

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



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

August 16, 1990

Pamela Sherman  
Sherman Trucking  
P.O. Box 20427  
Castro Valley CA 94546

**NOTICE OF VIOLATION**

Dear Ms. Sherman:

On March 23, 1990 I inspected your premises at 1000 Railroad Av., San Lorenzo. I noted that diesel fuel from an above ground tank had contaminated soil beneath the tank, a violation of Section 25189.5 of the Health and Safety Code of California. Pursuant to Section 66336 of the California Code of Regulations, I noted on my inspection report that a plan for clean up must be submitted to my office. Earlier this month I spoke with Paula of your office about the diesel contaminated soil on your property. She stated that the soil has been dug up and is being stored at 1000 Railroad Av.

Soil contaminated with diesel must be disposed of properly. Your soil disposal options depend upon the diesel concentration. Some local Class III landfills will accept soil contaminated at less than 100 part per million. Soils contaminated above this level must be either (1) disposed of at a Class I or Class II landfill or (2) treated in some manner to reduce the concentration of diesel.

You will need to test the stockpiled soil to determine contaminant concentration. You are also required to analyze the soil in the vicinity of the spill to verify that your soil clean up was adequate. Any soil testing must be done by a qualified person following EPA sampling protocol. Analysis of the samples must be carried out by a laboratory certified by the California Department of Health Services. Arrange for sampling to be done by August 31, 1990, and notify me at least two working days prior to sampling so that I can be present. You may contact me with any questions at 271-4320.

Sincerely,

Pamela J. Evans  
Hazardous Materials Specialist

c: Gil Jensen, Alameda County District Attorney's Office  
Howard Hatayama, Department of Health Services  
James Ferdinand, Eden Consolidated Fire Protection District

ALAMEDA COUNTY  
**HEALTH CARE SERVICES**

AGENCY

DAVID J. KEARS, Agency Director



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

September 17, 1991

Pamella Sherman  
Sherman Trucking  
P.O. Box 20427  
Castro Valley CA 94546

RE: 1000 Railroad Av., San Lorenzo

**NOTICE OF VIOLATION**

Dear Ms. Sherman:

Due to a release of diesel fuel from the above ground tank at your property, you have been required to investigate and remediate the contamination. According to your employee, Paula Riker, the stained area was dug up with a back hoe to a depth of approximately 8 inches. Ms. Riker also stated that the stockpiled soil would be hauled to a hazardous waste facility for disposal by the end of this July. No confirmatory samples were taken to ensure that the full extent of the contamination had been removed. Ms. Riker told me that the excavated area was filled in with gravel and that the empty tank was put back in its original position.

In past correspondence, I have outlined a number of concerns with the clean up work done at your site, including:

1. No information was provided to this office about the manner in which the soil sample was retrieved, stored, and transported to the laboratory. This information is necessary because I was not present to observe the sampling and I have no reason to believe that Paul Sherman, who apparently took the samples, has been trained in sampling techniques.
2. The depth to which soil was excavated may not have been adequate to remove all contamination. As stated in past correspondence, confirmatory sampling must be done to verify that your clean up steps were adequate. Any soil testing must be done following EPA sampling protocol.

**Pursuant to California Water Code Section 13267**, you were instructed by this office to submit a work plan for investigating the lateral extent and depth of the diesel contamination at your site by July 20, 1991. To date, no work plan or any other correspondence has been received by this office. Be aware that failure to submit or late submittal of the report is a violation

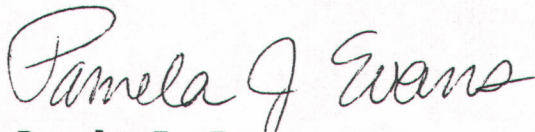
Pamella Sherman  
Sherman Trucking  
Page 2 of 2

of the Water Code which may result in fines of up to \$1,000 per day.

**Your work plan must be received by this office by September 30, 1991.** I strongly advise that you submit your plan for review prior to carrying out any further work. Include a time table for confirmatory sampling activities. **You must notify me at least two working days prior to sampling so that I may be present.** Because initial sampling indicated that diesel levels are high (1,800 ppm), you also must analyze for the following petroleum fuel constituents: Benzene, Toluene, Ethyl benzene, and Xylene (BTEX). Also, be aware that you may be required to install monitoring wells in order to evaluate whether groundwater has been impacted. You must also submit a written description of the manner in which contaminated soil is being stored or has been disposed of.

Because I have, in effect, been overseeing a soil remediation at your site, this office is authorized to charge for costs incurred. Please submit a payment of \$350, payable to County of Alameda, for oversight costs. Funds will be subtracted from your account at the current rate (\$67/hour, presently) as time is spent on your project. You may contact me with any questions at 271-4320.

Sincerely,



Pamela J. Evans  
Hazardous Materials Specialist

Enclosure

c: Gil Jensen, Alameda County District Attorney's Office  
Eddy So, RWQCB  
James Ferdinand, Eden Consolidated Fire Protection District



DEPARTMENT OF ENVIRONMENTAL HEALTH  
80 Swan Way, Rm. 210  
Oakland, CA 94621  
(415) 271-4300

Certified Mailer #

January 21, 1992

Pamella Sherman  
Sherman Trucking  
P.O. Box 20427  
Castro Valley CA 94546

RE: 1000 Railroad Av., San Lorenzo

**SECOND NOTICE OF VIOLATION**

Dear Ms. Sherman:

Due to a release of diesel fuel from the above ground tank at your property, you have been required to investigate and remediate the contamination. According to your employee, Paula Riker, the stained area was dug up with a back hoe to a depth of approximately 8 inches. Ms. Riker also stated that the stockpiled soil would be hauled to a hazardous waste facility for disposal by the end of July, 1991. No confirmatory samples were taken to ensure that the full extent of the contamination had been removed. Ms. Riker told me that the excavated area was filled in with gravel and that the empty tank was put back in its original position.

In past correspondence, I have outlined a number of concerns with the clean up work done at your site, including the following:

1. No information was provided to this office about the manner in which the soil sample was retrieved, stored, and transported to the laboratory. This information is required because I was not present to observe the sampling and I have no reason to believe that Paul Sherman, who apparently took the samples, has been trained in sampling techniques.
2. The depth to which soil was excavated may not have been adequate to remove all contamination. As stated in past correspondence, confirmatory sampling must be done to verify that your clean up was adequate. Any soil testing must be done following EPA sampling protocol.

**Pursuant to California Water Code Section 13267**, you were instructed by this office to submit a work plan for investigating the lateral extent and depth of the diesel contamination at your site by September 30, 1991. To date, no work plan or any other

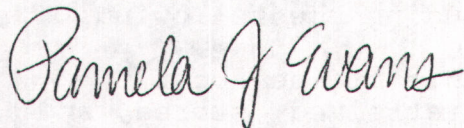
Pamella Sherman  
Sherman Trucking  
January 21, 1992  
Page 2 of 2

correspondence has been received by this office. Be aware that **failure to submit or late submittal of the report is a violation of the Water Code which may result in fines of up to \$1,000 per day.**

**Your work plan must be received by this office by February 5, 1992.** I advise that you submit your plan for review prior to carrying out any further work. Include a time table for confirmatory sampling activities. **You must notify me at least two working days prior to sampling so that I may be present.** Because initial sampling indicated that diesel levels are high (1,800 ppm), you also must analyze for the following petroleum fuel constituents: Benzene, Toluene, Ethyl benzene, and Xylene (BTEX). Also, be aware that you may be required to install monitoring wells in order to evaluate whether groundwater has been impacted. You must also submit a written description of the manner in which contaminated soil is being stored or has been disposed of.

Because I have, in effect, been overseeing a soil remediation at your site, this office is authorized to charge for costs incurred. Please submit a payment of \$350, payable to County of Alameda, for oversight costs. Funds will be subtracted from your account at the current rate (\$67/hour) as time is spent on your project. You may contact me with any questions at 271-4320.

Sincerely,



Pamela J. Evans  
Hazardous Materials Specialist

c: Gil Jensen, Alameda County District Attorney's Office  
Eddy So, RWQCB

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



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

Certified Mailer # *D869531745*

July 7, 1992

Pamella Sherman  
Sherman Trucking  
P.O. Box 20427  
Castro Valley CA 94546

RE: 1000 Railroad Av., San Lorenzo

**FINAL NOTICE OF VIOLATION**

Dear Ms. Sherman:

Due to a release of diesel fuel from the above ground tank at your property, you have been required to investigate and remediate the contamination. According to your employee, Paula Riker, the stained area was dug up with a back hoe to a depth of approximately 8 inches. Ms. Riker also stated that the stockpiled soil would be hauled to a hazardous waste facility for disposal by the end of July, 1991. No confirmatory samples were taken to ensure that the full extent of the contamination had been removed. Ms. Riker told me that the excavated area was filled in with gravel and that the empty tank was put back in its original position.

In past correspondence, I have outlined a number of concerns with the clean up work done at your site, including the following:

1. No information was provided to this office about the manner in which the soil sample was retrieved, stored, and transported to the laboratory. This information is required because I was not present to observe the sampling and I have no reason to believe that Paul Sherman, who apparently took the samples, has been trained in sampling techniques.
2. The depth to which soil was excavated may not have been adequate to remove all contamination. As stated in past correspondence, confirmatory sampling must be done to verify that your clean up was adequate. Any soil testing must be done following EPA sampling protocol.

Pursuant to California Water Code Section 13267, you were instructed by this office to submit a work plan for investigating the lateral extent and depth of the diesel contamination at your site by February 5, 1992. To date, no work plan or any other

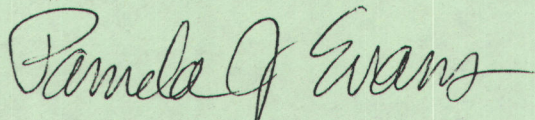
Pamella Sherman  
Sherman Trucking  
July 7, 1992  
Page 2 of 2

correspondence has been received by this office. Be aware that **failure to submit or late submittal of the report is a violation of the Water Code which may result in fines of up to \$1,000 per day.**

**Your work plan must be received by this office by July 28, 1992.** I advise that you submit your plan for review prior to carrying out any further work. Include a time table for confirmatory sampling activities. **You must notify me at least two working days prior to sampling so that I may be present.** Because initial sampling indicated that diesel levels are high (1,800 ppm), you also must analyze for the following petroleum fuel constituents: Benzene, Toluene, Ethyl benzene, and Xylene (BTEX). Also, be aware that you may be required to install monitoring wells in order to evaluate whether groundwater has been impacted. You must also submit a written description of the manner in which contaminated soil is being stored or has been disposed of.

Because I have, in effect, been overseeing a soil remediation at your site, this office is authorized to charge for costs incurred. Please submit a payment of \$400, payable to County of Alameda, for oversight costs. Funds will be subtracted from your account at the current rate (\$71/hour) as time is spent on your project. You may contact me with any questions at 271-4320.

Sincerely,



Pamela J. Evans  
Senior Hazardous Materials Specialist

c: Gil Jensen, Alameda County District Attorney's Office  
Richard Hiatt, RWQCB

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY  
DAVID J. KEARS, Agency Director



RAFAT A. SHAHID, Assistant Agency Director

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

M E M O R A N D U M

TO: Gil Jensen, Alameda County District Attorney's Office  
FROM: Pam Evans, Alameda County Environmental Health  
Hazardous Materials Division  
SUBJECT: **Sherman Trucking, 1000 Railroad Av., San Lorenzo**  
DATE: August 3, 1992

On July 7, 1992, I issued a Final Notice of Violation to Pamella Sherman of Sherman Trucking for failure to properly investigate an above ground diesel release at her facility. An owner or operator of the company took samples in November of 1990 without my oversight. Sample analyses did indicate that significant contamination was present and that further investigation was required. Despite numerous conversations with Sherman's staff and a series of Notices of Violation, Sherman has taken no further steps toward compliance.

I have attached copies of all file documents for your review.

c: Ariu Levi, Supervising Hazardous Materials Specialist  
James Ferdinand, Eden Consolidated Fire Protection District  
*Pamella Sherman, Sherman Trucking*