**AGENCY** 

DAVID J. KEARS, Agency Director



5057-14-06

ENVIRONMENTAL HEALTH SERVICES

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

August 11, 2006

Jeff Pitcock
Bay Counties Pitcock Petroleum
220 Hookston Road
Pleasant Hill, CA 94523

Mike Fuller Motorsports, Inc. P.O. Box 5050 Livermore, CA 94551-5050

Subject: Fuel Leak Case No. RO0002865, Bay Counties CFN, 533 Exchange Court, Livermore, CA

Dear Mr. Pitcock and Mr. Fuller:

Alameda County Environmental Health (ACEH) staff has reviewed the case file for the above referenced site and the report entitled, "Report of Soil Removal Activities," dated June 26, 2006, prepared on your behalf by Gribi Associates. The report presents the results of a shallow excavation and one soil boring. Contaminated soil southwest of the vent lines and concrete block wall was removed over a 6 feet by 8 feet area. Confirmation soil samples indicate that soil containing petroleum hydrocarbons that exceeded cleanup goals was removed from the area southwest of the vent lines and outside the concrete block wall. Results from the soil boring indicated that the vertical extent of fuel hydrocarbons was apparently limited to shallow soil. However, confirmation soil sample CS-1, collected adjacent to the concrete wall contained 3,700 milligrams per kilogram of total petroleum hydrocarbons as diesel (TPHd). Soil excavation was not continued to the northeast due to the presence of the concrete block wall.

Based on these results, no further investigation or excavation is needed in the area outside the concrete block wall. However, soils with concentrations of TPHd exceeding cleanup goals remain in place northeast of the excavation and the extent of fuel contamination to the northeast has not been defined. Therefore, we request that you continue shallow excavation to the northeast inside the concrete wall to remove contaminated shallow soil adjacent to the vent pipes. Please use the cleanup goals and excavation methods proposed in your January 16, 2006 Work Plan.

We request that you perform the proposed work and send us the reports described below.

Jeff Pitcock Mike Fuller August 11, 2006 Page 2

#### TECHNICAL REPORT REQUEST

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

#### December 15, 2006 – Soil Excavation 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**

Effective January 31, 2006, 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).

#### 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

Jeff Pitcock Mike Fuller August 11, 2006 Page 3

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,

Jerfy 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

Matthew Rosman Gribi Associates, Inc. 1090 Adams Street, Suite K Benicia, CA 94510

**AGENCY** 



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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

February 7, 2006

Jeff Pitcock
Bay Counties Pitcock Petroleum
220 Hookston Road
Pleasant Hill, CA 94523

Mike Fuller Motorsports, Inc. P.O. Box 5050 Livermore, CA 94551-5050

Subject: Fuel Leak Case No. RO0002865, Bay Counties CFN, 533 Exchange Court, Livermore, CA – Work Plan Approval

Dear Mr. Pitcock and Mr. Fuller:

Alameda County Environmental Health (ACEH) staff has reviewed the case file for the above referenced site and the document entitled, "Work Plan for Soil Removal," dated January 16, 2006, prepared on your behalf by Gribi Associates. The Work Plan proposes soil removal activities, confirmation soil sampling, grab groundwater sampling. ACEH concurs with the proposed scope of work provided that the technical comments below are addressed during the investigation.

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

#### **TECHNICAL COMMENTS**

- 1. Excavation and Collection of Confirmation Soil Samples. ACEH concurs with the proposal to excavate soil from the impacted area. The excavation is to be continued laterally and vertically to the extent necessary to remove visibly stained and odorous soil. Upon reaching the final extent of excavation, confirmation soil samples are to be collected from each wall of the excavation and the bottom of the excavation. Please present the results of the excavation and confirmation soil sampling in the report requested below along with documentation of soils disposal. ACEH concurs with the proposed laboratory analyses for the confirmation soil samples.
- 2. Soil Boring. ACEH concurs with the proposal to continuously log one soil boring to the total depth of the boring. ACEH requests that soil samples be submitted for laboratory analyses for all depth intervals below the base of the proposed excavation where staining, odor, or elevated PID readings are observed. If staining, odor, or elevated PID readings are observed over an interval of several feet in the boring, a sufficient number of soil samples should be submitted for laboratory analyses to characterize the fuel hydrocarbon concentrations within this interval.

Jeff Pitcock Mike Fuller February 7, 2006 Page 2

3. Groundwater Analyses. One grab groundwater sample is to be collected beneath the impacted area. The grab groundwater sample is to be analyzed for Total petroleum hydrocarbons as diesel (TPHd) and TPHg by EPA Method 8015M or 524.2/624 (8260), benzene, toluene, ethylbenzene, and xylenes, fuel oxygenates (MTBE, TAME, ETBE, DIPE, TBA, EtOH), 1,2-dichloroethane, and ethylene dibromide, by EPA Method 524,2/624 (8260).

#### **TECHNICAL REPORT REQUEST**

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

June 15, 2006 – Site Excavation and Groundwater Sampling 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**

Effective January 31, 2006, 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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In order to facilitate electronic correspondence, we request that you provide up to date electronic mail addresses for all responsible and interested parties. Please provide current electronic mail addresses and notify us of future changes to electronic mail addresses by sending an electronic mail message to me at jerry.wickham@acgov.org.

Jeff Pitcock Mike Fuller February 7, 2006 Page 3

#### 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.

#### <u>UNDERGROUND STORAGE TANK CLEANUP FUND</u>

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,

Jeny Wickhalli

Hazardous Materials Specialist

Jeff Pitcock Mike Fuller February 7, 2006 Page 4

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

Matthew Rosman Gribi Associates, Inc. 1090 Adams Street, Suite K Benicia, CA 94510

**AGENCY** 



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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

October 12, 2005

Jeff Pitcock
Bay Counties Pitcock Petroleum
220 Hookston Road
Pleasant Hill, CA 94523

Mike Fuller Motorsports, Inc. P.O. Box 5050 Livermore, CA 94551-5050

Subject: Fuel Leak Case No. RO0002865, Bay Counties CFN, 533 Exchange Court, Livermore, CA – Request for Work Plan

Dear Mr. Pitcock and Mr. Fuller:

Alameda County Environmental Health (ACEH) staff has reviewed the case file for the above referenced site, including the report entitled, "Report of Vent Area Sampling," dated July 10, 2003. The report presents the sampling results from three near surface soil borings in the area of a fuel release from underground storage tank vent lines at the site. Total petroleum hydrocarbons (TPH) as diesel were detected in shallow soil samples at concentrations up to 41,000 milligrams per kilogram (mg/kg). TPH as gasoline was detected in shallow soil at concentrations up to 410 mg/kg. We request that you submit a work plan to excavate shallow contaminated soil from the landscaped area beneath the vent lines and conduct confirmation sampling to verify the effectiveness of the removal. The site is within the Livermore Valley, which is an area where groundwater is actively used as a drinking water supply. Groundwater within the Livermore Groundwater Basin constitutes a valuable current and future resource. Due to the location of your site within a groundwater basin where groundwater is used for drinking water, we request that you also collect a minimum of one groundwater sample at the site to evaluate whether groundwater has potentially been affected by a fuel release.

Please submit a work plan detailing your proposal to remove shallow soll and investigate potential groundwater contamination by **December 19, 2005**. ACEH requests that you address the following technical comments, perform the proposed work, and send us the technical reports requested below.

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

#### **TECHNICAL COMMENTS**

- Shallow Soil Removal. Please describe plans to excavate and properly dispose of shallow contaminated soil beneath the vent lines in the work plan requested below. The work plan must also describe the procedures for screening soil during excavation and collecting and analyzing soil samples to verify that the excavation is complete.
- Groundwater Samples. ACEH requests that a minimum of one groundwater sample be
  collected to assess whether groundwater beneath the site has been affected by the fuel
  release(s). Please include your plans to collect and analyze groundwater in the work plan
  requested below.

#### **REQUEST FOR INFORMATION**

ACEH's case files for the subject site contain only the report entitled, "Report on Vent Area Soil Sampling," dated February 1, 2005. We request that you submit copies of any other reports or other information related to this UST system/site and the fuel release with the work plan requested below. In particular, additional information regarding the cause of the release(s) from the vent lines and potential impacts to other parts of the UST system is to be submitted. The report indicates that the gasoline-range hydrocarbons at the site appear to be old and weathered, suggesting that multiple releases may have occurred. Please provide relevant information regarding historic releases from the vent lines and UST system with the work plan requested below.

### **TECHNICAL REPORT REQUEST**

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

December 19, 2005 – Work Plan for Subsurface Investigation

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 (<a href="http://www.swrcb.ca.gov/ust/cleanup/electronic reporting">http://www.swrcb.ca.gov/ust/cleanup/electronic reporting</a>).

#### **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.

## **LANDOWNER NOTIFICATION REQUIREMENTS**

Pursuant to California Health & Safety Code Section 25297.15, the active or primary responsible party for a fuel leak case must inform all current property owners of the site of cleanup actions or requests for closure. Furthermore, ACEH may not consider any cleanup proposals or requests for case closure without assurance that this notification requirement has been met. Additionally, the active or primary responsible party is required to forward to ACEH a complete mailing list of all record fee title holders to the site. If you have not already submitted a list of record fee title owners in response to the NOR, we require that you submit a complete mailing list of all record fee title owners of the site by **November 14, 2005,** which states, at a minimum, the following:

A. In accordance with section 25297.15(a) of Chapter 6.7 of the Health & Safety Code, I, (name of primary responsible party), certify that the following is a complete list of current record fee title owners and their mailing addresses for the above site:

- OR -

B. In accordance with section 25297.15(a) of Chapter 6.7 of the Health & Safety Code, I, (name of primary responsible party), certify that I am the sole landowner for the above site.

(Note: Complete item A if there are multiple site landowners. If you are the sole site landowner, skip item A and complete item B.)

in the future, for you to meet these requirements when submitting cleanup proposals or requests for case closure, ACEH requires that you:

- 1. Notify all current record owners of fee title to the site of any cleanup proposals or requests for case closure;
- 2. Submit a letter to ACEH which certifies that the notification requirement in 25297.15(a) of the Health and Safety Code has been met;
- 3. Forward to ACEH a copy of your complete mailing list of all record fee title holders to the site; and
- 4. Update your mailing list of all record fee title holders, and repeat the process outlined above prior to submittal of any additional Corrective Action Plan or your Request for Case Closure.

Your written certification to ACEH (Item 2 above) must state, at a minimum, the following:

A. In a	accordance with Section 25297.15(a) of	the Health & Safety Code. I.
	of primary responsible party), certify that	
landowne	ners of the enclosed proposed action.	(Check space for applicable
	d action(s)):	•
clear	anup proposal (Corrective Action Plan)	
requ	uest for case closure	
loca	al agency intention to make a determin	ation that no further action is
required		•
local	al agency intention to issue a closure letter	
-	- OR -	

B. In accordance with section 25297.15(a) of Chapter 6.7 of the Health & Safety Code, I, (name of primary responsible party), certify that I am the sole landowner for the above site.

(Note: Complete item A if there are multiple site landowners, if you are the sole site landowner, skip item A and complete item B.)

## UNDERGROUND STORAGE TANK CLEANUP FUND

Please be aware that you may be eligible for reimbursement of the costs of investigation from the California Underground Storage Tank Cleanup Fund (Fund). In some cases, a deductible amount may apply. If you believe you meet the eligibility requirements, I strongly encourage you to call the Fund for an application.

#### 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

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

**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

August 24, 2005

A.P and Ann Russello P.O. Box 1038 Alamo, CA 94550

Subject: Fuel Leak Case No. RO0002865, Bay Counties CFN, 533 Exchange Court, Livermore, CA

Dear Mr. and Ms. Russello:

Alameda County Environmental Health (ACEH) sent you a Notice of Responsibility dated August 17, 2005 for a fuel release at the above-referenced site. Subsequent to sending you the Notice of Responsibility, we have found that the release did not occur on your property and should not have been sent to you. Please disregard the Notice of Responsibility dated August 17, 2005. Revised Notices of Responsibility have been sent to the correct property owner and operator for 533 Exchange Court. We apologize for any inconvenience this may have caused you.

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

Sincerely,

Jerry WickHam

Hazardous Materials Specialist

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

**AGENCY** 

DAVID J. KEARS, Agency Director



5007 9-27-05

ENVIRONMENTAL HEALTH SERVICES ENVIRONMENTAL PROTECTION

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

September 21, 2005

Mr. John Vierra Vierra Trucking 24227 Palomares Rd. Castro Valley, CA 94552

Dear Mr. Vierra:

Subject: SLIC Case RO0002870, Vierra Trucking, 24227 Palomares Rd., Castro Valley, CA 94552

In order for ACEH to review reports for your site, we would require an oversight account for the above-referenced site. To set up your account, please send a check in the amount of \$6000.00 payable to Alameda County Environmental Health. Please send your check to the attention of our Finance Department.

This initial deposit may or may not be sufficient to provide all necessary regulatory oversight. ACEH will deduct actual costs incurred based upon the hourly rate specified below. If these funds are insufficient, additional deposit will be requested. Otherwise, any unused monies will be refunded to you or your designee.

The deposit is authorized in Section 6.92.040L of the Alameda County Ordinance Code. Work on this project is being debited at the Ordinance specified rate, currently \$166.00 per hour.

Please write "SLIC" (the type of project), the site address and the AR# 0314968 on your check.

If you have any questions, please contact me at (510) 567-6862.

Sincerely.

Ariu Levi Division Chief

cc: D. Drogos, J. Jacobs, Barney Chan