigation of the subsurface condition at the above referenced site. The plan, which was due on June 23rd, 2000, has not been submitted yet. Mr. Siegel of Eras Environmental assured me that he will be submitting a workplan within two weeks pending your approval of his work. This work must be performed pursuant to Section 2722(c)(d) of Title 23 California Code of Regulations.

Please submit a plan to address these issues within 30 days by September 14th, 2000, or the case will be transferred to Alameda County District Attorney's office.

Additionally, please inform this office several days prior to the actual sampling events so that a representative of this office could be present, if necessary, during the soil and groundwater sampling events.

Should you have any questions or comments, please call me at (510) 567-6876.

Sincerely,



Amir K. Gholami, REHS
Hazardous Materials Specialist

C: Mr. David Siegel of Eras Environmental, 3787 Brookdale blvd., Castro Valley, CA 94546
Files



SENT 5-24-2000
old calls 1

20497

STID 3101

May 23, 2000

Rick Gold
Engine Research Co.,
584 East Lewelling Blvd.,
San Lorenzo, CA 94580

Max Gracio
508 East Lewelling Blvd.,
San Lorenzo, CA 94580

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

NOTICE OF VIOLATION

Re: Required investigations at 508 East Lewelling Blvd., San Lorenzo, CA

Dear Messrs. Gold and Mr. Gracio:

This office sent you a letter dated December 28, 1999 regarding implementation of "Phase II Subsurface Investigations dated December 3rd, 1999 by Ms. Carrie Locke of All Environmental Inc. regarding the above referenced site. This report indicated a significant release of petroleum Hydrocarbons from the former underground storage tanks, USTs.

According to this report AEI 1-W water sample revealed 460,000ppb of TPH (g), up to 1,300ppb of MTBE, 990ppb of Benzene, 37,000ppb of Toluene, 19,000ppb of Ethylbenzene, and 90,000ppb of Xylene. While AEI 4-W water sample revealed 430,000ppb of TPH (g), up to 500ppb of MTBE, 3,400ppb of Benzene, 66,000ppb of Toluene, 12,000ppb of Ethylbenzene, and 6,100ppb of Xylene.

Within the same report, Ms. Carrie Locke of All Environmental Inc. recommended a need to further investigation the groundwater by installment of monitoring wells, and to determine groundwater flow gradient, etc. This office concurred with Ms. Locke's recommendations for further investigation of the site due to the fact that the investigation has revealed significant release of petroleum hydrocarbon at the above referenced site.


Please submit a plan, which incorporates steps to delineate the existing plum including installation of monitoring wells etc. This must be performed to proceed further with the investigation of the subsurface condition at the above referenced site. The plan has not been submitted yet. **Please submit a plan to address these issues within 30 days by June 23rd, 2000, or the case will be transferred to Alameda County District Attorney's office.**

Furthermore, please inform this office several days prior to the actual sampling events so that a representative of this office could be present, if necessary, during the soil and groundwater sampling events.

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.

If you have any questions or comments, please do not hesitate to contact me at (510) 567-6876.

Sincerely,



Amir K. Gholami, REHS
Hazardous Materials Specialist

C: Ms. Carrie Locke, Senior Project Manager, 901 Moraga Road, Suite C, Lafayette,
CA 94549-4567
Files

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



Sent 12/29/99
Including cc's
1

00497

STID 3101

December 28, 1999

Rick Gold
Engine Research Co.,
584 East Lewelling Blvd.,
San Lorenzo, CA 94580

Max Gracio
508 East Lewelling Blvd.,
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 investigations at 508 East Lewelling Blvd., San Lorenzo, CA

Dear Messrs. Gold and Mr. Gracio:

This office is in receipt of "Phase II Subsurface Investigations dated December 3rd, 1999 by Ms. Carrie Locke of All Environmental Inc. regarding the above referenced site. Thank you for the submittal of this report. Per this report AEI 1-W water sample revealed 460,000ppb of TPH (g), up to 1,300ppb of MTBE, 990ppb of Benzene, 37,000ppb of Toluene, 19,000ppb of Ethylbenzene, and 90,000ppb of Xylene. While AEI 4-W water sample revealed 430,000ppb of TPH (g), up to 500ppb of MTBE, 3,400ppb of Benzene, 66,000ppb of Toluene, 12,000ppb of Ethylbenzene, and 6,100ppb of Xylene. This indicates a significant release of petroleum Hydrocarbons from the former underground storage tanks, USTs.

I concur with the AEI recommendation for a need to further investigation the groundwater by installment of monitoring wells, and to determine groundwater flow gradient, etc.

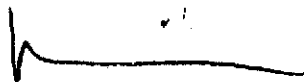
Please submit a plan, which incorporates steps to delineate the existing plum including installation of monitoring wells etc. This must be performed to proceed further with the investigation of the subsurface condition at the above referenced site.

Additionally, please inform this office several days prior to the actual sampling events so that a representative of this office could be present, if necessary, during the soil and groundwater sampling events.

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.

Should you have any questions or comments, please do not hesitate to contact me at (510) 567-6876.

Sincerely,



Amir K. Gholami, REHS
Hazardous Materials Specialist

C: Ms. Carrie Locke, Senior Project Manager, 901 Moraga Road, Suite C, Lafayette,
CA 94549-4567
Files

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



Sent 11-10-99
Including cc's

P0497

STID 3101

November 9, 1999

Rick Gold
Engine Research Co.,
584 East Lewelling Blvd.,
San Lorenzo, CA 94580

Max Gracio
508 East Lewelling Blvd.,
San Lorenzo, CA 94580

ENVIRONMENTAL HEALTH SERVICES
ENVIRONMENTAL PROTECTION
1131 Harbor Bay Parkway
Alameda, CA 94502-6577
(510) 567-6700
(510) 337-9432

Re: Required investigations at 508 East Lewelling Blvd., San Lorenzo, CA

Dear Messrs. Gold and Mr. Gracio:

I have just received an incomplete faxed copy of the required investigation regarding the above referenced site by your consultant, Ms. Carrie Locke of All Environmental Inc. The incomplete report of the analysis indicates 460,000ppb of TPH(g), up to 1,300ppb of MTBE, 990ppb of Benzene, 37,000ppb of Toluene, 19,000ppb of Ethylbenzene, and 90,000ppb of Xylene in AEI 1-W water sample. Water sample AEI 4-W revealed 430,000ppb of TPH(g), up to 500ppb of MTBE, 3,400ppb of Benzene, 66,000ppb of Toluene, 12,000ppb of Ethylbenzene, and 6,100ppb of Xylene.

You are required to comply with the following:

The partially submitted analytical report has not been sent completely. Please submit the "complete report" as required. The report must describe the status of the investigation and must include, among others, the following elements:

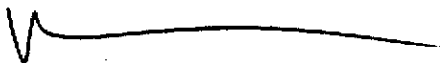
1. Details and results of all work performed during the designated period of time: records of field observations and data, boring and well construction logs, water level data, chain-of-custody forms, laboratory results for all samples collected and analyzed, tabulations of free product thicknesses and dissolved fractions, etc.
2. Status of groundwater contamination characterization
3. Interpretations of results: water level contour maps showing gradients, free and dissolved product, plume definition maps for each target component, geologic cross sections, etc.
4. Recommendations or plans for additional investigative work or remediation. Therefore, you must submit a workplan for installment of monitoring well(s), and to proceed further with the investigation/remediation due to the impact on the groundwater per this analysis.

A representative of this office is to be present during the soil and groundwater sampling events. Please inform this office several days prior to the actual sampling events.

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.

If you have any questions or comments, please contact me at (510) 567-6876.

Sincerely,



Amir K. Gholami, REHS
Hazardous Materials Specialist

C: Ms. Carrie Locke, Senior Project Manager, 901 Moraga Road, Suite C, Lafayette,
CA 94549-4567
Files

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



SENT 9-10-99
(1) R. GOLD 1
(2) M. GRACIO
(3) C. LOCKE
(4) A. GHOLANI R0497

Stid 3101

September 8, 1999

Rick Gold
Engine Research Co.,
584 East Lewelling Blvd.,
San Lorenzo, CA 94580

Max Gracio
508 East Lewelling Blvd.,
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 investigations at 508 East Lewelling Blvd., San Lorenzo, CA

Dear Mr. Gold and Mr. Gracio:

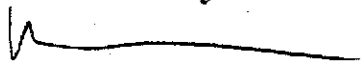
Per my discussion with your consultant, Ms. Carrie Locke of All Environmental Inc. your previous workplan has been amended to reflect the following requirements:

- An investigation regarding the groundwater flow direction on the surrounding properties was made by Ms. Locke and revealed the groundwater flow to be from southwesterly to northwesterly direction. Therefore, please take two additional soil/groundwater samples downgradient from the previous underground tank location to better delineate the existing plume.
- The laboratory analysis of the groundwater/soil samples must include MTBE as well as other constituents per my discussion with Ms. Locke.
- Pending the groundwater and soil samples laboratory analysis, more investigation might be required to further delineate the soil/groundwater contamination. This includes, but not limited to, the installment of monitoring wells, etc.
- A representative of this office is to be present during the soil and groundwater sampling events. Please inform this office several days prior to the actual sampling events.

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.

Should you have any questions or comments, please contact me at (510) 567-6876.

Sincerely,



Amir K. Gholami, REHS
Hazardous Materials Specialist

C: Ms. Carrie Locke, Senior Project Manager, 901 Moraga Road, Suite C, Lafayette,
CA 94549-4567
Files

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



1

Stid 3101

May 10, 1999

Rick Gold
Engine Research Co.,
584 East Lewelling Blvd.,
San Lorenzo, CA 94580

Max Gracio
508 East Lewelling Blvd.,
San Lorenzo, CA 94580

Re: Required investigations at 508 East Lewelling Blvd., San Lorenzo, CA

Dear Mr. Gold and Mr. Gracio:

This office is in receipt of the "Subsurface Investigation Workplan" submitted by Ms. Jennifer Pucci, of All Environmental Inc. regarding the above referenced site. The workplan is generally acceptable. However, there are several issues, which must be discussed:

- The ground water samples must be taken after an investigation regarding the groundwater flow direction on the surrounding properties, which might be available at this office.
- Pending the groundwater and soil samples laboratory analysis, more investigation might be required to further delineate the soil/groundwater contamination. This includes, but not limited to, the installment of monitoring wells, etc.
- A representative of this office is to be present during the soil and groundwater sampling events. Please inform this office several days prior to the actual sampling events.

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.

If you have any questions or comments, please contact me at (510) 567-6876.

20497
ENVIRONMENTAL HEALTH SERVICES
ENVIRONMENTAL PROTECTION (LOP)
1131 Harbor Bay Parkway, Suite 250
Alameda, CA 94502-6577
(510) 567-6700
FAX (510) 337-9335

Sincerely,



Amir K. Gholami, REHS
Hazardous Materials Specialist

C: Ms. Jennifer Pucci, Senior Project Manager, 901 Moraga Road, Suite C, Lafayette,
CA 94549-4567
Files

ALAMEDA COUNTY
HEALTH CARE SERVICES



AGENCY

DAVID J. KEARS, Agency Director

20497

Stid 3101

May 10, 1999

Rick Gold
Engine Research Co.,
584 East Lewelling Blvd.,
San Lorenzo, CA 94580

ENVIRONMENTAL HEALTH SERVICES

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

Max Gracio
508 East Lewelling Blvd.,
San Lorenzo, CA 94580

Re: Property at 508 East Lewelling Blvd., San Lorenzo, CA

LANDOWNER NOTIFICATION AND PARTICIPATION REQUIREMENTS

Dear Messrs. Gold and Gracio:

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.

LANDOWNER NOTIFICATION

Re: 508 East Lewelling Blvd., San Lorenzo

July 20, 1999

Page 2 of 2

In accordance with Section 25297.15(a) of Ch. 6.7 of the Health & Safety Code, you must certify to the local agency that all current record owners of fee title to the site have been informed of the proposed action before the local agency may do any of the following:

- 1) consider a cleanup proposal (corrective action plan)
- 2) consider a site closure proposal
- 3) make a determination that no further action is required
- 4) issue a closure letter

You may use the enclosed "notice of proposed action" form (sample letter 3) as a template to comply with this requirement. Before approving a cleanup proposal or site closure proposal, determining that no further action is required, or issuing a closure letter, the local agency will take all reasonable steps necessary to accommodate responsible landowner participation in the cleanup and site closure process and will consider all input and recommendations from any responsible landowner.

Please call me at (510) 567-6876 if you have any questions about the content of this letter.

Sincerely,



Amir K. Gholami, REHS
Hazardous Materials Specialist

cc: Chuck Headlee, RWQCB

Attachments: Sample letter 2 and Sample letter 3, which must be filled out by the Responsible Party and mailed to Alameda County.

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



ROA97

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

5/3/1999

STID#3101

Rick Gold
Engine Research Co.,
584 East Lewelling Blvd.,
San Lorenzo, CA 94580

Max Gracio
508 East Lewelling Blvd.,
San Lorenzo, CA 94580

**Subject: Required investigations at 508 East Lewelling Blvd.,
San Lorenzo, CA**

Dear Mr. Gold and Mr. Gracio:

I have been just informed by your consultant, Ms. Jennifer Pucci of All Environmental Inc., that she would like to extend the **submittal of the required Preliminary Site Assessment Plan (PSA) to 5/7/1999**. The request for this delay is acceptable. **Please disregard my letter dated 4/28/1999**. However, I would like to remind you of the overall process to avoid any misunderstanding.

The Preliminary Site Assessment (PSA) is necessary to determine the lateral and vertical extent and severity of soil and groundwater contamination, which has resulted 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. As indicated previously, the major elements of such an investigation, include, but are not limited to, the following:

- At least one groundwater monitoring well must be installed within 10 feet of the observed soil contamination, oriented in the confirmed downgradient direction relative to groundwater flow. In the absence of data identifying the local confirmed downgradient direction, a minimum of three wells will be required to verify gradient direction. During the installation of these wells, soil samples are to be collected at five-foot-depth intervals and any significant changes in lithology.
- Subsequent to the installation of the monitoring wells, these wells must be surveyed to an established benchmark (mean sea level, MSL), with an accuracy of 0.01 foot. Groundwater samples are to be collected and analyzed quarterly.

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.

All reports and proposals must be submitted under a seal of a California -Registered Geologist, -Certified Engineering Geologist, or Registered Civil Engineer.

The PSA proposal, once approved, should be implemented 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 office approves a change in sampling frequency or the site qualifies for closure. Such quarterly reports are due the first day of the second month of each subsequent quarter.

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

- 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.
- Status of groundwater contamination characterization
- Interpretations of results: water level contour maps showing gradients, free and dissolved product, plume definition maps for each target component, geologic cross sections, etc.
- Recommendations or plans for additional investigative work or remediation

The State Water Resources Control Board which manages an Underground Storage Tank Cleanup Fund (Fund) to help eligible Responsible Parties to obtain reimbursement for costs of investigating and remediating releases from petroleum underground storage tanks. I suggested you to contact this office and apply.

To obtain an Application Package, contact the Fund at the following:

State Water Resources Control Board
Division of Clean Water Programs
UST Cleanup Fund
P.O. Box 944212
Sacramento, CA 944212
Telephone: (916)227-4307


MS. Cheryl Gordon of the State Trust Fund can be reached at (916)-227-4539 should you have any questions.

Preliminary Site Assessment "PSA" work plan as well as the documentation regarding the fate of all excavated soil from the site is required. Submittal of a Preliminary Site Assessment Plan (PSA) should be made by a Registered Geologist or Registered Civil Engineer.

I will be looking forward for a PSA by 5/7/1999 as discussed above. Any extensions of the stated deadlines, or modifications of the required tasks, must be confirmed in writing by either this agency or RWQCB.

Please do not hesitate to call me at (510)-567-6876 if you have any questions.

Sincerely,



Amir K. Gholami, REHS
Hazardous Materials Specialist

C: Chuck Headlee, RWQCB
Bob Chambers, Alameda County District Attorney
Jennifer Pucci, All Environmental Inc., 901 Moraga Road, suite C
Lafayette, CA 94549
Files

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



1

RO# 497

Stid 3101

April 28, 1999

Rick Gold
Engne Research Co.,
584 East Lewelling Blvd.,
San Lorenzo, CA 94580

Max Gracio
508 East Lewelling Blvd.,
San Lorenzo, CA 94580

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

NOTICE OF VIOLATION

Re: Required investigations at 508 East Lewelling Blvd., San Lorenzo, CA

Dear Mr. Gold and Mr. Gracio:

This office has made several attempts to receive workplan regarding further investigative work at the referenced site beginning in August 23, 1995 through March 4, 1999. You have been sent numerous letters requiring further investigative work at the referenced facility. The letters sent on March 4, 1999, June 24, 1998, March 14, 1996, December 28, 1998, and August 23, 1995 all requested that you submit Preliminary Site Assessment "PSA" Plan by a Registered Geologist or Registered Civil Engineer.

I have indicated the above fact to you over our telephone discussion as well. In addition, we held a short meeting when we discussed the need for further work in the form of a PSA. As indicated in the letter dated March 24, 1999, and per Article 11, Division 3, Chapter 16, Title 23 of the California Code of Regulations, you are required to conduct a Preliminary Site Assessment (PSA) to determine the lateral and vertical extent and severity of soil and groundwater contamination, which has resulted 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. I further delineated the major elements of such an investigation.

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. **All reports and proposals must be submitted under a seal of a California Registered Geologist, Certified Engineering Geologist, or Registered Civil Engineer.**

I further explained about the PSA proposal, what it should consist of, the submittal of the initial and quarterly reports and their outlines, and the overall process toward closure accomplishment.

I also provided you with the State Water Resources Control Board which manages an Underground Storage Tank Cleanup Fund (Fund) to help eligible Responsible Parties to obtain reimbursement for costs of investigating and remediating releases from petroleum underground storage tanks. I suggested that you contact this office and apply.

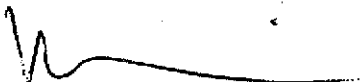
You are required to comply with the requested Preliminary Site Assessment "PSA" work plan in addition to documentation regarding the fate of all excavated soil from the site within 14 days of the date of this letter or by May 15, 1999. This is a formal request for a work plan pursuant to Section 2722(c)(d) 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.

Additionally, Section 13267(b) of the California Water Code and Regional Water Quality Control Board (RWQCB) can impose up to \$1000.00 per day for each day of this violation.

Failure to respond will result in referral of the case to the Alameda County District Attorney's Office for an enforcement action.

If you have any questions or comments, please do not hesitate to contact me at (510) 567-6876.

Sincerely,



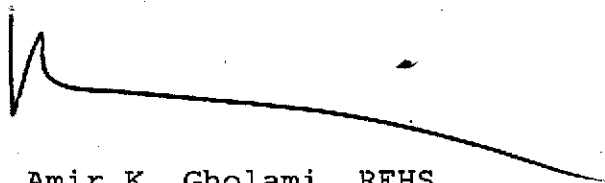
Amir K. Gholami, REHS
Hazardous Materials Specialist

CC: Chuck Headlee, RWQCB
Robert Chambers, Alameda County District Attorney

In addition, please be advised that Section 13267(b) of the California Water Code and Regional Water Quality Control Board (RWQCB) can impose up to \$1000.00 per day for each day of this violation. Failure to respond can result in referral of the case to the Alameda County District Attorney's Office for an enforcement action.

Please comply with the above issues by 4/25/98. If you have any question, 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
Files



Stid 3101

March 24, 1999

Rick Gold
Engine Research Co.,
584 East Lewelling Blvd.,
San Lorenzo, CA 94580

Max Gracio
508 East Lewelling Blvd.,
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 investigations at 508 East Lewelling Blvd., San Lorenzo, CA

Dear Mr. Gold and Mr. Gracio:

As you are aware, this office has sent several letters to you requiring further investigative work at the subject facility. The letters sent on June 24, 1998, March 14, 1996, August 23, 1995, and December 28, 1995 all requested you submit Preliminary Site Assessment "PSA" Plan by a Registered Geologist or Registered Civil Engineer.

I have indicated the above fact to you over our telephone discussion as well. In addition, we held a short meeting when we discussed the need for further work in the form of a PSA. Per Article 11, Division 3, Chapter 16, Title 23 of the California Code of Regulations, you are required to conduct a Preliminary Site Assessment (PSA) to determine the lateral and vertical extent and severity of soil and groundwater contamination, which has resulted 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 major elements of such an investigation, include, but are not limited to, the following:

- At least one groundwater monitoring well must be installed within 10 feet of the observed soil contamination, oriented in the confirmed downgradient direction relative to groundwater flow. In the absence of data identifying the local confirmed downgradient direction, a minimum of three wells will be required to verify gradient direction. During the installation of these wells, soil samples are to be collected at five-foot-depth intervals and any significant changes in lithology.
- Subsequent to the installation of the monitoring wells, these wells must be surveyed to an established benchmark (mean sea level, MSL), with an accuracy of 0.01 foot. Groundwater samples are to be collected and analyzed quarterly.

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. All reports and proposals must be submitted under a seal of a California -Registered Geologist, -Certified Engineering Geologist, or -Registered Civil Engineer.

The PSA proposal, once approved, should be implemented 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 office approves a change in sampling frequency or the site qualifies for closure. 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:

- 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.
- Status of groundwater contamination characterization
- Interpretations of results: water level contour maps showing gradients, free and dissolved product, plume definition maps for each target component, geologic cross sections, etc.
- Recommendations or plans for additional investigative work or remediation

I have also provided you with the State Water Resources Control Board which manages an Underground Storage Tank Cleanup Fund (Fund) to help eligible Responsible Parties to obtain reimbursement for costs of investigating and remediating releases from petroleum underground storage tanks. I suggested you to contact this office and apply.

To obtain an Application Package, contact the Fund at the following:

State Water Resources Control Board
Division of Clean Water Programs
UST Cleanup Fund
P.O. Box 944212
Sacramento, CA 944212
Telephone: (916)227-4307

You are also advised to contact Cheryl Gordon at (916)-227-4539 with any questions regarding State Trust fund.

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.

You are required to comply with the requested Preliminary Site Assessment "PSA" work plan in addition to documentation regarding the fate of all excavated soil from the site within 30 days of the date of this letter. Please be advised that Section 13267(b) of the California Water Code and Regional Water Quality Control Board (RWQCB) can impose up to \$1000.00 per day for each day of this violation. Failure to respond will result in referral of the case to the Alameda County District Attorney's Office for an enforcement action.

If you have any questions or comments, please contact me at (510) 567-6876.

Sincerely,

A handwritten signature in black ink, appearing to be 'Amir K. Gholami', followed by a long horizontal line extending to the right.

Amir K. Gholami, REHS
Hazardous Materials Specialist

CC: Chuck Headlee, RWQCB
Robert Chambers, Alameda County District Attorney

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



20497

STID#3101

12/3/98

ENVIRONMENTAL HEALTH SERVICES

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

Rick Gold
Engine Research Co.,
584 East Lewelling Blvd.,
San Lorenzo, CA 94580

Max Gracio
508 East Lewelling Blvd.,
San Lorenzo, CA 94580

FINAL NOTICE OF VIOLATION

**Subject: Required investigations at 508 East Lewelling Blvd.,
San Lorenzo, CA**

Dear Mr. Gold and Mr. Gracio:


This office has sent several letters to you requiring further investigative work at the subject facility. The letters sent on June 24, 1998, March 14, 1996, August 23, 1995, and December 28, 1995 all requested you submit Preliminary Site Assessment Plan by a Registered Geologist or Registered Civil Engineer. Furthermore you were informed that you are in violation of **Section 13267(b) of the California Water Code** and that Regional Water Quality Control Board (RWQCB) can impose up to \$1000.00 per day for each day of this violation.

As you are aware, I indicated the above fact to you over our telephone discussion as well. I also provided you with Cheryl Gordon's number (916-227-4359) at the State Clean up fund office so that you can contact and discuss the possibility of reimbursement by the State.

You are required to submit a Preliminary Site Assessment work plan in addition to documentation regarding the fate of all excavated soil from the site within 30 days of the date of this letter. Failure to respond can result in referral of the case to the Alameda County District Attorney's Office for an enforcement action.

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

Sincerely,


Amir K. Gholami, REHS
Hazardous Materials Specialist

C: Chuck Headlee, RWQCB
Bob Chambers, Alameda County District Attorney
Files

stid3101

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



ROA97

ENVIRONMENTAL HEALTH SERVICES

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

STID#3101

June 24, 1998

Rick Gold
Engine Research Co.,
584 East Lewelling Blvd.,
San Lorenzo, CA 94580

Max Gracio
508 East Lewelling Blvd.,
San Lorenzo, CA 94580

NOTICE OF VIOLATION

Subject: Investigation Requirements for 508 East Lewelling Blvd., San Lorenzo, CA

Dear Mr. Gold and Mr. Gracio:

On March 14, 1995, August 23, 1995, December 28, 1995, and May 26, 1996, the Alameda County Department of Environmental Health, sent you letters requiring that you submit a Preliminary Site Assessment work plan to determine to vertical and lateral extent of soil and groundwater contamination from past releases from the former underground storage tanks (USTs) at the subject site. Please see attached copies of those letters. In addition, this office met with you on November 14, 1995, to discuss the need for, and direction of future site investigations. To this date, we have not yet received any communication from you on this matter. Therefore, this letter constitutes a Notice that you are in violation of specific laws to investigate and remediate this site.

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** for each day in which this violation occurs.

You are required to submit a Preliminary Site Assessment work plan a report documenting the fate of all excavated soil from the site within **30 days of the date of this letter**. Failure to respond will result in referral of the "case" to the Alameda District Attorney's Office for an enforcement action.

Please contact this office if you have any questions. The telephone number is (510) 567-6737.

Sincerely,

Brian P. Oliva, REHS, REA
Hazardous Materials Specialist

Attachments

C: Chuck Headlee, RWQCB
Bob Chambers, Alameda County Deputy District Attorney
files

SH

ALAMEDA COUNTY
HEALTH CARE SERVICES



AGENCY

DAVID J. KEARS, Agency Director

RO#497

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

Std 3101

May 24, 1996

Rick Gold
Engine Research Co.
584 E Lewelling Blvd
San Lorenzo CA 94580

Max Gracio
508 E Lewelling Blvd
San Lorenzo CA 94580

FINAL NOTICE OF VIOLATION

Subject: Required investigations at 508 E. Lewelling Blvd., San Lorenzo, CA

Dear Mr. Gold and Mr. Gracio:

On March 13, 1995, August 23, 1995, and December 28, 1995, the Alameda County Department of Environmental Health, sent you a letters requiring that you submit a Preliminary Site Assessment work plan to determine the vertical and lateral extent of soil and ground water contamination from past releases from the former underground storage tanks (USTs) at the subject site. Please see attached a copy of those letters. In addition, this office met with you on November 14, 1995, to discuss the need for and direction of future site investigations. To this date, we have not received any communication from you on this matter. Therefore, this letter constitutes a Notice that you are in violation of specific laws to investigate and remediate this site.

Failure to furnish technical reports regarding documented or potential ground water 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 for each day in which this violation occurs.

You are required to submit a Preliminary Site Assessment work plan and a report documenting the fate of all excavated soil from this site **within 30 days** of the date of this letter. Failure to respond will result in referral of this case to the RWQCB or Alameda County District Attorney's Office to consider for enforcement action. Modifications of required tasks or extensions of stated deadlines must be confirmed in writing by either this agency or RWQCB.

Please contact me at (510)567-5655, if you have any questions or comments.

Sincerely,

Amy Leech
Hazardous Materials Specialist

ATTACHMENT

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

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



R0497

RAFAT A. SHAHID, DIRECTOR

StId 3101

December 28, 1995

Rick Gold
Engine Research Co.
584 E Lewelling Blvd
San Lorenzo CA 94580

Max Gracio
508 E Lewelling Blvd
San Lorenzo CA 94580

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

Subject: Required investigations at 508 E. Lewelling Blvd., San Lorenzo, CA

Dear Mr. Gold and Mr. Gracio:

The purpose of this letter is to summarize our November 14, 1995 meeting in which we discussed the status of your site. Per our letters to you dated March 13, 1995 and August 23, 1995, this office has requested that you submit a Preliminary Site Assessment (PSA) work plan to determine the vertical and lateral extent of soil and groundwater contamination from past releases from the former underground storage tanks (USTs) at the subject site.

The PSA is required because previous assessment work completed on November 14, 1994, identified 1,300 and 3.6 parts per billion (ppb) TPH as gasoline and benzene, respectively, from a "grab" groundwater sample collected just north of the former UST pit.

During our meeting we discussed the various investigative techniques (e.g. hydropunch, Geoprobe[®], permanent monitoring wells, etc.) that could be employed to assist in determining the severity and extent of soil and groundwater contamination.

You indicated that you had limited financial resources and, therefore, were interested in minimizing the number and cost of investigations at your site. Following our meeting, Juliet Shin of this office, and I discussed your site, in light of your financial constraints, and agreed that the initial Preliminary Site Assessment should, at minimum, include the following or equivalent elements:

- o Conduct a study of the subject site and nearby sites to complete a well survey and estimate the approximate groundwater flow direction.
- o Collect soil and groundwater samples from at least 3 borings to determine site specific ground water gradient and to assist in delineating the extent of soil and groundwater contamination.
- o Field screen or analyze samples from each boring to determine the appropriate location for a permanent monitoring well(s).
- o Monitor and sample the monitoring well(s) for approximately 4 quarters.
- o Determine if further investigations are warranted.

Gold/Gracio

Re: 508 E. Lewelling Blvd

December 28, 1995

Page 2 of 2

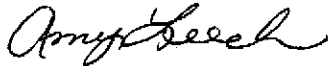
Please be reminded that in order to properly conduct a site investigation, you are required to obtain professional services of a reputable environmental consultant. **All reports and proposals must be submitted under seal of a California-Registered Geologist, -Certified Engineering Geologist, or -Registered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

The PSA proposal (work plan) is due within 30 days of the date of this letter or by, February 2, 1995. Once the proposal is approved, field work should commence within 30 days. A report must be submitted within 45 days after the completion of this phase of work at the site.

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.


Per your request, please find enclosed information and telephone numbers for the State Cleanup Fund. I look forward to working with you on completing investigations at your site so that you may obtain case closure as soon as possible. Please call me at (510)567-6755 if you have questions.

Sincerely,



Amy Leech
Hazardous Materials Specialist

Attachments

c:  Gordon Coleman - File(ALL)



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 3101

August 23, 1995

Rick Gold
Engine Research Co.
584 E Lewelling Blvd
San Lorenzo CA 94580

Max Gracio
508 E Lewelling Blvd
San Lorenzo CA 94580

NOTICE OF VIOLATION

Subject: Required investigations at 508 E. Lewelling Blvd., San Lorenzo, CA

Dear Mr. Gold and Mr. Gracio:

On March 13, 1995, the Alameda County Department of Environmental Health, sent you a letter requiring that you submit a Preliminary Site Assessment work plan to determine the vertical and lateral extent of soil and ground water contamination from past releases from the former underground storage tanks (USTs) at the subject site. Please see attached a copy of that letter. To this date, we have not received any communication from you on this matter. Therefore, this letter constitutes a Notice that you are in violation of specific laws to investigate and remediate this site.

Failure to furnish technical reports regarding documented or potential ground water 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 for each day in which this violation occurs.

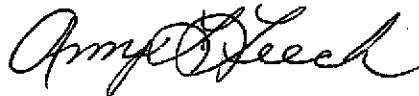
You are required to submit a Preliminary Site Assessment work plan and a report documenting the fate of all excavated soil from this site **within 30 days** of the date of this letter. Failure to respond will result in referral of this case to the RWQCB or Alameda County District Attorney's Office to consider for enforcement action. Modifications of required tasks or extensions of stated deadlines must be confirmed in writing by either this agency or RWQCB.

A Cleanup Fund administered by the State of California Water Resources Control Board is available for the cleanup of properties that have been impacted by leaky USTs. The Cleanup Fund pays for corrective action to clean up soil and groundwater contamination caused by leaky USTs after a deductible has been paid by the qualified applicant. If you have not already done so, I encourage you to apply for financial assistance with the State UST Cleanup Fund. Please find enclosed information and telephone numbers for the Cleanup Fund.

Gold/Gracio
Re: 508 E Lewelling Blvd
August 23, 1995
Page 2 of 2

Please contact me at (510)567-5655, if you have any questions or comments.

Sincerely,



Amy Leech
Hazardous Materials Specialist

ATTACHMENT

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

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY

DAVID J. KEARS, Agency Director



R0497

RAFAT A. SHAHID, ASST. AGENCY DIRECTOR

March 13, 1995

DEPARTMENT OF ENVIRONMENTAL HEALTH
State Water Resources Control Board
Division of Clean Water Programs
UST Local Oversight Program

Rick Gold
Engine Research Co.
584 E Lewelling Blvd
San Lorenzo CA 94580

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

Max Gracio
508 E Lewelling Blvd
San Lorenzo CA 94580

StId 3101

Subject: Required investigations at 508 E. Lewelling Blvd.,
San Lorenzo, CA

Dear Mr. Gold and Mr. Gracio;

This office has reviewed Environmental Investigation Action's (EIA) Summary of Findings, dated December 16, 1994, for their Soil Boring Investigation conducted at the subject site. The purpose of this investigation was to determine if groundwater has been impacted at this site due to contamination caused by leaky underground storage tanks (USTs). Analysis of the "grab" groundwater sample obtained from a soil boring during this investigation, identified Total Petroleum Hydrocarbons as gasoline (TPHg), benzene, toluene, ethylbenzene, and xylene (BTEX) at 1,300, 3.6, 8.2, 3.9, and 9.5 parts per billion (ppb) respectively. TPHg and BTEX were not detected in the soil sample collected at 13 feet below ground surface (bgs). Relatively low levels of TPHg and BTEX were identified in the soil samples collected at 20 and 25 feet bgs.

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:

Gold/Gracio
Re: 508 E. Lewelling Blvd.
March 13, 1995
Page 2 of 4

- o At least one permanent ground water monitoring well must be installed within 10 feet of the observed soil contamination, oriented in the confirmed downgradient direction relative to groundwater 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. 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 then 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 BTEX.**

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

Gold/Gracio
Re: 508 E. Lewelling Blvd.
March 13, 1995
Page 3 of 4

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.

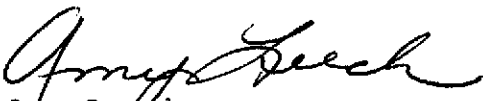
Please be advised that this is a formal request for a work plan pursuant to **Section 2722 (c) (d) of Title 23 California Code of Regulations**. Any extensions of the stated deadlines, or modifications of the required tasks, must be confirmed in writing by either this agency or RWQCB.

Additionally, you are required to submit documentation/manifests for disposal of the product piping removed on September 15, 1994. **This documentation must be submitted within 15 days** of the date of this letter.

Today, we received and reviewed Trace Analysis Laboratory, Inc.'s report, dated February 24, 1995, of analyses of stockpiled soil at your site. One sample was collected and analyzed for TPHg and BTEX and was non-detect for these constituents. Therefore, you may dispose of this soil at your site.

For your review and consideration, please find attached a brochure on the State's Underground Storage Tank Cleanup Fund. If you would like to schedule a meeting to discuss your site or have any questions or comments, please contact me at (510) 567-6755.

Sincerely,



Amy Leech
Hazardous Materials Specialist

Gold/Gracio
Re: 508 E. Lewelling Blvd.
March 13, 1995
Page 4 of 4

ATTACHMENT

cc: James Hasslett
EIA Technologies
22390 Thunderbird Pl
Hayward CA 94545

Gordon Coleman - Files (ALL)

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



R0497

RAFAT A. SHAHID, Assistant Agency Director

DEPARTMENT OF ENVIRONMENTAL HEALTH

October 24, 1994

Mr. Rick Gold
Engine Research Co.
584 E. Lewelling Blvd.
San Lorenzo, CA 94580

ALAMEDA COUNTY CC4580
DEPT. OF ENVIRONMENTAL HEALTH
ENVIRONMENTAL PROTECTION DIVISION
1131 HARBOR BAY PKWY., #250
ALAMEDA CA 94502-6577

STID 3101

Re: Work plan for investigations at 508 E. Lewelling Blvd., San Lorenzo, California

Dear Mr. Gold,

This office has reviewed Environmental Investigation & Action's (EIA) work plan for Supplemental Surface Investigations at the above site. This work plan is acceptable to this office with the following reminders/requirements:

- o The last page of the report states that the "grab" ground water sample shall be analyzed for Total Petroleum Hydrocarbons as diesel (TPHd). The analysis for TPHd is not necessary. Both soil and ground water samples shall be analyzed for TPH as gasoline and benzene, toluene, ethylbenzene, and xylenes (BTEX).
- o Per my conversation with Kurt Soto, EIA, the proposed boring shall be placed within 10 feet north of former sample E3, which identified 94 parts per million (ppm) TPHg. Although the exact location of sample E3 was not recorded, best efforts will be made to locate the proposed boring adjacent to this former sampling location based on the figure that accompanied Trace Analysis Laboratories' April 1994 analysis results. It is known, however, that sample E3 was collected from approximately 10 feet below ground surface.
- o Please be reminded to log soil types throughout the length of the boring. Soil samples shall be collected from 5-foot intervals, changes in lithology, and the soil/ground water interface. A minimum of one soil sample shall be collected for analysis at a certified laboratory. Soil samples shall be field screened (using photoionization detector, flame ionization detector, etc).

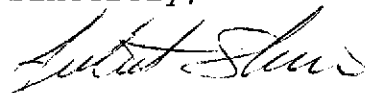
Lastly, on September 15, 1994, product piping was removed from the site and soil samples were collected from beneath this piping

Mr. Rick Gold
Re: 508 E. Lewelling Blvd.
October 24, 1994
Page 2 of 2

and the former dispensers. Please submit the laboratory analysis results for these samples and information on the fate of the product piping to this office within 30 days of the date of this letter.

If you have any questions or comments, please contact me at (510) 567-6763.

Sincerely,



Juliet Shin
Senior Hazardous Materials Specialist

cc:

Mr. Max Gracio
508 E. Lewelling Blvd.
San Lorenzo, CA 94580

Edgar Howell

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



R0497

RAFAT A. SHAHID, Assistant Agency Director

October 24, 1994

Mr. Max Gracio
508 E. Lewelling Blvd.
San Lorenzo, CA 94580

STID 3101

DEPARTMENT OF ENVIRONMENTAL HEALTH

ALAMEDA COUNTY CC4580
DEPT. OF ENVIRONMENTAL HEALTH
ENVIRONMENTAL PROTECTION DIVISION
1131 HARBOR BAY PKWY., #250
ALAMEDA CA 94502-6577

Re: Work plan for investigations at 508 E. Lewelling Blvd., San Lorenzo, California

Dear Mr. Gracio,

This office has reviewed Environmental Investigation & Action's (EIA) work plan for Supplemental Surface Investigations at the above site. This work plan is acceptable to this office with the following reminders/requirements:

- o The last page of the report states that the "grab" ground water sample shall be analyzed for Total Petroleum Hydrocarbons as diesel (TPHd). The analysis for TPHd is not necessary. Both soil and ground water samples shall be analyzed for TPH as gasoline and benzene, toluene, ethylbenzene, and xylenes (BTEX).
- o Per my conversation with Kurt Soto, EIA, the proposed boring shall be placed within 10 feet north of former sample E3, which identified 94 parts per million (ppm) TPHg. Although the exact location of sample E3 was not recorded, best efforts will be made to locate the proposed boring adjacent to this former sampling location based on the figure that accompanied Trace Analysis Laboratories' April 1994 analysis results. It is known, however, that sample E3 was collected from approximately 10 feet below ground surface.
- o Please be reminded to log soil types throughout the length of the boring. Soil samples shall be collected from 5-foot intervals, changes in lithology, and the soil/ground water interface. A minimum of one soil sample shall be collected for analysis at a certified laboratory. Soil samples shall be field screened (using photoionization detector, flame ionization detector, etc).

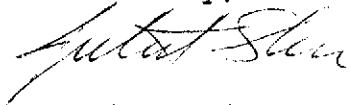
Lastly, on September 15, 1994, product piping was removed from the site and soil samples were collected from beneath this piping

Mr. Max Gracio
Re: 508 E. Lewelling Blvd.
October 24, 1994
Page 2 of 2

and the former dispensers. Please submit the laboratory analysis results for these samples and information on the fate of the product piping to this office within 30 days of the date of this letter.

If you have any questions or comments, please contact me at (510) 567-6763.

Sincerely,



Juliet Shin
Senior Hazardous Materials Specialist

cc: Rick Gold
Engine Research Co.
584 E. Lewelling Blvd.
San Lorenzo, CA 94580

Edgar Howell

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY

DAVID J. KEARS, Agency Director



R0497

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

May 19, 1994

Mr. Max Gracio
508 E. Lewelling Blvd.
San Lorenzo, CA 94580

STID 3101

Re: Investigations at 508 E. Lewelling Blvd., San Lorenzo,
California

Dear Mr. Gracio,

As you know, three underground storage tanks were removed from the above site on August 26, 1993. Holes were noted in the 4,000-gallon underground storage tank and stained soil was noted on the bottom and sidewalls of the tank pit. Six soil samples were collected that day, however, none of these samples were taken to a certified laboratory for analysis. Consequently, additional soil samples were collected in April 1994 from the pit, approximately eight months after the tank removal. However, at that time, the soil had had a chance to aerate for eight months and, per your statements, you had removed some additional soil from the bottom of the pit during the eight-month interim. Therefore, the second round of soil samples, collected in April 1994, may not have been representative of the degree of contaminant impact to the surrounding soil.

Based on this information, and the results of the April 1994 soil samples, which identified up to 94 parts per million (ppm) Total Petroleum Hydrocarbons as gasoline (TPHg) on the north sidewall, you are required to conduct further investigations at the site. Per our meeting on May 19, 1994, you will be required to delineate the extent of soil contamination and determine whether ground water has been impacted from the release. As discussed in the meeting, a boring or hydropunch may be placed to the north of where 94 ppm TPHg was identified, to determine the extent of soil contamination, and a "grab" ground water sample must be collected to identify any impact to ground water.

Per our meeting, you are required to submit a work plan addressing this additional investigation, within 60 days of the date of this letter, or by July 14, 1994. 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 the Regional Water Quality Control Board (RWQCB).

Mr. Max Gracio
Re: 508 E. Lewelling Blvd.
May 19, 1994
Page 2 of 3

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.

Per RWQCB's Appendix A (attached), and the States Leaking Underground Fuel Tank (LUFT) guidelines, data on the subsurface environment should be collected during drilling. Specifically, the LUFT guidelines state that boring logs shall be prepared by a Registered Geologist, containing the following information:

"1)drilling company; 2) date drilled; 3) location; 4) total depth of the hole; 5) drilling method; 6) sampling method; 7) soil types; 8)depth from surface; 9)location of sampling sites; 10) location of ground water table if encountered; and 11) any unique subsurface features".

Additionally, per RWQCB's guidelines, you are required to collect soil samples at 5-foot intervals, changes in lithology, and from the soil/water interface. Based on field monitoring of these samples with a photo- or flame-ionization detector, a minimum of one soil sample shall be selected for analysis at a certified laboratory. Additionally, one "grab" ground water sample is required to be collected. The soil and ground water samples shall be analyzed for TPHg and BTEX, using the established methods listed in Table 2 of the RWQCB's Recommendations for Preliminary Evaluation and Investigation of Underground Tank Sites.

Additionally, per Section 2672(c), Article 7, Title 23 California Code of Regulations, you are required to remove the product piping at the site that was formerly associated with the site's underground storage tanks. Prior to removal, you are required to remove all residual liquid from the piping and handle this liquid as hazardous waste or recyclable materials. Subsequent to the removal, the piping must be properly hauled and disposed of off site. It is the understanding of this office that there are two product piping lines currently at the site. One sample per piping line will be required. These samples must be collected within 2 feet beneath the piping, and must be analyzed for TPHg and BTEX. Per our meeting, this piping must be removed within 30 days of the date of this letter, or by June 16, 1994. A County representative will be required to be present at the site during the piping removal work. Please notify this office at least one week in advance of the piping removal.

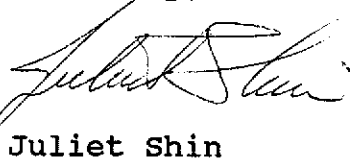
Mr. Max Gracio
Re: 508 E. Lewelling Blvd.
May 19, 1994
Page 3 of 3

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.

Lastly, soil samples collected from the stockpiled soil identified low levels of TPHg, up to 5.6 ppm, no levels of benzene or toluene, and up to 0.025 ppm ethylbenzene and 0.033 ppm xylenes. Therefore, it is acceptable to reuse this soil on site.

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

Sincerely,



Juliet Shin
Hazardous Materials Specialist

cc: Mr. Rick Gold
Engine Research Co.
584 E. Lewelling Blvd.
San Lorenzo, CA 94580

Edgar Howell-File(JS)

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY

DAVID J. KEARS, Agency Director



R0497

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

May 19, 1994

Mr. Rick Gold
Engine Research Co.
584 E. Lewelling Blvd.
San Lorenzo, CA 94580

STID 3101

Re: Investigations at 508 E. Lewelling Blvd., San Lorenzo,
California

Dear Mr. Gold,

As you know, three underground storage tanks were removed from the above site on August 26, 1993. Holes were noted in the 4,000-gallon underground storage tank and stained soil was noted on the bottom and sidewalls of the tank pit. Six soil samples were collected that day, however, none of these samples were taken to a certified laboratory for analysis. Consequently, additional soil samples were collected in April 1994 from the pit, approximately eight months after the tank removal. However, at that time, the soil had had a chance to aerate for eight months and, per Mr. Gracio's statement, he had removed some additional soil from the bottom of the pit during the eight-month interim. Therefore, the second round of soil samples, collected in April 1994, may not have been representative of the degree of contaminant impact to the surrounding soil.

Based on this information, and the results of the April 1994 soil samples, which identified up to 94 parts per million (ppm) Total Petroleum Hydrocarbons as gasoline (TPHg) on the north sidewall, you are required to conduct further investigations at the site. Per our meeting on May 19, 1994, you will be required to delineate the extent of soil contamination and determine whether ground water has been impacted from the release. As discussed in the meeting, a boring or hydropunch may be placed to the north of where 94 ppm TPHg was identified, to determine the extent of soil contamination, and a "grab" ground water sample must be collected to identify any impact to ground water.

Per our meeting, you are required to submit a work plan addressing this additional investigation, within 60 days of the date of this letter, or by July 14, 1994. 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 the Regional Water Quality Control Board (RWQCB).

Mr. Rick Gold
Re: 508 E. Lewelling Blvd.
May 19, 1994
Page 2 of 3

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.**

Per RWQCB's Appendix A (attached), and the States Leaking Underground Fuel Tank (LUFT) guidelines, data on the subsurface environment should be collected during drilling. Specifically, the LUFT guidelines state that boring logs shall be prepared by a **Registered Geologist**, containing the following information:

"1)drilling company; 2) date drilled; 3) location; 4) total depth of the hole; 5) drilling method; 6) sampling method; 7) soil types; 8)depth from surface; 9)location of sampling sites; 10) location of ground water table if encountered; and 11) any unique subsurface features".

Additionally, per RWQCB's guidelines, you are required to collect soil samples at 5-foot intervals, changes in lithology, and from the soil/water interface. Based on field monitoring of these samples with a photo- or flame-ionization detector, **a minimum of one soil sample shall be selected for analysis at a certified laboratory.** Additionally, one "grab" ground water sample is required to be collected. The soil and ground water samples shall be analyzed for TPHg and BTEX, using the established methods listed in Table 2 of the RWQCB's Recommendations for Preliminary Evaluation and Investigation of Underground Tank Sites.

Additionally, per Section 2672(c), Article 7, Title 23 California Code of Regulations, you are required to remove the product piping at the site that was formerly associated with the site's underground storage tanks. Prior to removal, you are required to **remove all residual liquid from the piping and handle this liquid as hazardous waste or recyclable materials.** Subsequent to the removal, the piping must be properly hauled and disposed of off site. It is the understanding of this office that there are two product piping lines currently at the site. **One sample per piping line will be required.** These samples must be collected within 2 feet beneath the piping, and must be analyzed for TPHg and BTEX. Per our meeting, this piping must be removed within 30 days of the date of this letter, or by June 16, 1994. A County representative will be required to be present at the site during the piping removal work. **Please notify this office at least one week in advance of the piping removal.**

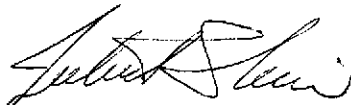
Mr. Rick Gold
Re: 508 E. Lewelling Blvd.
May 19, 1994
Page 3 of 3

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.

Lastly, soil samples collected from the stockpiled soil identified low levels of TPHg, up to 5.6 ppm, no levels of benzene or toluene, and up to 0.025 ppm ethylbenzene and 0.033 ppm xylenes. Therefore, it is acceptable to reuse this soil on site.

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

Sincerely,



Juliet Shin
Hazardous Materials Specialist

cc: Mr. Max Gracio
508 E. Lewelling Blvd.
San Lorenzo, CA 94580

Edgar Howell-File(JS)

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY

DAVID J. KEARS, Agency Director



R0497

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

February 28, 1994

Mr. Max Gracio
508 E. Lewelling Blvd.
San Lorenzo, CA 94580

STID 3101

Re: Investigations at 508 E. Lewelling Blvd., San Lorenzo,
California

NOTICE OF VIOLATION

Dear Mr. Gracio,

On August 26, 1993, three underground storage tanks were removed from the above site. Holes were observed in the 4,000-gallon gasoline tank and extensive amounts of stained soil and odor were observed in the tank pit. Six soil samples were collected from beneath each end of all three tanks. These samples were proposed to be taken to and analyzed at Superior Precision Analytical laboratory in Martinez, California. These samples were never taken there. Per our conversation on November 22, 1993, you stated that you payed your contractor, Pacific Excavators, for the scheduled laboratory analysis, and apparently Pacific Excavators pocketed the money and never had the samples analyzed.

You are required to resample the sidewalls and bottom of the tank pit **within 30 days** of the date of this letter, analyze these samples for **Total Petroleum Hydrocarbons as gasoline, benzene, toluene, ethylbenzene, xylenes, and lead**. These samples shall be taken to a certified laboratory for analysis. A report documenting the sampling, field observations, and laboratory analysis results shall be submitted within 30 days after the sampling event. You are required to have a **County Hazardous Materials Specialist (HMS)** out at the site to oversee the sampling, and the HMS should be notified at least one week in advance of the scheduled sampling.

On November 22, 1993, this office sent you a letter and blank copies of Forms A and B, and the Unauthorized Release/Leak Report form, and requested that you complete these forms and submit them by December 6, 1993. To this date, this office has not received any of the above forms. I have attached another set of copies for you to complete. These forms must be submitted **within 15 days** of the date of this letter.

Mr. Max Gracio
508 E. Lewelling Blvd.
San Lorenzo, CA 94580

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

Sincerely,



Juliet Shin
Hazardous Materials Specialist

cc: Rick Gold
Engine Research Co.
584 E. Lewelling Blvd.
San Lorenzo, CA 94580

Gil Jensen, Alameda County District Attorney's Office

Edgar Howell-File(JS)

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY

DAVID J. KEARS, Agency Director



R0497

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

February 28, 1994

Mr. Rick Gold
Engine Research Co.
584 E. Lewelling Blvd.
San Lorenzo, CA 94580

STID 3101

Re: Investigations at 508 E. Lewelling Blvd., San Lorenzo,
California

NOTICE OF VIOLATION

Dear Mr. Gold,

On August 26, 1993, three underground storage tanks were removed from the above site. Holes were observed in the 4,000-gallon gasoline tank and extensive amounts of stained soil and odor were observed in the tank pit. Six soil samples were collected from beneath each end of all three tanks. These samples were proposed to be taken to and analyzed at Superior Precision Analytical laboratory in Martinez, California. These samples were never taken there. Per my conversation with Max Gracio on November 22, 1993, Mr. Gracio stated that he payed his contractor, Pacific Excavators, for the scheduled laboratory analysis, and apparently Pacific Excavators pocketed the money and never had the samples analyzed.

You are required to resample the sidewalls and bottom of the tank pit within 30 days of the date of this letter, analyze these samples for Total Petroleum Hydrocarbons as gasoline, benzene, toluene, ethylbenzene, xylenes, and lead. These samples shall be taken to a certified laboratory for analysis. A report documenting the sampling, field observations, and laboratory analysis results shall be submitted within 30 days after the sampling event. You are required to have a County Hazardous Materials Specialist (HMS) out at the site to oversee the sampling, and the HMS should be notified at least one week in advance of the scheduled sampling.

On November 22, 1993, this office sent Mr. Gracio a letter and blank copies of Forms A and B, and the Unauthorized Release/Leak Report form, and requested that he complete these forms and submit them by December 6, 1993. To this date, this office has not received any of the above forms. I sent Mr. Gracio another set of these forms, that both Mr. Gracio and you are responsible for completing. These forms must be submitted within 15 days of the date of this letter.

Mr. Rick Gold
508 E. Lewelling Blvd.
February 28, 1994
Page 2 of 2

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

Sincerely,



Juliet Shin
Hazardous Materials Specialist

cc: Mr. Max Gracio
508 E. Lewelling Blvd.
San Lorenzo, CA 94580

Gil Jensen, Alameda County District Attorney's Office

Edgar Howell-File(JS)

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



R0497

RAFAT A. SHAHID, Assistant Agency Director

November 22, 1993

Mr. Max Gracio
508 E. Lewelling Blvd.
San Lorenzo, CA 94580

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

Re: Tank removals at 508 E. Lewelling Blvd., San Lorenzo, CA

Dear Mr. Gracio,

Please complete the following attached forms:

- o Form A;
- o Three Form Bs (One for each tank that was removed); and
- o The Unauthorized Release/Leak Report.

Please submit the completed forms to this office within 15 days of the date of this letter.

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

Sincerely,

Juliet Shin
Hazardous Materials Specialist

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY

DAVID J. KEARS, Agency Director



R0497

RAFAT A. SHAHID, ASST. AGENCY DIRECTOR

October 22, 1993

Mr. Max Gracio
Max's Auto Repair
508 E. Lewelling Blvd.
San Lorenzo, CA 94580

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

STID 3101

Re: Investigations at 508 E. Lewelling Blvd., San Lorenzo, CA

NOTICE OF VIOLATION

Dear Mr. Gracio,

This office sent you a letter on September 18, 1993 requiring you to submit the following information:

- o Completed Forms A and B for the former underground storage tanks at the above site;
- o A completed Unauthorized Release/Leak Report form, per Article 5, Title 23 California Code of Regulations; and
- o A Tank Closure Report including the lab analysis results of soil samples collected from the tank removals, details about the work performed, the fate of stockpiled soil, etc.

To this date, this office has not received any of this information, nor have we received any communications as to why this information was not submitted. You are required to submit the above materials to this office **within 30 days** of the date of this letter.

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

Sincerely,

Juliet Shin
Hazardous Materials Specialist

cc: Rick Gold
Engine Research Co.
584 E. Lewelling Blvd.
San Lorenzo, CA 94580

Edgar Howell-File(JS)

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY

DAVID J. KEARS, Agency Director



R0497

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

October 22, 1993

Mr. Rick Gold
Engine Research Co.
584 East Lewelling Blvd.
San Lorenzo, CA 94580

STID 3101

Re: Investigations at 508 E. Lewelling Blvd., San Lorenzo, CA

Dear Mr. Gold,

This office received your letter on October 15, 1993 disputing your designation as a Responsible Party for the investigations and cleanup of contamination at the above site.

It is the understanding of this office that you operated the three underground storage tanks (USTs) formerly at the site for at least 10 years, up until the latter part of 1992. You stated in your letter that you conducted annual tank tightness tests on these former USTs. However, this office has records for only one round of tank tightness tests conducted on these USTs in the latter part of 1990 and early part of 1991. Although the tanks passed this round of tank tightness tests, tank tightness tests are never 100 percent accurate and releases can still occur from a tank even though it passes the test. Additionally, a number of holes were noted in the 4,000-gallon UST, indicating that releases may have been occurring even with the passing tank tightness test. Furthermore, releases are also commonly known to occur from overspill.

Per Section 2720, Article 11, Title 23 California Code of Regulations, listed below, it has been determined that you meet the definition of a "Responsible Party", and therefore, you are responsible for investigations and cleanup at the site, along with Max Gracio:

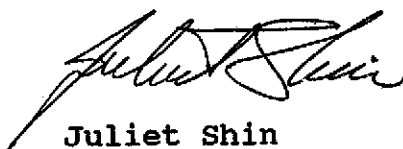
" 'Responsible party' means one or more of the following:

- 1) Any person who owns or operates an underground storage tank used for the storage of any hazardous substance;
- 2) In the case of any underground storage tank no longer in use, any person who owned or operated the underground storage tank immediately before the discontinuation of its use; "

Mr. Rick Gold
Re: 508 E. Lewelling Blvd.
October 22, 1993
Page 2 of 2

Attached is a copy of a letter, which was sent to Max Gracio in September 1993, listing the current requirements of the site. If you have any questions or comments, please contact me at (510) 271-4530.

Sincerely,



Juliet Shin
Hazardous Materials Specialist

cc: Max Gracio
Max's Auto Repair
508 E. Lewelling Blvd.
San Lorenzo, CA 94580

Edgar Howell-File(JS)

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY

DAVID J. KEARS, Agency Director



R0497

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

September 18, 1993

Max Gracio
Max's Auto Repair
508 E. Lewelling Blvd.
San Lorenzo, CA 94580

STID 3101

Re: Investigations at 508 E. Lewelling Blvd., San Lorenzo, CA

Dear Mr. Gracio,

On August 26, 1993, three underground storage tanks were removed from the above site. Holes were observed in the 4,000-gallon gasoline tank and extensive amounts of stained soil were observed in the tank pit. This office is requiring the following information within 30 days of the date of this letter:

- o You are required to complete and submit the underground storage tank forms A and B that were sent to you prior to the tank removals;
- o Per Article 5, Title 23 California Code of Regulations, you are required to submit a completed Unauthorized Release/Leak Report form to this office. As you may recall, a copy of this form was issued to you at the site on the day of the tank removals.
- o You are required to submit a Tank Closure Report which shall address the number of soil samples collected from the tank pit and stockpiled soils, the locations of these samples, the laboratory analytical results, and the fate of the stockpiled soil and the tank pit.

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

Sincerely,

Juliet Shin
Hazardous Materials Specialist

Mr. Max Gracio
Re: 508 E. Lewelling Blvd.
September 18, 1993
Page 2 of 2

cc: Joe Madison
Pacific Excavators
P.O. Box 968
Alamo, CA 94507

Edgar Howell-File(JS)

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



R0497 (508 E.
Lewelling)

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

October 31, 1991

Rick Gold
Engine Research Co.
584 E. Lewelling Blvd.
San Lorenzo CA 94580

RE: Operating Permit for Underground Fuel Storage Tanks at
16446 Ashland Av., San Lorenzo (1 tank)
508 E. Lewelling Blvd., San Lorenzo (3 tanks)

Dear Mr. Gold:

Enclosed is are five year underground storage tank operating permits for the two facilities at which you operate underground fuel storage tanks. To operate under a valid permit, you are required to comply with the conditions as described in the California Code of Regulations, Title 23, revised August 9, 1991. These conditions are summarized below:

1. The owner or operator shall comply with the reporting and recording requirements for unauthorized releases specified in Article 5.
2. Written records of all monitoring and maintenance performed shall be maintained for a period of at least three years.
3. Permits may be transferred to new underground storage tank owners if the new tank owner does not change any conditions of the permit, the transfer is registered with this office within 30 days of the change in ownership, and any necessary modifications are made to the permit application information. This office may review, modify, or terminate the permit to operate the underground storage tank upon receiving the ownership transfer request.

Also, per amended Title 23, you must utilize a leak detection monitoring method:

Either:

1. Section 2643: Non-Visual Monitoring/Quantitative Release Detection Method

Rick Gold
Engine Research Co.
October 31, 1991
Page 2 of 2

- a. For Monitoring the Underground Tank:
 - Annual tank integrity test AND
 - Monthly inventory reconciliation (Section 2646)
- AND
- b. For Monitoring Suction Piping:
 - Triannual line tightness test AND
 - Daily monitoring

Or:

2. You may utilize other release detection methods for tanks and piping as outlined in Appendix IV of Title 23, CCR. Enclosed is a copy of Appendix IV for your reference.

Please note that after January 1, 1993, leak detection methods that utilize manual stick readings can not be used to monitor tank systems like yours when groundwater is less than 20 feet below the bottom of the tanks. By that time, you must choose another release detection method for tanks and piping as outlined in Appendix IV.

Consult the revised Title 23, CCR for additional requirements. To obtain a copy of the amended regulations, you may contact the State Water Resources Control Board at (916)324-1262. You may contact me with any questions at (510)271-4320.

Sincerely,



Pamela J. Evans
Hazardous Materials Specialist

Enclosures

c: James Ferdinand, Eden Consolidated Fire Protection District

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



R0497

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

April 24, 1991

Rick Gold
Engine Research Company
584 East Lewelling Blvd.
San Lorenzo CA 94580

NOTICE OF VIOLATION

RE: Underground Fuel Storage Tanks Operated at

Max's Auto Repair (R0497)
508 E. Lewelling Blvd.
San Lorenzo CA

The Gear Works
16446 Ashland Av.
San Lorenzo CA

Dear Mr. Gold:

In the past year I have inspected two businesses at the above addresses where fuel tanks you operate are located. Below is a summary of unresolved violations of the Health and Safety Code of California and the California Code of Regulations pertaining to the four tanks:

1. Section 25284 (a) HSC - None of the tanks is being operated under permit by this agency.
2. Section 2641 (a) CCR - The tanks have not been adequately monitored in order to detect possible leaks.
3. Section 2643 (e) CCR - No precision tank test results have been submitted to this office.
4. Section 2644 (e) CCR - No quarterly summary reports have been submitted to this office for the daily monitoring of the tanks.

Completed permit application forms and summary reports for the first quarter of 1991 for all four tanks must be submitted to this office by May 10, 1991. Precision test results for the three tanks located at Max's Auto Repair must also be submitted by May 10, 1991. Precision test results for the tank located at The Gear Works must be submitted by June 30, 1991.

Rick Gold
Engine Research Company
April 24, 1991
Page 2 of 2

Please note that the Health and Safety Code of California provides for civil penalties for violation of underground storage tank regulations. Any owner or operator of an underground tank system may be liable for a penalty of not less than \$500 per day for each violation.

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
James Ferdinand, Eden Consolidated Fire Protection District
Max Gracio, Max's Auto Repair
Richard Taylor, The Gear Works

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



R0497

Certified Mailer # P 367 604 312

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

April 24, 1991

Max Gracio
Max's Auto Repair
508 E. Lewelling Blvd
San Lorenzo CA 94580

FINAL NOTICE OF VIOLATION

Dear Mr. Gracio:

On July 31, 1990 I inspected your premises and noted violations of the California Code of Regulations and the Health and Safety Code of California. Three underground fuel storage tanks exist on your site. At the time of my inspection, these tanks were being operated without permits from this office and were not being monitored in order to detect possible leaks.

Since my inspection, I have spoken with Rick Gold of Engine Research Company, who apparently operates the tanks, about the underground storage tank requirements and deadlines for compliance. Below is a summary of unresolved violations:

1. Section 25284 (a) HSC - Three underground fuel tanks are being operated onsite without permits issued by this agency.
2. Section 2643 (e) CCR - No precision tank test results have been submitted to this office.
3. Section 2644 (e) CCR - No quarterly summary reports have been submitted to this office for the daily monitoring of the tanks.

You are required to submit completed permit application forms, precision tank test results, and quarterly summary reports for each of the tanks operated at your site by May 10, 1991. Although I have previously provided forms to Mr. Gold, I am enclosing permit application and quarterly summary forms. Please note that the Health and Safety Code of California provides for civil penalties for violation of underground storage tank regulations adopted pursuant to the Code. Any owner or operator of an underground tank system may be liable for a penalty of not less than \$500 per day for each violation.

Max Gracio
Max's Auto Repair
April 24, 1991
Page 2 of 2

In addition, you are required by Sections 25503.5 and 25505 of the Health and Safety Code of California to prepare and submit a Hazardous Materials Management Plan for your business. An HMMP form is enclosed. Complete and return this form by May 25, 1991. 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
James Ferdinand, Eden Consolidated Fire Protection District
Rick Gold, Engine Research Co.

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

Center for Environmental Health Services Agency Director



R0497

P 062128 309

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

October 17, 1990

Max Gracio
Max's Auto Repair
508 E. Lewelling Blvd
San Lorenzo CA 94580

SECOND NOTICE OF VIOLATION

Dear Mr. Gracio:

On July 31, 1990 I inspected your premises and noted the following violations of the California Code of Regulations and the Health and Safety Code of California:

1. Sections 66492, CCR and 25250.8, HSC - No records of waste oil or waste parts cleaning solvent disposal have been kept. You must have hazardous wastes transported by a registered hazardous waste hauler and you must keep records of all such disposals. Hazardous waste manifest copies and waste oil pick up receipts must be retained by the generator for at least three years.
2. Section 2641 (a), CCR - The three underground fuel storage tanks are not being monitored in order to detect possible leaks. A suitable monitoring program would include a yearly precision tank test on each tank, daily inventory reconciliation, and visual monitoring of fuel pipes

On August 21, 1990, you were issued a Notice of Violation regarding the above items and were given a timetable for compliance. You were required to submit a written description of your proposed monitoring plan to this office by August 31, 1990. You were also instructed to arrange for a precision tank test and to inform this office of the proposed test date by August 31, 1990. The precision tank test was to have been carried out no later than September 21, 1990. The test results were to have been submitted to this office within 30 days of the test.

To date, none of the required information or documents have been received by this office. You are required to provide all requested documents and information no later than October 31, 1990.

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



R0497

August 21, 1990

Max Gracio
Max's Auto Repair
508 E. Lewelling Blvd
San Lorenzo CA 94580

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

NOTICE OF VIOLATION

Dear Mr. Gracio:

On July 31, 1990 I inspected your premises and noted the following violations of the California Code of Regulations and the Health and Safety Code of California:

1. Sections 66492, CCR and 25250.8, HSC - No records of waste oil or waste parts cleaning solvent disposal have been kept. You must have hazardous wastes transported by a registered hazardous waste hauler and you must keep records of all such disposals. Hazardous waste manifest copies and waste oil pick up receipts must be retained by the generator for at least three years.
2. Section 2641 (a), CCR - The three underground fuel storage tanks are not being monitored in order to detect possible leaks. A suitable monitoring program would include a yearly precision tank test on each tank, daily inventory reconciliation, and visual monitoring of fuel pipes

You are required to submit a written description of your proposed monitoring plan to this office by August 31, 1990. You must also arrange for a precision tank test and inform this office of the proposed test date by August 31, 1990. The precision tank test must be carried out no later than September 21, 1990, and the test results must be submitted to this office within 30 days of the test. 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
James Ferdinand, Eden Consolidated Fire Protection District
Rick Gold, Engine Research Co.