

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



RO# 563

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

Stid 1129

April 23, 1999

Mr. David B. De Witt
Tosco Marketing Company
2000 Crow Canyon Place, Suite 400
San Ramon, CA 94583

**RE: Waste Oil Underground Storage Tank (UST) Removal at Tosco 76 Branded Facility
No. 11122, 3101 98th Ave., Oakland, CA.**

Dear Mr. De Witt:

As you are aware, I sent you a letter on April 1, 1999. In that letter and through our telephone conversation, we discussed the need to perform a leachability test on the soil from beneath the waste oil UST to decide whether we should "reopen" the above referenced site and require an additional investigation/remediation pending the laboratory results from the leachability test.

I have received and reviewed the "Addendum to the Waste Oil Underground Storage Tank Removal Report" dated April 16th, 1999 submitted by Mr. Hagop Kevork of Gettler-Ryan Inc. regarding the above referenced site. This report indicates the result of the leachability test performed on soil samples for all heavy metals to be at not detectable (ND) levels. Therefore, based on the current scenario and the laboratory results, no additional environmental assessment is required at this time.

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

Sincerely,



Amir K. Gholami, REHS
Hazardous Materials Specialist

C: Mr. David J. Vossler, Project Manager, Gettler-Ryan Inc.,
6747 Sierra Court, Suite J, Dublin, CA 94568
Files

ALAMEDA COUNTY
HEALTH CARE SERVICES

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DAVID J. KEARS, Agency Director



RO# 563

Stid 1129

April 1, 1999

Mr. David B. De Witt
Tosco Marketing Company
2000 Crow Canyon Place, Suite 400
San Ramon, CA 94583

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

RE: Waste Oil Underground Storage Tank Removal at Tosco 76 Branded Facility No. 11122, 3101 98th Ave., Oakland, CA.

Dear Mr. De Witt:

This office has assigned me to oversee the above case. I have received and reviewed the "Waste Oil Tank Removal Report" dated March 4, 1999 submitted by Gettler-Ryan Inc. regarding the above referenced site. This report indicates that the concentrations of chemicals in soil are all below ND or at low levels. However, the concentrations of the heavy metals are of concern. I discussed this issue with Mr. David J. Vossler of Gettler-Ryan Inc. as well.

This office suggests the following:

- Perform a leachability test on W01(10) and Comp WO soil samples, if there are still some remaining soil samples available. If there is no more remaining soil sample available, take couple of samples from the same area at the same height, to maintain consistency with the previous results, and perform a leachability "WET" test to evaluate the STLC values. If the **STLC values are not exceeded**, the case may not be reconsidered as a LOP case. However, if the **STLC values are exceeded**, then this office will reevaluate the situation regarding the above referenced site.
- Please submit a report regarding the above activity to this office within 30 days from the receipt of this letter.

This is a formal request for technical information and hence any delays should be requested in writing.

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

Sincerely,

A handwritten signature in black ink, appearing to read 'Amir K. Gholami', with a long horizontal flourish extending to the right.

Amir K. Gholami, REHS
Hazardous Materials Specialist

C: Mr. David J. Vossler, Project Manager, Gettler-Ryan Inc.,
6747 Sierra Court, Suite J, Dublin, CA 94568
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ALAMEDA COUNTY
HEALTH CARE SERVICES



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

June 26, 1998

ATTN: Accounts Payable

B P Oil Co
3101 - 98th Ave
Oakland CA 94605

RE: Project # 805B - Type MOD
at 3101 98th Ave & Las Veg in Oakland 94605

Dear Property Owner/Designee:

Our records indicate the deposit/refund account for the above project has fallen below the minimum deposit amount. To replenish the account, please submit an additional deposit of \$182.40, payable to Alameda County, Environmental Health Services, within two weeks of receipt of this letter.

It is expected that the amount requested will allow the project to be completed with a zero balance. Otherwise, more money will be requested or any unused monies will be refunded to you or your designee.

The deposit refund mechanism is authorized in Section 6.92.040L of the Alameda County Ordinance Code. Work on this project will be debited at the Ordinance specified rate, currently \$94 per hour.


Please be sure to write the following identifying information on your check:

- project #
- type of project and
- site address

(see RE: line above).

If you have any questions, please contact Amir Gholami at (510) 567-6876.

Sincerely,


Tom Peacock, Manager
Environmental Protection

c: files

ALAMEDA COUNTY
HEALTH CARE SERVICES



AGENCY
DAVID J. KEARS, Agency Director

R0563

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

May 19, 1998

ATTN: Sir Or Madam

Iverson, Stan
7803 Madison Ave., Ste. 700
Citrus Heights CA 95610

RE: Project # 805B - Type MOD
at 3101 98th Ave & Las Veg in Oakland 94605

Dear Property Owner/Designee:

Our records indicate the deposit/refund account for the above project has fallen below the minimum deposit amount. To replenish the account, please submit an additional deposit of \$182.40, payable to Alameda County, Environmental Health Services, within two weeks of receipt of this letter.

It is expected that the amount requested will allow the project to be completed with a zero balance. Otherwise, more money will be requested or any unused monies will be refunded to you or your designee.

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Please be sure to write the following identifying information on your check:

- project #
- type of project and
- site address

(see RE: line above).

If you have any questions, please contact Amir Gholami at (510) 567-6876.

Sincerely,

Tom Peacock, Manager
Environmental Protection

c: files

ALAMEDA COUNTY
HEALTH CARE SERVICES



AGENCY
DAVID J. KEARS, Agency Director

R0# 563

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

June 2, 1997

Tina Berry
Tosco
P.O. Box 5155
San Ramon, CA 94583

STID 1129

Re: Work plan for investigations related to a former oil/water separator at 3101 98th Avenue & Las Vegas, Oakland, California 94605

Dear Ms. Berry,

This office has reviewed Pacific Environmental Group, Inc.'s workplan, dated March 31, 1997, for proposed soil and groundwater investigations related to a former oil/water separator at the above site. This workplan is acceptable to this office. Please notify this office at least one week in advance of field activities. The work should be conducted within 60 days of the date of this letter and a report documenting the work should be submitted to this office within 60 days after completing field activities.

Per our conversation on May 28, 1997, you requested on behalf of TOSCO that TOSCO be billed for all the County's oversight costs (at a rate of \$94.00 per hour) due to the difficulties TOSCO would have in submitting an initial deposit for the County's oversight time. The County has gone ahead and made an exception for TOSCO with your word that TOSCO will pay for, in a timely manner, all the oversight costs when the County chooses to bill TOSCO. TOSCO may be billed more than once depending on the length of this project.

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

Sincerely,


Juliet Shin
Senior Hazardous Materials Specialist

cc: Joseph Muzzio
Pacific Environmental Group, Inc.
2025 Gateway Place, Ste 440
San Jose, CA 95110

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



RO#563

February 14, 1997

Mr. Timothy D. Johnson
Tosco Northwest Company
601 Union Street, Ste 2500
Seattle, Washington 98101

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

Re: Tosco Service Station 11122, located at 3101 98th Avenue, Oakland, CA

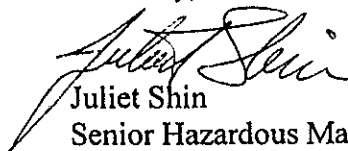
Dear Mr. Johnson,

This office has received and reviewed Pacific Environmental Group, Inc.'s (Pacific) Closure Report, dated January 20, 1997, documenting the removal of the former oil/water separator at the above site. Per the report, one "grab" groundwater sample was collected from the oil/water separator excavation pit and analyzed for Total Recoverable Petroleum Hydrocarbons (TRPH), Total Petroleum Hydrocarbons as gasoline (TPHg), TPH as diesel (TPHd), halogenated volatile organic hydrocarbons (HVOCs), and benzene, toluene, ethylbenzene, and xylenes (BTEX). Analysis of the groundwater sample identified elevated levels of TRPH at 200,000 parts per billion (ppb), TPHg at 45,000ppb, benzene at 460ppb, toluene at 3,100ppb, ethylbenzene at 940ppb, and total xylenes at 6,800ppb. Based on these contaminant concentrations, this office is requesting that additional investigations be conducted at the site to better characterize the extent and severity of the observed contaminant plume.

Please submit a workplan addressing further investigations for this site to this office within 60 days of the date of this letter (i.e., by April 11, 1997). Additionally, this office is requesting that you submit a deposit for \$1,000.00 in order to reimburse the County for its oversight costs (@ \$94.00/hour). If the total amount of this deposit is not utilized through the completion of investigations, then the County will refund you the difference. Likewise, if the deposit is depleted, additional deposits will need to be submitted in the future.

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

Sincerely,



Juliet Shin
Senior Hazardous Materials Specialist

cc: Scott Hooton, BP Oil Co., 295 SW 41st Street, Renton, WA 98055
Joseph Muzzio, Pacific Environmental Group, 2025 Gateway Place, Ste 440, San Jose, CA 95110
Acting Chief

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



R0563

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

Certified Mailer #: P 062 128 213

September 12, 1991

Mr. Young H. Kim
BP Oil Co.
3101 - 98th Avenue
Oakland, CA 94605

SECOND NOTICE OF VIOLATION

SUBJ: Five-Year Permit to Operate Four Underground Storage Tanks
at BP Oil Company Facility #11120, 3101 - 98th Avenue
Oakland, California 94605

Dear Mr. Kim:

On July 19, 1991, Young Fong from our office inspected the above premises. The inspection was performed to evaluate whether the conditions for the 5-year underground storage permit were being met prior to its issuance.

As you are aware, four underground storage tanks (three single-walled product and one double-walled waste oil) exist at the subject facility. During this inspection, Mr. Fong noted the following violations of Title 23, California Code of Regulations (CCR) and California Health and Safety Code (H&SC):

- 1) Section 2641 and 2644, Title 23, CCR and Section 25292(4) of H&SC - Per Section 2641, CCR, all owners of existing underground storage tanks are to select an appropriate monitoring alternative. If monitoring alternative #5 is selected, the following activities are required: daily inventory reconciliation, annual tank testing and continuous pipeline leak detection.
 - a) Inventory records are currently maintained properly for the three product tanks. Monitoring alternative in Section 2641 which specifies inventory reconciliation shall take into account: separate daily underground storage tank quantity measurements for both the stored hazardous substance and any water layer, and daily meter readings for underground storage tank input and withdrawal.

3101 - 98th Avenue Oakland, CA
Page 2 of 4

- b) Quarterly summary reports have not been submitted to our office. The owner or operator, per Section 2644(e), CCR, shall on a quarterly basis, submit a summary report to the local agency, under penalty of perjury, that either: the data is within allowable variations or a listing of the dates and variations that exceed the allowable variations.

Submit quarterly summary reports for the previous two quarters of daily inventory reconciliation.

- 2) Section 2643, CCR and Section 25292 of H&SC - This office has not received copies of annual automatic line leak detector test and annual tightness test results for pressurized piping. Per the above sections, the underground storage tank owner is required to have the automatic line leak detector and underground pressurized piping tightness tested annually. Additionally, the last integrity tests on the product tanks are dated February 28, 1990. Please provide our office with the results of annual tank tightness tests, automatic line leak detection tests and pipeline leak detection tests.
- 3) For the double-walled waste oil tank date of installation is unknown, you are required to submit the following items:
- a) Correctly completed underground storage tank permit application - Form B.
- b) Initial tank and pipeline precision test results, per Section 2635(7), CCR and Section 25289(b) of the Health and Safety Code;
- c) A written routine monitoring procedure/plan per Section 2632(d)(1) or 2634(d)(2), Title 23, CCR, which includes, where applicable: the frequency of performing the monitoring method, the methods and equipment to be used for monitoring, where monitoring will be performed, the location(s) from which the monitoring will be performed, the name(s) or title(s) of the person(s) responsible for performing the monitoring and/or maintaining the equipment, and the reporting format;
- d) With regard to the monitoring requirements for the waste oil tank, you are required to implement one of the following options:
- 1) Install a continuous monitoring probe with an

3101 - 98th Avenue Oakland, CA
Page 3 of 4

- 2) Monitor the annular space daily and maintain records on site for 3 years.
 - 3) Conduct daily inventory reconciliation similar to that which you conduct for your existing underground storage tanks and maintain records on site.
- e) You are required to provide this office with "As built" drawings indicating underground storage tank and piping specifications. With reference to the implementation of option #3 (above), please indicate the presence of a striker plate.
- f) A written spill/leak response plan per Section 2632(d) (2), Title 23, CCR. This plan should demonstrate that in the event of an unauthorized release, product would be removed from the secondary container within the shortest possible time. It should include at least the following:
- 1) A description of the proposed methods and equipment to be used for removing the waste oil, including the location and availability of the required equipment, if not permanently on-site, and an equipment maintenance schedule for the equipment located on-site.
 - 2) The name(s) or title(s) of the person(s) responsible for authorizing the work to be performed.

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

Submit all of the required materials to this office within 10 days, i.e. no later than September 27, 1991. A follow-up inspection will be conducted upon receipt and review of the required documents, and a five-year operating permit will be issued when the above requirements are met.

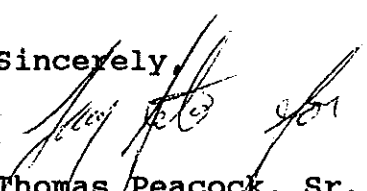
Failure to respond in a timely manner could result in civil liabilities under Division 20, Chapter 6.7, Section 25299 of the Health and Safety Code, of not less than five hundred dollars (\$500) or more than five thousand dollars (\$5000) for each underground storage tank for each day of violation..

Should you have any questions or concerns regarding the contents

3101 - 98th Avenue Oakland, CA
Page 4 of 4

of this letter, please feel free to contact either Brian Oliva or myself, at (415) 271-4320.

Sincerely,



Thomas Peacock, Sr. Hazmat Specialist
Hazardous Materials Division

FYF:fyf

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



July 26, 1991

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

Mr. Young H. Kim
BP Oil Co.
3101 - 98th Avenue
Oakland, CA 94605

NOTICE OF VIOLATION

SUBJ: Five-Year Permit to Operate Four Underground Storage Tanks
at BP Oil Company Facility #11120, 3101 - 98th Avenue
Oakland, California 94605

Dear Mr. Kim:

On July 19, 1991, Young Fong from our office inspected the above premises. The inspection was performed to evaluate whether the conditions for the 5-year underground storage permit were being met prior to its issuance.

As you are aware, four underground storage tanks (three single-walled product and one double-walled waste oil) exist at the subject facility. During this inspection, Mr. Fong noted the following violations of Title 23, California Code of Regulations (CCR) and California Health and Safety Code (H&SC):

- 1) Section 2641 and 2644, Title 23, CCR and Section 25292(4) of H&SC - Per Section 2641, CCR, all owners of existing underground storage tanks are to select an appropriate monitoring alternative. If monitoring alternative #5 is selected, the following activities are required: daily inventory reconciliation, annual tank testing and continuous pipeline leak detection.
 - a) Inventory records are currently maintained properly for the three product tanks. Monitoring alternative in Section 2641 which specifies inventory reconciliation shall take into account: separate daily underground storage tank quantity measurements for both the stored hazardous substance and any water layer, and daily meter readings for underground storage tank input and

withdrawal.

b) Quarterly summary reports have not been submitted to our office. The owner or operator, per Section 2644(e), CCR, shall on a quarterly basis, submit a summary report to the local agency, under penalty of perjury, that either: the data is within allowable variations or a listing of the dates and variations that exceed the allowable variations.

Submit quarterly summary reports for the previous two quarters of daily inventory reconciliation.

- 2) Section 2643, CCR and Section 25292 of H&SC - This office has not received copies of annual automatic line leak detector test and annual tightness test results for pressurized piping. Per the above sections, the under-ground storage tank owner is required to have the automatic line leak detector and underground pressurized piping tightness tested annually. Additionally, the last integrity tests on the product tanks are dated February 28, 1990. Please provide our office with the results of annual tank tightness tests, automatic line leak detection tests and pipeline leak detection tests.
- 3) For the double-walled waste oil tank date of installation is unknown, you are required to submit the following items:
 - a) Correctly completed underground storage tank permit application - Form B.
 - b) Initial tank and pipeline precision test results, per Section 2635(7), CCR and Section 25289(b) of the Health and Safety Code;
 - c) A written routine monitoring procedure/plan per Section 2632(d)(1) or 2634(d)(2), Title 23, CCR, which includes, where applicable: the frequency of performing the monitoring method, the methods and equipment to be used for monitoring, where monitoring will be performed, the location(s) from which the monitoring will be performed, the name(s) or title(s) of the person(s) responsible for performing the monitoring and/or maintaining the equipment, and the reporting format;
 - d) With regard to the monitoring requirements for the waste oil tank, you are required to implement one of

3101 - 98th Avenue Oakland, CA
Page 3 of 4

the following options:

- 1) Install a continuous monitoring probe with an audible / visual detection system.
 - 2) Monitor the annular space daily and maintain records on site for 3 years.
 - 3) Conduct daily inventory reconciliation similar to that which you conduct for your existing underground storage tanks and maintain records on site.
- e) You are required to provide this office with "As built" drawings indicating underground storage tank and piping specifications. With reference to the implementation of option #3 (above), please indicate the presence of a striker plate.
- f) A written spill/leak response plan per Section 2632(d) (2), Title 23, CCR. This plan should demonstrate that in the event of an unauthorized release, product would be removed from the secondary container within the shortest possible time. It should include at least the following:
- 1) A description of the proposed methods and equipment to be used for removing the waste oil, including the location and availability of the required equipment, if not permanently on-site, and an equipment maintenance schedule for the equipment located on-site.
 - 2) The name(s) or title(s) of the person(s) responsible for authorizing the work to be performed.

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

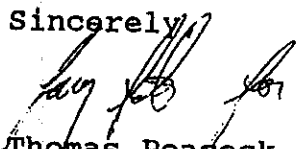
Submit all of the required materials to this office within 30 days, i.e. no later than August 29, 1991. A follow-up inspection will be conducted upon receipt and review of the required documents, and a five-year operating permit will be issued when the above requirements are met.

Failure to respond in a timely manner could result in civil liabilities under Division 20, Chapter 6.7, Section 25299 of the Health and Safety Code.

3101 - 98th Avenue Oakland, CA
Page 4 of 4

Should you have any questions or concerns regarding the contents of this letter, please feel free to contact either Young Fong or myself, at (415) 271-4320.

Sincerely,



Thomas Peacock, Sr. Hazmat Specialist
Hazardous Materials Division

FYF:fyf

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

c.c.

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



R0563

September 19, 1990

Samuel Kim
BP Oil Fac. #11122 Kim's
3101 - 98th Ave.
Oakland, CA 94605

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

Re: Waste Minimization Assessment

Dear Samuel Kim:

Your business has been selected to receive a hazardous waste minimization assessment. As you are probably aware, hazardous waste reduction has become a statewide, if not a national, issue. To address this issue at a county level, Alameda County is establishing its own Hazardous Waste Minimization Program and is planning to conduct waste minimization assessments for all hazardous waste generating facilities in the County.

We have chosen businesses in the auto repair industry to receive the first round of waste minimization assessments. It is our hope that these assessments will assist participating businesses in minimizing their hazardous wastes - and will give us further information on the best way to structure our minimization program.

One of our Hazardous Materials Specialists will be contacting you during the week of September 24 to arrange a meeting with you for an assessment of your business. During this meeting and assessment, the Specialist will work with you in examining your business's hazardous waste generating practices. The Specialist will then provide you with materials on waste reduction technology and assist you in setting up appropriate hazardous waste minimization practices.

We look forward to working with you in reducing the amount of hazardous waste your business generates. Of course, your comments and suggestions are encouraged; we need your input in order to best serve you! Please direct any comments and questions to Katherine Chesick at 415/271-4320.

Sincerely,

A handwritten signature in cursive script that reads "Edgar B. Howell".

Edgar B. Howell, Chief,
Alameda County Hazardous Materials Division

EBH:kac

cc: Fire Department
Files

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



R0563

April 25, 1990

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

Ms. Annette Smith
Tait & Associates
7803 Madison Ave., Suite 700
Citrus Heights, CA 95610

Dear Ms. Smith:

This office has reviewed the plans for installing new dispensers at 3101 - 98th Avenue, Oakland. The following items are to be addressed before construction begins:

- BP Oil must perform a tank integrity test on the three product tanks and the waste oil tank. Single-walled tanks are to be tested annually, and the last test was performed on 10/19/88.
- Verify that the tanks have line leak detectors. If there is a line leak detection system, it must be tested on an annual basis, also. If there is no leak detection system, BP Oil must install one.

In the submitted plans, some items require clarification. General note #6 on Drawing 13R-S2VR of the plans states in part, "All excavated material shall be hauled away." Provide a description of where this material would be disposed of and what steps would be taken to determine that it is non-hazardous. It is also not clear what type of secondary containment would be used if the existing system is double-walled (this is a moot point if it is a single-walled system).

Please be advised that this office and Oakland Fire Prevention require 48-hour notification prior to the new piping being tested, and we require as-builts to be submitted within thirty days of the completed project. If you have any questions, please call Cynthia Chapman at 415/271-4320.

Sincerely,

A handwritten signature in cursive script that reads "Edgar B. Howell, III".

Edgar B. Howell, III
Chief, Hazardous Materials Division