

Nelson Property

1) Site Name and address:

Allan Nelson, Nelson Property, 327 Petaluma Avenue, Sebastopol, Sonoma County

2) Name and Address of all identified potential responsible parties:

Alan Nelson, address unknown

3) Copy of the final corrective action order or cleanup and abatement order for each site:

Staff letters of September 10, 2012, May 25, 2006, March 20, 2006, and April 17, 2000 requested a workplan to remove underground storage tanks and a workplan for a soil and groundwater investigation. A workplan for the UST removal was received on April 14, 1998, but never implemented

4) Name and Address of the oversight agency including the regulatory contract person's name, address, telephone number, and e-mail address:

Janice Goebel
North Coast Regional Water Quality Control Board
5550 Skylane Blvd., Suite A
Santa Rosa, CA 95403
(707)576-2676
janice.goebel@waterboards.ca.gov

5) Description of the unauthorized release, petroleum products releases, water body affected or threatened, water quality, and the threat to human health, safety, and the environment:

On November 6, 1992, the City of Sebastopol filed a complaint concerning odors found during the installation of a manhole in a storm drain on Petaluma Avenue. The City of Sebastopol Fire Department collected soil samples and found TPH as gasoline at 970 mg/kg, and Xylenes at 4,400 ug/kg, and TPH as diesel at 310 mg/kg.

A history of the property adjacent to the storm drain revealed a gas station was present, and upon further research, the underground storage tanks were still in-place. The site history also revealed the site was a former bulk petroleum plant, a trucking yard, and now is being used to store cars.

The site is located adjacent to the City of Sebastopol's Municipal Well No. 5. Well No. 5 is currently shut down due to contamination from an old dry cleaner site. However, the City is considering putting City Well No. 5 back on line to augment their water system. Calder Creek is approximately 100 feet to the north of the site. Calder Creek is a tributary to the Laguna de Santa Rosa.

6) Documentation of why recalcitrant or abandoned funds are being requested for the site:

Mr. Nelson is unresponsive to Regional Water Quality Control Board (RWQCB) staff, the City of Sebastopol, and the Healdsburg Fire Department Certified Unified Permitting Agency (CUPA) directives. Mr. Nelson cannot be reached directly by mail, and his phone number is unlisted. Messages and letters are sent to Mr. Nelson's former business. The new business owner reportedly passes information (letters and phone calls) to Mr. Nelson. Whether Mr. Nelson receives our letters or the messages from these phone calls is not known. However, Mr. Nelson has responded to calls from the CUPA. He does not respond to RWQCB staff letters or phone calls.

7) Description of why the responsibility party cannot or will not cleanup the contamination or abate its effects:

Mr. Nelson has indicated in the past that he is not legally obligated to remove the USTs, they have been abandoned in compliance with the Sebastopol Fire Department, and does not have the financial means to remove them now. There is no documentation in the City of Sebastopol files indicating that Mr. Nelson abandoned the tanks in compliance with Fire Department records, nor has Mr. Nelson provided documentation.

8) Documentation of any disputes between the regulatory agency and the responsible party:

Mr. Nelson hired an attorney to respond to our letter requiring the USTs be removed. The attorney challenged our authority to require the USTs to be removed, and that Mr. Nelson was not the primary responsible party, but rather a previous owner.

9) Any actions which have been previously taken to cleanup or abate the effects of the unauthorized release:

None taken.

10) A description of the proposed cleanup or abatement

Remove the underground storage tanks, collect soil and groundwater samples (if present in the excavation), over excavate contaminated soil, install groundwater monitoring wells to determine the threat and/or impact to groundwater, and determine the groundwater gradient.

11) The amount of annual funding requested and an estimate total required funding for each nominated site:

The amount of money to remove the USTs and conduct some limited overexcavation for the first year is estimated at \$100,000. It is anticipated that an additional \$500,000 could be needed to conduct a soil and groundwater investigation and some limited cleanup.

12) Description of the results if funding should be denied:

If funding is not secured, the threat to surrounding properties utilizing groundwater for domestic supply (City Well No. 5) will remain undefined. The threat to human health will also remain unidentified including any indoor air exposure issues. In addition, any groundwater contaminant plume will continue to migrate and affect a larger area. The site will also remain a noncompliant open case.

California Regional Water Quality Control Board
North Coast Region

Interoffice Communication

TO: SAW 
JMG

FROM: ROY

DATE: NOVEMBER 6, 1992

SUBJECT: COMPLAINT FROM CITY OF SEBASTOPOL ON PETALUMA AVENUE

On this date our office received a complaint from the city of Sebastopol Public Works Department concerning petroleum odors discovered during the installation of a manhole access point in a storm drain on Petaluma Avenue in Sebastopol (attached map at the arrow). I arrived at the location at 1100 and was met by Russ and Rich of the city of Sebastopol. The hole was about three to four feet deep, and they informed me that earlier in the day when they dug into and below the old storm drain, they encountered petroleum product floating on groundwater. When I arrived it appeared that the hole had caved in some, and no groundwater or product was visible. In addition, no petroleum odors were noted. I asked Russ if he could dig a little deeper to see if I could get a sample of groundwater. He said he would do it right after lunch, and we would meet back at 1330.

I returned at 1330 and was met by Rich. The hole had been dug about two feet deeper, however no groundwater was present. When I inspected the soil that had been removed from the four to five depth I noted an extremely strong smell of old diesel or heating oil. It also appeared to have a slight odor of old gasoline. I inspected the bottom of the hole and noted the same contaminated soil. Rich told me that when they were digging up this soil the smell was so bad that they could smell it out in the street on Petaluma Avenue.

I left the area at 1400, without collecting water samples (due to lack of groundwater). Rich informed me that the property directly south of the manhole used to be a gasoline station. The old gasoline station is about 15 feet south of the manhole.

Roy O'Connor

North Coast Regional Water Quality Control Board

September 10, 2012

Mr. Allan Nelson
6871 Abbott Avenue
Sebastopol, CA 95472

Mr. John Gantner
3943 Eagle Parkway
Redding, CA 96001

Gentlemen:

Subject: Request for a Workplan for a Soil and Groundwater Investigation and Removal of Underground Storage Tanks

File: Nelson Property, 327 Petaluma Avenue, Sebastopol, California
Case No. 1TSO263

As you know, the Regional Water Board staff has requested that the underground storage tanks (USTs) be removed and investigated due to the finding of soil and groundwater contamination adjacent to the former gasoline station. Mr. Nelson has indicated that he is not financially able to remove the tanks, and Mr. Gantner has indicated that he is not the last operator of the underground storage tanks.

Recently I reviewed records from the Healdsburg/Sebastopol CUPA regarding historical documents related to the site. On August 28, 1975, a letter from the Sebastopol City Building Department addressed to Mr. Gantner, indicated that the above ground tanks and USTs issue had been abated either by removal and/or filled. This would indicate that Mr. Gantner was the last operator of the USTs and therefore has responsibility for the USTs along with the current landowner. Under the California Water Code, the current landowner is also a responsible party for the tanks as an owner of the property with USTs.

Accordingly, pursuant to Section 13267 of the California Water Code, a workplan proposing a soil and groundwater investigation including removal of the USTs is requested by September 28, 2012. RWB staff would also encourage you to apply for the Underground Storage Tank Cleanup Fund (USTCF) as soon as possible to obtain cost reimbursement for the soil and groundwater investigation and cleanup portion.

Please note that the USTCF will not pay for removal of USTs. The USTCF will not be around indefinitely, as the fund will sunset in 2015.

If you have any questions, please contact me at (707) 576-2676 or via e-mail at Janice.Goebel@waterboards.ca.gov.

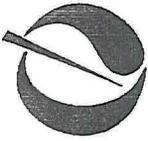
Sincerely,

Original signed by

Janice M. Goebel
Sanitary Engineering Associate

120910_JMG_nelson

cc: Linda Collister, Healdsburg/Sebastopol CUPA, lcollister@ci.healdsburg.ca.us
Sue Kelly, City of Sebastopol, skelly@cityofsebastopol.org



California Regional Water Quality Control Board North Coast Region

William R. Massey, Chairman



Linda S. Adams
Agency Secretary

www.waterboards.ca.gov/northcoast
5550 Skylane Boulevard, Suite A, Santa Rosa, California 95403
Phone: (877) 721-9203 (toll free) • Office: (707) 576-2220 • FAX: (707) 523-0135

Arnold
Schwarzenegger
Governor

May 25, 2006

Mr. John Gantner
3943 Eagle Parkway
Redding, CA 96001

Alan and Karen Nelson
6871 Abbott Avenue
Sebastopol, CA 95472

Ladies and Gentlemen:

Subject: Request for a Workplan

File: Nelson Property, 327 Petaluma Avenue, Sebastopol, Case No. INSO263

For some time now, Regional Water Board staff has been working to begin the investigation and cleanup of the Nelson property located at 327 Petaluma Avenue in Sebastopol. Our records show that a gasoline service station existed on the property. The history of ownership and its operation is as follows:

In 1960, the property was owned by Loretta Smith and the site was operated as the Redwood Empire Oil Company. In 1961, Loretta Smith sold the company Redwood Empire Oil Company as well as the service station to Ernest and Margaret Steele. The Steele's operated the service station from 1961 to 1971. In October of 1971, Redwood Empire Oil Company was purchased by H.R. Gantner and D.V. Gantner. The business was changed to Gantner Oil Company. The Gantner's operated the station from October 1971 to January 1976. In 1976, Gantner Oil Company ended all petroleum handling on the premises.

Subsequently, the property was owned by S.O.L. Trucking from 1976 to 1980, Sonoma Pacific Investments from 1980 to 1983, and then the Nelsons from 1983 to the present.

During repairs to a nearby storm drain, the City of Sebastopol detected high levels of petroleum hydrocarbons. Research of the property history discovered its former use as a gasoline service station. Additional information from the local CUPA suggests that underground storage tank(s) exist on the property.

This property is located adjacent to the City of Sebastopol's Municipal Well No. 5. The levels of soil contamination detected directly in front of the station show total petroleum hydrocarbons as gasoline at 970 and 7,900 parts per million (ppm), and diesel at 310 ppm. A workplan to determine the extent of contamination needs to be submitted along with a plan to investigate the presence or absence of underground storage tank(s). The Nelsons are named as responsible parties as the current landowners, and the Gantners are named as the last entity to operate the underground storage tank(s). Redwood Oil Company has indicated that this property/gas station

California Environmental Protection Agency

Recycled Paper

was not part of the sale of Redwood Oil Company from the Gantners to Peter Van Alyea and Bob Barbieri. Any information regarding this business transaction would be helpful in naming all potential responsible parties for this site.

Accordingly, pursuant to Section 13267 of the California Water Code, a workplan to define the extent of contamination and the presence or absence of underground storage tanks needs to be submitted by June 15, 2006. If you have any questions, please contact me at (707) 576-2676.

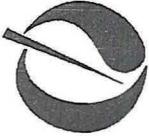
Sincerely,



Janice M. Goebel
Sanitary Engineering Associate

JMG:clh/052506_JMG_GartnerOil

cc: Teale Love, Healdsburg/Sebastopol JPA, 601 Healdsburg Avenue, Healdsburg,
CA 95448
Susan Kelly, City of Sebastopol, 714 Johnson Street, Sebastopol, CA 95472
Peter Van Alyea, Redwood Oil Company, 50 Professional Center Drive,
Suite 100, Rohnert Park, CA 94928



**California Regional Water Quality Control Board
North Coast Region
William R. Massey, Chairman**



Alan C. Lloyd, Ph.D.
Agency Secretary

www.waterboards.ca.gov/northcoast
5550 Skylane Boulevard, Suite A, Santa Rosa, California 95403
Phone: (877) 721-9203 (toll free) • Office: (707) 576-2220 • FAX: (707) 523-0135

Arnold
Schwarzenegger
Governor

March 20, 2006

Mr. Alan Nelson
6871 Abbott Avenue
Sebastopol, CA 95472

Mr. Peter Van Alyea
Redwood Oil Company
455 Yolanda Avenue
Santa Rosa, CA 95401

Gentlemen:

Subject: Request for a Workplan
File: Nelson Property, 327 Petaluma Avenue, Sebastopol, Case No. 1TSO263

In 1998, 1999, and 2000, Regional Water Board staff requested a workplan from Mr. Alan Nelson to investigate discharges of total petroleum hydrocarbons from the former gasoline service station and bulk petroleum facility. The request was based on the discovery of contamination in a storm drain located in front of the property.

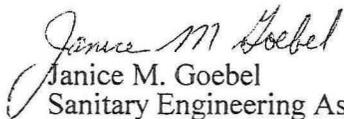
On June 20, 2000, Regional Water Board staff received a letter from Mr. Hans Herb indicating there are additional responsible parties for the former station and bulk plant. Specifically, Mr. Herb alleges that Mr. H. R. Gantner purchased the Redwood Empire Oil Company and changed its name to H. R. Gantner, Inc. H.R. Gantner, Inc. later changed its name to Redwood Oil Company. Mr. Gantner owned and operated the station from 1971 to 1976. In 1979, Redwood Oil Company was purchased by Peter Van Alyea and Bob Barbieri.

During a storm drain repair in front of the 327 Petaluma Avenue property, soil contamination was discovered. Total Petroleum Hydrocarbons as gasoline were detected at 970 ppm and 7,900 ppm, and diesel at 310 ppb in soil. As the current property owner, and as the company that last operated the gasoline service station and bulk petroleum storage facility, you have responsibility for investigating and cleaning up the site.

Accordingly, pursuant to Section 13267 of the California Water Code, a workplan to conduct a soil and groundwater investigation is needed, and an investigation to determine if the underground storage tanks have been properly closed should be submitted by April 21, 2006.

If you have any questions, please call me at (707) 576-2676.

Sincerely,


Janice M. Goebel
Sanitary Engineering Associate

cc: Sue Kelly, City Engineer, City of Sebastopol
Teal Love, Healdsburg/Sebastopol JPA
Hans Herb, 50 Santa Rosa Avenue, Santa Rosa, CA 95404

(032006_JMG_nelson)

California Environmental Protection Agency



Winston H. Hickox
Secretary for
Environmental
Protection

California Regional Water Quality Control Board North Coast Region

William A. Hoy, Chairman



Gray Davis
Governor

Internet Address: <http://www.swrcb.ca.gov/~rwqcb1/>
5550 Skylane Boulevard, Suite A, Santa Rosa, California 95403
Phone (707) 576-2220 FAX (707) 523-0135

April 17, 2000

Mr. Alan Nelson
6871 Abbott Avenue
Sebastopol, CA 95472

Dear Mr. Nelson:

Subject: California Water Code Section 13267 Order regarding Alan & Karen Nelson
Property, 327 Petaluma Avenue, Sebastopol, Case No. 1NSO263

On September 3, 1998 and May 20, 1999, Regional Water Quality Control Board (Regional Water Board) staff requested a workplan to conduct a hydrogeologic investigation and other information on the former gasoline service station and bulk petroleum storage facility that was located at the subject site. To date, there has been no response to our requests.

The site is located next to the City of Sebastopol's Municipal Well No. 5. Sampling of Municipal Well No. 5 has detected the chemical 1,2-dichloroethane, a gasoline additive. Your property is a potential source of contamination to Municipal Well No. 5. Discharges from the property represent a significant threat to water quality. Pursuant to Section 13267 of the California Water Code, I require that the workplan to conduct a hydrogeologic investigation, and an investigation to determine if the underground storage tanks have been properly closed, be submitted by May 12, 2000.

If you have any questions, you may call Janice Goebel of my staff at (707) 576-2676.

Sincerely,

Lee A. Michlin
Executive Officer

California Environmental Protection Agency

Recycled Paper



JMG:tmk\jmgnelso.doc

Return Receipt Requested

cc: Randy Collins, Healdsburg Fire Department, 601 Healdsburg Avenue,
Healdsburg, CA 95444
Susan Kelly, City of Sebastopol, Department of Public Works, 714 Johnson Street
Sebastopol, CA 95472
Larry McLaughlin, City Attorney, City of Sebastopol, 7120 Bodega Avenue,
Sebastopol, CA 95472
Hans Herb, 50 Santa Rosa Avenue, Fifth Floor, Santa Rosa, CA 95404
Phil Wyels, SWRCB

