

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY  
DAVID J. KEARS, Agency Director



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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

April 17, 2007

Mr. J. Gilbert Moore  
New West Stations, Inc.  
1831 16<sup>th</sup> Street  
Sacramento, CA 95814

Subject: Fuel Leak Case No. RO0002440 and Geotracker Global ID T0600148042, Bernard's Gas, 1051 Airway Blvd., Livermore, CA 94550

Dear Mr. Moore:

Alameda County Environmental Health (ACEH) staff has reviewed the fuel leak case file for the above-referenced site including the recently submitted document entitled, "Soil and Groundwater Investigation Report," dated March 28, 2007 and prepared on your behalf by Closure Solutions, Inc. The Soil and Groundwater Investigation Report presents the results from a soil and groundwater investigation that included one soil boring and installation of five monitoring wells. Two additional proposed wells were not installed due to the presence of utilities in the median of Airway Boulevard.

MTBE was detected in 2 of 26 soil samples collected at the site at concentrations of 0.014 and .025 milligrams per kilogram, respectively. MTBE was detected in 4 of 5 groundwater samples collected at concentrations ranging from 1.5 to 14 micrograms per liter ( $\mu\text{g/L}$ ). The Soil and Groundwater Investigation Report recommends monitoring groundwater quality using the existing monitoring wells for a period of one year. Based on the results to date, we have no objection to collection of groundwater samples for a period of one year. The need for further investigation or cleanup is to be based upon the results of the groundwater monitoring and the responses provided to the technical comments below. Therefore, we request that you address the following technical comments, perform the proposed work, and send us the reports described below.

**TECHNICAL COMMENTS**

1. **Additional Proposed Monitoring Wells.** Two additional monitoring wells were proposed in the median of Airway Boulevard or on the opposite side of Airway Boulevard from the site. The two off-site wells could not be installed due to access issues and the presence of utilities. Based on the results obtained from the on-site borings and wells, we are not requesting that the additional off-site wells be installed at this time.
2. **Vertical Extent of Contamination.** Boring 5-D was originally proposed as a deep well to be installed in a lower water-bearing zone. Fine-grained soils consisting of silty clay to clayey silt were encountered in boring 5-D from 35 to 80 feet bgs. A water-bearing zone was not encountered below 35 feet bgs. Soil samples were collected for laboratory analyses to a total depth of 85 feet bgs. MTBE was not detected in soil samples below a depth of 24 feet

bgs. Based on these results, no further investigation of the vertical extent of contamination is requested at this time.

3. **Lateral and Vertical Extent of Soil and Groundwater Contamination.** As noted in the Conclusions and Recommendations section of the Soil and Groundwater Investigation Report, the issue of whether contaminated soils were removed during dispenser and product line removal activities in 2001 has not been resolved. As discussed in our June 14, 2005 correspondence, total petroleum hydrocarbons as gasoline (TPHg) were detected in soil samples collected beneath the product lines and dispensers at concentrations up to 2,800 milligrams per kilogram (mg/kg). TPH as diesel was detected in the soil samples at concentrations up to 9,500 mg/kg and methyl tert-butyl ether (MTBE) was detected in 14 of the 15 soil samples collected during fuel line and dispenser renovation in 2001 at concentrations up to 7,500 micrograms per kilogram ( $\mu\text{g}/\text{kg}$ ). MTBE was also detected in each of the four grab groundwater samples collected at the site in 2002 at concentrations up to 280 micrograms per liter ( $\mu\text{g}/\text{L}$ ). The "Fuel Dispenser and Line Removal Report," prepared by Grayland Environmental and dated August 10, 2001 does not describe overexcavation of contaminated soil or confirmation sampling to delineate the extent of contaminated soil. Please review the available information and address the issue of whether contaminated soil was left in place in the Response to Comments/Quarterly Monitoring Report requested below.
4. **Well Survey Results.** A Zone 7 Water Agency Well Location Map is presented as an appendix to the Apex Envirotech, Inc. report entitled, "Workplan for Monitoring Well Installation Addendum," dated April 14, 2006. No comments or conclusions are included in the April 14, 2006 report as to whether any of the wells could be potential receptors for the site. Please review these results for accuracy and evaluate the potential for wells in the vicinity of the site to be receptors for groundwater contamination from the site. Please present this evaluation in the Response to Comments/Quarterly Monitoring Report requested below.
5. **Groundwater Monitoring.** The existing monitoring wells are to be sampled on a quarterly basis for a period of one year using the analytical methods performed on the March 16, 2007 groundwater samples. Please present the results of the groundwater sampling in the quarterly monitoring reports requested below.

#### **TECHNICAL REPORT REQUEST**

Please submit technical reports to Alameda County Environmental Health (Attention: Jerry Wickham), according to the following schedule:

- **August 15, 2007** – Response to Comments/Quarterly Monitoring Report – Second Quarter 2007
- **November 15, 2007** – Quarterly Monitoring Report – Third Quarter 2007
- **February 15, 2008** – Quarterly Monitoring Report – Fourth Quarter 2007

These reports are being requested pursuant to California Health and Safety Code Section 25296.10. 23 CCR Sections 2652 through 2654, and 2721 through 2728 outline the responsibilities of a responsible party in response to an unauthorized release from a petroleum UST system, and require your compliance with this request.

#### ELECTRONIC SUBMITTAL OF REPORTS

The Alameda County Environmental Cleanup Oversight Programs (LOP and SLIC) require submission of all reports in electronic form to the county's ftp site. Paper copies of reports will no longer be accepted. The electronic copy replaces the paper copy and will be used for all public information requests, regulatory review, and compliance/enforcement activities. Instructions for submission of electronic documents to the Alameda County Environmental Cleanup Oversight Program ftp site are provided on the attached "Electronic Report Upload (ftp) Instructions." Please do not submit reports as attachments to electronic mail.

Submission of reports to the Alameda County ftp site is an addition to existing requirements for electronic submittal of information to the State Water Resources Control Board (SWRCB) Geotracker website. Submission of reports to the Geotracker website does not fulfill the requirement to submit documents to the Alameda County ftp site. In September 2004, the SWRCB adopted regulations that require electronic submittal of information for groundwater cleanup programs. For several years, responsible parties for cleanup of leaks from underground storage tanks (USTs) have been required to submit groundwater analytical data, surveyed locations of monitor wells, and other data to the Geotracker database over the Internet. Beginning July 1, 2005, electronic submittal of a complete copy of all necessary reports was required in Geotracker (in PDF format). Please visit the SWRCB website for more information on these requirements ([http://www.swrcb.ca.gov/ust/cleanup/electronic\\_reporting](http://www.swrcb.ca.gov/ust/cleanup/electronic_reporting)).

#### PERJURY STATEMENT

All work plans, technical reports, or technical documents submitted to ACEH must be accompanied by a cover letter from the responsible party that states, at a minimum, the following: "I declare, under penalty of perjury, that the information and/or recommendations contained in the attached document or report is true and correct to the best of my knowledge." This letter must be signed by an officer or legally authorized representative of your company. Please include a cover letter satisfying these requirements with all future reports and technical documents submitted for this fuel leak case.

#### PROFESSIONAL CERTIFICATION & CONCLUSIONS/RECOMMENDATIONS

The California Business and Professions Code (Sections 6735, 6835, and 7835.1) requires that work plans and technical or implementation reports containing geologic or engineering evaluations and/or judgments be performed under the direction of an appropriately registered or certified professional. For your submittal to be considered a valid technical report, you are to present site specific data, data interpretations, and recommendations prepared by an appropriately licensed professional and include the professional registration stamp, signature, and statement of professional certification. Please ensure all that all technical reports submitted for this fuel leak case meet this requirement.

Mr. J. Gilbert Moore  
April 17, 2007  
Page 4

**UNDERGROUND STORAGE TANK CLEANUP FUND**

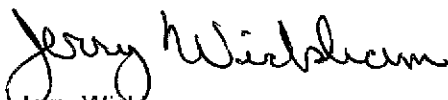
Please note that delays in investigation, later reports, or enforcement actions may result in your becoming ineligible to receive grant money from the state's Underground Storage Tank Cleanup Fund (Senate Bill 2004) to reimburse you for the cost of cleanup.

**AGENCY OVERSIGHT**

If it appears as though significant delays are occurring or reports are not submitted as requested, we will consider referring your case to the Regional Board or other appropriate agency, including the County District Attorney, for possible enforcement actions. California Health and Safety Code, Section 25299.76 authorizes enforcement including administrative action or monetary penalties of up to \$10,000 per day for each day of violation.

If you have any questions, please call me at (510) 567-6791.

Sincerely,



Jerry Wickham  
Hazardous Materials Specialist

Enclosure: ACEH Electronic Report Upload (ftp) Instructions

cc: Colleen Winey, QIC 80201  
Zone 7 Water Agency  
100 North Canyons Parkway  
Livermore, CA 94551

Danielle Stefani  
Livermore-Pleasanton Fire Department  
3560 Nevada Street  
Pleasanton, CA 94566

Ronald Chinn  
Closure Solutions, Inc.  
1243 Oak Knoll Drive  
Concord, CA 94521

Donna Drogos, ACEH  
Jerry Wickham, ACEH  
File

**Wickham, Jerry, Env. Health**

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**To:** rchinn  
**Cc:** scouch@closureolutions.com; 'Marta Garcia'  
**Subject:** RE: New West Petroleum - 1051 Airway Boulevard, Livermore

Ron,

As we discussed by telephone earlier today, the proposal to move well MW-6 to a nearby planter is acceptable. The proposal to move wells MW-1 and MW-4 to locations on the west side of Airway Boulevard opposite the New West Station is also acceptable.

Regards,  
Jerry Wickham  
Alameda County Environmental Health  
1131 Harbor Bay Parkway  
Alameda, CA 94502-6577  
510-567-6791 phone  
510-337-9335 fax  
jerry.wickham@acgov.org

---

**From:** rchinn [mailto:rchinn@closureolutions.com]  
**Sent:** Wednesday, January 17, 2007 5:04 PM  
**To:** Wickham, Jerry, Env. Health  
**Cc:** scouch@closureolutions.com; 'Marta Garcia'  
**Subject:** New West Petroleum - 1051 Airway Boulevard, Livermore

Hi Jerry,

As discussed, in preparation for the upcoming site investigation, Closure Solutions recently performed a site reconnaissance at the New West Petroleum facility located at 1051 Airway Boulevard. Unfortunately, we have found that a few of the well locations originally proposed are not workable. The issues we have uncovered are discussed below:

**MW-6**

Well MW-6 was originally proposed to be placed directly behind the gasoline service station. Closure Solutions has found that the originally proposed location is in the middle of the Wendy's Drive-Thru. We propose to revise the location of the proposed monitoring well to a nearby planter.

**MW-1 and MW-4**

Wells MW-1 and MW-4 were originally proposed for the median in Airway Boulevard. We have found that the median is actually only approximately 3 feet wide, and is underlain by numerous utilities, including street lighting and traffic signal control. Closure Solutions proposes to relocate the wells to the opposite side of Airway Boulevard. Closure Solutions contacted the property owner (Chamberlin Associates), and they declined to offer us access. Closure Solutions then discussed the situation with the City of Livermore, who agreed to grant access to their right of way. The City's right of way extends ten feet past the curb, so the wells can be placed without significant difficulty.

If you agree to these modifications to the work scope, please e-mail your concurrence. If you have any questions regarding the modifications, please feel free to contact me at (925) 348-0656.

Thanks,  
-Ron

1/17/2007

Ronald D. Chinn, PE  
Principal Engineer

**Closure Solutions, Inc.**

1243 Oak Knoll Drive  
Concord, California 94521  
Phone: (925) 348-0656  
Fax: (925) 459-5602

**Wickham, Jerry, Env. Health**

---

**To:** rchinn  
**Cc:** 'Marta Garcia'  
**Subject:** RE: New West Petroleum - 1051 Airway Blvd, Livermore

Ron,

The revised due dates proposed below are acceptable.

Regards,

*Jerry Wickham*  
Alameda County Environmental Health  
1131 Harbor Bay Parkway  
Alameda, CA 94502-6577  
510-567-6791 phone  
510-337-9335 fax  
[jerry.wickham@acgov.org](mailto:jerry.wickham@acgov.org)

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**From:** rchinn [mailto:[rchinn@closurestolutions.com](mailto:rchinn@closurestolutions.com)]  
**Sent:** Tuesday, January 02, 2007 11:40 AM  
**To:** Wickham, Jerry, Env. Health  
**Cc:** 'Marta Garcia'  
**Subject:** New West Petroleum - 1051 Airway Blvd, Livermore

Hi Jerry,

As you know, Closure Solutions has recently become the consultant of record for the New West Petroleum facility located at 1051 Airway Boulevard, in Livermore, California.

In your December 7, 2006 letter to Mr. Gil Moore, you had established certain due dates for upcoming environmental work, namely:

January 31, 2007 – Complete Field Investigation  
February 28, 2007 – Soil and Groundwater Investigation Report

Unfortunately, we are unable to meet the initial deadlines due to driller availability. As discussed this morning, the earliest available drill date for the work is February 12-14, 2007. We would like to propose the following revised due dates:

February 28, 2007 – Complete Field Investigation  
March 31, 2007 – Soil and Groundwater Investigation Report

If you are amenable to these revised due dates, please respond with your concurrence to this e-mail.

Also, as discussed, we have obtained drilling permits for the sitework, however we are still in the process of negotiating encroachment permit terms for the two wells in Airway Boulevard. We will keep you advised of the encroachment permit status.

If you have any questions, please give me a call at (925) 348-0656.

1/2/2007

Thanks,  
--Ron

Ronald D. Chinn, PE  
Principal Engineer

**Closure Solutions, Inc.**

1243 Oak Knoll Drive  
Concord, California 94521  
Phone: (925) 348-0656  
Fax: (925) 459-5602



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December 7, 2006

Mr. Gil Moore  
New West Stations, Inc.  
1831 16<sup>th</sup> Street  
Sacramento, CA 95814

Subject: Fuel Leak Case No. [REDACTED] Bernard's Gas, 1051 Airway Blvd., Livermore, CA

Dear Mr. Moore:

Alameda County Environmental Health (ACEH) staff previously requested in correspondence dated May 9, 2006 (copy attached) that you proceed with the proposed well installation, address the technical comments in the correspondence, submit a soil and groundwater investigation report, and conduct quarterly groundwater. The soil and groundwater investigation report was due on September 15, 2006. To date, we have not received the soil and groundwater investigation report or a request for a schedule extension. **Your site is out of compliance with directives from this agency.**

In order for your site to return to compliance, please **submit the previously requested Soil and Groundwater Investigation Report by February 28, 2007.** This date is not an extension of your due date, reports for this site are late and your site is out of compliance. ACEH's May 9, 2006 correspondence, which describes the requirements for the work, is included as an attachment. Due to the lack of compliance with ACEH requests, ACEH recommends that the Underground Storage Tank Cleanup Fund no longer reimburse you for future work until the site is brought back into compliance.

Please note that we have started the enforcement process on this case by requesting a revocation of your eligibility to receive grant money from the state's Underground Storage Tank Fund (Senate Bill 2004) to reimburse you for the cost of investigation and cleanup. Further delays in investigation, late reports, or enforcement actions may result in referral of your case to the Regional Board or other appropriate agency, including the County District Attorney, for possible enforcement actions. California Health and Safety Code, Section 25299.76 authorizes enforcement including administrative action or monetary penalties of up to \$10,000 per day for each day of violation.

**TECHNICAL REPORT REQUEST**

Please submit technical reports to Alameda County Environmental Health (Attention: Jerry Wickham), according to the following schedule:

- **January 31, 2007** – Complete Field Investigation
- **February 28, 2007** – Soil and Groundwater Investigation Report

These reports are being requested pursuant to California Health and Safety Code Section 25296.10. 23 CCR Sections 2652 through 2654, and 2721 through 2728 outline the responsibilities of a responsible party in response to an unauthorized release from a petroleum UST system, and require your compliance with this request.

#### ELECTRONIC SUBMITTAL OF REPORTS

The Alameda County Environmental Cleanup Oversight Programs (LOP and SLIC) require submission of all reports in electronic form to the county's ftp site. Paper copies of reports will no longer be accepted. The electronic copy replaces the paper copy and will be used for all public information requests, regulatory review, and compliance/enforcement activities. Instructions for submission of electronic documents to the Alameda County Environmental Cleanup Oversight Program ftp site are provided on the attached "Electronic Report Upload (ftp) Instructions." Please do not submit reports as attachments to electronic mail.

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#### PERJURY STATEMENT

All work plans, technical reports, or technical documents submitted to ACEH must be accompanied by a cover letter from the responsible party that states, at a minimum, the following: "I declare, under penalty of perjury, that the information and/or recommendations contained in the attached document or report is true and correct to the best of my knowledge." This letter must be signed by an officer or legally authorized representative of your company. Please include a cover letter satisfying these requirements with all future reports and technical documents submitted for this fuel leak case.

#### PROFESSIONAL CERTIFICATION & CONCLUSIONS/RECOMMENDATIONS

The California Business and Professions Code (Sections 6735, 6835, and 7835.1) requires that work plans and technical or implementation reports containing geologic or engineering evaluations and/or judgments be performed under the direction of an appropriately registered or certified professional. For your submittal to be considered a valid technical report, you are to present site specific data, data interpretations, and recommendations prepared by an appropriately licensed professional and include the professional registration stamp, signature, and statement of professional certification. Please ensure all that all technical reports submitted for this fuel leak case meet this requirement.

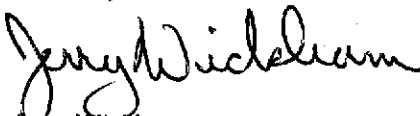
**UNDERGROUND STORAGE TANK CLEANUP FUND**

Please note that delays in investigation, later reports, or enforcement actions may result in your becoming ineligible to receive grant money from the state's Underground Storage Tank Cleanup Fund (Senate Bill 2004) to reimburse you for the cost of cleanup.

**AGENCY OVERSIGHT**

If it appears as though significant delays are occurring or reports are not submitted as requested, we will consider referring your case to the Regional Board or other appropriate agency, including the County District Attorney, for possible enforcement actions. California Health and Safety Code, Section 25299.76 authorizes enforcement including administrative action or monetary penalties of up to \$10,000 per day for each day of violation.

Sincerely,



Jerry Wickham  
Hazardous Materials Specialist

Attachment: ACEH Correspondence Dated May 9, 2006 Requesting Revised Work Plan

Enclosure: ACEH Electronic Report Upload (ftp) Instructions

cc: Colleen Winey, QIC 80201, Zone 7 Water Agency, 100 North Canyons Parkway,  
Livermore, CA 94551

Sunil Ramdass, SWRCB Cleanup Fund, 1001 I Street, 17<sup>th</sup> floor, Sacramento, CA 95814-  
2828

Shari Knieriem, SWRCB-USTCF, P.O. Box 944212, Sacramento, CA 94244

Danielle Stefani, Livermore-Pleasanton Fire Department, 3560 Nevada Street,  
Pleasanton, CA 94566

Jennifer Worsley, Apex Envirotech, Inc., 11244 Pyrites Way, Gold River, CA 95670

Donna Drogos, ACEH  
Jerry Wickham, ACEH  
File

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



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

May 9, 2006

Mr. Gil Moore  
New West Stations, Inc.  
1831 16<sup>th</sup> Street  
Sacramento, CA 95814

Subject: Fuel Leak Case No. RO0002440, Bernard's Gas, 1051 Airway Blvd., Livermore, CA -  
Work Plan Approval

Dear Mr. Moore:

Alameda County Environmental Health (ACEH) staff has reviewed the fuel leak case file for the above-referenced site and the document entitled, "Workplan for Monitoring Well Installation Addendum," dated April 14, 2006 and prepared on your behalf by Apex Envirotech, Inc. The Work Plan Addendum proposes the installation of seven shallow and one deeper monitoring well to investigate the extent of contamination at the site.

This site is located within the Livermore-Amador Basin where groundwater is extracted for drinking water use. Methyl tert-butyl ether (MTBE) was detected in 14 of the 15 soil samples collected during fuel line and dispenser renovation in 2001 at concentrations up to 7,500 micrograms per kilogram ( $\mu\text{g}/\text{kg}$ ). MTBE was also detected in each of the four grab groundwater samples collected at the site in 2002 at concentrations up to 280 micrograms per liter ( $\mu\text{g}/\text{L}$ ).

The Work Plan Addendum does not address two of the technical comments in our November 18, 2005 correspondence. The Work Plan Addendum indicated that the requested information regarding soil excavation and disposal during the 2001 dispenser and line removal could not be obtained. Secondly, the Work Plan Addendum does not present plans to define the lateral and vertical extent of soil contamination in the source area or conduct interim soil remediation in the source area as requested in our November 18, 2005 correspondence. Further characterization to define the lateral and vertical extent of soil contamination or interim remediation in the source area is required. However, in order to avoid further delay, we request that you proceed with the proposed well installation provided that technical comment 2 below is addressed during the field investigation. As discussed in technical comment 1, plans to characterize the lateral and vertical extent of soil contamination or implement interim remediation in the source area are required and are to be presented in the Site Investigation Report requested below.

We request that you address the following technical comments, perform the proposed work, and send us the reports described below.

**TECHNICAL COMMENTS**

1. **Lateral and Vertical Extent of Soil Contamination.** As discussed in our June 14, 2005 correspondence, the lateral and vertical extent of soil contamination has not been defined at

the site. Total petroleum hydrocarbons as gasoline (TPHg) were detected in soil samples collected beneath the product lines and dispensers at concentrations up to 2,800 milligrams per kilogram (mg/kg). TPH as diesel was detected in the soil samples at concentrations up to 9,500 mg/kg and MTBE was detected at concentrations up to 7,500 µg/kg. The "Fuel Dispenser and Line Removal Report," does not describe overexcavation of contaminated soil or confirmation sampling to delineate the extent of contaminated soil. The current work plan proposes seven monitoring wells around the perimeter of the site or off-site and one monitoring well approximately 15 to 20 feet east of the nearest product line. Four previous borings at the site (GP-1 through GP-4) were located approximately 10 to 15 feet from the nearest dispensers and product lines but included only one soil sample. In addition, no logs are available for two of the four borings (GP-3 and GP-4) to describe encountered conditions. The lateral and vertical extent of soil contamination in the source area are to be defined or interim soil remediation is to be conducted. Please present plans to characterize the lateral and vertical extent of soil contamination or implement interim remediation in the source area in the Site Investigation Report requested below.

2. **Soil Samples.** ACEH concurs with the submittal of the soil sample collected at the 24-foot depth interval and at obvious lithologic changes for chemical analyses. In addition, the soil samples are to be screened in the field to select samples for chemical analyses. Soil samples are to be submitted for analyses for all depth intervals where staining, odor, or elevated PID readings are observed. If staining, odor, or elevated PID readings are observed over an interval of several feet, a sufficient number of soil samples from this interval should be submitted for laboratory analyses to characterize the fuel hydrocarbon concentrations within this interval. Please include these results in the Site Investigation Report requested below.
3. **Groundwater Monitoring.** Following the development and initial sampling of the monitoring wells, the wells are to be sampled on a quarterly basis in the future. Please analyze the groundwater samples for the analytes proposed in the Work Plan Addendum. Please present the results of the groundwater sampling in the quarterly monitoring reports requested below.
4. **Geotracker EDF Submittals.** The electronic submittal of reports prepared after July 1, 2005, to the Geotracker database is not the only requirement for Geotracker compliance. Pursuant to CCR Sections 2729 and 2729.1, beginning September 1, 2001, all analytical data, including monitoring well samples, submitted in a report to a regulatory agency as part of the LUFT program, must be transmitted electronically to the SWRCB Geotracker website via the internet. Additionally, beginning January 1, 2002, all permanent monitoring points utilized to collect groundwater samples (i.e. monitoring wells) and submitted in a report to a regulatory agency, must be surveyed (top of casing) to mean sea level and latitude and longitude accurate to within 1-meter accuracy, using NAD 83, and transmitted electronically to the SWRCB Geotracker website. Therefore, please upload all analytical data (collected on or after September 1, 2001), to the SWRCB's Geotracker database website in accordance with the above-cited regulation.

#### **TECHNICAL REPORT REQUEST**

Please submit technical reports to Alameda County Environmental Health (Attention: Jerry Wickham), according to the following schedule:

- **September 15, 2006** – Soil and Groundwater Investigation Report
- **February 15, 2007** – Quarterly Monitoring Report – Fourth Quarter 2006

These reports are being requested pursuant to California Health and Safety Code Section 25296.10. 23 CCR Sections 2652 through 2654, and 2721 through 2728 outline the responsibilities of a responsible party in response to an unauthorized release from a petroleum UST system, and require your compliance with this request.

#### ELECTRONIC SUBMITTAL OF REPORTS

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#### PROFESSIONAL CERTIFICATION & CONCLUSIONS/RECOMMENDATIONS

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Mr. Gil Moore  
May 9, 2006  
Page 4

**UNDERGROUND STORAGE TANK CLEANUP FUND**


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**AGENCY OVERSIGHT**

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If you have any questions, please call me at (510) 567-6791.

Sincerely,



Jerry Wickham  
Hazardous Materials Specialist

Enclosure: ACEH Electronic Report Upload (ftp) Instructions

cc: Matt Katen, QIC 80201  
Zone 7 Water Agency  
100 North Canyons Parkway  
Livermore, CA 94551

Danielle Stefani  
Livermore-Pleasanton Fire Department  
3560 Nevada Street  
Pleasanton, CA 94566

Jennifer Worsley  
Apex Envirotech, Inc.  
11244 Pyrites Way  
Gold River, CA 95670

Donna Drogos, ACEH  
Jerry Wickham, ACEH  
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HEALTH CARE SERVICES

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7

ENVIRONMENTAL HEALTH SERVICES  
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Alameda, CA 94502-6577  
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FAX (510) 337-9335

March 31, 2006

Mr. Gil Moore  
New West Stations, Inc.  
1831 16<sup>th</sup> Street  
Sacramento, CA 95814

Subject: Fuel Leak Case No. [REDACTED] Bernard's Gas, 1051 Airway Blvd., Livermore, CA -  
Work Plan Approval

Dear Mr. Moore:

In correspondence dated November 18, 2005 (copy attached), Alameda County Environmental Health (ACEH) requested that you submit a revised Work Plan for soil and water investigation at the above-referenced site by January 31, 2006. Specific items requiring revision were identified in technical comments provided in the November 18, 2005 correspondence. To date, we have not received a revised Work Plan. Your site overlies a sensitive drinking water aquifer, and limited progress has been made toward evaluating potential petroleum hydrocarbon impacts. The lateral and vertical extents of subsurface contamination at the site are undefined.

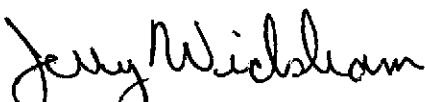
Your revised Work Plan is late, and your fuel leak site is not in compliance with ACEH directives. We request that you submit the revised Work Plan as soon as possible. ACEH makes this request pursuant to California Health & Safety Code Section 25296.10, 23 CCR sections 2652 through 2654, and 2721 through 2728 outline the duties of a responsible party in response to a reportable unauthorized release from a petroleum UST system, and require your compliance with this request.

If it appears as though significant delays are occurring, or reports are not submitted as requested, we will consider referring your case to the County District Attorney or other appropriate agency, for enforcement. California Health and Safety Code, Section 25299.76 authorizes ACEH enforcement including administrative action or monetary penalties of up to \$10,000 per day for each day of violation.

Please note that further delays in investigation, late reports, or enforcement actions may result in your becoming ineligible to receive cost reimbursement from the State's Underground Storage Tank Cleanup Fund.

If you have any questions, please call me at (510) 567-6791.

Sincerely,

  
Jerry Wickham  
Hazardous Materials Specialist



Mr. Gil Moore  
March 31, 2006  
Page 2

Attachment: ACEH Correspondence Dated November 18, 2005 Requesting Revised Work Plan

Enclosure: ACEH Electronic Report Upload (ftp) Instructions

cc: Matt Katen, QIC 80201  
Zone 7 Water Agency  
100 North Canyons Parkway  
Livermore, CA 94551

Shari Knieriem  
SWRCB-USTCF  
P.O. Box 944212  
Sacramento, CA 94244

Danielle Stefani  
Livermore-Pleasanton Fire Department  
3560 Nevada Street  
Pleasanton, CA 94566

Jennifer Worsley  
Apex Envirotech, Inc.  
11244 Pyrites Way  
Gold River, CA 95670

Donna Drogos, ACEH  
Jerry Wickham, ACEH  
File

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY  
DAVID J. KEARS, Agency Director



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

November 18, 2005

Mr. Gil Moore  
New West Stations, Inc.  
1831 16<sup>th</sup> Street  
Sacramento, CA 95814

Subject: Fuel Leak Case No. [REDACTED]'s Gas, 1051 Airway Blvd., Livermore, CA -  
Work Plan Approval

Dear Mr. Moore:

Alameda County Environmental Health (ACEH) staff has reviewed the fuel leak case file for the above-referenced site and the document entitled, "Workplan for Monitoring Well Installation and Letter Response," dated October 7, 2005 and prepared on your behalf by Apex Envirotech, Inc. The work plan proposes the installation of six shallow and one deep monitoring well to investigate the extent of contamination at the site.

This site is located within the Livermore-Amador Basin where groundwater is extracted for drinking water use. Methyl tert-butyl ether (MTBE) was detected in 14 of the 15 soil samples collected during fuel line and dispenser renovation in 2001 at concentrations up to 7,500 micrograms per kilogram ( $\mu\text{g}/\text{kg}$ ). MTBE was also detected in each of the four grab groundwater samples collected at the site in 2002 at concentrations up to 280 micrograms per liter.

Based on our review of the case file and work plan, we request some revisions to the work plan, which are described in the technical comments below. Therefore, we request that you address the technical comments below and submit a revised work plan or work plan addendum to ACEH by **January 10, 2006**.

**TECHNICAL COMMENTS**

1. **Dispenser and Product Line Removal.** ACEH case files contain only the document entitled, "Fuel Dispenser and Line Removal Report," dated August 21, 2001 that describes the dispenser and product line renovation that took place in 2001. The "Fuel Dispenser and Line Removal Report," presents analytical results for soil samples collected beneath the fuel dispensers and product lines and provides field observations of contamination observed at various locations beneath the dispensers and lines. However, the report does not describe the extent of soil excavation during or following the renovation or the disposition of excavated soils. Please submit a description or map to show the extent of excavation of contaminated soil during or subsequent to the 2001 dispenser and line removal and provide documentation to show the volume of soil removed and the facility where the soil was disposed off-site. IN particular, please describe whether the observed contamination beneath the lines and dispensers was excavated. Please present this information in the revised Work Plan requested below.

2. **Lateral and Vertical Extent of Soil Contamination.** As discussed in our June 14, 2005 correspondence, the lateral and vertical extent of soil contamination has not been defined at the site. Total petroleum hydrocarbons as gasoline (TPHg) were detected in soil samples collected beneath the product lines and dispensers at concentrations up to 2,800 milligrams per kilogram (mg/kg). TPH as diesel was detected in the soil samples at concentrations up to 9,500 mg/kg and MTBE was detected at concentrations up to 7,500 µg/kg. The "Fuel Dispenser and Line Removal Report," does not describe overexcavation of these contaminated soil or confirmation sampling to delineate the extent of contaminated soil. The current work plan proposes six soil monitoring wells around the perimeter of the site or off-site and one monitoring well approximately 15 to 20 feet east of the nearest product line. Four previous borings at the site (GP-1 through GP-4) were located approximately 10 to 15 feet from the nearest dispensers and product lines but included only one soil sample. In addition, no logs are available for two of the four borings (GP-3 and GP-4) to describe encountered conditions. The lateral and vertical extent of soil contamination in the source area are to be defined or interim soil remediation is to be conducted. Please describe the approach that will be implemented for the source area in the revised Work Plan requested below.
3. **Proposed Well Locations.** On the attached figure, please see the suggested revisions to the proposed monitoring well locations. ACEH also requests that an additional shallow monitoring well be installed adjacent to the proposed deep monitoring well, MW-5.
4. **Soil Samples.** The Work Plan proposes to collect soil samples at five-foot intervals for logging purposes. ACEH requests that soils be continuously sampled for logging purposes. ACEH concurs with the submittal of the sample collected at the 24-foot depth interval and at obvious lithologic changes for chemical analyses. In addition, the soil samples are to be screened in the field to select samples for chemical analyses. Soil samples are to be submitted for analyses for all depth intervals where staining, odor, or elevated PID readings are observed. If staining, odor, or elevated PID readings are observed over an interval of several feet, a sufficient number of soil samples from this interval should be submitted for laboratory analyses to characterize the fuel hydrocarbon concentrations within this interval. Please include these plans in the revised work plan requested below.
5. **Laboratory Analyses.** ACEH concurs with the proposed analyses for soil and groundwater samples but requests that ethanol also be included as an analyte. Please include this modification in the revised work plan requested below.
6. **Detailed Well Survey.** Please review the results of the well survey previously completed for the site ("Sensitive Survey Results and Site Conceptual Model," dated December 19, 2002), which indicates that no wells are located within ½ mile of the site. A cursory review of the map entitled "Groundwater Program Wells," which is included as Attachment 2, shows wells in close proximity to the site. We recommend that you obtain well information from the Zone 7 Water Agency in addition to information you may have previously reviewed from the State of California Department of Water Resources. Please present the revised well survey results in the revised work plan requested below.
7. **Geotracker EDF Submittals.** A review of the case file and the State Water Resources Control Board's (SWRCB) Geotracker website indicate that electronic copies of analytical

data have not been submitted for your site. Pursuant to CCR Sections 2729 and 2729.1, beginning September 1, 2001, all analytical data, including monitoring well samples, submitted in a report to a regulatory agency as part of the LUFT program, must be transmitted electronically to the SWRCB Geotracker website via the internet. Additionally, beginning January 1, 2002, all permanent monitoring points utilized to collect groundwater samples (i.e. monitoring wells) and submitted in a report to a regulatory agency, must be surveyed (top of casing) to mean sea level and latitude and longitude accurate to within 1-meter accuracy, using NAD 83, and transmitted electronically to the SWRCB Geotracker website. Beginning July 1, 2005, electronic submittal of a complete copy of all reports is required in Geotracker (in PDF format). In order to remain in regulatory compliance, please upload all analytical data (collected on or after September 1, 2001), to the SWRCB's Geotracker database website in accordance with the above-cited regulation. Please perform the electronic submittals for applicable data and submit verification to this Agency by **January 10, 2006**.

#### **TECHNICAL REPORT REQUEST**

Please submit technical reports to Alameda County Environmental Health (Attention: Jerry Wickham), according to the following schedule:

- **January 10, 2006** – Revised Work Plan or Work Plan Addendum

These reports are being requested pursuant to California Health and Safety Code Section 25296.10. 23 CCR Sections 2652 through 2654, and 2721 through 2728 outline the responsibilities of a responsible party in response to an unauthorized release from a petroleum UST system, and require your compliance with this request.

#### **ELECTRONIC SUBMITTAL OF REPORTS**

ACEH's Environmental Cleanup Oversight Programs (LOP and SLIC) now request submission of reports in electronic form. The electronic copy is intended to replace the need for a paper copy and is expected to be used for all public information requests, regulatory review, and compliance/enforcement activities. Instructions for submission of electronic documents to the Alameda County Environmental Cleanup Oversight Program FTP site are provided on the attached "Electronic Report Upload Instructions." Submission of reports to the Alameda County FTP site is an addition to existing requirements for electronic submittal of information to the State Water Resources Control Board (SWRCB) Geotracker website. In September 2004, the SWRCB adopted regulations that require electronic submittal of information for groundwater cleanup programs. For several years, responsible parties for cleanup of leaks from underground storage tanks (USTs) have been required to submit groundwater analytical data, surveyed locations of monitoring wells, and other data to the Geotracker database over the Internet. Beginning July 1, 2005, electronic submittal of a complete copy of all reports is required in Geotracker (in PDF format). Please visit the State Water Resources Control Board for more information on these requirements ([http://www.swrcb.ca.gov/ust/cleanup/electronic\\_reporting](http://www.swrcb.ca.gov/ust/cleanup/electronic_reporting)).

PERJURY STATEMENT

All work plans, technical reports, or technical documents submitted to ACEH must be accompanied by a cover letter from the responsible party that states, at a minimum, the following: "I declare, under penalty of perjury, that the information and/or recommendations contained in the attached document or report is true and correct to the best of my knowledge." This letter must be signed by an officer or legally authorized representative of your company. Please include a cover letter satisfying these requirements with all future reports and technical documents submitted for this fuel leak case.

PROFESSIONAL CERTIFICATION & CONCLUSIONS/RECOMMENDATIONS

The California Business and Professions Code (Sections 6735, 6835, and 7835.1) requires that work plans and technical or implementation reports containing geologic or engineering evaluations and/or judgments be performed under the direction of an appropriately registered or certified professional. For your submittal to be considered a valid technical report, you are to present site specific data, data interpretations, and recommendations prepared by an appropriately licensed professional and include the professional registration stamp, signature, and statement of professional certification. Please ensure all that all technical reports submitted for this fuel leak case meet this requirement.

UNDERGROUND STORAGE TANK CLEANUP FUND

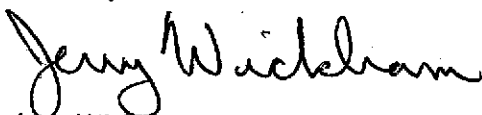
Please note that delays in investigation, later reports, or enforcement actions may result in your becoming ineligible to receive grant money from the state's Underground Storage Tank Cleanup Fund (Senate Bill 2004) to reimburse you for the cost of cleanup.

AGENCY OVERSIGHT

If it appears as though significant delays are occurring or reports are not submitted as requested, we will consider referring your case to the Regional Board or other appropriate agency, including the County District Attorney, for possible enforcement actions. California Health and Safety Code, Section 25299.76 authorizes enforcement including administrative action or monetary penalties of up to \$10,000 per day for each day of violation.

If you have any questions, please call me at (510) 567-6791.

Sincerely,



Jerry Wickham

Hazardous Materials Specialist

Mr. Gil Moore  
November 18, 2005  
Page 5

Attachment 1: Revised Figure 2 – Site Plan Map  
Attachment 2: Groundwater Program Wells, Figure 4-11, Zone 7 Water Agency

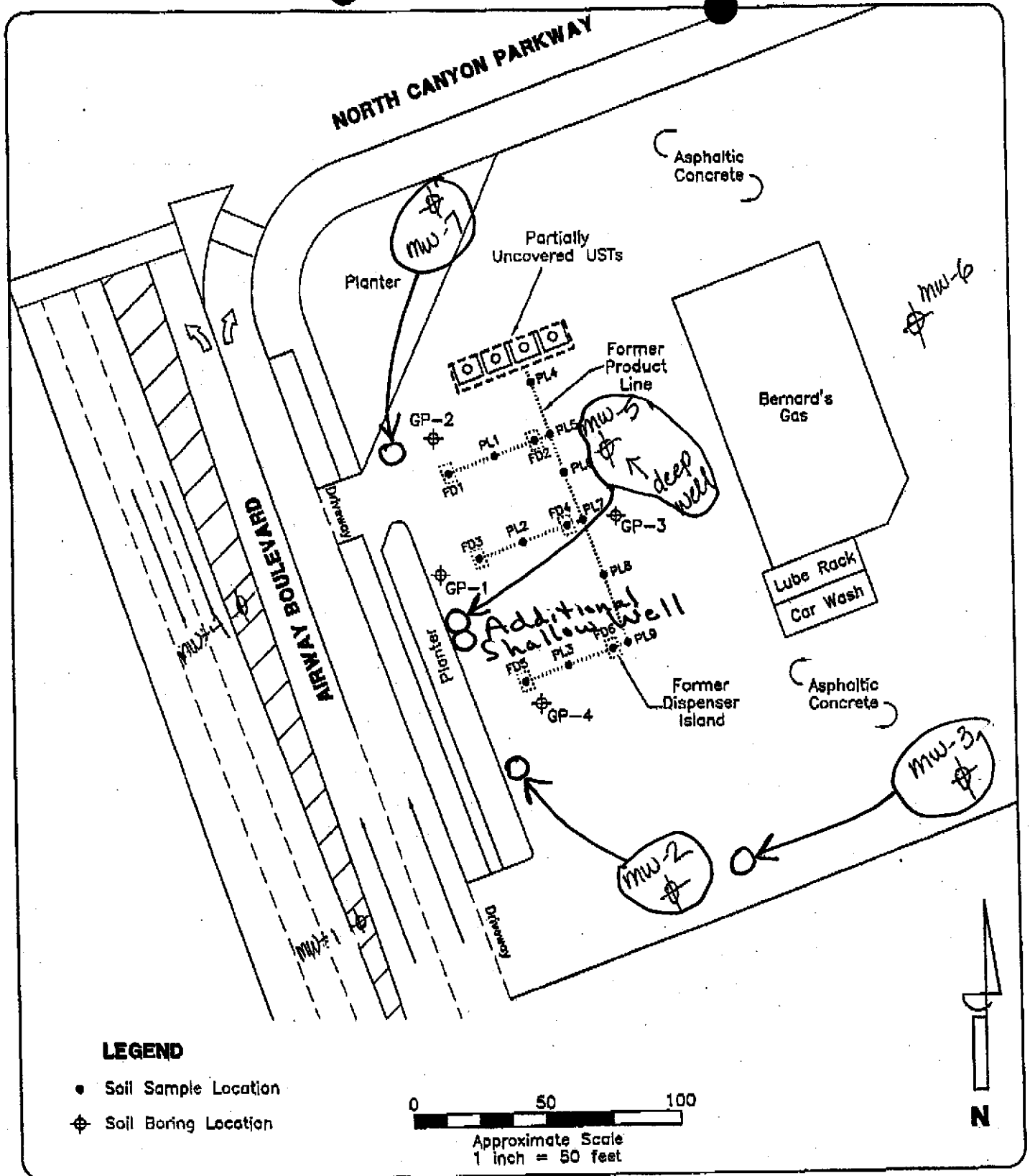
Enclosure: ACEH Electronic Report Upload (ftp) Instructions

cc: Colleen Winey, QIC 80201  
Zone 7 Water Agency  
100 North Canyons Parkway  
Livermore, CA 94551

Danielle Stefani  
Livermore-Pleasanton Fire Department  
3560 Nevada Street  
Pleasanton, CA 94566

Jennifer Worsley  
Apex Envirotech, Inc.  
11244 Pyrites Way  
Gold River, CA 95670

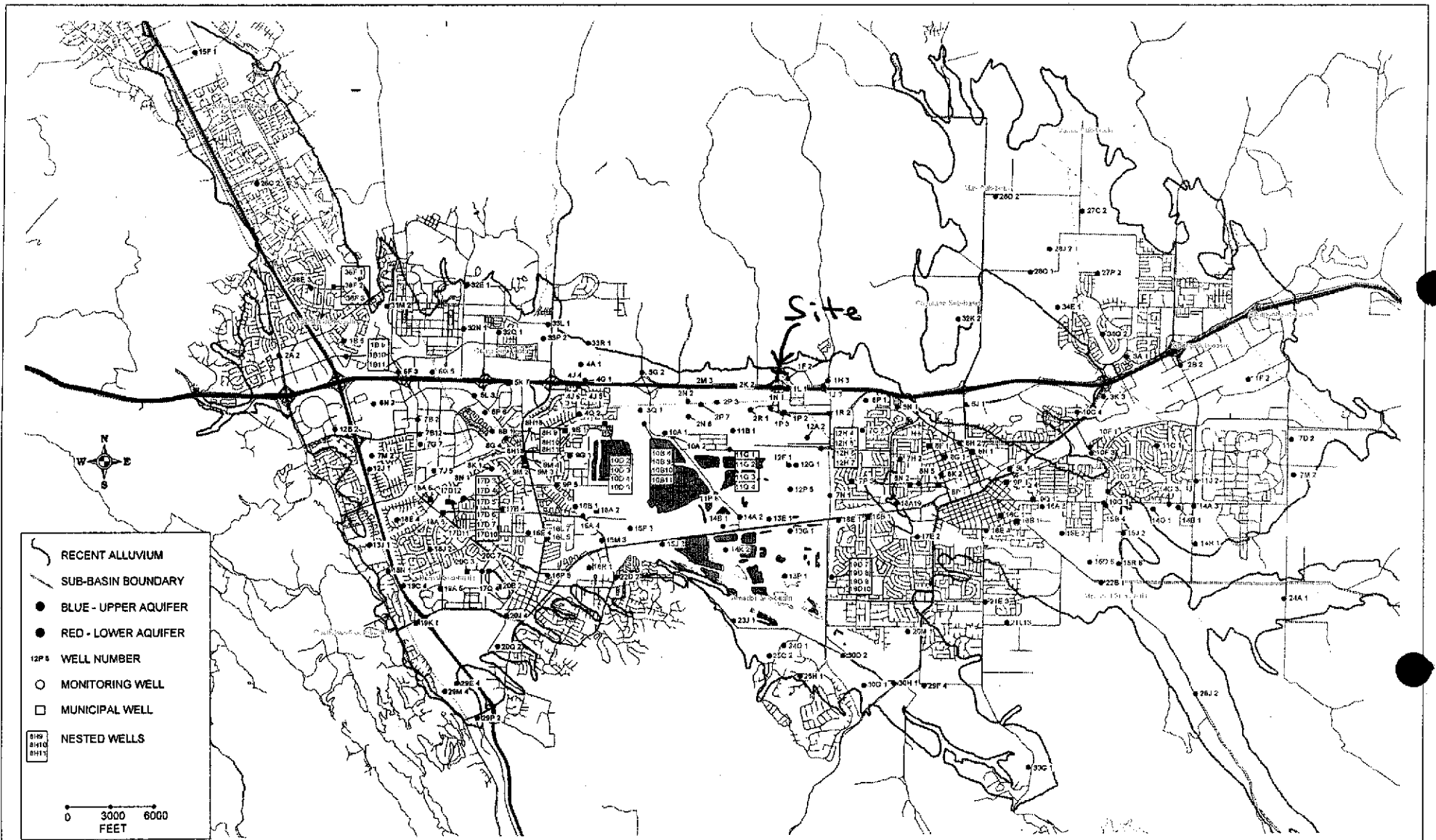
Donna Drogos, ACEH  
Jerry Wickham, ACEH  
File



	DRAWN BY: J. Curry DATE: 10/04/05	<b>SITE PLAN MAP</b>	<b>FIGURE 2</b>
	REVISIONS		
	(Empty table for revisions)	(Empty table for project details)	

Attachment 1

# Attachment 2



**ZONE 7 WATER AGENCY**

5997 PARKSIDE DRIVE, PLEASANTON CA 94588

DRAWN BY: G GATES/T ROOZE

DESIGNED BY: GERALD GATES

FILE NO.: \\zone7-files\wrc\MONITOR\03\0303\wrc\AnnualFigures\Fig2\Program\Wb.WOR

WATER RESOURCES  
**GROUNDWATER PROGRAM WELLS**  
 2003 WATER YEAR

SCALE: 1" = 6000'

DATE: August 9, 2004

FIGURE 4-1



ALAMEDA COUNTY  
HEALTH CARE SERVICES



AGENCY  
DAVID J. KEARS, Agency Director

7

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

October 10, 2005

Mr. Gil Moore  
New West Stations, Inc.  
1831 16<sup>th</sup> Street  
Sacramento, CA 95814

Dear Mr. Moore:

Subject: Fuel Leak Case No. [REDACTED], Bernard's Gas, 1051 Airway Blvd., Livermore, CA

Alameda County Environmental Health (ACEH) staff has reviewed the fuel leak case file for the above-referenced site. To date, the extent of soil and groundwater contamination from an unauthorized release at your site has not been defined and site cleanup has not been conducted. In correspondence dated June 14, 2005, ACEH requested that you submit a work plan by August 30, 2005 for investigation of soil and groundwater contamination at your site. No work plan has been received by this office to date. The June 12, 2005 ACEH correspondence also requested that site data be entered into the Geotracker database, as required by state regulations. Your site data have not been entered into the Geotracker database. No extensions of due dates or approval of delays have been granted by this office.

Please note that delays in investigation, late reports, or enforcement actions may result in your site becoming ineligible to receive grant money from the state's Underground Storage Tank Fund (Senate Bill 2004) to reimburse you for the cost of cleanup. In addition, we may refer your case to the Regional Board or other appropriate agency, including the County District Attorney, for possible enforcement actions. California Health and Safety Code, Section 25299.76 authorizes enforcement including administrative action or monetary penalties of up to \$10,000 per day for each day of violation.

In order for your site to be in compliance with regulatory requests, please **submit the previously requested work plan and enter the site data into the Geotracker database by November 10, 2005**. ACEH's June 14, 2005 correspondence, which describes the requirements for the work plan and submittal to the Geotracker database, is included as an attachment to this letter. If you have any questions, please call me at (510) 567-6791.

Sincerely,

Jerry Wickham  
Hazardous Materials Specialist

Attachments: ACEH correspondence to Mr. Gil Moore dated June 14, 2005

Gil Moore  
October 10, 2005  
Page 2

cc: Sunil Ramdass  
SWRCB Cleanup Fund  
1001 I Street, 17<sup>th</sup> floor  
Sacramento, CA 95814-2828

Jennifer Worsley  
Apex Envirotech, Inc.  
11244 Pyrites Way  
Gold River, CA 95670

Donna Drogos, ACEH  
Jerry Wickham, ACEH  
File

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY  
DAVID J. KEARS, Agency Director



7

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

June 14, 2005

Gil Moore  
New West Stations, Inc.  
1831 16<sup>th</sup> Street  
Sacramento, CA 95814

Dear Mr. Moore:

Subject: Fuel Leak Case No. [REDACTED] Bernard's Gas, 1051 Airway Blvd., Livermore, CA –  
Request for Work Plan

Alameda County Environmental Health (ACEH) staff has reviewed the fuel leak case file for the subject site and the report entitled, "Sensitive Survey Results and Site Conceptual Model," dated December 19, 2002, prepared on behalf of New West Petroleum, Inc. by Apex Envirotech, Inc. During fuel dispenser and line removal in June 2001, field evidence of soil contamination was observed beneath several former fuel dispensers and product line couplings. The concentration of total petroleum hydrocarbons as gasoline (TPHg) was up to 2,800 milligrams per kilogram (mg/kg) and the concentration of TPH as diesel (TPHd) was up to 9,500 mg/kg in soil samples collected beneath the dispensers and lines. Methyl tert butyl ether (MTBE) was detected in 16 of the 17 soil samples analyzed at concentrations up to 5.6 mg/kg. MTBE was detected in four groundwater samples collected on June 12, 2002.

This letter presents a request for full three-dimensional definition and investigation of soil and groundwater contamination from the unauthorized release at your site. You are hereby required to complete a soil and groundwater investigation in accordance with California Code of Regulations 23 CCR, Section 2720 – 2728; State Water Resources Control Board Resolution 92-49, "Policies and Procedures for Investigation, Cleanup and Abatement of discharges Under Water Code Section 13304"; and within the Regional Water Quality Control Board (Water Board) Water Quality Control Plan for the basin. The following technical comments address investigation and cleanup performance objectives that shall be considered as part of the required soil and groundwater investigation. **We request that you prepare and submit a work plan for the soil and groundwater investigation by August 30, 2005, that addresses each of the following technical directives.**

Based on ACEH staff review of the documents referenced above, we request that you address the following technical comments, perform the proposed work, and send us the reports described below.

## **TECHNICAL COMMENTS**

### **1. Soil Boring Logs.**

Previous reports submitted to date for this site have included soil boring logs for borings GP-1 and GP-2 only. Please submit soil boring logs for borings GP-3 and GP-4 in the Work Plan requested below.

### **2. Regional Geologic and Hydrogeologic Setting**

We request that you provide information on the regional geologic and hydrogeologic setting of your site by reviewing the available technical literature for the area. Background information for your review includes but is not limited to regional geologic maps, United States Geological Survey (USGS) technical reports and documents, Department of Water Resources (DWR) Bulletins, Regional Water Quality Control Board reports on the groundwater basin, data from contaminant investigations in the area, etc.

Provide a narrative discussion of the regional geologic and hydrogeologic setting obtained from your background study. Use photocopies of regional geologic maps, groundwater contours, cross-sections, etc., to illustrate your results and include a list of technical references you reviewed. Report your results in the Work Plan requested below.

### **3. Characterization of Lateral and Vertical Extent of Contamination.**

The three-dimensional extent of soil and groundwater contamination at your site has not been defined. The results of groundwater sampling at the site indicate the presence of methyl tert-butyl ether (MTBE) in groundwater at your site. We request that you perform a detailed, expedited site assessment using depth discrete sampling techniques on borings installed along transects, to the extent practicable, to define and quantify the full three-dimensional extent of fuel contamination in soil and groundwater. The on-site investigation should include additional characterization of the source area.

The chemical and physical properties of MTBE should be considered in planning the subsurface investigation. MTBE is highly soluble, very mobile in groundwater, and is not readily biodegradable. MTBE plumes can be long, narrow, and erratic (meandering). Thus, the positioning of typical monitoring well networks for UST releases can miss the MTBE plume core, and the monitoring well's design can incorrectly reflect the severity of the release.

A substantial portion of the soil and groundwater contamination should be defined during one mobilization by using expedited site assessment techniques at your site. The appropriately-qualified professionals performing field work at your site should use the data obtained from the field work to refine the initial three-dimensional conceptual model of site conditions developed from existing site information. Using expedited site assessment techniques, the appropriately-qualified professionals are to analyze the field data as it is collected, refine the conceptual model as new data is produced and evaluated, and modify the sampling and analysis program as needed to fill data gaps and resolve anomalies prior to demobilization.

Expedited site assessment tools and methods are a scientifically valid and cost-effective approach to fully define the three-dimensional extent of the plume. Technical protocol for

expedited site assessments are provided in the U.S. Environmental Protection Agency's (EPA) "Expedited Site Assessment Tools for Underground Storage Tank Sites: A Guide for Regulators" (EPA 510-B-97-001), dated March 1997.

Please submit a detailed work plan detailing your proposal to fully characterize the lateral and vertical extent of soil and groundwater contamination. The Work Plan should be prepared by a qualified professional and must fully describe the proposed scope and methods for the soil and groundwater investigation.

#### **4. Characterization of Local Hydrogeology and Groundwater Flow Conditions.**

The purpose of this characterization is to understand the physical and geochemical characteristics of the subsurface, which may affect groundwater flow, the breakdown (fate), migration (transport), and the distribution of contaminants through the subsurface. Additionally, factors such as water level fluctuations, gradient changes, local hydrogeology, groundwater extraction, and groundwater recharge activities (natural and artificial) can significantly alter groundwater flow conditions.

The local hydrogeology and hydraulic gradient have not been sufficiently defined at the site. Therefore, we request that you collect detailed lithologic information using soil borings, direct push sampling, and/or cone penetrometer together with other methods to understand the hydrogeology of your site. The use of additional methods to understand the hydrogeology, such as pumping tests, geophysical methods, etc. may be proposed.

Monitoring wells will be needed to provide groundwater elevation data to be used in estimating the direction and magnitude of the hydraulic gradient. The monitoring wells should be installed as part of or following the expedited site assessment described in item 1 above. Please see the discussion in item 6 regarding the requirements for contaminant plume monitoring and monitoring well design.

We require that detailed boring logs, cross sections, and rose diagrams for hydraulic gradient be prepared and presented in the Soil and Groundwater Investigation Report. Rose diagrams showing the variations in hydraulic gradient shall be plotted on groundwater contour maps and updated in all future reports submitted for your site. Include plots of the contaminant plumes on your maps, cross sections, and diagrams. Structural contours, isopachs, and fence diagrams should be presented where necessary, to illustrate the three-dimensional distribution of contaminants in the subsurface.

The results of the subsurface investigation, including the expedited site assessment, should be presented in the Soil and Groundwater Investigation Report, which is requested below.

#### **5. Date of Unauthorized Release**

The purpose of dating the unauthorized release is to assist in the determination of the rate of transport of MTBE and other petroleum hydrocarbons in groundwater. Please determine the approximate time frame of the MTBE release first occurring at your site, the history of MTBE use at your site, and the history of all unauthorized releases and spills at your site. Report your findings in the Soil and Groundwater Investigation Report requested below.

## 6. Groundwater Contaminant Plume Monitoring

The purpose of groundwater contaminant plume monitoring is to determine the three-dimensional movement of the plume, the rate of plume growth, and the effectiveness of remediation activities.

Once the extent of the plume(s) is defined, we request that you install permanent monitoring wells capable of monitoring depth discrete zones and/or monitoring well clusters (screened at appropriate discrete depths with appropriate length of screen) and piezometers to monitor the three-dimensional movement of the plume. We request that you use the detailed cross sections, structural contours, isopachs, and rose diagrams for groundwater gradient developed for Technical Comment 4 above, to determine the appropriate locations and designs for monitoring wells/well clusters and piezometers that are needed to appropriately monitor the three-dimensional movement of the plume. To appropriately evaluate your site, your monitoring wells/well clusters will need to be screened in the permeable zones with screen lengths that match the stratigraphic sequence. Sand pack for submerged screened intervals will not be greater than 5 feet in length. The number of piezometer/wells should be sufficient to evaluate all permeable zones.

Include your proposal for the installation of wells/piezometers in the work plan requested below. We request that wells be installed in transects. Please refer to the guidance document by API Publication No. 4730 referenced above regarding transects. We recommend that you submit your proposal for the installation of monitoring wells/well clusters and piezometers to ACEH for comment prior to installation. Report on the installation of wells/piezometers in the Soil and Groundwater Investigation Report.

We request that you monitor the groundwater contaminant plumes on a quarterly basis. Additional wells will be required to define the downgradient extent of the plume if it continues to migrate. Discuss the results of your plume monitoring in the Quarterly Reports requested below. Please compile your monitoring data on cross-sections, include groundwater contours, and rose diagrams for groundwater gradient. We require that Quarterly Reports contain a discussion of the results of your plume monitoring, in particular whether the results are consistent with the SCM. Be sure to point out any anomalies in the data, and include recommended activities to investigate and resolve those data anomalies.

We request that you perform an EPA Method 8260 analysis for BTEX, MTBE, TAME, ETBE, DIPE, TBA, EDB, and EDC on groundwater samples from all monitoring wells for the first two quarters, at a minimum. Include cumulative analytical data tables for these compounds (columns for both EPA Method 8020/21 and 8260 results) in your Quarterly Reports with ND results reported as a less than (<) the detection limit value. We request that you review the results of your analysis after the two quarters of monitoring and if any of the above compounds are detected at your site and are judged to be of concern (pose a risk to human health, the environment, or water resources), provide recommendations for incorporating these compounds into your regular monitoring schedule. Also, we request that site maps included in future reports for the site show the locations of all current and former USTs, dispenser islands, monitoring wells, and soil borings.

## **7. GeoTracker EDF Submittals**

A review of the case file and the State Water Resources Control Board's (SWRCB) GeoTracker website indicate that electronic copies of analytical data have not been submitted for your site. Pursuant to CCR Sections 2729 and 2729.1, beginning September 1, 2001, all analytical data, including monitoring well samples, submitted in a report to a regulatory agency as part of the LUFT program, must be transmitted electronically to the SWRCB GeoTracker system via the internet. Additionally, beginning January 1, 2002, all permanent monitoring points utilized to collect groundwater samples (i.e. monitoring wells) and submitted in a report to a regulatory agency, must be surveyed (top of casing) to mean sea level and latitude and longitude to sub-meter accuracy, using NAD 83, and transmitted electronically to the SWRCB GeoTracker system via the internet.

In order to remain in regulatory compliance, please upload all analytical data (collected on or after September 1, 2001), to the SWRCB's GeoTracker database website in accordance with the above-cited regulation. **Please perform the electronic submittals for applicable data and submit verification to this Agency by August 15, 2005.**

### **TECHNICAL REPORT REQUEST**

Please submit technical reports to Alameda County Environmental Health (Attention: Mr. Jerry Wickham), according to the following schedule:

- **August 30, 2005** - Work Plan for Soil and Groundwater Investigation
- **120 days after ACEH approval of Work Plan** – Soil and Groundwater Investigation Report
- **December 30, 2005** - Quarterly Groundwater Monitoring Report for the Fourth Quarter 2005

These reports are being requested pursuant to California Health and Safety Code Section 25296.10. 23 CCR Sections 2652 through 2654, and 2721 through 2728 outline the responsibilities of a responsible party in response to an unauthorized release from a petroleum UST system, and require your compliance with this request.

### **PERJURY STATEMENT**

All work plans, technical reports, or technical documents submitted to ACEH must be accompanied by a cover letter from the responsible party that states, at a minimum, the following: "I declare, under penalty of perjury, that the information and/or recommendations contained in the attached document or report is true and correct to the best of my knowledge." This letter must be signed by an officer or legally authorized representative of your company. Please include a cover letter satisfying these requirements with all future reports and technical documents submitted for this fuel leak case.

**PROFESSIONAL CERTIFICATION & CONCLUSIONS/RECOMMENDATIONS**

The California Business and Professions Code (Sections 6735, 6835, and 7835.1) requires that work plans and technical or implementation reports containing geologic or engineering evaluations and/or judgments be performed under the direction of an appropriately registered or certified professional. For your submittal to be considered a valid technical report, you are to present site specific data, data interpretations, and recommendations prepared by an appropriately licensed professional and include the professional registration stamp, signature, and statement of professional certification. Please ensure all that all technical reports submitted for this fuel leak case meet this requirement.

**UNDERGROUND STORAGE TANK CLEANUP FUND**

Please note that delays in investigation, later reports, or enforcement actions may result in your becoming ineligible to receive grant money from the state's Underground Storage Tank Cleanup Fund (Senate Bill 2004) to reimburse you for the cost of cleanup.

**AGENCY OVERSIGHT**

If it appears as though significant delays are occurring or reports are not submitted as requested, we will consider referring your case to the Regional Board or other appropriate agency, including the County District Attorney, for possible enforcement actions. California Health and Safety Code, Section 25299.76 authorizes enforcement including administrative action or monetary penalties of up to \$10,000 per day for each day of violation.

If you have any questions, please call me at (510) 567-6791.

Sincerely,

  
Jerry Wickham, P.G.  
Hazardous Materials Specialist

cc: Ms. Jennifer Worsley  
Apex Envirotech, Inc.  
11244 Pyrites Way  
Gold River, CA 95670

Donna Drogos, ACEH  
Jerry Wickham, ACEH  
File

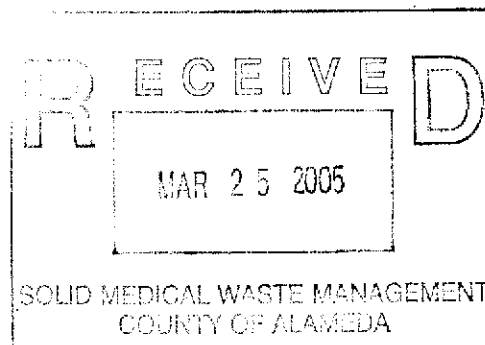




11244 Pyrites Way • Gold River, CA 95670  
Phone 916.851.0174 • Fax 916.851.0177 • Toll Free 1.800.242.5249

March 22, 2005

Ms. Eva Chu  
Alameda County Environmental Health Department  
1311 Harbor Bay Parkway, Suite 250  
Alameda, California 94502



Subject: **Response Request**  
Bernard's Gas  
1051 Airway Boulevard, Livermore, California  
Apex Project No. NWP01.001

Dear Ms. Chu:

Apex Envirotech, Inc. (Apex) has been authorized by New West Petroleum Inc. to submit this letter to request a response from the Alameda County Environmental Health Department (County) in reference to the report titled, *Sensitive Survey Results and Site Conceptual Model* (Report), dated December 19, 2002. Apex contacted the County on October 12, 2004 via telephone to discuss the report. Mr. Bob Schultz responded to the call and said he had not reviewed the report but would and would either respond in writing or call. To this date, Apex has not received a response. Additional calls have been made, but Apex has not received a reply.

Apex would appreciate a response to the report so work can continue at the site.

Sincerely,

**APEX ENVIROTECH, INC.**

A handwritten signature in black ink, appearing to read 'Jennifer Worsley'. The signature is fluid and cursive, with a large initial 'J'.

Jennifer Worsley  
Project Manager

cc: Mr. Gil Moore, New West Stations, Inc., 1831 16th Street, Sacramento, California 95814



# State Water Resources Control Board



Alan C. Lloyd, Ph.D.  
Agency Secretary

**Division of Financial Assistance**  
1001 I Street • Sacramento, California 95814  
P.O. Box 944212 • Sacramento, California • 94244-2120  
(916) 341-5714 • FAX (916) 341-5806 • www.swrcb.ca.gov/cwphome/ustcf

Arnold Schwarzenegger  
Governor

JAN 20 2005

New West Stations, Inc.  
1831 16th St  
Sacramento, CA 95814

UNDERGROUND STORAGE TANK CLEANUP FUND (FUND), CLAIM NO. 017368, FOR  
SITE ADDRESS: 1051 AIRWAY BLVD, LIVERMORE

The State Water Resources Control Board (State Board) is able to issue, pursuant to applicable regulations, the enclosed Letter of Commitment (LOC) in an amount not to exceed \$35,000. This LOC is based upon our review of the corrective action costs you reported to have incurred to date. The LOC may be modified by the State Board.

It is very important that you read the terms and conditions listed in the enclosed LOC. Claims filed with the Underground Storage Tank Cleanup Fund far exceed the funding available and it is very important that you make use of the funding that has been committed to your cleanup in a timely manner.

You are reminded that you must comply with all regulatory agency time schedules and requirements and you must obtain three bids for any required corrective action. Only corrective action costs *required* by the regulatory agency to protect human health, safety and the environment can be claimed for reimbursement. If you have any questions about obtaining preapproval of your costs or the three bid requirement, please call Sunil Ramdass, our Technical Reviewer assigned to claims in your Region, at (916) 341-5757. Failure to obtain preapproval of your future costs may result in the costs not being reimbursed.

The following documents needed to submit your reimbursement request are enclosed:

Reimbursement Request Instructions and Information packages. **Retain these packages for future reimbursement requests.** These instructions must be followed when seeking reimbursement for corrective action costs incurred after January 1, 1988.

"Reimbursement Request" forms which you **must use to request reimbursement of costs incurred.**

"Spreadsheet" forms which you **must use in conjunction with your reimbursement request.**

**THIS IS IMPORTANT TO YOU, PLEASE NOTE:**

Signature(s) on the application will be the signature(s) required for all future Fund documents.

You have 90 calendar days from the date of this letter to submit your first reimbursement request for incurred corrective action costs. **NO EXTENSIONS CAN BE GRANTED.** If you fail to do so, your LOC funds will automatically be reduced to zero (deobligated). Once this occurs, any future funds for this site are subject to availability when you submit your first reimbursement request. We continuously review the status of all active claims. You must continue to remain in compliance and submit a reimbursement request every 6 months. Failure to do so will result in the Fund taking steps to withdraw your LOC.

If you have any questions regarding the enclosed documents, please contact Toru Okamoto at (916) 341-5649.

Sincerely,



*RM* Ronald M. Duff, Manager  
Underground Storage Tank Cleanup Fund

Enclosures

cc: Ms. Donna Drogos  
Alameda County EHD  
1131 Harbor Bay Pkway, 2nd Fl.  
Alameda, CA 94502-6577



# State Water Resources Control Board



**Terry Tamminen**  
Secretary for  
Environmental  
Protection

## Division of Financial Assistance

1001 I Street • Sacramento, California 95814  
P.O. Box 944212 • Sacramento, California • 94244-2120  
(916) 341-5714 • FAX (916) 341-5806 • www.swrcb.ca.gov/cwphome/ustcf

**Arnold Schwarzenegger**  
Governor

SEP 29 2004

New West Stations, Inc.  
1831 16th St  
Sacramento, CA 95814

Alameda County  
ULI 05 2004  
Environmental Health

Dear New West Stations, Inc.

UNDERGROUND STORAGE TANK CLEANUP FUND (FUND), FUND MANAGER DECISION FOR ELIGIBILITY DETERMINATION: CLAIM NUMBER 017368; FOR SITE ADDRESS: 1051 AIRWAY BLVD, LIVERMORE

I have received your request for a Fund Manager Decision. After review of the request and supporting arguments, I have decided to find in your favor and to accept the claim on the Priority List in Priority Class "C" with a \$5,000 deductible.

We have completed our initial review. The next step in the claim review process is to conduct a compliance review.

Compliance Review: Staff reviews, verifies, and processes claims based on the priority and rank within a priority class. After the Board adopts the Priority List, your claim will remain on the Priority List until your Priority Class and rank are reached. At that time, staff will conduct an extensive Compliance Review at the local regulatory agency or Regional Water Quality Control Board. During this Compliance Review, staff may request additional information needed to verify eligibility. Once the Compliance Review is completed, staff will determine if the claim is valid or must be rejected. If the claim is valid, a Letter of Commitment will be issued obligating funds toward the cleanup. If staff determine that you have not complied with regulations governing site cleanup, you have not supplied necessary information or documentation, or your claim application contains a material error, the claim will be rejected. In such event, you will be issued a Notice of Intended Removal from the Priority List, informed of the basis for the proposed removal of your claim, and provided an opportunity to correct the condition that is the basis for the proposed removal. Your claim will be barred from further participation in the Fund, if the claim application contains a material error resulting from fraud or intentional or negligent misrepresentation.

Record keeping: During your cleanup project you should keep complete and well organized records of all corrective action activity and payment transactions. If you are eventually issued a Letter of Commitment, you will be required to submit: (1) copies of detailed invoices for all corrective action activity performed (including subcontractor invoices), (2) copies of canceled checks used to pay for work shown on the invoices, (3) copies of technical documents (bids, narrative work description, reports), and (4) evidence that the claimant paid for the work performed (not paid by another party). These documents are necessary for reimbursement and failure to submit them could impact the amount of reimbursement made by the Fund. *It is not necessary to submit these documents at this time; however, they will definitely be required prior to reimbursement.*

Compliance with Corrective Action Requirements: In order to be reimbursed for your eligible costs of cleanup incurred after December 2, 1991, you must have complied with corrective action requirements of Article 11, Chapter 16, Division 3, Title 23, California Code of Regulations. Article 11 categorized the

corrective action process into *phases*. In addition, Article 11 requires the responsible party to submit an *investigative workplan/Corrective Action Plan* (CAP) before performing any work. This phasing process and the workplan/CAP requirements were intended to:

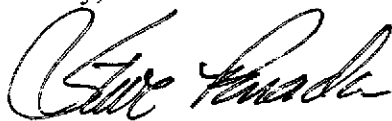
1. help the responsible party undertake the necessary corrective action in a cost-effective, efficient and timely manner;
2. enable the regulatory agency to review and approve the proposed cost-effective corrective action alternative before any corrective action work was performed; and
3. ensure the Fund will only reimburse the most cost-effective corrective action alternative required by the regulatory agency to achieve the minimum cleanup necessary to protect human health, safety and the environment.

In some limited situations *interim cleanup* will be necessary to mitigate a demonstrated immediate hazard to public health, or the environment. Program regulations allow the responsible party to undertake interim remedial action after: (1) notifying the regulatory agency of the proposed action, and; (2) complying with any requirements that the regulatory agency may set. Interim remedial action should only be proposed when necessary to mitigate an immediate demonstrated hazard. ***Implementing interim remedial action does not eliminate the requirement for a CAP and an evaluation of the most cost-effective corrective action alternative.***

**Three bids:** Only corrective action costs required by the regulatory agency to protect human health, safety and the environment can be claimed for reimbursement. You must comply with all regulatory agency time schedules and requirements and you must obtain three bids for any required corrective action. ***If you do not obtain three bids or a waiver of the three-bid requirement, reimbursement is not assured and costs may be rejected as ineligible.***

If you have any questions, please contact Shari Knieriem at (916) 341-5714.

Sincerely,



Allan V. Patton, Fund Manager  
Underground Storage Tank Cleanup Fund

cc: Ms. Donna Drogos  
Alameda County EHD  
1131 Harbor Bay Pkway, 2nd Fl.  
Alameda, CA 94502-6577



# State Water Resources Control Board



**Winston H. Hickox**  
Secretary for  
Environmental

## Division of Financial Assistance

1001 I Street • Sacramento, California 95814  
P.O. Box 944212 • Sacramento, California • 94244-2120  
(916) 341-5714 • FAX (916) 341-5806 • [www.swrcb.ca.gov/cwphome/ustcf](http://www.swrcb.ca.gov/cwphome/ustcf)

**Gray Davis**  
Governor

*Protection The energy challenge facing California is real. Every Californian needs to take immediate action to reduce energy consumption.  
For a list of simple ways you can reduce demand and cut your energy costs, see our website at [www.swrcb.ca.gov](http://www.swrcb.ca.gov).*

JUN 24 2003  
New West Stations, Inc.  
1831 16th St  
Sacramento, CA 95814

**Alameda County**

JUN 25 2003

**Environmental Health**

UNDERGROUND STORAGE TANK CLEANUP FUND (FUND), STAFF DECISION TO REJECT CLAIM: CLAIM NUMBER 017368; FOR SITE ADDRESS: 1051 AIRWAY BLVD, LIVERMORE

Your claim has been found to be ineligible for placement on the Priority List for the following reason:

On September 10, the Fund sent you a letter (enclosed) requesting additional documentation in order to continue the eligibility process of the subject claim application. The requested documents were due in October 2002. As you can see by the date of this letter, the Fund has given ample time to gather the requested documentation. To date, there was been no response to the Fund in regards to obtaining the requested documentation.

Since you have not complied with the request, your claim has been found ineligible to participate in the Fund.

The Petroleum Underground Storage Tank Cleanup Fund Regulations, Section 2811.2(1) states in part...“any other information or supporting documentation reasonably required...”

NOTE: Sections cited are found in the Petroleum Underground Storage Tank Cleanup Fund Regulations, Title 23, Division 3, Chapter 18, of the California Code of Regulations.

If you disagree with this Staff Decision, you may appeal to the Division Chief pursuant to Section 2814.1 of the Petroleum Underground Storage Tank Cleanup Fund Regulations. If you would like review of the decision by the Fund Manager, please submit your request along with any additional documentation to:

Allan V. Patton, Fund Manager, Claim #017368  
Underground Storage Tank Cleanup Fund  
State Water Resources Control Board  
Division of Financial Assistance  
P.O. Box 944212  
Sacramento, CA 94244-2120

A request to the Fund Manager must include, at a minimum: (1) a statement describing how the claimant is damaged by the prior Staff Decision; (2) a description of the remedy or outcome

New West Stations, Inc.

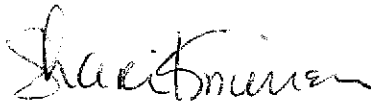
-2-

desired; and (3) an explanation of why the claimant believes the Staff Decision is erroneous, inappropriate or improper.

If you do not request a review by the Fund Manager within thirty (30) calendar days from the date of this letter, the Staff Decision will then become final and conclusive.

If you have any questions, please call me at (916) 341-5714.

Sincerely,



Shari Knieriem  
Claims Review Unit  
Underground Storage Tank Cleanup Fund

cc: Mr. Steve Morse  
RWQCB, Region 2  
1515 Clay Street, Ste. 1400  
Oakland, CA 94612

Ms. Donna Drogos  
Alameda County EHD  
1131 Harbor Bay Pkway, 2nd Fl.  
Alameda, CA 94502-6577



# State Water Resources Control Board

## Division of Clean Water Programs

1001 I Street • Sacramento, California 95814

P.O. Box 944212 • Sacramento, California • 94244-2120

(916) 341-5757 • FAX (916) 341-5806 • www.swrcb.ca.gov/cwphome/ustcf



Gray Davis  
Governor

Winston H. Hickox  
Secretary for  
Environmental  
Protection

*The energy challenge facing California is real. Every Californian needs to take immediate action to reduce energy consumption. For a list of simple ways you can reduce demand and cut your energy costs, see our website at www.swrcb.ca.gov.*

October 30, 2002

New West Stations, Inc.  
J. Gilbert Moore  
1831 16th St  
Sacramento, CA 95814

Alameda County  
NOV 07 2002  
Environmental Health

**PRE-APPROVAL OF CORRECTIVE ACTION COSTS,  
CLAIM NO. 017368, PA # 1  
SITE ADDRESS: 1051 AIRWAY BLVD, LIVERMORE, CA 94550**

I have reviewed your request, received on September 25, 2002, for pre-approval of corrective action costs. I have included a copy of the "Cost Pre-Approval Request" form; please use this form in the future for requesting pre-approval of corrective action costs.

With the following provisions, the total cost pre-approved as eligible for reimbursement for completing the August 1, 2002, Apex Envirotech, Inc. workplan approved by the Alameda County EHD (County) in their August 30, 2002 letter, is \$ 5,618; see the table below for a breakdown of costs.

Be aware that this pre-approval does not constitute a decision on reimbursement: **necessary** (as determined by the Fund) corrective action costs for action work **directed and approved by the County** will be eligible for reimbursement at costs consistent with those pre-approved in this letter. However, depending on what happens in the field, some costs may not actually be necessary.

In an effort to expedite future reimbursement requests associated with the implementation of the corrective action tasks pre-approved in this letter, we ask that the attached 'Pre-Approval Specific Reimbursement Request Form' be completed, updated and submitted with each reimbursement request. All relevant supporting documentation must also be included with each reimbursement request.

***In order for future costs for corrective action to be part of the expedited reimbursement process, they must be pre-approved in writing by Fund staff.***

***All costs for corrective action must meet the requirements of Article 11, Chapter 16, Underground Storage Tank Regulations in order to be eligible for reimbursement.***

California Environmental Protection Agency





### COST PRE-APPROVAL BREAKDOWN

#	Task*	Amount Pre-Approved	Comments
1	Conduct A Sensitive Receptor Survey	\$2,523	This cost includes all time, materials and markups associated with this task.
2	Prepare A Detailed Site Conceptual Model and Report	\$3,095	This cost includes all time, materials and markups associated with this task. Copies of all reports must be submitted to the Fund.
<b>TOTAL PRE-APPROVED</b>		<b>\$ 5,618</b>	

\* Task descriptions are the same as those identified in Apex Envirotech, Inc.'s September 25, 2002 cost estimate.

- Only the tasks/costs reflected on the above table are pre-approved at this time. The Fund will review any tasks/costs that go beyond the pre-approved amount to be determined if the additional tasks and costs are necessary and reasonable. However, if costs exceed the above pre-approved amounts, the Fund will be unable to expedite your Reimbursement Request.
- The work products must be acceptable to the County and the Regional Water Quality Control Board.
- If a different scope of work becomes necessary, then you must request pre-approval of costs on the new scope of work.
- Although I have referred to the Apex Envirotech, Inc. proposal in my pre-approval above, please be aware that you will be entering into a private contract: the State of California cannot compel you to sign any specific contract. This letter **pre-approves the costs** as presented in the proposal dated September 25, 2002 by Apex Envirotech, Inc. for conducting the work approved by the County.

I also want to remind you that the Fund's regulations require that you obtain at least three bids, or a bid waiver from Fund staff, from qualified firms for all necessary future corrective action work. If you need assistance in procuring contractor and consultant services, don't hesitate to call me.

Please remember that it is still necessary to submit the actual costs of the work as explained in the Reimbursement Request Instructions to confirm that the costs are consistent with this pre-approval before you will be reimbursed. ***Please insure that your consultant prepares their invoices to include the required breakdown of costs on a time and materials basis, that invoiced tasks are consistent with the original proposal, and that reasonable explanations are provided for any changes made in the scope of work or increases in the costs. When the invoices are submitted you must include copies of all:***

- *subcontractor invoices,*
- *technical reports, when available, and*
- *applicable correspondence from the County.*

Please call if you have any questions; I can be reached at (916) 341-5757.

Sincerely,

*Sunil Ramdass*

Sunil Ramdass, Water Resources Control Engineer  
Technical Review Unit  
Underground Storage Tank Cleanup Fund

Enclosure

cc: Ms. Donna Drogos  
Alameda County EHD  
1131 Harbor Bay Pkway, 2nd Fl.  
Alameda, CA 94502-6577

**Chu, Eva, Env. Health**

---

**From:** Chu, Eva, Env. Health  
**Sent:** Wednesday, October 09, 2002 9:56 AM  
**To:** 'Colleen Winey'  
**Subject:** RE: New West Petroleum

Hi Colleen,

Bernard's became a site in July 2001. The dispensers and piping were upgraded and some stained soil was noted. Soil had 9,500ppm TPHd, 2,800ppm TPHg, some BTEX and 7.5ppm MTBE. In June 2002 they collected grab groundwater from 4 direct push boreholes. Groundwater contained up to 280ppb MTBE and 6.5ppb TAME. TPHg, TPHd and BTEX were not detect in the grab water samples. Groundwater was encountered at approximately 27 feet bgs.

Currently they are working on a site conceptual model to identify any potential sensitive receptors. Based on the information they provide, I will make a determination if permanent groundwater monitoring wells are required. This is not considered a high priority case.

Is groundwater in the vicinity being pumped? Do they absolutely need permanent wells. Please let me know how Zone 7 feels about this case.

eva

-----Original Message-----

**From:** Colleen Winey [mailto:cwiney@zone7water.com]  
**Sent:** Monday, October 07, 2002 3:53 PM  
**To:** Eva Chu (E-mail)  
**Subject:** New West Petroleum

Hi Eva,

I was going over a report that was submitted to us as part of a drilling permit application for Bernard's Gas at 1051 Airway Blvd in Livermore. It looks like the report was submitted to you in August. I don't think I have any info on this site in our database. Is this a new site or do you have a case number and priority assigned to this site already? Is there any further investigation planned due to the elevated levels of MTBE?

Thanks in advance for any info,

Colleen

Colleen V. Winey  
Hydrogeologist  
Zone 7 Water Agency  
5997 Parkside Drive  
Pleasanton, CA 94588-5127  
(925)484-2600 x258

10/9/2002



# State Water Resources Control Board



**Winston H. Hickox**  
Secretary for  
Environmental  
Protection

**Division of Clean Water Programs**  
1001 I Street • Sacramento, California 95814  
P.O. Box 944212 • Sacramento, California • 94244-2120  
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**Gray Davis**  
Governor

*The energy challenge facing California is real. Every Californian needs to take immediate action to reduce energy consumption. For a list of simple ways you can reduce demand and cut your energy costs, see our website at [www.swrcb.ca.gov](http://www.swrcb.ca.gov).*

SEP 10 2002

New West Stations, Inc.  
1831 16th St  
Sacramento, CA 95814

**Alameda County**  
SEP 12 2002  
**Environmental Health**

UNDERGROUND STORAGE TANK CLEANUP FUND (FUND), REQUEST FOR FURTHER DOCUMENTATION DURING INITIAL REVIEW: CLAIM NUMBER 017368; FOR SITE ADDRESS: 1051 AIRWAY BLVD, LIVERMORE

After reviewing your claim application to the Cleanup Fund, we find that the following additional information is needed to determine your eligibility for placement on the Priority List:

- 1) Submit a removal permit for all underground storage tanks listed in claim application.
- 2) Submit a copy of the current permit to own or operate the UST from the local regulatory agency (Air Pollution permits are not acceptable).
- 3) Copy of the first letter from the local regulatory agency naming you a responsible party and directing you to cleanup the contamination at the subject site.
- 4) Claimant is required to provide documentation that all current and prior UST fees due on or after January 1, 1991 imposed by Section 25299.41 of the Health and Safety Code have been paid. If any of the USTs owned or operated had product placed in them on or after January 1, 1991, attach the most recent copy of the UST Fee Return Form filed with the State Board of Equalization with proof of payment (copy of canceled check).

### PERMIT CERTIFICATION/PRE 1990 PERMIT

- Claimants who acquire sites after January 1, 1990, must complete the enclosed Claimant Certification of Compliance with Fund Regulations Section 2811(a)(1)-(2) and 2810.1(c) form.
- AND**
- A copy of the permit to own or operate the UST from the local implementing agency dated between January 1, 1984 and January 1, 1990 (pursuant to Chapter 6.7 of the Health and Safety Code).

**NOTE:** Failure to respond to this request within thirty (30) calendar days from the date of this letter may result in an ineligibility determination of your claim.

If you have any questions, please contact me at (916) 341-5714.

Sincerely,

Shari Knieriem  
Claims Review Unit  
Underground Storage Tank Cleanup Fund

California Environmental Protection Agency

New West Stations, Inc.

-2-

cc: Mr. Steve Morse  
RWQCB, Region 2  
1515 Clay Street, Ste. 1400  
Oakland, CA 94612

Ms. Donna Drogos  
Alameda County EHD  
1131 Harbor Bay Pkway, 2nd Fl.  
Alameda, CA 94502-6577



# facsimile transmittal

APEX ENVIROTECH, INC.  
11244 Pyrites Way  
Gold River, CA 95670  
Phone: 916-851-0174  
Fax: 916-851-0177



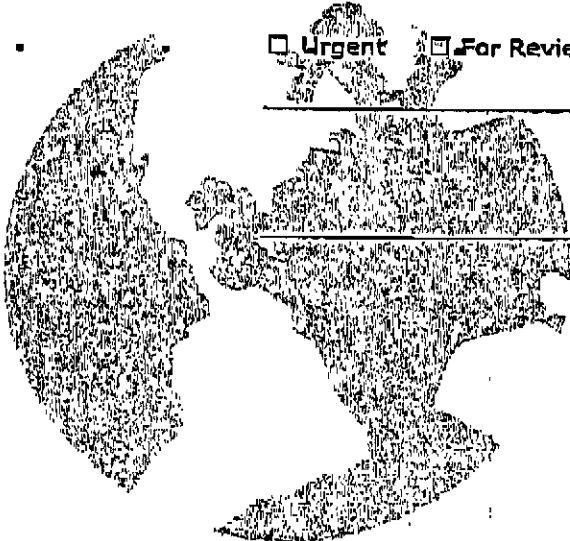
To: Evachu Fax: 510-337-9335

From: \_\_\_\_\_ Date: 09-06-02

Re: Well Search Pages: (including cover)

CC: \_\_\_\_\_

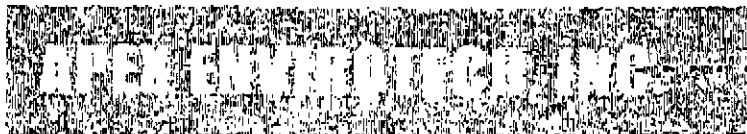
Urgent  For Review  Please Comment  Please Reply  Please Recycle



Please sign and fax back

Thanks,

*Ritchie*



100 - 2440

State of California  
Department of Water Resources  
Central District  
3231 S Street  
Sacramento, CA 95816-7017

**WELL DRILLER'S REPORTS  
INSPECTION REQUEST AND AGREEMENT**

Project: Bernard's

Location: 1051 Airway Blvd, Livermore CA

County: Alameda Contract Number: \_\_\_\_\_

Request is made pursuant to Section 13751 of the California Water Code for permission to inspect or copy Water Well Driller's Reports which are on file in your office.

In accordance with the requirements of Section 13752 of the Water Code, it is stipulated and agreed that such reports, or any copy or copies made thereof, will not be made available for inspection by the public but will be used solely by this governmental agency for making studies. If copies are made or taken, each copy will be stamped "CONFIDENTIAL" or "FOR OFFICIAL USE ONLY" and will be kept in a restricted file, access to which is limited to the staff of this governmental agency or to its contracted agents. Any copies furnished to contracted agents must be returned to the Department of Water Resources, Central District upon completion of work by the contracted agent.

No information contained in these reports can be disseminated or published without the written permission of the owner of the well.

<u>Apex Envirotech</u> Contracted Agent	<u>Alameda County</u> <u>Environmental Health Services</u> Governmental Agency
<u>11244 Pyrites Way</u> Address	<u>1131 Harbor Bay Parkway #250</u> Address
<u>Gold River, CA 95695</u> City, State, & Zip Code	<u>Alameda, CA 94502-6577</u> City, State, & Zip Code
By <u>Rebekah A Westrup</u> Officer	By <u>[Signature]</u> Officer
<u>Staff Geologist</u> Title	<u>Hazardous materials Specialist</u> Title
<u>(916) 851-0174</u> Telephone	<u>(510) 567-6762</u> Telephone
<u>09-06-02</u> Date	<u>9/6/02</u> Date

(For Departmental Information: \_\_\_\_\_ copies sent \_\_\_\_\_)

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



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

RO0002440

August 30, 2002

Mr. Gil Moore  
New West Stations, Inc.  
1831 16<sup>th</sup> Street  
Sacramento, CA 95814

**RE: Site Conceptual Model for 1051 Airway Blvd, Livermore, CA**

Dear Mr. Moore:

I have completed review of Apex Envirotech, Inc.'s August 2002 *Soil Boring and Groundwater Sample Collection Results Report* prepared for the above referenced site. Four soil borings were advanced around the fuel dispenser islands in June 2002. Soil and groundwater samples were collected from each borehole. Soil samples collected at the capillary fringe (approximately 24 feet below ground surface) did not contain contaminants sought. Groundwater samples contained MTBE ranging from 4.3 to 280 parts per billion.

Groundwater at the Livermore Basin is a source of drinking water for the city of Livermore. Since MTBE was detected in the groundwater samples, additional investigations are required to determine if the fuel release at the sight will impact potential drinking water wells. At this time, a detail site conceptual model should be prepared for the site to identify any and all potential sensitive receptors. Please include information on wells (monitoring, irrigation, industrial, and drinking water wells), potential conduits (sewer, storm drain, underground channels, etc), and groundwater elevation and flow direction in the vicinity (within 1/2 mile radius). Based on the findings, the need for and location of groundwater monitoring wells can be assessed.

The required site conceptual model is due within 90 days of the date of this letter, **or by December 2, 2002**. If you have any questions, I can be reached at (510) 567-6762.

eva chu  
Hazardous Materials Specialist

c: Rebekah Westrup, Apex Envirotech, 11244 Pyrites Way, Gold River, CA 95670





# State Water Resources Control Board

202440



**Winston H. Hickox**  
Secretary for  
Environmental  
Protection

**Division of Clean Water Programs**  
1001 I Street • Sacramento, California 95814  
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**Gray Davis**  
Governor

*The energy challenge facing California is real. Every Californian needs to take immediate action to reduce energy consumption. For a list of simple ways you can reduce demand and cut your energy costs, see our website at www.swrcb.ca.gov.*

July 9, 2002

Mr. Gil Moore  
New West Stations, Inc.  
1831 16<sup>th</sup> Street  
Sacramento, CA 95814

JUL 16 2002

**PRE-APPROVAL OF CORRECTIVE ACTION COSTS,  
TRACKING NO. 099184, PA # 1  
SITE ADDRESS: 1051 AIRWAY BLVD., LIVERMORE, CA**

I have reviewed your request, received on June 19, 2002, for pre-approval of corrective action costs. I have included a copy of the "Cost Pre-Approval Request" form; please use this form in the future for requesting pre-approval of corrective action costs.

With the following provisions, the total cost pre-approved as eligible for reimbursement for completing the January 18, 2002, Grayland Environmental workplan approved by the Alameda County EHD (County) in their February 15, 2002 letter, is \$ 9,006; see the table below for a breakdown of costs.

Be aware that this pre-approval does not constitute a decision on reimbursement: **necessary** (as determined by the Fund) corrective action costs for action work **directed and approved by the County** will be eligible for reimbursement at costs consistent with those pre-approved in this letter. However, depending on what happens in the field, some costs may not actually be necessary.

***All costs for corrective action must meet the requirements of Article 11, Chapter 16, Underground Storage Tank Regulations in order to be eligible for reimbursement.***

- Only the tasks/costs reflected on the table below are pre-approved at this time. The Fund will review any tasks/costs that go beyond the pre-approved amount to be determined if the additional tasks and costs are necessary and reasonable.
- The work products must be acceptable to the County and the Regional Water Quality Control Board.
- If a different scope of work becomes necessary, then you must request pre-approval of costs on the new scope of work.
- Although I have referred to the Apex Envirotech, Inc. proposal in my pre-approval above, please be aware that you will be entering into a private contract: the State of California cannot compel you to sign any specific contract. This letter **pre-approves the costs** as presented in the proposal dated June 4, 2002 by Apex Envirotech, Inc. for conducting the work approved by the County.

***California Environmental Protection Agency***



**COST PRE-APPROVAL BREAKDOWN**

#	Task*	Amount Pre-Approved	Comments
1	Permitting, Health and Safety Plan, & Project Management	\$1,288	This cost includes all time and materials associated with this task.
2	Install 4-30' Soil Borings and Analysis	\$6,618	This cost includes all time, materials and markups associated with this task. (Install 4-30' Soil Borings and Analysis). Copies of all sub-invoices must be submitted to the Fund.
3	Report	\$1,100	Copies of all reports must be submitted to the Fund.
	<b>TOTAL PRE-APPROVED</b>	<b>\$ 9,006</b>	

\* Task descriptions are the same as those identified in Apex Envirotech, Inc.'s June 4, 2002 cost estimate.

I also want to remind you that the Fund's regulations require that you obtain at least three bids, or a bid waiver from Fund staff, from qualified firms for all necessary future corrective action work. If you need assistance in procuring contractor and consultant services, don't hesitate to call me.

Please remember that it is still necessary to submit the actual costs of the work as explained in the Reimbursement Request Instructions to confirm that the costs are consistent with this pre-approval before you will be reimbursed. ***Please insure that your consultant prepares their invoices to include the required breakdown of costs on a time and materials basis, that invoiced tasks are consistent with the original proposal, and that reasonable explanations are provided for any changes made in the scope of work or increases in the costs. When the invoices are submitted you must include copies of all:***

- subcontractor invoices,
- technical reports, when available, and
- applicable correspondence from the County.

Please call if you have any questions; I can be reached at (916) 341-5757.

Sincerely,

*Sunil Ramdass*

Sunil Ramdass, Water Resources Control Engineer  
Technical Review Unit  
Underground Storage Tank Cleanup Fund

Enclosure

cc: Ms. Donna Drogos  
Alameda County EHD  
1131 Harbor Bay Pkway, 2nd Fl.  
Alameda, CA 94502-6577

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



ENVIRONMENTAL HEALTH SERVICES

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

RO0002440

February 15, 2002

Mr. Gil Moore  
New West Stations, Inc  
1831 16<sup>th</sup> Street  
Sacramento, CA 95814

**RE: Work Plan Approval for Bernard's Gas at 1051 Airway Blvd, Livermore, CA**

Dear Mr. Moore:

I have completed review of Grayland Environmental's January 2002 *Site Contamination Work Plan* prepared for the above referenced site. The proposal to advance soil borings to collect soil and grab groundwater samples is acceptable with the following changes/additions:

- An additional boring should be advanced west of the dispenser area (in the planter area, near FD1 and FD3)
- At a minimum, two of the borings should be continuously logged and soil samples should also be collected at any change in lithology

Soil and groundwater samples will be analyzed for TPHg, TPHd, BTEX, MTBE and other ether oxygenates. Based on the findings, permanent groundwater monitoring wells may be required. Before permanent wells are installed, this agency will need to re-review the proposed well locations and screen intervals.

The first half of the work plan should be implemented within 90 days of the date of this letter or by **May 17, 2002**. Please provide at least 72 hours advance notice of field activities. If you have any questions, I can be reached at (510) 567-6762.

A handwritten signature in black ink, appearing to read 'eva chu', written in a cursive style.

eva chu  
Hazardous Materials Specialist

email: Jeffrey Clayton

20-2440

JAN 2 2002

File

# UNDERGROUND STORAGE TANK UNAUTHORIZED RELEASE (LEAK) / CONTAMINATION SITE REPORT

EMERGENCY <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	HAS STATE OFFICE OF EMERGENCY SERVICES REPORT BEEN FILED? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	FOR LOCAL AGENCY USE ONLY I HEREBY CERTIFY THAT I AM A DESIGNATED GOVERNMENT EMPLOYEE AND THAT I HAVE REPORTED THIS INFORMATION TO LOCAL OFFICIALS PURSUANT TO SECTION 25100.7 OF THE HEALTH AND SAFETY CODE.
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REPORT DATE 01/10/03	CASE #	SIGNED	DATE
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REPORTED BY	NAME OF INDIVIDUAL FILING REPORT <b>J. Gilbert Moore</b>	PHONE <b>(916) 443-0890</b>	SIGNATURE <i>J. Gilbert Moore</i>
	REPRESENTING <input checked="" type="checkbox"/> OWNER/OPERATOR <input type="checkbox"/> REGIONAL BOARD <input type="checkbox"/> LOCAL AGENCY <input type="checkbox"/> OTHER	COMPANY OR AGENCY NAME	
	ADDRESS <b>1831 16th Street Sacramento CA 95814</b>		

RESPONSIBLE PARTY	NAME <b>New West Stations</b> <input type="checkbox"/> UNKNOWN	CONTACT PERSON <b>J. Gilbert Moore</b>	PHONE <b>(916) 443-0890</b>
	ADDRESS <b>1831 16th Street Sacramento CA 95814</b>		

SITE LOCATION	FACILITY NAME (IF APPLICABLE) <b>Bernard's</b>	OPERATOR <b>New West Stations</b>	PHONE <b>(925) 606-0184</b>
	ADDRESS <b>1051 Airway Blvd Livermore Alameda 94550</b>		
	CROSS STREET <b>Interstate 580</b>	TYPE OF AREA <input checked="" type="checkbox"/> COMMERCIAL <input type="checkbox"/> INDUSTRIAL <input type="checkbox"/> RURAL <input type="checkbox"/> RESIDENTIAL <input type="checkbox"/> OTHER	TYPE OF BUSINESS <input checked="" type="checkbox"/> RETAIL FUEL STATION <input type="checkbox"/> FARM <input type="checkbox"/> OTHER

IMPLEMENTING AGENCIES	LOCAL AGENCY <b>Alameda County Health Dept.</b>	AGENCY NAME	CONTACT PERSON <b>Eva Chu</b>	PHONE <b>(510) 567-6700</b>
	REGIONAL BOARD			

SUBSTANCES INVOLVED	(1) <b>Gasoline</b>	NAME	QUANTITY LOST (GALLONS) <input checked="" type="checkbox"/> UNKNOWN
	(2) <b>Diesel</b>		<input checked="" type="checkbox"/> UNKNOWN

DISCOVERY/ABATEMENT	DATE DISCOVERED <b>01/06/03</b>	HOW DISCOVERED <input type="checkbox"/> TANK TEST <input type="checkbox"/> TANK REMOVAL <input checked="" type="checkbox"/> OTHER <b>Removal of Fuel Dispensers</b>	<input type="checkbox"/> INVENTORY CONTROL <input type="checkbox"/> SUBSURFACE MONITORING <input type="checkbox"/> NUISANCE CONDITIONS
	DATE DISCHARGE BEGAN <input checked="" type="checkbox"/> UNKNOWN	METHOD USED TO STOP DISCHARGE (CHECK ALL THAT APPLY) <input checked="" type="checkbox"/> REMOVE CONTENTS <input type="checkbox"/> REPLACE TANK <input type="checkbox"/> CLOSE TANK <input type="checkbox"/> REPAIR TANK <input checked="" type="checkbox"/> REPAIR PIPING <input type="checkbox"/> CHANGE PROCEDURE	
	HAS DISCHARGE BEEN STOPPED? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO IF YES, DATE <b>01/06/03</b>	OTHER <b>*PUT IN DISPENSER CONTAINMENT</b>	

SOURCE/CAUSE	SOURCE OF DISCHARGE <input type="checkbox"/> TANK LEAK <input type="checkbox"/> UNKNOWN <input checked="" type="checkbox"/> PIPING LEAK <input checked="" type="checkbox"/> OTHER <b>AT DISPENSERS</b>	TANKS ONLY/CAPACITY <b>12,000</b> GAL. AGE <b>11</b> YRS	MATERIAL <input checked="" type="checkbox"/> FIBERGLASS } BOTH <input checked="" type="checkbox"/> STEEL } <input type="checkbox"/> OTHER	CAUSE(S) <input type="checkbox"/> OVERFILL <input checked="" type="checkbox"/> RUPTURE/FAILURE <input type="checkbox"/> CORROSION <input type="checkbox"/> UNKNOWN <input type="checkbox"/> SPILL <input checked="" type="checkbox"/> OTHER <b>1) FAULTY FILTERS 2) CUSTOMERS OVER FILL</b>
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CASE TYPE	<input checked="" type="checkbox"/> UNDETERMINED <input checked="" type="checkbox"/> SOIL ONLY <input type="checkbox"/> GROUNDWATER <input type="checkbox"/> DRINKING WATER - (CHECK ONLY IF WATER WELLS HAVE ACTUALLY BEEN AFFECTED)
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CURRENT STATUS	<input checked="" type="checkbox"/> SITE INVESTIGATION IN PROGRESS (DEFINING EXTENT OF PROBLEM) <input type="checkbox"/> CLEANUP IN PROGRESS <input type="checkbox"/> SIGNED OFF (CLEANUP COMPLETED OR UNNECESSARY) <input type="checkbox"/> NO ACTION TAKEN <input type="checkbox"/> POST CLEANUP MONITORING IN PROGRESS <input type="checkbox"/> NO FUNDS AVAILABLE TO PROCEED <input type="checkbox"/> EVALUATING CLEANUP ALTERNATIVES
----------------	--

REMEDIAL ACTION	CHECK APPROPRIATE ACTION(S) (SEE BACK FOR DETAILS) <input type="checkbox"/> CAP SITE (CD) <input checked="" type="checkbox"/> EXCAVATE & DISPOSE (ED) <input type="checkbox"/> REMOVE FREE PRODUCT (FP) <input type="checkbox"/> ENHANCED BIO DEGRADATION (IT) <input checked="" type="checkbox"/> CONTAINMENT BARRIER (CB) <input type="checkbox"/> EXCAVATE & TREAT (ET) <input type="checkbox"/> PUMP & TREAT GROUNDWATER (GT) <input type="checkbox"/> REPLACE SUPPLY (RS) <input type="checkbox"/> TREATMENT AT HOOKUP (HU) <input type="checkbox"/> NO ACTION REQUIRED (NA) <input type="checkbox"/> OTHER (OT)
-----------------	--

COMMENTS  
\* (1) PUT IN DISPENSER CONTAINMENT BOXES  
(2) REPLACED ALL DOUBLE WALL LINES & PIPING WITH CURRENT, UP TO-DATE DOUBLE WALLED LINES & PIPING.  
(3) MADE ALL NECESSARY CHANGES TO COMPLY WITH 2003 RULES & REGULATIONS.

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY  
DAVID J. KEARS, Agency Director



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

RO0002440

November 19, 2001

Mr. Christopher Moore  
New West Stations, Inc.  
1831 16<sup>th</sup> Street  
Sacramento, CA 95814

**RE: PSA for 1051 Airway Blvd, Livermore, CA**

Dear Mr. Moore:

I have completed review of Grayland Environmental's August 2001 *Fuel Dispenser and Line Removal Report* prepared for the above referenced site. During fuel dispenser and product line upgrade at the site, soil samples collected beneath the dispensers and product piping contained up to 2,800 parts per million (ppm) total petroleum hydrocarbons as gasoline (TPHg), 9,500ppm TPH as diesel, as well as elevated benzene, toluene, ethyl-benzene and xylene (BTEX) and MTBE constituents. Clearly, an unauthorized release of fuel hydrocarbons has occurred at the site.

At this time, additional investigations are required to delineate the extent of the fuel release and to determine if groundwater has been impacted. 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.

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.

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

A handwritten signature in black ink, appearing to read "eva chu".

eva chu  
Hazardous Materials Specialist

attachment

bernard's-1



November 9, 2001

RG 000 2440

NOV 16 2001

eva chu  
Alameda County Health Care Services Agency  
Environmental Health Division  
1311 Harbor Bay Parkway, Suite 250  
Alameda, CA 94502

Subject: Fuel Dispenser and Line Removal Report  
1051 Airway Blvd.  
Livermore, CA

Dear eva:

We are requesting that your office oversee the site investigation and mitigation of the fuel release discovered at the above referenced site. Obvious soil contamination was noted during the removal activities. We have received the results from the fuel dispenser and line removal which indicate that contamination is present and further investigation and mitigation may be needed. Please find a copy of our inspection report and the final report from the consultant. *Not included - got it in separated envelop.*

Thank you for your assistance on this project. If you have any questions, please feel free to contact me at 925-454-238

Sincerely,

Danielle Stefani  
Hazardous Materials Coordinator

cc: Mr. Christopher Moore  
New West Stations, Inc.  
1831 16<sup>th</sup> St.  
Sacramento, CA 95814

JG Moore + Bileene  
1831 16th St  
Sacramento, CA 95814  
Parcel 905-9-45

4550 East Avenue Livermore, California 94550

Fire Administration  
(925) 454-2361

Fax (925) 454-2367

Fire Prevention Bureau  
(925) 454-2362



November 9, 2001

Mr. Christopher Moore  
New West Stations, Inc.  
1831 16<sup>th</sup> St.  
Sacramento, CA 95814

Subject: Fuel Dispenser and Line Removal Report  
1051 Airway Blvd.  
Livermore, CA

Dear: Mr. Moore:

I have reviewed the Grayland Environmental which addressed the removal of fuel dispenser and piping the above referenced site. The results of the soil sampling and the observations made during the removal indicate that additional work is or may be needed with regard to the fuel release which has been discovered at this site. I am referring this case to the Alameda County Health Care Services Environmental Health Division for oversight. Their mailing address is

Alameda County Health Care Services Agency  
Environmental Health Division  
1311 Harbor Bay Parkway, Suite 250  
Alameda, CA 94502

Their phone number is : 510-567-6700

If you have any questions concerning this letter, please feel free to contact me at 925-454-2338.

Sincerely,

A handwritten signature in black ink, appearing to read 'Danielle Stefani', is written over a horizontal line.

Danielle Stefani  
Hazardous Materials Coordinator

cc: eva chu  
Alameda County Health Care Services Agency  
Environmental Health Division  
1311 Harbor Bay Parkway, Suite 250  
Alameda, CA 94502

---

4550 East Avenue Livermore, California 94550

Fire Administration  
(925) 454-2361

Fax (925) 454-2367

Fire Prevention Bureau  
(925) 454-2362

**LIVERMORE-PLEASANTON FIRE DEPARTMENT**  
 4550 East Avenue, Livermore, CA 94550  
 925-454-2362

**INSPECTION REPORT SUMMARY**

Name of Facility: <u>Bernards</u>	Street Address: <u>1051 Airway</u> (L)
Contact Person: <u>Richard Walton</u>	Telephone:
Inspector: <u>Danille Stefano</u>	

**Type of Inspection**

- |  |   |
|--|---|
| <input type="checkbox"/> First Contact (information/familiarization) | <input type="checkbox"/> Requested by business  |
| <input type="checkbox"/> Initial compliance inspection               | <input type="checkbox"/> Witness Test           |
| <input type="checkbox"/> Compliance after notice                     | <input type="checkbox"/> Special inspection     |
| <input checked="" type="checkbox"/> Construction Inspection          | <input type="checkbox"/> Unauthorized Discharge |
| <input type="checkbox"/> Attachment to Other Inspection Report       | <input type="checkbox"/> Compliant              |

Witness pipe sampling

- One sample under each dispenser
- one sample at each pipe joint where the side branches tied into the main pipe run
- One sample between each of the above sample points along the pipe runs
- One sample between the tanks and the first pipe T.

Piping cut into short sections, piping flushed prior to removal. Piping does not contain liquid product per contractor and visual spot checking. Not require to be handled as hazardous waste.

metal ~~was~~ vent pipe without corrosion protection cannot be reused. Contractor will seal ~~at~~ ends of vent pipe run in can open

<u>Richard S. Walton</u>	RICHARD S. WALTON	6/19/01
Received By: Signature of Facility Representative	Printed Name	Date of Inspection



**LIVERMORE-PLEASANTON FIRE DEPARTMENT**  
 4550 East Avenue, Livermore, CA 94550  
 925-454-2362

**INSPECTION REPORT SUMMARY**

Name of Facility: <u>Bernards</u>	Street Address: <u>1051 Quway</u>
Contact Person: <u>R. Walton</u>	Telephone:
Inspector: <u>[Signature]</u>	

**Type of Inspection**

- |  |   |
|--|---|
| <input type="checkbox"/> First Contact (information/familiarization) | <input type="checkbox"/> Requested by business  |
| <input type="checkbox"/> Initial compliance inspection               | <input type="checkbox"/> Witness Test           |
| <input type="checkbox"/> Compliance after notice                     | <input type="checkbox"/> Special inspection     |
| <input type="checkbox"/> Construction Inspection                     | <input type="checkbox"/> Unauthorized Discharge |
| <input type="checkbox"/> Attachment to Other Inspection Report       | <input type="checkbox"/> Compliant              |

• Visual evidence of releases of fuel under the dispensers. Unauthorized release report must be submitted

• I received the amended permit application for the repiping

• Jeff Clayton and I discussed chemical analysis - noted on application form stock piles will be sampled also

• standard protocols - i.e. chain of custody etc followed

<u>[Signature]</u>	<u>RICHARD S. WALTON</u>	<u>6/19/01</u>
Received by: Signature of Facility Representative	Printed Name	Date of Inspection