

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



SENT
8-28-06

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

August 28, 2006

Mr. Ken Benson
Vulcan Materials
P.O. Box 636
Pleasanton, CA 94566

Subject: Fuel Leak Case No. RO0002527, Vulcan Materials, 501 El Charro Road, Pleasanton, CA

Dear Mr. Benson:

In correspondence dated November 28, 2005 (attached), Alameda County Environmental Health (ACEH) conditionally approved a Work Plan entitled, "Draft Preliminary Site Assessment Work Plan," dated May 20, 2003, prepared on your behalf by Brown and Caldwell. The work plan proposed advancing four borings to first encountered groundwater or a depth of 50 feet below ground surface to assess the extent of fuel hydrocarbons at the site. The ACEH correspondence requested that you conduct the proposed soil and groundwater investigation provided that our technical comments were addressed during the field investigation and submit the results by April 19, 2006. To date, we have not received notification that the field investigation was conducted, the Soil and Groundwater Investigation Report, or a request for a time extension. We reiterate the request made in our November 28, 2006 correspondence to conduct the requested work.

Your soil and water investigation Work Plan is late, and your fuel leak site is not in compliance with ACEH directives. In order for your site to return to compliance, please submit the previously requested Soil and Groundwater Investigation Report by November 30, 2006. This date is not an extension of your due date, reports for this site are late and your site is out of compliance. 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.

Ken Benson
August 28, 2006
Page 2

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

Sincerely,



Jerry Wickham
Hazardous Materials Specialist

Attachment: ACEH Correspondence Dated November 28, 2005

Enclosure: ACEH Electronic Report Upload (ftp) Instructions

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

Tina Bauer, Brown and Caldwell, 2701 Prospect Park Drive, Rancho Cordova, CA 95670

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

Shari Knierem, SWRCB Cleanup Fund, 1001 I Street, 17th floor, Sacramento, CA 95814-
2828

Donna Drogos, ACEH
Jerry Wickham, ACEH
File

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



SENT
11-28-05

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

November 28, 2005

Mr. Ken Benson
Vulcan Materials
501 El Charro Road
Pleasanton, CA 94566

Subject: Fuel Leak Case No. RO0002527, Vulcan Materials, 501 El Charro Road, Pleasanton, CA – Work Plan Approval

Dear Mr. Benson:

I am the caseworker recently assigned to your case. Please send future correspondence or inquiries regarding this case to my attention. Alameda County Environmental Health (ACEH) staff has reviewed the case file for the above referenced site and the document entitled, "Draft Preliminary Site Assessment Work Plan," dated May 20, 2003, prepared on your behalf by Brown and Caldwell. The work plan proposes advancing four borings to first encountered groundwater or a depth of 50 feet below ground surface to assess the extent of fuel hydrocarbons at the site.

During removal of gasoline and diesel underground storage tanks, total petroleum hydrocarbons (TPH) as diesel were detected in soil samples beneath collected beneath the former tanks at concentrations up to 1,800 milligrams per kilogram (mg/kg). TPH as gasoline was detected in soil at concentrations up to 31 mg/kg. No water samples have been collected to assess whether fuel hydrocarbons have impacted groundwater in the area of the former tanks.

ACEH concurs with the proposed scope of work provided the technical comments included below are addressed. We request that you address the following technical comments, perform the proposed work, and send us the reports described below. Please provide 72-hour advance written notification to this office (e-mail preferred to jerry.wickham@acgov.org) prior to the start of field activities.

TECHNICAL COMMENTS

1. **Soil Borings.** ACEH concurs with the proposed soil boring locations. The soils are to be continuously sampled and logged and screened in the field using a photoionization detector (PID). ACEH requests that soil samples 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. In addition, one soil sample collected approximately two feet below the interval of observed staining, odor, or elevated PID readings should be submitted for laboratory analysis. If no staining, odor, or elevated PID readings are not observed, please submit one soil sample collected at approximately 15 feet below ground surface and one soil sample collected from the capillary fringe or the total

depth of the boring for laboratory analysis. Soil boring logs are to be presented in the Soil and Groundwater Investigation Report requested below.

2. **Laboratory Analyses.** The proposed laboratory analyses for soil and groundwater samples are acceptable. Please present the results in the Soil and Groundwater Investigation Report requested below.

TECHNICAL REPORT REQUEST

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

- **April 19, 2006** – 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

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).

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.

Mr. Ken Benson
November 28, 2005
Page 3

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

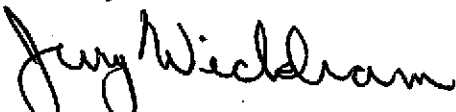
Please note that delays in investigation, later reports, or enforcement actions may result in your becoming ineligible to receive grant money from the state's Underground Storage Tank Cleanup Fund (Senate Bill 2004) to reimburse you for the cost of cleanup.

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

Enclosure: ACEH Electronic Report Upload (ftp) Instructions

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

Tina Bauer, Brown and Caldwell, 2701 Prospect Park Drive, Rancho Cordova, CA 95670

Donna Drogos, ACEH
Jerry Wickham, ACEH
File

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



03-26-03

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

March 25, 2003

RO 2527

Mr. Ken Benson
Vulcan Materials
P.O. Box 636
Pleasanton, CA 94566

RE: Vulcan Materials, 501 El Charro Road, Pleasanton (unincorporated) – Request for Preliminary Site Assessment Work Plan

Dear Mr. Benson:

Two underground storage tanks (UST) were removed from this site on November 5, 2002. One UST was of 12,000-gallon capacity and used to store diesel fuel. The second UST was of 6000-gallon capacity and used to store gasoline. Tank inverts were at reported depths of between 11.5 and 12.5 feet below ground. Samples were collected of native materials at the base of the shared UST excavation and beneath each of the dispensers.

Soil sample results indicated an unauthorized release occurred at this site. Up to 1800 parts per million (ppm) Total Petroleum Hydrocarbons as Diesel (TPH-d) and detectable concentrations of Toluene, Ethylbenzene, and total Xylenes, as well as the fuel oxygenate tert-Butanol (TBA), were identified in collected samples. Consequently, an Unauthorized Release Report (ULR) was completed by your tank removal contractor on November 25, 2002.

This letter constitutes a request for submittal of a Preliminary Site Assessment (PSA) workplan and Site Conceptual Model (SCM).

TECHNICAL COMMENTS

1) **Preliminary Site Assessment Workplan** - Consistent with provisions of Article 11, *Corrective Action Requirements*, Section 2720 et seq., Title 23, California Code of Regulations (CCR), a PSA must be conducted to initially assess the extent of the release at the site. The PSA typically involves the installation of several soil borings and construction of an array of monitoring wells strategically located to track contaminant location. However, in this case it will be acceptable to begin this preliminary phase of the project with a series of push-tool (i.e., GeoProbe) sampling points. Such expedited site assessment tools and methods are a scientifically valid and cost-effective approach to fully define the three-dimensional extent of fuel releases. Technical protocol for expedited site assessments are provide in the US EPA "*Expedited Site Assessment Tools for Underground Storage Tank Sites: A guide for Regulators*" (EPA 510-B-97-001), dated March 1997.

Mr. Ken Benson
Re: 501 El Charro Rd., Pleasanton
March 25, 2003
Page 2 of 3

2) **Site Conceptual Model** – You are to develop an initial three-dimensional SCM of site conditions. A SCM is a set of working hypotheses pertaining to all aspects of the contaminant release, including site geology, hydrogeology, release history, residual and dissolved contamination, attenuation mechanisms, pathways to nearby receptors, and likely impacts to receptors. The SCM is used to identify data gaps that are subsequently filled as the investigation proceeds. As the data gaps are filled, the working hypotheses are modified, and the overall SCM is refined and strengthened. Subsurface investigations continue until the SCM no longer changes as new data are collected. At this point the SCM is considered “validated”. The validated SCM forms the foundation for developing the most cost-effective final Corrective Action Plan (CAP).

Your attention is directed to “*Strategies for Characterizing Subsurface Releases of Gasoline Containing MtBE*,” American Petroleum Institute Publication No. 4699, dated February 2000 as a resource for development of the SCM. Your attention is also directed to the State Water Resources Control Board (SWRCB) “*Guidelines for Investigation and Cleanup of MTBE and Other Ether-Based Oxygenates, Final Draft*”, dated March 27, 2000, as well as the June 2002 ChevronTexaco Energy Research and Technology Company technical bulletin entitled “*Mass Flux Estimates to Assist Decision-Making*” to help in development of the SCM, among other related tasks. I can provide copies of any of these documents if you need them.

You are requested to use this initial SCM to help you determine the appropriate configuration for samplings points in the pending PSA phase of work at this site. Please present and discuss the SCM in the PSA workplan, and explain your rationale for the configuration of proposed sampling points.

TECHINICAL REPORT REQUEST

Please submit technical reports according to, or otherwise comply with, the following schedule:

May 23, 2003 – Work plan for Preliminary Site Assessment

60 Days from PSA Work Plan Approval – Preliminary Site Assessment Report

July 15, 2003 – Quarterly Report for the Second Quarter 2003

October 15, 2003 – Quarterly Report for the Third Quarter 2003

January 15, 2004 – Quarterly Report for the Fourth Quarter 2003

April 15, 2004 – Quarterly Report for the First Quarter 2004

These reports and work plans are being requested pursuant to the Regional Board’s authority under Section 13267(b) of the California Water Code. **Each technical report shall include**

Mr. Ken Benson
Re: 501 El Charro Rd., Pleasanton
March 25, 2003
Page 3 of 3

conclusions and recommendations for the next phases of work required at the site should more appear necessary to refine the SCM. We request that all required work be performed in a prompt and timely manner, as suggested by the noted schedule, above. Revisions to this schedule shall be requested in writing with appropriate justification for anticipated delays.

The California Business and Professions Code (Sections 6735, 6835, and 7835.1) requires that all work plans and technical reports containing professional geologic or engineering evaluations and/or judgments be completed under the direction of an appropriately-registered or certified professional. This registered or certified professional shall sign and wet stamp all such reports and work plans.

All reports and work plans are to be submitted under cover, signed under penalty of perjury, by the Responsible Party(ies) who have taken a lead role in compliance with corrective action directives.

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 Alameda County District Attorney, for possible enforcement follow up. Enforcement follow up may include administrative action or monetary penalties of up to \$10,000 per day for each day of violation of the California Health and Safety Code, Division 20, Chapter 6.76.

If you have any questions, I can be reached at (510) 567-6783.

Sincerely,



Scott O. Seery, CHMM
Hazardous Materials Specialist

c: Betty Graham, RWQCB
Dave Charter, SWRCB UST Fund
Matt Katen, Zone 7 Water Agency
Donna Drogos, ACDEH LOP
Robert Weston, ACDEH

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



10-1201

RO# 2527

October 11, 2001

STID 4657 / PR0501248

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

Mr. Kenny Benson, Plant Manager
Vulcan Materials
P.O. Box 636
Pleasanton, CA 94566

NOTICE OF RETURN TO COMPLIANCE

Re: Inspection of Vulcan Materials, 50 El Charro Road., Pleasanton

Dear Mr. Benson:

We are in receipt of your letter, with attachments, dated October 9, 2001 submitted in response to the *Final Notice of Violation* issued by this office on September 27, 2001. Your submittal appears to satisfy the requirement for a "Corrective Action Plan", as mandated by Health and Safety Code Sec. 25288(d).

Please continue to comply with your operating permit and permit conditions.

Please contact me at (510) 567-6783 should you have any questions about the content of this letter.

Sincerely,

Scott O. Seery, CHMM
Hazardous Materials Specialist

cc: Susan Torrence, Alameda County District Attorney's Office
Robert Weston, ACDEH

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



July 22, 1999

R02527

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

John Blythe
HS & E Representative
Vulcan/CalMat
P. O. Box 22800
Bakersfield CA 93390

STID 4657

**Subject: Operating permit for two underground storage tanks,
located at Vulcan/CalMat, 50 El Charro Road, Pleasanton,
CA 94566**

Dear Mr. Blythe:

This letter is intended to guide the owner/operators, in the proper management of the underground storage tanks (UST) and to describe actions necessary for compliance with the permit conditions.

The installed system at the above location includes a 12,000 gallon and 6,000 gallon fiberglass coated double wall steel USTs. The USTs are used to store motor vehicle fuel. Tank leak detection is performed using a Leak Alert model #LA-04 to monitor the interstitial space.

The diesel pressurized piping is double wall fiberglass with a probe in the piping sump. The probe monitors for liquid and triggers the alarm panel (Veeder-Root TLS250). The mechanical line leak detector will restrict flow if a leak greater than 3 gallons per hour is detected. The gasoline delivery system is suction with a European style check valve. In other words the suction piping from the dispenser to the tank is empty of fuel except when dispensing. The dispenser containment is equipped with a float mechanism to disable the flow of product from the dispensers if liquid is detected in the dispenser containment pans.

Compliance with the following conditions is a requirement of the permit to operate:

1. Maintain a copy of the operating permit and operating conditions on-site. Perform leak detection using the sensors and monitoring system as described above.
2. Maintain written records of all alarm conditions and their resolution. Maintain records of all maintenance performed on the tank system.

July 22, 1999
Vulcan/CalMat
page 2 of 2

3. **Annually** perform operational tests on the electronic monitoring equipment by qualified technicians. The month of **December** is your anniversary each year. Provide a copy of the certification tests to this office within 30 days of the technicians final report.
4. **Annually** perform integrity tests on the diesel pressurized piping and performance tests on the mechanical line leak detector. The piping test method shall be capable of detecting a release equivalent to 0.1 gallon per hour defined at 150% of normal operating pressure. The line leak detector shall be capable of detecting a release equivalent to 3.0 gph defined at 10 psi. Provide a copy of the test results to this office within 30 days of the technicians report.
5. Maintain certification of financial responsibility with documentation on-site.
6. Complete training for employees responsible for monitoring and maintenance and document that training at least annually.
7. Report unauthorized releases to this office within 24 hours of discovery. Provide written reports within 5 working days.
8. All changes in monitoring equipment must be pre-approved by this office prior to implementation.
9. Report changes in facility operator or tank owner on Form A within 30 days of the change.

This permit expires on December 27, 2002. If you have any questions regarding the operation of this tank system please contact me at (510) 567-6781.

Sincerely,



Robert Weston
Sr. Hazardous Materials Specialist

enclosures

c: Tom Peacock, ACDEH

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY

DAVID J. KEARS, Agency Director



RAFAT A. SHAHID, ASST. AGENCY DIRECTOR

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

RO2685 (California Rock Plant)

✓ RO 2527 (vulcan materials)

● RO913 (Jamieson)

StID 2084

June 30, 1994

Mr. Don Kahler
Jamieson Co.
P.O.Box 850
Pleasanton, CA 94566-0872

Subject: PSA for 501 El Charro Rd, Pleasanton, CA 94566

Dear Mr. Kahler:

I have completed review of the case file for the above referenced site. When a 10,000 gallon diesel underground storage tank (UST) was removed in July 1992, soil samples collected in the sand backfill, at 15' below ground surface, exhibited up to 12,000 parts per million total petroleum hydrocarbons as diesel (ppm TPH-D). Another soil sample was collected 7' below the bottom of the sand fill, and exhibited 150 ppm TPH-D. Clearly, an unauthorized release of petroleum products has occurred at this site.

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

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.

It is unclear whether the stockpiled soil has been disposed of properly. Copies of bills of lading should be submitted to this office for review. Also, the enclosed Underground Storage Tank Unauthorized Release (Leak)/Contamination Site Report should be completed and returned to this office within 15 days of the date of this letter.

Mr. Don Kahler
re: 501 El Charro, Pleasanton
June 30, 1994

Page 2

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

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

Sincerely,



eva chu
Hazardous Materials Specialist

enclosures

cc: files

jamieson.1