



RO8M

March 15, 2006

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

Bill Chase  
Marina Manager  
Ballena Isle Marina  
1150 Ballena Blvd  
Alameda, California 94501

**NOTICE OF VIOLATION**

Re: Ballena Isle Marina, 1150 Ballena Blvd., Alameda, CA 94501

Dear Mr. Chase:

A regulatory compliance inspection was performed at the subject facility on March 9, 2006. The purpose of the inspection was to determine compliance with conditions of the facility underground storage tank (UST) operating permit, as well as provisions of Title 23, California Code of Regulations (CCR) and California Health and Safety Code (HSC) Chapter 6.7.

The following issues are noted for your attention:

- Reports authored by the Designated Operator, T.J. Kristi Corporation, for Ballena Isle Marina were not available for the months of October and November 2005 as required.
- The Designated Operator for the Ballena Isle Marina failed to train all facility employees responsible for the management of the USTs by the July 1, 2005 deadline. The one employee that was trained longer works at the Marina. The training is overdue by more than 8 months.
- The Ballena Isle Marina is ultimately responsible for assuring that the Designated Operator meets all legal requirements. Additionally, the manager responsible for the USTs at Ballena Isle Marina is required to review the monthly reports to confirm that all required actions documented in the reports are taken in a timely manner. There is no evidence of the reports being reviewed for content or accuracy.

You are in violation of provisions of the CCR and HSC, as follows:

CCR Sec. 2715(e) – The owner or operator shall maintain a copy of the monthly inspection record and all attachments for the previous twelve months. The records shall be maintained on-site.

CCR Sec. 2715(f) -- By July 1, 2005, and every twelve months thereafter, the designated UST operator(s) shall train facility employees for which he or she is responsible in the proper operation and maintenance of the underground storage tank system. For facility employees hired on or after July 1, 2005, the initial training shall be conducted within 30 days of the date of hire.

HSC Sec. 25299(a) provides for civil liabilities imposed on the tank operator of up to \$5000 per tank per day per violation for:

- (2) Violation of any applicable requirement of the permit
- (6) Violation of any applicable requirement of HSC Chapter 6.7, or regulation adopted by the board pursuant to Section 25299.3.

HSC Sec. 25299(b) provides for civil liabilities imposed on the tank owner of up to \$5000 per tank per day per violation for:

- (4) Violation of any applicable requirement of the permit issued for operation of the underground tank system
- (5) Violation of any applicable requirements of HSC Chapter 6.7, or regulation adopted by the board pursuant to Section 25299.3.

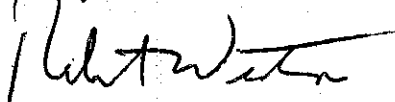
At this time, Ballena Isle Marina is required to correct the UST system management issues identified in this Notice of Violation, namely:

- Ensure that the monthly Designated Operator reports are received and reviewed in a timely manner.
- Ensure that the Designated Operator properly trains and documents all facility employees' training.

Pursuant to HSC Sec. 25288(d), the Ballena Isle Marina is required to submit a *Plan of Correction* **within 60 days**. This plan shall document how the Ballena Isle Marina will manage the Designated Operator monthly reports and employee training. With the *Plan of Correction* the Ballena Isle Marina must certify, that the UST system is in full compliance with HSC Chapter 6.7 and UST regulations.

Please contact me at (510) 567-6781 should you have any questions about the content of this letter.

Sincerely,



Robert Weston  
Sr. Hazardous Materials Specialist

Cc: Susan Hugo, Manager, ACDEH  
Susan Torrence, Alameda County District Attorney's Office

ALAMEDA COUNTY  
HEALTH CARE SERVICES



AGENCY  
DAVID J. KEARS, Agency Director

RO#811  
RAFAT A. SHAHID, DIRECTOR

April 9, 1996

DEPARTMENT OF ENVIRONMENTAL HEALTH  
1131 Harbor Bay Parkway  
Alameda, CA 94502-6577  
(510) 567-6700

Mr. Don Anderson  
Ballena Isle Marina  
Ballena Bay Yacht Harbor  
1150 Ballena Blvd.  
Alameda, CA 94501

STID 3822

Re: Ballena Isle Marina Facility, located at 1150 Ballena Blvd., Alameda, CA

Dear Mr. Anderson,

Recently, at the County's request, one soil sample was collected from approximately 2 cubic yards of stockpiled soil resulting from the 250-gallon waste oil tank pit at the above site. This sample was analyzed for Total Petroleum Hydrocarbons as diesel (TPHd), benzene, toluene, ethylbenzene, and xylenes (BTEX), and heavy metals. Although no BTEX and only low levels of heavy metals were identified in this sample, TPHd was identified at 1,300 parts per million (ppm).

Per Clayton Environmental's April 3, 1996 fax, you have requested permission to reuse this soil to backfill the waste oil tank pit. Based on the shallow groundwater at the site and the proximity of this tank pit to the Bay, this soil may only be backfilled into the tank pit if it is placed far enough above the water table (i.e., no deeper than 2.5 feet below ground surface), and a permanent cap is placed over it to prevent exposure to the surface.

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

Sincerely,

Juliet Shin  
Senior Hazardous Materials Specialist

cc: Dariush Dastmalchi  
Clayton Environmental  
P.O. Box 9019  
Pleasanton, CA 94566

Acting Chief-File



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

Mr. Don Anderson  
Ballena Isle Marina  
Ballena Bay Yacht Harbor  
1150 Ballena Blvd.  
Alameda, CA 94501

STID 3822

Re: Ballena Isle Marina Facility, located at 1150 Ballena Blvd., Alameda, CA

Dear Mr. Anderson,

This office is in the process of assessing the above site for closure consideration. However, the following is a list of some additional information that still needs to be provided to this office before the closure review process can be completed:

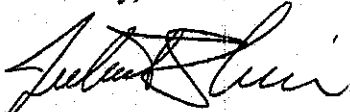
- o This office needs to know the fate of the excavated soil from the 12,000-gallon underground storage tank excavation.
- o Per my conversation with Dariush Dastmalchi, Clayton Environmental, on January 31, 1996, approximately 1 cubic yard of soil was excavated from the 250-gallon waste oil tank pit and this soil is currently stockpiled on site. Based on our records, this soil was never characterized. We are requesting that you verify that only 1 cubic yard of soil was excavated from the 250-gallon waste oil tank pit, and collect at least one discreet soil sample from the stockpiled soil and analyze it for TPHd, TPHg, BTEX, TOG, and heavy metals to determine the appropriate handling of this soil.
- o Per my conversation with Mr. Dastmalchi, the 250-gallon waste oil storage tank was hauled to Erickson in Richmond. Mr. Dastmalchi stated that he had possession of invoices from Erickson confirm this fact. Please submit the invoice information to this office.

The above information needs to be provided before our office can complete case closure review for your site. Please submit this information to this office within 45 days of the date of this letter.

Mr. Don Anderson  
Re: 1150 Ballena Blvd.  
January 31, 1996  
Page 2 of 2

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

Sincerely,



Juliet Shin  
Senior Hazardous Materials Specialist

*cc*  
cc: Dariush Dastmalchi  
Clayton Environmental  
P.O. Box 9019  
Pleasanton, CA 94566

Acting Chief-file

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY  
DAVID J. KEARS, Agency Director



R0811

RAFAT A. SHAHID, Assistant Agency Director

September 14, 1994

Mr. Don Anderson  
Ballena Isle Marina  
Ballena Bay Yacht Harbor  
1150 Ballena Blvd.  
Alameda, CA 94501

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

STID 3822

Re: Work plan for investigations at the Ballena Isle Marina  
Facility, located at 1150 Ballena Blvd., Alameda, CA

Dear Mr. Anderson,

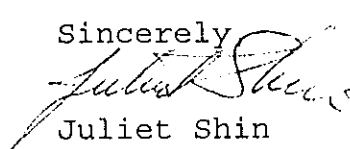
This office has reviewed Clayton Environmental's work plan, dated September 8, 1994. This work plan is acceptable to this office. As proposed in the work plan, quarterly ground water monitoring shall be conducted for a minimum of four quarters out at the site. As outlined in the County's July 19, 1994 letter, "if unacceptable levels of contaminants continue to be identified from this proposed monitoring well, one of the following actions may be required:

- o An ecological risk assessment - to assess the potential threat of observed contaminant levels on aquatic life.
- o Remediate the remaining source of ground water contamination.

However, if contaminant concentrations attenuate to acceptable levels, the site may be considered for closure."

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

Sincerely,

  
Juliet Shin  
Hazardous Materials Specialist

cc: Dariush Dastmalchi  
Clayton Environmental  
P.O. Box 9019  
Pleasanton, CA 94566

Edgar Howell

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



R0811

RAFAT A. SHAHID, Assistant Agency Director

July 19, 1994

Mr. Don Anderson  
Ballena Isle Marina  
Ballena Bay Yacht Harbor  
1150 Ballena Blvd.  
Alameda, CA 94501

ALAMEDA COUNTY HEALTH CARE SERVICES AGENCY  
DEPARTMENT OF ENVIRONMENTAL HEALTH  
1131 HARBOR BAY PARKWAY, 2ND FLOOR  
ALAMEDA, CA 94502-6577

STID 3822

Re: Investigations at 1150 Ballena Blvd., Alameda, California

Dear Mr. Anderson,

This office has reviewed Clayton Environmental's Subsurface Investigation Report, dated June 24, 1994. The soil sample collected from the south side of the tank pit identified 2,100 parts per million (ppm) Total Oil & Grease and 460 ppm Total Petroleum Hydrocarbons as diesel (TPHd). The ground water sample collected from the temporary well, TW-1, identified 260 parts per billion (ppb) TPHd. Based on the levels of soil contamination remaining in place and the results of the ground water "grab" sample, this office is requiring that a permanent monitoring well be installed between the marina and the tank pit, and be monitored on a quarterly basis for a minimum of four quarters. If unacceptable levels of contaminants continue to be identified from the monitoring well, one of the following actions may be required:

- o An ecological risk assessment - to assess the potential threat of observed contaminant levels on aquatic life.
- o Remediate the remaining source of ground water contamination.

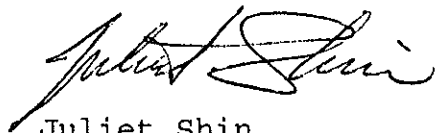
However, if contaminant concentrations attenuate to acceptable levels, the site may be considered for closure.

A work plan addressing the installation and sampling of a permanent monitoring well shall be submitted to this office **within 60 days of the date of this letter**. This is a formal request for a technical report, pursuant to **Section 2722(c), Title 23 California Code of Regulations**.

If you have any questions or comments, please contact me at (510) 337-2874 or (510) 337-2864. Please be aware that these phone numbers are temporary and will only be in operation for the next four to five weeks.

Mr. Don Anderson  
RE: 1150 Ballena Blvd.  
July 19, 1994  
Page 2 of 2

Sincerely,

A handwritten signature in cursive script, appearing to read "Juliet Shin".

Juliet Shin  
Hazardous Materials Specialist

cc: Dariush Dastmalchi  
Clayton Environmental  
P.O. Box 9019  
Pleasanton, CA 94566

Edgar Howell-File(JS)



ALAMEDA COUNTY  
HEALTH CARE SERVICES  
AGENCY

DAVID J. KEARS, Agency Director



R0811

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 10, 1994

Mr. Don Anderson  
Ballena Isle Marina  
Ballena Bay Yacht Harbor  
1150 Ballena Blvd.  
Alameda, CA 94501

STID 3822

Re: Work plan for 1150 Ballena Blvd., Alameda, CA

Dear Mr. Anderson,

This office approved Clayton Environmental's work plan on March 17, 1994, for further soil and ground water investigations at the above site. This office required the implementation of this work plan by April 20, 1994. To this date the proposed work has not been conducted out at the site. Per my conversation with Dariush Dastmalchi, Clayton Environmental, on May 10, 1994, you wish to implement the proposed work in conjunction with some unrelated work on your site. Therefore, according to Mr. Dastmalchi, you will need another two weeks to coordinate the work. This office is granting you an extension for the implementation of the work plan to **May 24, 1994**.

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

Sincerely,

A handwritten signature in cursive script, appearing to read 'Juliet Shin'.

Juliet Shin  
Hazardous Materials Specialist

cc: Dariush Dastmalchi  
Clayton Environmental  
P.O. Box 9019  
Pleasanton, CA 94566

Edgar Howell-File(JS)

ALAMEDA COUNTY  
HEALTH CARE SERVICES  
AGENCY

DAVID J. KEARS, Agency Director



R0811

RAFAT A. SHAHID, ASST. AGENCY DIRECTOR

DEPARTMENT OF ENVIRONMENTAL HEALTH  
State Water Resources Control Board  
Division of Clean Water Programs  
UST Local Oversight Program  
80 Swan Way, Rm 200  
Oakland, CA 94621  
(510) 271-4530

March 17, 1994

Mr. Don Anderson  
Ballena Isle Marina  
Ballena Bay Yacht Harbor  
1150 Ballena Blvd.  
Alameda, CA 94501

STID 3822

Re: Work plan for 1150 Ballena Blvd., Alameda, CA

Dear Mr. Anderson,

This office has reviewed Clayton Environmental's work plan, dated March 9, 1994, addressing investigations to fully characterize the remaining soil and ground water contamination at the site. This work plan is acceptable to this office with the following reminders:

- o More than six inches of soil needs to be removed from the south wall, over 2 feet if possible, before a soil sample is collected from the wall.
- o Field work shall be conducted within 45 days of the date of this letter. A report documenting the work shall be submitted to this office within 45 days after completing field activities.

The results of this investigation will determine whether the extent and severity of soil and ground water contamination has been fully characterized, and aid in determining the next required steps of investigations/remediation at the site.

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

Sincerely,

  
Juliet Shin  
Hazardous Materials Specialist

cc: Dariush Dastmalchi  
Clayton Environmental  
P.O. Box 9019  
Pleasanton, CA 94566

Edgar Howell-File(JS)

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY

DATE OF AGENCY APPROVAL



R0811

SARAT A. SHAHID, Assistant Agency Director

December 28, 1993

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

CERTIFIED MAILER #: P 386 338 231

Ballena Isle Marina  
1150 Ballena Blvd  
Alameda, 94501  
UGTID:3822

**Re: FIVE-YEAR PERMITS FOR OPERATION OF UNDERGROUND STORAGE TANK(S)  
1150 Ballena Blvd Alameda, 94501**

Dear Owner/Operator:

According to our records your facility referenced above has not received a five-year permit to operate UST's. In order to obtain a permit you must complete the following items marked below and return them within 30 DAYS. The necessary forms are enclosed. You may complete a "Consolidated Underground Tank Management Plan" which will assist you in preparing a monitoring plan, site plot plan and spill response plan for your tank(s). If supplemental information or forms are required, please submit it to this office with the completed questionnaire and application forms:

- \_\_\_ 1. An accurate and complete plot plan.
- \_\_\_ 2. A written spill response plan. (enclosed)
- \_\_\_ 3. A written tank monitoring plan. (enclosed)
- \_\_\_ 4. Results of precision tank test(s), (initial and annual).
- \_\_\_ 5. Results of precision pipeline leak detector tests (initial and annual).
- \_\_\_ 6. Complete UST PERMIT FORM A-one per facility. (enclosed)
- \_\_\_ 7. Complete UST PERMIT FORM B-one per tank. (enclosed)
- \_\_\_ 8. Complete UST PERMIT FORM C-one per tank if information is available. (enclosed)
- \_\_\_ 9. Letter stating how the tank is to be maintained during one year closure.

Be advised that Title 23 of the California Code of Regulation prohibits the operation of "ANY" UST without a permit. If our records are in error, you must contact this office immediately TO AVOID POSSIBLE ENFORCEMENT ACTION. Please feel free to contact this office at (510) 271-4320; to answer any questions which may arise in completing the mandatory five-year permit process. Be prepared to provide your zip code to speak with the Hazmat Specialist handling your case.

Sincerely,

*Cynthia Manji for LARRY SETO*

LARRY SETO  
Sr HazMat Specialist

c: Edgar Howell, Chief, Hazardous Materials Div. (files)

ALAMEDA COUNTY  
HEALTH CARE SERVICES  
AGENCY

DAVID J. KEARS, Agency Director



R0811

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

November 2, 1993

Mr. Don Anderson  
Ballena Isle Marina  
Ballena Bay Yacht Harbor  
1150 Ballena Blvd.  
Alameda, CA 94501

STID 3822

Re: Investigations at 1150 Ballena Blvd., Alameda, CA

Dear Mr. Anderson,

This office has received CET Environmental's Quarterly Ground water Monitoring Report for the above site, dated October 21, 1993, and the results of the grab ground water sample collected from the former waste oil tank pit. Very elevated levels of hydrocarbons were identified from the ground water sample, and levels of metals were identified exceeding Federal and State EPA drinking water standards, California Ocean Plan objectives, and EPA Saltwater Aquatic Protection Objectives. This office is concerned that these levels are impacting the Bay since the former tank pit is located adjacent to the Bay.

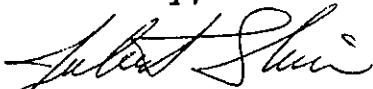
You are required to conduct further investigations to determine whether the contaminant levels being found in the tank pit are impacting the Bay. One option for determining whether the contaminants are migrating into the Bay would be to place borings between the tank pit and the shoreline and collect ground water grab samples and soil samples. A work plan addressing this work shall be submitted to this office **within 60 days** of the date of this letter. This request for a technical report is pursuant to **Section 2722, Article 11, Title 23 California Code of Regulations.**

There is a strong possibility that much of the identified contamination is the result of leaching from the elevated levels of soil contamination left on site. If it is determined that the site is impacting the Bay, you will be required to conduct some sort of remediation, such as source removal, or propose some sort of containment for the ground water contamination on site.

Mr. Don Anderson  
Re: 1150 Ballena Blvd.  
November 2, 1993  
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: Mark R. Lafferty, R.G.  
CET Environmental Services, Inc.  
2950 Buskirk Ave., Ste 120  
Walnut Creek, CA 94596-2079

Edgar Howell-File(JS)

ALAMEDA COUNTY  
HEALTH CARE SERVICES  
AGENCY

DAVID J. KEARS, Agency Director



R0811

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 12, 1993

Mr. Don Anderson  
Ballena Isle Marina  
Ballena Bay Yacht Harbor  
1150 Ballena Blvd.  
Alameda, CA 94501

STID 3822

Re: Quarterly Ground water Monitoring at 1150 Ballena Blvd.,  
Alameda, California

Dear Mr. Anderson,

Per the August 4, 1993 letter from this office, you were required to submit a quarterly ground water monitoring report to this office by September 15, 1993. To this date this office has not received this report, or any communications as to the cause of the delay. Additionally, this office requested that you collect a ground water grab sample from the former waste oil tank pit and submit the information, in the form of a report, to this office by October 4, 1993. This report is also past due.

You are required to submit the above delinquent reports 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: Edgar Howell-File(JS)

ALAMEDA COUNTY  
HEALTH CARE SERVICES  
AGENCY

DAVID J. KEARS, Agency Director



R0811

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, 9th Floor  
Oakland, CA 94612  
(510) 271-4830

August 4, 1993

Mr. Don Anderson  
Ballena Isle Marina  
Ballena Bay Yacht Harbor  
1150 Ballena Blvd.  
Alameda, CA 94501

STID 3822

RE: Further requirements for 1150 Ballena Blvd., Alameda,  
California

Dear Mr. Anderson,

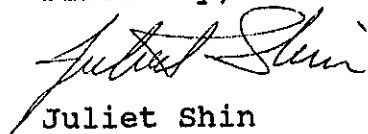
This office has received and reviewed the summary of Law/Crandall's investigations conducted out at the site in December 1992. You are required to conduct a minimum of three additional quarterly monitoring events for all three monitoring wells (MW-1, MW-2, and MW-3) at the site with the existing 12,000-gallon underground storage tanks. Ground water monitoring reports shall be submitted quarterly and shall include quarterly water level measurements and corresponding gradient determinations. Ground water samples collected from these wells shall be analyzed for Total Petroleum Hydrocarbons as diesel, Total Petroleum Hydrocarbons as gasoline, and benzene, toluene, ethylbenzene, and xylenes. The next quarterly report will be due **within 45 days** of the date of this letter.

According to our files, elevated levels of diesel, as high as 2,200 ppm, and Oil & Grease, as high as 4,200 ppm, were identified from both the north and south walls of the 250-gallon waste oil tank pit. It appears that further excavation could not be conducted to the north or south due to utility lines and possible damage to a maintenance building. At this time, you are required to collect a grab ground water sample from the open tank pit. This work shall be implemented **within 30 days** of the date of this letter, and a report detailing the results of this investigation shall be submitted **within 30 days** of completing field activities. The ground water grab sample shall be analyzed for all the appropriate waste oil constituents. If the ground water lab analysis results for this sample identify unacceptable concentrations of contaminants, further steps may be required to address the removal/remediation of the apparent source (i.e., the contaminated soil).

Mr. Don Anderson  
Re: 1150 Ballena Blvd.  
Page 2 of 2  
August 4, 1993

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

Sincerely,



Juliet Shin  
Hazardous Materials Specialist

cc: Edgar Howell-File(JS)



ALAMEDA COUNTY  
HEALTH CARE SERVICES  
AGENCY

DAVID J. KEARS, Agency Director



R0811

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 4, 1993

Mr. Don Anderson  
Almar Ltd Marina  
1150 Ballena Blvd., #111  
Alameda, CA 94501

STID 3822

Re: Required investigations at 1150 and 1100 Ballena Blvd.

Dear Mr. Anderson,

On May 15, 1992, this office sent you a letter requiring you to conduct soil and ground water investigations associated with two 12,000-gallon underground storage tanks (USTs) at 1150 Ballena Blvd. On July 2, 1992, this office sent you a letter requiring that you conduct further investigations associated with a 250-gallon UST at 1100 Ballena Blvd (Please refer to copies of attached letters). To this date, you have not implemented any of the above work required of you and you have made no efforts to contact this office to request any extensions of the due dates for the implementation of the required work.

In October 1992, I spoke to a representative for a potential buyer for your property, Susan Gahry of Law/Crandall. She stated that the company she represented would conduct investigations at the site to determine the extent and severity of contamination at the above sites. In order to avoid unnecessary redundancy in the investigations at the site, this office postponed any pursuits to have you implement investigations at the sites until after Law/Crandall's investigations.

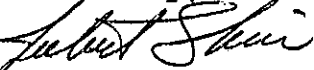
On March 22, 1993, I spoke to Ms. Gahry once again to determine the status of Law/Crandall's investigations. She stated that they had completed the investigations out at the site and that they had made an agreement with you to submit a report of their findings to you for use in your efforts to investigate and remediate your sites.

You are required to submit a work plan for 1150 Ballena Blvd. **within 45 days** of the date of this letter, as outlined in the May 15, 1992 letter. Additionally, you are required to implement the work at 1100 Ballena Blvd. **within 45 days** of the date of this letter, as outlined in the July 2, 1992 letter. 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 deadline, or modifications of the required tasks must be confirmed in writing by either this agency or RWQCB.

Mr. Don Anderson  
Re: 1150 & 1100 Ballena Blvd.  
May 4, 1993  
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: Richard Hiett, RWQCB

Gil Jensen, Alameda County District Attorney's Office

Edgar Howell-File(JS)

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



R0811

RAFAT A. SHAHID, Assistant Agency Director

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

May 15, 1992

Don Anderson  
Almar Ltd Marina  
1150 Ballena Blvd., #111  
Alameda, CA 94501

STID 3822

RE: Required investigations at the Ballena Isle Marina site,  
located at 1150 Ballena Boulevard, Alameda, California

Dear Mr. Anderson,

Two 12,000-gallon underground storage tanks (USTs), one containing diesel and the other containing gasoline, were removed from the above site on July 2, 1990. Six soil samples were collected from the tank pit. Analysis of these samples indicate that one sample, collected near the piping connection to the diesel tank, exhibited 130 ppm of Total Extractable Hydrocarbons as diesel.

Additionally, groundwater was observed in the tank pit. Two groundwater samples were collected from the tank pit. One groundwater sample was collected before pumping the groundwater out of the tank pit, and another sample was collected from the recharged groundwater. The groundwater sample collected before pumping out the tank pit exhibited high concentrations of Total Volatile Hydrocarbons (24,000 ppb) and benzene (840 ppb).

Guidelines established by RWQCB requires that a groundwater investigation be conducted whenever an unauthorized release of product is suspected from an UST. The soil and groundwater contamination identified in the tank pit would indicate that such an event has occurred. You are required to install one monitoring well within 10 feet downgradient of the tank pit to determine whether contaminants from the UST have impacted the groundwater. Furthermore, a groundwater gradient must be established for the site, which is usually determined by installing two additional monitoring wells, both screened in the same interval as the initial well, to form the necessary triangular formation.

Per Ms. Shin's conversation with Ray Pantel of Cottle Engineers, it appears that two compliance monitoring wells have been installed in the tank pit at the site to monitor any leaks from the currently active USTs. It appears that these two wells cannot be used as part of the groundwater gradient determination because they are located in backfill material that differs from the surrounding

native soil, which may cause these wells to give an inaccurate groundwater elevation for the site. Additionally, these wells may not be spaced far enough apart to assist in calculating an accurate groundwater gradient.

You are required to submit a Preliminary Site Assessment (PSA) work plan describing the proposed work at the site. It should include, among other elements, a depiction of the proposed locations for monitoring well installations and sampling plan. Initial soil and groundwater samples shall be analyzed for Total Petroleum Hydrocarbons as gasoline (TPHg), TPH as diesel, and benzene, toluene, ethylbenzene, and xylenes using appropriate EPA or DHS methods.

The PSA must be conducted in accordance with the California Regional Water Quality Control Board's (RWQCB's) Staff Recommendations for the Initial Evaluation and Investigations of Underground Tanks and the State Water Board's LUFT field manual. Please reference the attached Appendix A summarizing the technical scope of such a PSA proposal.

The PSA shall be conducted under the direction of a registered engineer/geologist. A technical report shall be submitted following completion of this initial stage of work at the site. Subsequent reports are to be submitted quarterly until this site qualifies for final RWQCB "sign-off".

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 form, laboratory results for all samples collected and analyzed, tabulations of free product thicknesses and dissolved fractions, etc.
- o Status of groundwater contamination characterization
- o Interpretation of results: water level contour maps showing gradients, free and dissolved product plume, definition maps for each target component, geologic cross sections, etc

A report documenting the results from work performed is due to this office within 45 days of completion of field activities. Copies of all plans and proposals should be sent to this office for approval before implementation.

The need for any follow-up investigative or remedial actions at the site will be based upon the data derived from this groundwater investigation.

If you have any questions or comments, please contact Juliet Shin  
at (510) 271-4320.

Sincerely,



Scott O. Seery, CHMM  
Senior Hazardous Materials Specialist

cc: Richard Hiett, RWQCB

Richard Quarante, Alameda Fire Dept.

Ray Pantel  
Cottle Engineering  
P.O. Box 163  
Antioch, CA 94509

FILE (SS)

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



R0811

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

Certified Mailer #:P 062 128 183

May 11, 1990

Mr. Don Anderson  
Almar Ltd. Marina  
1150 Ballena Blvd.  
Alameda, California 94501

Re: Requirements for Obtaining 5-Year Operating Permits for  
Underground Storage Tanks at Ballena Isle Marina, 1150 Ballena  
Blvd., Alameda, CA

Dear Mr. Anderson:

The following information must be submitted to our office before we will issue five-year operating permits for underground storage tanks (both existing tanks and proposed replacement tanks) at Ballena Isle Marina. Per Section 25284 (a) of the California Health and Safety Code, no person shall operate an underground storage tank unless a permit for its operation has been issued by the local agency.

**For all tanks:**

- \* Up-dated underground storage tank permit applications. Copies of these applications are enclosed. One Part A form must be completed per facility (for each business address); one Part B form must be completed for each underground tank at each facility.

**For all existing tanks installed before 1984:**

- 1) Documentation of selection and implementation of a monitoring alternative per California Code of Regulations Title 23 Sections 2640 through 2648.

Copies of the underground storage tank rules and regulations (California Code of Regulations Title 23 and the California Health and Safety Code) may be obtained from the following office:

California State Water Resources Control Board  
P.O. Box 944212  
Sacramento, California 94244  
(916) 739-4436  
Attn: David Holtry

Page 2 of 2  
Mr. Don Anderson  
Ballena Isle Marina  
May 11, 1990

**For the proposed 12,000 gallon replacement tanks:**

- 1) Tank and piping as-builts;
- 2) A written routine tank monitoring procedure per Title 23, Section 2632 (c) and (d)(1); and
- 3) A written response plan per Title 23, Section 2632 (d)(2).

Should you have any questions, please feel free to contact me at (415) 271-4320.

Sincerely,



Katherine Chesick,  
Senior Hazardous Materials Specialist

enclosures

cc: Mr. David Cottle, Cottle Engineering  
Mr. Brian Eychler, Majors Engineering, Inc.  
Gil Jensen, Alameda County District Attorney, Consumer and  
Environmental Protection Division  
Rafat A. Shahid, Alameda County Environmental Health  
Department  
Files