

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



RO# 662

StID 2090.

June 12, 1996

Mr. David Fluker
7743 Canterbury Lane
Dublin, CA 94568

ENVIRONMENTAL HEALTH SERVICES

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

FINAL NOTICE OF VIOLATION

Dear Mr. Fluker:

On August 6, 1993 and on March 15, 1995, this office requested the submittal of a Preliminary Site Assessment (PSA) workplan to delineate the extent of soil and groundwater contamination resulting from the fuel release at **5830 Las Positas Rd, Livermore, CA**. To date we are not in receipt of the required workplan. Therefore, this letter constitutes a **Final Notice** that you are in violation of specific laws and that the technical report is due.

According to Section 25298 of the California Health and Safety Code, underground storage tank closure is incomplete until the responsible party characterizes and remediates the contamination resulting from product discharge. Therefore, you, as the responsible party are in violation of this section of the Code, for which Section 25299 specifies civil penalties of up to \$5,000, for each day of violation, upon conviction.

The required PSA is due within 30 days of the date of this letter, or by **July 13, 1996**. Also, documentation of soil characterization and/or disposal of the stockpiled soil must be provided to this office.

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

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

eva chu
Hazardous Materials Specialist

cc: Gil Jensen, Alameda Co District Attorney's Office
Danielle Stefani, Livermore Fire Department
files (classic4)

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



R0662

RAFAT A. SHAHID, Assistant Agency Director

StID 2090

March 15, 1995

Mr. David Fluker
Classic Truck Lines
5830 Las Positas Rd
Livermore, CA 94550

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

SECOND NOTICE OF VIOLATION

Dear Mr. Fluker:

On August 6, 1993 this office requested the submittal of a Preliminary Site Assessment (PSA) workplan to delineate the extent of soil and groundwater contamination resulting from the fuel release at 5830 Las Positas Rd, Livermore, CA. To date we are not in receipt of the required workplan. Therefore, this letter constitutes a Second Notice that you are in violation of specific laws and that the technical report is due.

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

The required PSA is due within 45 days of the date of this letter, or by **May 31, 1995**. Also, documentation of soil characterization and/or disposal of the stockpiled soil must be provided to this office.

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

A handwritten signature in cursive script, appearing to read 'eva chu'.

eva chu
Hazardous Materials Specialist

cc: Gil Jensen, Alameda Co District Attorney's Office
Danielle Stefani, Livermore Fire Department
files (classic3)

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY

DAVID J. KEARS, Agency Director



R0662

RAFAT A. SHAHID, ASST. AGENCY DIRECTOR

StID 2090

October 29, 1993

Mr. Dave Fluker
Classic Truck Lines
5830 Las Positas Rd
Livermore, CA 94550

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

Subject: Overexcavation at 5830 Las Positas Rd., Livermore 94550

Dear Mr. Fluker:

I have completed review of your letter dated August 30, 1993 for the overexcavation of the tank pit where two underground fuel storage tanks were removed in March 1993. It is acceptable for you to perform bioremediation on the contaminated soil, **however**, final sampling to confirm the contaminants have been reduced to acceptable levels for re-use as backfill must be performed by an experienced sampler. Levels must not exceed 10 parts per million total petroleum hydrocarbons as gasoline or diesel (TPH-G or TPH-D), and must not have detectable levels of benzene, toluene, ethylbenzene, and xylene.

A representative from our office must be present to witness the overexcavation and sampling of the pit walls and pit bottom. This sampling must also be performed by an experienced worker. Field activities should commence **within 30 days of the date of this letter**. Please provide at least 48 hours notice prior to the start of over-excavation.

The UST which has not been cut completely must be removed by a licensed hazardous waste hauler as soon as possible. Please provide a copy of the hazardous waste manifest when this work is completed. The UST which has been cut in half may be removed as scrap metal.

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

eva chu
Hazardous Materials Specialist

cc: Gil Jensen, Alameda County District Attorney's Office
Danielle Stefani, Livermore Fire Department
files

classic2

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY



DAVID J. KEARS, Agency Director

RAFAT A. SHAHID, ASST. AGENCY DIRECTOR

RO662

StID 2090

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

August 6, 1993

Mr. David Fluker
Classic Truck Lines
5830 Las Positas Rd
Livermore, CA 94550

**Subject: PSA for Classic Truck Lines, 5830 Las Positas Rd.,
Livermore, CA 94550**

Dear Mr. Fluker:

On March 8, 1993, Mr. Ravi Arulananthum of this office, visited the above referenced site because the Livermore Fire Department informed him that two underground storage tanks (USTs) were removed without an approved tank closure plan. He observed that a 2,000 gallon gasoline tank had been cut in half for scrap metal. A 10,000 gallon diesel tank was sitting above ground. Both excavation pits had been backfilled with the overburden. You were requested to suspend all work until this office approved a tank closure plan.

An incomplete closure plan was submitted and not approved by this office. However, the pit was re-excavated on April 28, 1993, and five (5) soil samples were taken from 9.5 feet depth, as directed by Mr. Jeff Shapiro, Hazardous Materials Specialist. Laboratory results indicate up to 420 parts per million total petroleum hydrocarbons as diesel in soil. Clearly, there has been an unauthorized release at this site as a result of the operations of the diesel UST.

To date, the two USTs are still on site. The 10,000 gallon UST must be removed as soon as possible by a hazardous waste hauler and taken to a permitted facility for proper disposal or recycling. Enclosed is an UST Unauthorized Release/Contamination Site Report which must be completed and returned **within 10 days of the date of this letter.**

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

Mr. David Fluker
re: Classic Truck Lines
5830 Las Positas Rd., Livermore
August 6, 1993

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

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

Should you have any questions about the content of this letter, please contact Mr. Jeff Shapiro or me at (510) 271-4530.

Sincerely,



Eva Chu
Hazardous Materials Specialist

enclosures

cc: Gil Jensen, Alameda County District Attorney's Office
Danielle Stefani, Livermore Fire Department
files