

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY

DAVID J. KEARS, Agency Director



R01169

RAFAT A. SHAHID, DIRECTOR

September 6, 1995
STID # 3285

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

Mr. Ernest Jones
1725 Rose Avenue
Pleasanton, California 94566

RE: Case Closure - East Bay Granite
5237 S. Front Road, Livermore, CA 94550

Dear Mr. Jones:

The Alameda County Department of Environmental Health, Environmental Protection Division has recently received concurrence from the Regional Water Quality Control Board regarding this office determination that no further action is required concerning the removal of two underground storage tanks (1 - 3,000 gallon gasoline and 1 - 5,000 gallon diesel) at the referenced site.

Please be advised that the groundwater monitoring well (MW-1) at the site must be properly decommissioned before our agency will issue the Remedial Action Completion Certification (closure letter) for the subject site. A report must be submitted documenting the abandonment of the monitoring wells.

Additionally, you will need to notify this office 72 hours in advance of the well abandonment field activities.

If you have any questions concerning this letter, please contact Eva Chu at (510) 567- 6762.

Sincerely,

Susan L. Hugo
Senior Hazardous Materials Specialist

cc: Jun Makishima, Interim Director, Environmental Health
Leroy Todd, Acting Chief, Environmental Protection
Division / files
Kevin Graves, San Francisco Bay RWQCB

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY

DAVID J. KEARS, Agency Director



R01169

RAFAT A. SHAHID, ASST. AGENCY DIRECTOR

StID 3285

May 13, 1994

Mr. Ernest Jones
1725 Rose Ave
Pleasanton, CA 94566

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: Workplan Approval for 5237 South Front Rd, Livermore

Dear Mr. Jones:

I have completed review of Earth Systems Consultants' April 1994 Soil and Groundwater Investigation Work Plan for the above referenced site. The proposal to advance three soil borings, and converting one into a monitoring well to evaluate soil and ground water quality at the site acceptable. The following concerns should be taken into consideration:

1. Since only one monitoring well will be installed in the assumed downgradient direction, groundwater grab samples should be collected for analysis from the other two soil borings;
2. Measure depth to water when before collecting water sample;
3. Do not develop the well until at least 48 hours after construction; and
4. Analyze samples for total lead, not organic lead.

Field activities should commence **within 45 days of the date of this letter**. Please notify this office at least 72 hours prior to the start of field work. If you have any questions, I can be reached at (510) 271-4530.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Eva Chu'.

eva chu
Hazardous Materials Specialist

cc: Nissa Nack, Earth Systems, 5880 W. Las Positas, Suite 52,
Pleasanton, 94588
files

jones5

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY

DAVID J. KEARS, Agency Director



R01169

RAFAT A. SHAHID, ASST. AGENCY DIRECTOR

StID 3285

October 7, 1993

Mr. Ernest Jones
1725 Rose Ave.
Pleasanton, CA 94566

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

SECOND NOTICE OF VIOLATION

Dear Mr. Jones:

On April 30, 1992, the Alameda County Department of Environmental Health, Hazardous Materials Division, sent you a letter requesting technical reports detailing the work intended to determine the extent of soil and water contamination due to the unauthorized release of fuel products at **5237 S. Front Road, Livermore**. To date we are not in receipt of the Preliminary Site Assessment Proposal requested. 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.

You are required to submit the technical reports for the site to this office within 30 days from the date of this letter. Failure to respond may result in referral of this case to the RWQCB or 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, please contact me at (510) 271-4530.

eva chu
Hazardous Materials Specialist

cc: Gil Jensen, Alameda County District Attorney's Office
files (jones2)

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



R01169

RAFAT A. SHAHID, Assistant Agency Director

StID #3285

April 30, 1992

Ernest Jones
5237 S. Front Rd
Livermore, CA 94550

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

**Subject: Preliminary Site Assessment of Groundwater
Contamination at 5237 S. Front Road, Livermore**

Dear Mr. Jones:

This office reviewed the case history (beginning May 2, 1991) pertaining to the underground storage tank removals from the above referenced site. Laboratory analyses from initial soil samples taken from beneath the tanks show up to 2,600 parts per million (ppm) of total petroleum hydrocarbons (TPH) as gasoline and up to 580 ppm of TPH as diesel. You then proceeded to overexcavate the pit area until non detection levels for TPH as gasoline and diesel were reached. The pit was then backfilled with "clean" fill which was excavated from and remediated on the referenced site.

On May 24, 1991 you were requested by this office to file an Unauthorized Release Report and to submit a preliminary site assessment (PSA) workplan designed to determine the extent of soil and groundwater contamination, if any (see attached letter). We have not yet received either document.

At this time you are directed to submit the aforementioned PSA workplan to this office by June 17, 1992. The PSA must adhere to the requirements specified in the "Tri-Regional Board Staff Recommendation for Preliminary Evaluation and Investigation of Underground Tank Sites," August 1990, as summarized in the attached outline.

All reports and proposals must be signed by a California-Certified Engineering Geologist, California-Registered Geologist or a California-Registered Civil Engineer. A statement of qualifications should be included in all reports or proposals. Borehole and monitoring well installation and logging, and impact assessments will require the signature of such a professional.

All proposals, reports and analytical results pertaining to this investigation and remediation must be sent to our office and to the RWQCB to the attention of Lester Feldman. The address is:

Regional Water Quality Control Board
2101 Webster Street, Fifth Floor
Oakland, CA 94612
(510) 464-1255

Please be advised that this is a formal request for technical reports pursuant to California Water Code section 13267(b). Continued failure to respond or a late response will result in the referral of this case to the RWQCB for enforcement action, possibly subjecting the responsible party to civil penalties up to \$1,000 per day upon conviction.

Enclosed is a form for reporting an unauthorized release which you must complete and return to this office as soon as possible. Should you have any questions concerning the contents of this letter or the status of this case, please contact Eva Chu at (510) 271-4530.

Sincerely,



Scott Seery, CHMM
Senior Hazardous Materials Specialist

Enclosure

cc: Eddie So, RWQCB (w/o)
Gil Jensen, Alameda County District Attorney's Office (w/o)
Howard Hatayama, DHS (w/o)
Danielle Stefani, Livermore Fire Department (w/o)
files

Jones

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



Room 69

September 24, 1991

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

Mr. Ernie Jones
1725 Rose Ave.
Pleasanton, CA 94566

Re: Underground Tank Removals at 5237 S. Front St., Livermore CA
94550.

Dear Mr. Jones:

This letter is in response to your request for approval to backfill the excavation pit from the underground tank removals at the above referenced location. I have received the faxed analytical results from NET laboratory for the two soil samples, 1 N West and 2 S West. From our phone conversation on September 23, 1991, I assume that these are the confirmatory samples from the west side of the excavation pit. In Dennis Byrne's absence you requested written approval to backfill the pit with clean fill. Because both samples are N.D. for Total Petroleum Hydrocarbons (TPH) as diesel and TPH as gasoline and are also N.D. for Benzene, Toluene, Ethylbenzene and Xylenes (BTEX), you can fill this pit with "clean" fill. I cautioned you to use clean fill preferably from a reliable source. You had mentioned that you were considering "clean" fill from a nearby site undergoing development.

You may contact me or Mr. Byrne at 271-4320 should you have any questions regarding this letter.

Sincerely,

Barney M. Chan
Hazardous Materials Specialist

cc: Ray Bohn, East Bay Gunitite (5237 Southfront Rd., Livermore, CA
94550)

H. Hatayama, DOHS
D. Stefani, Livermore Fire Dept.
L. Feldman, RWQCB

5237SFront

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



R01169

May 24, 1991

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

Mr. Ernie Jones
1725 Rose Ave.
Pleasanton, CA 94566

**RE: Site investigation and remediation requirements following
underground tank removals from 5237 Southfront Rd., Livermore**

Dear Mr. Jones:

As you recall, on May 2, 1991, SEMCO removed two underground storage tanks from the above location, one that contained diesel fuel, and one that contained gasoline. Results of soil samples collected from beneath the tanks showed levels of gasoline at up to 2,600 parts per million (ppm), and diesel at up to 580 ppm. Excavated soils were also found to contain both hydrocarbons. This confirms evidence of significant releases of both gasoline and diesel that was noted on-site during tank removal. Based on this information, the Regional Water Quality Control Board (RWQCB) is requiring a preliminary contaminant assessment at this site. Your first step is to file an Unauthorized Release Report with this office immediately. Then, you must submit a preliminary assessment work plan to us that addresses the points raised in this letter and its attachment.

This office will be the lead agency overseeing environmental investigation and cleanup activities at the site. The RWQCB is currently unable to manage the large number of fuel leak cases within Alameda County, and has therefore delegated this authority to our office. However, you must keep the Water Board apprised of all actions taken to characterize and remediate contamination at this site, because the Board retains the ultimate responsibility for ensuring protection of waters of the state.

The preliminary assessment should be designed to determine the extent of soil and groundwater contamination that resulted from past use of the tanks. The information gathered by this investigation will be used to assess the need for additional actions at the site. The preliminary assessment should be designed to provide all of the information in the format shown in the attachment at the end of this letter, which is based on RWQCB guidelines. Three monitoring wells will need to be installed around the former tank pit, to enable determination of groundwater flow direction beneath the site, and to check for the extent (if any) of groundwater contamination. One well must be installed within 10 feet and downgradient of the former tank location.

Mr. Ernie Jones
May 24, 1991
Page 2 of 2

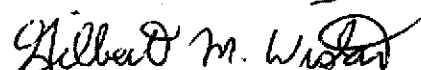
Until remediation is complete, you will need to submit reports to this office and to the RWQCB every three months (or at a more frequent interval, if specified at any time by either agency). These reports must include information pertaining to further investigative results; the methods and costs of cleanup actions implemented to date; and the method and location of disposal of any contaminated material.

Soils contaminated at hazardous waste concentrations (defined specifically as above 1,000 ppm hydrocarbons) should be transported by a licensed hazardous waste hauler and disposed of or treated at a facility approved by the CA Department of Health Services. Soils contaminated below the hazardous waste threshold may be managed as nonhazardous, but are still subject to the RWQCB's waste discharge requirements. Copies of manifests or receipts for all soil disposal must be sent to this office. Currently stockpiled soil may require further characterization prior to disposal.

Please submit a work plan to this office no later than June 24, 1991. Copies of the proposal should also be sent to the RWQCB (attention: Lester Feldman). Because we are overseeing this site under the designated authority of the Water Board, this letter constitutes a formal request for technical reports, per Sec. 13267(b) of the California Water Code. Failure to respond in a timely manner could result in civil liabilities under the Water Code of up to \$1,000 per day. Other violations of California law may also be cited.

If you have any questions about this letter or about remediation requirements established by the RWQCB, please contact the undersigned at 271-4320.

Sincerely,



Gil Wistar
Hazardous Materials Specialist

enclosure

cc: Ray Bohn, East Bay Gunite (5237 Southfront Rd., Livermore, CA
94550)
Howard Hatayama, DOHS
Danielle Stefani, Livermore Fire Dept.
Lester Feldman, San Francisco Bay RWQCB
Rafat Shahid, Asst. Agency Director, Environmental Health
files

Alameda County Health Care Services Agency, Department of
Environmental Health, Hazardous Materials Division

In Re The Property Known As :

5237 S. Front Street
Livermore, CA 94550

) Proof of Service of
) Notice of
) Pre-Enforcement
) Review Panel

I, Eva Chu , do hereby certify
that I served Ernest Jones
with a copy of the attached Notice of Pre-Enforcement Review
Panel on January 12, 1994 by certified
mailer # P 386 338 443

Dated: 1/12/94


(signature)

**Alameda County Health Care Services Agency, Department of
Environmental Health, Hazardous Materials Division**


In Re The Property Known As :)
) **Notice of**
) **Pre-Enforcement**
5237 S. Front St.) **Review Panel**
Livermore, CA 94550)

Notice is hereby given that upon the motion of the Alameda County Hazardous Materials Division, and the San Francisco Bay Regional Water Quality Control Board a **Review Panel** will convene on **February 15, 1994 at 10:30 AM** in the offices of the Alameda County Hazardous Materials Division located at 80 Swan Way, Room 200, Oakland, CA 94621. This **Review Panel** will convene for the purpose of determining responsible parties as well as appropriate closure, site assessment, clean-up and mitigation of contamination at the above location.

The Alameda County Hazardous Materials Division, and the San Francisco Bay Regional Water Quality Control Board have named and served notice of this **Review Panel** on the following persons or entities as having proposed responsibility for closure, site assessment, clean-up and mitigation of contamination at the above location, and by this notice all parties named herein are informed of the right to appear and show cause, if any they have, for the exclusion or inclusion of any of the parties served herein from said responsibility or obligations:

1. **Mr. Ernest Jones**
1725 Rose Ave
Pleasanton, CA 94566

Dated: 1/12/94


(signature)

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



R01169

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

Certified Mailer # P 062 127 763

February 19, 1991

Mr. Ernest Jones
1725 Rose Ave.
Pleasanton, CA 94566

NOTICE OF LEGAL OBLIGATION

Dear Mr. Jones:

Recently, the Alameda County Department of Environmental Health, Hazardous Materials Division inspected the East Bay Gunitite facility at 5237 Southfront Rd. in Livermore. During the course of the inspection, the Division noted the presence of two underground storage tanks that have been out of service for at least several months. County files contain no records of annual precision tests, nor any quarterly inventory reconciliation reports, as required by state law. Mr. Ray Bohn, Vice-President of East Bay Gunitite, stated during the inspection that East Bay Gunitite had in fact conducted daily inventory reconciliation on the tanks until they went out of service in August 1990.

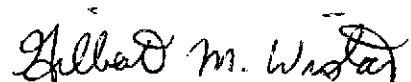
As the property owner, it is your responsibility to ensure that the tank systems comply with Secs. 25292 and 25298 of the California Health and Safety Code (H&SC). These sections of code state that underground storage tanks must either be properly monitored and precision-tested, or undergo proper closure (i.e., removal) as soon as they go out of operation. Abandonment is specifically forbidden. You should be aware that Sec. 25299(a)(5) of the H&SC authorizes civil penalties of up to \$5,000 per day to be assessed as long as violations of these provisions continue.

In a recent telephone conversation, you stated your intent to remove the underground tanks at 5237 Southfront Rd. If this remains your intent, we are requiring that you remove the tanks under procedures established by this office. Tank closure includes the cleanup of any soil or groundwater contamination that may have resulted from tank system operation. Enclosed are forms and information regarding the closure of underground tanks in Alameda County. You will need to hire a contractor and have the closure form filled out and sent in triplicate, along with a deposit of \$642, to this office. The completed closure form and deposit (made payable to Alameda County) are due 60 days from the date of this letter, i.e., no later than **April 19, 1991**.

Mr. Ernest Jones
February 19, 1991
Page 2 of 2

If you have any questions about this letter, please contact me at
271-4320.

Sincerely,



Gil Wistar
Hazardous Materials Specialist

enc.

cc (letter only):

Ray Bohn, East Bay Gunite (5237 Southfront Rd., Livermore, CA
94550)

Randy Griffith, Livermore Fire Dept.

Gil Jensen, Alameda County District Attorney, Consumer and
Environmental Protection Division

Rafat A. Shahid, Asst. Agency Director, Environmental Health
files

