

DECLARATION OF THOMAS PEACOCK

Thomas Peacock declares under penalty of perjury as follows:

Declarant is employed by the County of Alameda in the Department of Environmental Health as manager of the local oversight program and Hazmat Program, and if called as a witness declarant would competently testify to the following facts:

1. Approximately two months ago the agency's file was copied by Mr. Jack B. Burstein, after he perused the same at my office.
2. I have examined the copies of documents attached hereto as Exhibits "1A", "6D", "7", "8", "9", "11", "12", "19", "20", "21", "22", and state that they appear to be copies of documents that were copied from the agency's file.

EXECUTED at Oakland, California, this 22 day of October, 1998.


THOMAS PEACOCK



INTERGO
RENT A CAR

OAKLAND 444-8273 1432 HARRISON ST.	SAN FRANCISCO 441-0931 265 EDDY ST.	WALNUT CREEK 945-8800 1344 PINE ST.	SACRAMENTO 927-0123 2256 ARDEN WAY
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11/07/89

To Whom it may concern

We do not have the funds to pull 500-1000 gal tank. The tank is less than 10 yrs old and has not been used for the past 4 yrs. We would like to enclose tank with sand or ~~oil~~ cement.

Rodney Kwan
owner

(415) 839-7264

... owner R. Kwan



CAMBRIA

May 31, 1998

Mr. Alex Perez
Shell Oil Products Company
P.O. Box 8080
Martinez, California 94553

Re: **Ground Water Monitoring Report - Second Quarter 1998**
Former Shell Service Station
2703 Martin Luther King Jr. Way
Oakland, California
WIC #204-5508-1701

Dear Mr. Perez:

This Quarterly Monitoring Report describes the recently completed activities associated with ground water monitoring and sampling at the referenced site (Plates 1 and 2). This report was prepared to meet quarterly reporting guidelines issued by the Regional Water Quality Control Board, San Francisco Bay Region and the Alameda County Health Care Services Agency.

Quarterly Monitoring & Sampling Summary

Ground water monitoring and well sampling for the second quarter of 1998 are summarized below:

- Blaine Tech Services, Inc. (Blaine) of San Jose, California measured water levels and collected ground water samples from Wells MW-1, MW-2, V-1, and V-2 on April 2, 1998. Ground water samples were transported to Sequoia Analytical of Redwood City, California for laboratory analysis.
- Cambria Environmental Technology, Inc. (Cambria) evaluated water-level measurement data and prepared a ground water contour/chemical concentration map (Plate 2). Ground water flow direction varies from southerly to southeasterly, at approximate hydraulic gradients of 0.03 to 0.06.
- Wells MW-1, MW-2 and V-1 were ND for TPHH, BTEX, and MTBE. Well V-2 contained 62.000 ppb TPHH, and 6.800 ppb benzene. MTBE was not detected in Well V-2.

CAMBRIA

ENVIRONMENTAL

TECHNOLOGY, INC.

270 PERKINS STREET,

P.O. BOX 259

SONOMA,

CA 95476

PH (707) 935-4690

FAX (707) 935-4690

Quarterly Sampling

Monitoring Wells MW-1, MW-2, V-1, and V-2 were sampled and analyzed for Total Purgeable Petroleum Hydrocarbons quantitated as gasoline (TPPH) according to EPA Method 8015 (Modified), and benzene, toluene, ethylbenzene, and xylenes (BTEX) and methyl-tertiary-butyl-ether (MTBE) according to EPA Method 8020. Additionally, a duplicate sample was prepared and analyzed for quality control purposes.

Field monitoring and chemical analytical data have been included in Table 1. Blaine's ground water monitoring report is presented in Appendix A.

If you have any questions regarding the contents of this document, please call.

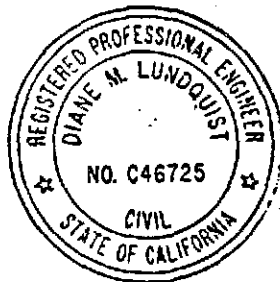
Sincerely,
Cambria Environmental Technology, Inc.



Thomas Magney
Project Geologist



Diane M. Lundquist, P.E.
Principal Engineer
C46725



Attachments:

Table 1. Well Concentrations

Plate 1. Vicinity Map

Plate 2. Ground Water Contour Map/Chemical Concentration Map

Appendix A

Blaine Tech Services Inc. - Ground Water Monitoring Report

cc: Mr. Tom Peacock, Alameda County Health Care Services Agency

TABLE 1

WELL CONCENTRATIONS
Shell Oil Products Company
2703 Martin Luther King Jr. Way
Oakland, California
WIC #204-5508-1701

Sample Date	Measured GW Depth (ft)	Corrected GW Elev (ft)	SP (ft)	TPPH (ug/L)	B (ug/L)	T (ug/L)	E (ug/L)	X (ug/L)	MTBE (ug/L)	Comments
MW-1 (B-11)		Top casing elevation (ft): 23.53								
02-Aug-96	NA	NA	NA	NA	NA	NA	NA	NA	NA	
05-Aug-96	8.76	14.77	0.00	<50	<0.50	<0.50	<0.50	<0.50	<2.5	
17-Oct-96	9.88	13.65	0.00	<50	<0.50	<0.50	<0.50	<0.50	<2.5	
08-Jan-97	6.82	16.71	0.00	<50	<0.50	<0.50	<0.50	<0.50	<2.5	
07-Apr-97	7.89	15.64	0.00	<50	<0.50	<0.50	<0.50	<0.50	<2.5	
02-Jul-97	8.71	14.82	0.00	<50	<0.50	<0.50	<0.50	<0.50	<2.5	
24-Oct-97	9.26	14.27	0.00	<50	<0.50	<0.50	<0.50	<0.50	<2.5	
09-Jan-98	7.94	15.59	0.00	<50	<0.50	<0.50	<0.50	<0.50	<2.5	
02-Apr-98	7.21	16.32	0.00	<50	<0.50	<0.50	<0.50	<0.50	<2.5	
MW-1 (DUP)										
05-Aug-96	NA	NA	NA	<50	<0.50	<0.50	<0.50	<0.50	<2.5	
MW-2 (B-12)		Top casing elevation (ft): 22.47								
17-Jul-96	NA	NA	NA	<50	<0.50	0.69	<0.50	<0.50	<2.5	Water sample from Boring
05-Aug-96	8.35	14.12	0.00	<50	<0.50	<0.50	<0.50	<0.50	<2.5	
17-Oct-96	9.32	13.15	0.00	<50	<0.50	<0.50	<0.50	<0.50	<2.5	
08-Jan-97	6.80	15.67	0.00	<50	<0.50	<0.50	<0.50	<0.50	<2.5	
07-Apr-97	7.81	14.66	0.00	<50	<0.50	<0.50	<0.50	<0.50	<2.5	
02-Jul-97	8.27	14.20	0.00	<50	<0.50	<0.50	<0.50	<0.50	<2.5	
24-Oct-97	9.12	13.35	0.00	<50	<0.50	<0.50	<0.50	<0.50	<2.5	

TABLE I

WELL CONCENTRATIONS
Shell Oil Products Company
2703 Martin Luther King Jr. Way
Oakland, California
WIC #204-5508-1701

Sample Date	Measured GW Depth (ft)	Corrected GW Elev (ft)	SP (ft)	TPPH (ug/L)	B (ug/L)	T (ug/L)	E (ug/L)	X (ug/L)	MTBE (ug/L)	Comments
09-Jan-98	7.41	15.06	0.00	<50	<0.50	<0.50	<0.50	<0.50	6.3	
02-Apr-98	6.59	15.88	0.00	<50	<0.50	<0.50	<0.50	<0.50	<2.5	
MW-2 (DUP)		Top casing elevation (ft): 22.47								
17-Oct-96	NA	NA	NA	<50	<0.50	<0.50	<0.50	<0.50	<2.5	
08-Jan-97	NA	NA	NA	<50	<0.50	<0.50	<0.50	<0.50	<2.5	
B-10		Top casing elevation (ft): NA								
17-Jul-96	NA	NA	NA	20000	400	<100	<100	870	<500	Water sample from Boring
B-13		Top casing elevation (ft): NA								
17-Jul-96	NA	NA	NA	290000	34000	21000	9900	47000	<2500	Water sample from Boring
V-1		Top casing elevation (ft): 23.26								
02-Aug-96	NA	NA	NA	NA	NA	NA	NA	NA	NA	
05-Aug-96	8.58	14.68	0.00	NA	NA	NA	NA	NA	NA	
17-Oct-96	10.02	13.24	0.00	NA	NA	NA	NA	NA	NA	
16-Jan-97	5.55	17.71	0.00	9500	1200	250	280	880	<50	
07-Apr-97	7.40	15.86	0.00	2200	42	<5.0	130	15	<25	
02-Jul-97	8.94	14.32	0.00	2600	340	5.8	49	12	74	MTBE by 8260: <4.0 ppb
24-Oct-97	9.43	13.83	0.00	57000	5200	2300	3600	16000	1900	MTBE by 8260: <200 ppb
09-Jan-98	6.81	16.45	0.00	23000	2400	1700	1300	2300	310	
02-Apr-98	4.58	18.68	0.00	<50	<0.50	<0.50	<0.50	<0.50	<2.5	

TABLE I

WELL CONCENTRATIONS
 Shell Oil Products Company
 2703 Martin Luther King Jr. Way
 Oakland, California
 WIC #204-5508-1701

Sample Date	Measured GW Depth (ft)	Corrected GW Elev (ft)	SP (ft)	TPPH (ug/L)	B (ug/L)	T (ug/L)	E (ug/L)	X (ug/L)	MTBE (ug/L)	Comments
V-1 (DUP)										
09-Jan-98	NA	NA	NA	24000	2500	1800	1400	2400	450	
02-Apr-98	NA	NA	NA	<50	<0.50	<0.50	<0.50	<0.50	<2.5	
V-2 Top casing elevation (ft): 22.80										
02-Aug-96	NA	NA	NA	NA	NA	NA	NA	NA	NA	
05-Aug-96	7.94	14.86	0.00	NA	NA	NA	NA	NA	NA	
17-Oct-96	9.30	13.50	0.00	NA	NA	NA	NA	NA	NA	
08-Jan-97	5.82	16.98	0.00	69000	4800	2800	2700	13000	750	
07-Apr-97	7.10	15.70	0.00	90000	4400	1900	3300	14000	<500	
02-Jul-97	8.35	14.45	0.00	82000	5500	2700	3500	16000	530	MTBE by 8260: <100 ppb
24-Oct-97	10.03	12.77	0.00	7300	1100	97	230	180	91	MTBE by 8260: <12 ppb
09-Jan-98	6.94	15.86	0.00	40000	4100	1500	2500	9000	280	
02-Apr-98	5.35	17.45	0.00	62000	6800	2400	3400	14000	<250	
V-2 (DUP)										
07-Apr-97	NA	NA	NA	77000	4400	2000	3200	14000	<250	
02-Jul-97	NA	NA	NA	85000	5600	2800	3600	17000	520	MTBE by 8260: <100 ppb
24-Oct-97	NA	NA	NA	12000	1700	340	650	630	120	MTBE by 8260: <20 ppb

Abbreviations:

TPPH = Total Purgeable Petroleum Hydrocarbons carbon range C6 to C12 by EPA Method 8015 modified
 BTEX = benzene, toluene, ethylbenzene, xylenes by EPA Method 8020

TABLE 1
WELL CONCENTRATIONS
Shell Oil Products Company
2703 Martin Luther King Jr. Way
Oakland, California
WIC #204-5508-1701

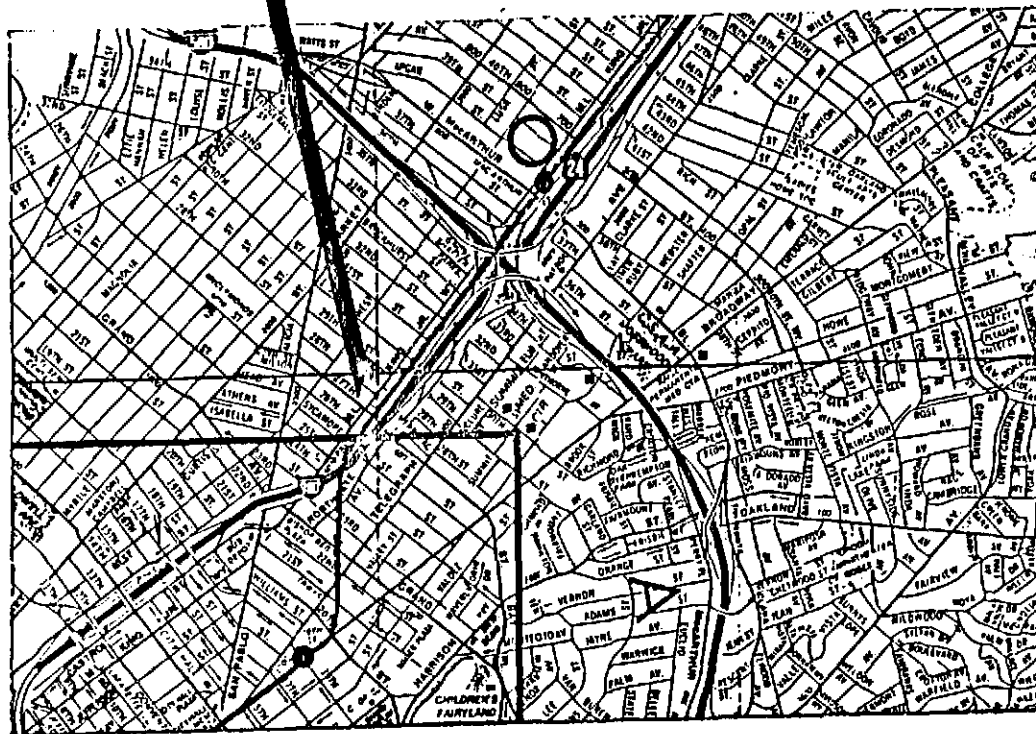
Sample Date	Measured GW Depth (ft)	Corrected GW Elev (ft)	SP (ft)	TPPH (ug/L)	B (ug/L)	T (ug/L)	E (ug/L)	X (ug/L)	MTBE (ug/L)	Comments
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MTBE = methyl-tertiary-butyl-ether by EPA Method 8020

NA = Not analyzed or not available

<x = Not detected at detection limit of x

Subject Site



BASE MAP: CALIFORNIA STATE AUTOMOBILE ASSOCIATION

PLATE
1

VICINITY MAP
Former Shell Service Station
2703 Martin Luther King Jr. Way
Oakland, California

CAMBRIA
240-0781

Drawn By: DML

Date: 12-28-95

Approved By:

Date: 5-26-98

EXPLANATION

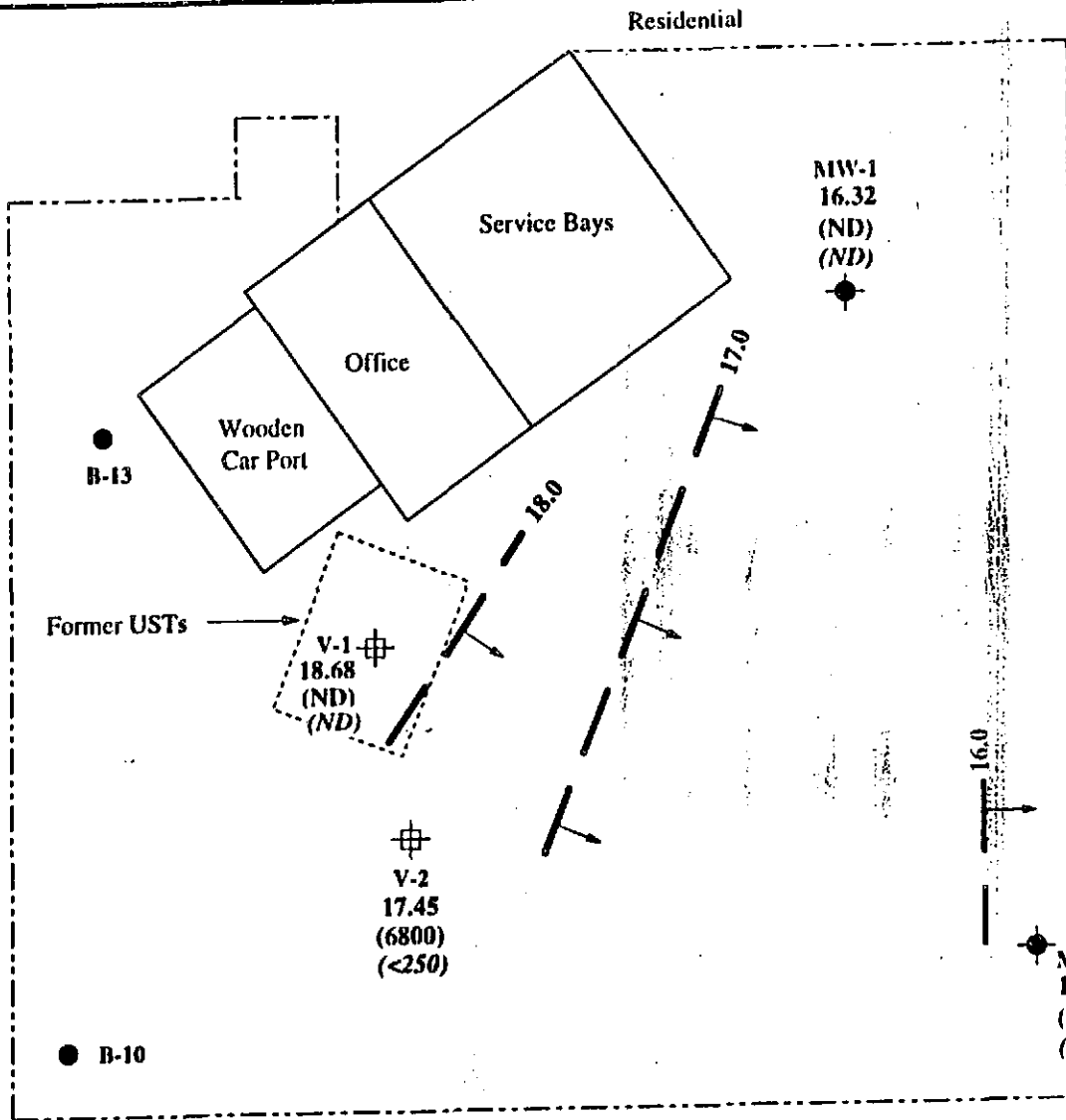
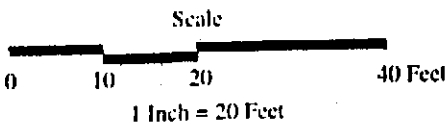
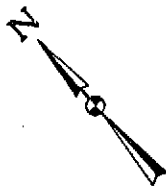
- Exploratory Boring
- ⊕ Soil Vapor Extraction Well
- ⊙ Ground Water Monitoring Well
- Ground water elevation contours in feet referenced to mean sea level (MSL). Arrows indicate approximate ground water flow direction.

17.45 Ground water elevation in feet above MSL

(6800) Benzene concentration in ppb
ND = Not Detected

(<250) MTBE concentration in ppb
ND = Not Detected

Notes: Monitoring performed 02-Apr-98.
Approximate hydraulic gradient = 0.03-0.06



MARTIN LUTHER KING JR WAY

PLATE

GROUND WATER CONTOUR/CHEMICAL CONCENTRATION MAP
Shell Oil Products Company
2703 Martin Luther King Jr. Way
Oakland, California

CAMBRIA

240-0781

Drawn By: TNM

Date: 19-May-98

Approved By: *and*

Date: 5-3

Appendix A

**Blaine Tech Services, Inc.
Ground Water Monitoring Report**

BLAINE
TECH SERVICES



1680 ROBERTS AVENUE
SAN JOSE, CALIFORNIA 95112
(408) 573-7771 FAX
(408) 573-0555 PHONE

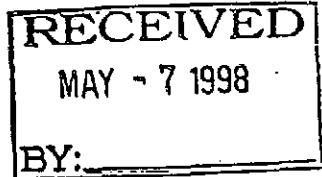
May 5, 1998

Shell Oil Company
P.O. Box 8080
Martinez, CA 94553

Attn: Alex Perez

Shell WIC #204-5508-1701
2703 Martin Luther King Junior Way
Oakland, California

2nd Quarter 1998



Groundwater Monitoring Report 980402-K-4

Blaine Tech Services, Inc. performs environmental sampling and documentation as an independent third party. Copies of our Sampling Report along with the laboratory's Certified Analytical Report are forwarded to the consultant overseeing work at this site. Submission of the assembled documents to interested regulatory agencies will be made by the designated consultant.

Groundwater monitoring at this site was performed in accordance with Standard Operating Procedures provided to the interested regulatory agencies. If you have any questions about the work performed at this site please call me at (408) 573-0555 ext. 201.

Yours truly,

Francis Thie
Francis Thie

attachments: Table of Well Gauging Data
Chain of Custody
Field Data Sheets
Certified Analytical Report

cc: Cambria Environmental Technology, Inc.
P.O. Box 259
Sonoma, CA 95476-0259
Attn: Joe Neely

(Any professional evaluations or recommendations will be made by the consultant under separate cover.)

TABLE OF WELL GAUGING DATA

WELL I.D.	DATA COLLECTION DATE	MEASUREMENT REFERENCED TO	QUALITATIVE OBSERVATIONS (sheen)	DEPTH TO FIRST IMMISCIBLES LIQUID (FPZ) (feet)	THICKNESS OF IMMISCIBLES LIQUID ZONE (feet)	VOLUME OF IMMISCIBLES REMOVED (ml)	DEPTH TO WATER (feet)	DEPTH TO WELL BOTTOM (feet)
MW-1	04/02/98	TOC	-	NONE	-	-	7.21	20.21
MW-2	04/02/98	TOC	-	NONE	-	-	6.59	20.08
V-1*	04/02/98	TOC	-	NONE	-	-	4.58	13.07
V-2	04/02/98	TOC	ODOR	NONE	-	-	6.35	13.20

* Sample DUP was a duplicate sample taken from well V-1.



SHELL OIL PRODUCTS COMPANY CHAIN OF CUSTODY RECORD

WIG OR FACILITY ID: L-21-2103-1701		Date: 03/22/98	Results to: <input type="radio"/> Consult. <input type="radio"/> Shell
Site Address: 1703 W. ...		Lab: S.E. ...	Page ... of ...
Consultant/Contact: Dak ...		TURN AROUND TIME Select one only <input type="radio"/> 24 hrs. <input type="radio"/> 48 hrs. <input checked="" type="radio"/> 15 days (Normal) <input type="radio"/> Other	CLASS TYPE/DETAIL TYPE Select one only
Address: ...			<input type="radio"/> Site Invest (4441) <input type="radio"/> Wtr Rem/Sys (4453)
Phone: ...		Analysis Required	<input type="radio"/> Soil Class/Disp (4442) <input checked="" type="radio"/> G.W. Monitor (4461)
Shell Engineer: ...			<input type="radio"/> Wtr Class/Disp (4443) <input type="radio"/> Other
Waste Protocol Number: ...	Start Time (military): 12:15	TPH-P/MBTEX (8015/8021) TPH-P/BTEX (8015/8021) MBTEX (8021) BTEX (8021) TPH-P (8015m) TPH-E (8015m) TPH-xx (8015m) TRPH (418.1) MBTEX (8260) VOCs (8260) (specify) SVOCs (8270) (specify) Lead (specify) Test for Disposal Other (specify)	<input type="radio"/> Soil/Air Rem/Sys (4452)
Sampled by: ...	UST Agency: ...		SAMPLE MATRIX Select one only
Field Sample ID	Sample Time (military)	Composite?	<input type="radio"/> Soil <input type="radio"/> Vapor <input type="radio"/> Bedrock <input type="radio"/> Other
		Acid pres.	
		Cnt. Sz. (40ml)	
		Cnt. Sz. - Other	
		Total No. Containers	

LAB USE ONLY

Lab Tracking No.:
9804222

Sample Condition/Comments

01	
02	
03	
04	
05	

Cooler Temperature: **5.0**

Material Description

Comments

Relinquished By (signature): <i>[Signature]</i>	Printed Name: ...	Date: 4/22	Received By (signature): <i>[Signature]</i>	Printed Name: LANCE A CARPSON	Date: 4/15/98
Relinquished By (signature): <i>[Signature]</i>	Printed Name: LANCE A CARPSON	Date: 4/30/98	Received By (signature): <i>[Signature]</i>	Printed Name: ...	Date: ...
Relinquished By (signature): <i>[Signature]</i>	Printed Name: ...	Date: ...	Received By (signature): <i>[Signature]</i>	Printed Name: mi Downs	Date: 4/13



Sequoia Analytical

680 Chesapeake Drive
404 N. Wiger Lane
819 Striker Avenue, Suite B
1455 McDowell Blvd. North, Ste. D

Redwood City, CA 94063
Walnut Creek, CA 94598
Sacramento, CA 95834
Petaluma, CA 94954

(650) 364-9600
(510) 988-9600
(916) 921-9600
(707) 792-1865

FAX (650) 364-1
FAX (510) 988-1
FAX (916) 921-1
FAX (707) 792-1

Blaine Tech Services
1680 Rogers Avenue
San Jose, CA 95112
Attention: Fran Thie

Project: Shell 2703 Martin Luther Way

Enclosed are the results from samples received at Sequoia Analytical on April 3, 1998.
The requested analyses are listed below:

<u>SAMPLE #</u>	<u>SAMPLE DESCRIPTION</u>	<u>DATE COLLECTED</u>	<u>TEST METHOD</u>
9804222 -01	LIQUID, MW-1	04/02/98	Purgeable TPH/BTEX/MTBE
9804222 -02	LIQUID, MW-2	04/02/98	Purgeable TPH/BTEX/MTBE
9804222 -03	LIQUID, V-1	04/02/98	Purgeable TPH/BTEX/MTBE
9804222 -04	LIQUID, V-2	04/02/98	Purgeable TPH/BTEX/MTBE
9804222 -05	LIQUID, Dup	04/02/98	Purgeable TPH/BTEX/MTBE

Please contact me if you have any questions. In the meantime, thank you for the opportunity to work with you on this project.

Very truly yours,

SEQUOIA ANALYTICAL


Peggy Penner
Project Manager



**Sequoia
Analytical**

Chesapeake Drive
404 N. Wiget Lane
819 Striker Avenue, Suite B
1455 McDowell Blvd. North, Ste. D

Redwood City, CA
Wainut Creek, CA
Sacramento, CA 95834
Petaluma, CA 94954

(916) 364-9600 FAX (650) 364-9233
(510) 988-0600 FAX (510) 988-9673
(916) 921-9600 FAX (916) 921-0100
(707) 792-1865 FAX (707) 792-0342

Blaine Tech Services 1680 Rogers Avenue San Jose, CA 95112	Client Proj. ID: Shell 2703 Martin Luther Way Sample Descript: MW-1 Matrix: LIQUID Analysis Method: 8015Mod/8020 Lab Number: 9804222-01	Sampled: 04/02/98 Received: 04/03/98 Analyzed: 04/10/98 Reported: 04/30/98
Attention: Fran Thie		

Total Purgeable Petroleum Hydrocarbons (TPPH) with BTEX and MTBE

Analyte	Detection Limit ug/L	Sample Results ug/L
TPPH as Gas	50	N.D.
Methyl t-Butyl Ether	2.5	N.D.
Benzene	0.50	N.D.
Toluene	0.50	N.D.
Ethyl Benzene	0.50	N.D.
Xylenes (Total)	0.50	N.D.
Chromatogram Pattern:		
Surrogates	Control Limits %	% Recovery
Trifluorotoluene	70 130	112

Analytes reported as N.D. were not present above the stated limit of detection.

SEQUOIA ANALYTICAL - ELAP #1210


Peggy Penner
Project Manager

Page:



**Sequoia
Analytical**

680 Chesapeake Drive
404 N. Wiger Lane
819 Striker Avenue, Suite B
1455 McDowell Blvd. North, Ste. D

Redwood City, CA 94063
Walnut Creek, CA 94598
Sacramento, CA 95834
Petaluma, CA 94954

(650) 364-9600
(510) 988-9600
(916) 921-9600
(707) 792-1865

FAX (650) 364-9233
FAX (510) 988-9673
FAX (916) 921-0100
FAX (707) 792-0342

Blaine Tech Services
1680 Rogers Avenue
San Jose, CA 95112

Attention: Fran Thie

Client Proj. ID: Shell 2703 Martin Luther Way
Sample Descript: MW-2
Matrix: LIQUID
Analysis Method: 8015Mod/8020
Lab Number: 9804222-02

Sampled: 04/02/98
Received: 04/03/98

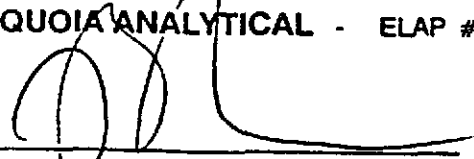
Analyzed: 04/10/98
Reported: 04/30/98

Total Purgeable Petroleum Hydrocarbons (TPPH) with BTEX and MTBE

Analyte	Detection Limit ug/L	Sample Results ug/L
TPPH as Gas	50	N.D.
Methyl t-Butyl Ether	2.5	N.D.
Benzene	0.50	N.D.
Toluene	0.50	N.D.
Ethyl Benzene	0.50	N.D.
Xylenes (Total)	0.50	N.D.
Chromatogram Pattern:		N.D.
Surrogates	Control Limits %	% Recovery
Trifluorotoluene	70 130	109

Analytes reported as N.D. were not present above the stated limit of detection.

SEQUOIA ANALYTICAL - ELAP #1210


Jgy Pepner
Project Manager



**Sequoia
Analytical**

Chesapeake Drive
404 N. Water Lane
819 Striker Avenue, Suite 8
1455 McDowell Blvd. North, Ste. D

Redwood City, CA
Walnut Creek, CA 94598
Sacramento, CA 95834
Petaluma, CA 94954

(650) 364-9600 FAX (650) 364-9233
(510) 988-9600 FAX (510) 988-9673
(916) 921-9600 FAX (916) 921-0100
(707) 792-1865 FAX (707) 792-0342

Blaine Tech Services 1680 Rogers Avenue San Jose, CA 95112 Attention: Fran Thie	Client Proj. ID: Shell 2703 Martin Luther Way Sample Descript: V-1 Matrix: LIQUID Analysis Method: 8015Mod/8020 Lab Number: 9804222-03	Sampled: 04/02/98 Received: 04/03/98 Analyzed: 04/10/98 Reported: 04/30/98
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Total Purgeable Petroleum Hydrocarbons (TPPH) with BTEX and MTBE

Analyte	Detection Limit ug/L	Sample Results ug/L
TPPH as Gas	50	N.D.
Methyl t-Butyl Ether	2.5	N.D.
Benzene	0.50	N.D.
Toluene	0.50	N.D.
Ethyl Benzene	0.50	N.D.
Xylenes (Total)	0.50	N.D.
Chromatogram Pattern:		
Surrogates	Control Limits %	% Recovery
Trifluorotoluene	70 130	109

Analytes reported as N.D. were not present above the stated limit of detection.

SEQUOIA ANALYTICAL - ELAP #1210


Peggy Penner
Project Manager

Page:





**Sequoia
Analytical**

640 Chesapeake Drive
404 N. Wiger Lane
819 Striker Avenue, Suite 8
1455 McDowell Blvd. North, Ste. D

Redwood City, CA 94063
Walnut Creek, CA 94598
Sacramento, CA 95834
Petaluma, CA 94954

(650) 364-9600
(510) 988-9600
(916) 921-9600
(707) 792-1865

FAX (650) 364-9233
FAX (510) 988-9673
FAX (916) 921-0100
FAX (707) 792-0342

Blaine Tech Services
1680 Rogers Avenue
San Jose, CA 95112

Attention: Fran Thie

Client Proj. ID: Shell 2703 Martin Luther Way
Sample Descript: V-2
Matrix: LIQUID
Analysis Method: 8015Mod/8020
Lab Number: 9804222-04

Sampled: 04/02/98
Received: 04/03/98
Analyzed: 04/10/98
Reported: 04/30/98

Total Purgeable Petroleum Hydrocarbons (TPPH) with BTEX and MTBE

Analyte	Detection Limit ug/L	Sample Results ug/L
TPPH as Gas	5000	62000
Methyl t-Butyl Ether	250	N.D.
Benzene	50	6800
Toluene	50	2400
Ethyl Benzene	50	3400
Xylenes (Total)	50	14000
Chromatogram Pattern:		C6-C12
Surrogates	Control Limits %	% Recovery
Trifluorotoluene	70 130	111

Analytes reported as N.D. were not present above the stated limit of detection.

SEQUOIA ANALYTICAL - ELAP #1210


Peggy Penner
Project Manager

Page:



**Sequoia
Analytical**

440 Chestnut Drive
404 N. Wiget Lane
819 Striker Avenue, Suite 8
1455 McDowell Blvd. North, Ste. D

Redwood City, CA 94063
Walnut Creek, CA 94598
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(916) 921-9600 FAX (916) 921-0100
(707) 792-1865 FAX (707) 792-0342

Blaine Tech Services 1680 Rogers Avenue San Jose, CA 95112	Client Proj. ID: Shell 2703 Martin Luther Way Sample Descript: Dup Matrix: LIQUID Analysis Method: 8015Mod/8020 Lab Number: 9804222-05	Sampled: 04/02/98 Received: 04/03/98 Analyzed: 04/10/98 Reported: 04/30/98
Attention: Fran Thie		

Total Purgeable Petroleum Hydrocarbons (TPPH) with BTEX and MTBE

Analyte	Detection Limit ug/L	Sample Results ug/L
TPPH as Gas	50	N.D.
Methyl t-Butyl Ether	2.5	N.D.
Benzene	0.50	N.D.
Toluene	0.50	N.D.
Ethyl Benzene	0.50	N.D.
Xylenes (Total)	0.50	N.D.
Chromatogram Pattern:		
Surrogates	Control Limits %	% Recovery
Trifluorotoluene	70 130	110

Analytes reported as N.D. were not present above the stated limit of detection.

SEQUOIA ANALYTICAL - ELAP #1210

Peggy Penner
Project Manager





**Sequoia
Analytical**

680 Chesapeake Drive
404 N. Wiger Lane
819 Striker Avenue, Suite 8
1455 McDowell Blvd. North, Ste. D

Redwood City, CA 94061
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FAX (916) 921-0100
FAX (707) 792-0342

Blaine Tech Services, Inc.
1680 Rogers Ave.
San Jose, CA 95112
Attention: Fran Thie

Client Project ID: Shell 2703 Martin Luther Way
Matrix: Liquid

Work Order #: 9804222 -01-05

Reported: May 1, 1998

QUALITY CONTROL DATA REPORT

Analyte:	Gas
QC Batch#:	701310393
Analy. Method:	EPA 8015M
Prep. Method:	N.A.

Analyst: -
MS/MSD #: BLK041098
Sample Conc.: N.D.
Prepared Date: 4/10/98
Analyzed Date: 4/10/98
Instrument I.D.#: -
Conc. Spiked: 1000 µg/L

Result: 932
MS % Recovery: 90.6

Dup. Result: 907
MSD % Recov.: 88.1

RPD: 2.7
RPD Limit: 0-25

LCS #: LCS041098
Prepared Date: 4/10/98
Analyzed Date: 4/10/98
Instrument I.D.#: -
Conc. Spiked: 1000 µg/L
LCS Result: 893.4
LCS % Recov.: 89.3

MS/MSD	53-146
LCS	79-127
Control Limits	

SEQUOIA ANALYTICAL
Elap #2245

Peggy Penner
Project Manager

Please Note:

The LCS is a control sample of known, interferent-free matrix that is analyzed using the same reagent preparation, and analytical methods employed for the samples. The matrix spike is an aliquot of sample fortified with known quantities of specific compounds and subjected to the entire analytical procedure. If the recovery of analytes from the matrix spike does not fall within specified control limits due to matrix interference, the LCS recovery is to be used to validate the batch.

** MS = Matrix Spike, MSD = MS Duplicate, RPD = Relative % Difference

9804222.BLA <1>



**Sequoia
Analytical**

Chesapeake Drive
414 N. Wiget Lane
819 Striker Avenue, Suite B
1455 McDowell Blvd. North, Ste D

Redwood City, CA 94063
Walnut Creek, CA 94598
Sacramento, CA 95834
Petaluma, CA 94954

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(510) 988-9600
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(707) 792-1865

FAX (415) 364-9233
FAX (510) 988-9673
FAX (916) 921-0100
FAX (707) 792-0342

Blaine Tech Services 1680 Rogers Avenue San Jose, CA 95112 Attention: Fran Thie	Client Proj. ID: Shell 2703 Martin Luther Way Lab Proj. ID: 9804222	Received: 04/03/98 Reported: 04/30/98
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LABORATORY NARRATIVE

In order to properly interpret this report, it must be reproduced in its entirety. This report contains a total of 0 pages including the laboratory narrative, sample results, quality control, and related documents as required (cover page, COC, raw data, etc.).

SEQUOIA ANALYTICAL

Peggy Rarner
Project Manager



2/E

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



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

December 9, 1997

To Whom It May Concern,

The attached copy of an inspection report
was made from an original inspection report

Pamela J Evans
Senior Hazardous Materials
Specialist

HEALTH CARE SERVICES

DAVID ALABO

AGENCY

Agency Director



470-27th Street, Third Floor
Oakland, California 94612
(415)

SITE ID
NAME Auto Tech West
ADDRESS 2703 M.L. King Way

DATE 8-25-86
PHONE 839-7264
EPA ID
CITY/ZIP Oakland 94612

The marked items represent violations of the Calif. Administrative Code:

General

- 1. Waste ID 66471
- 2. EPA ID's 66472
- 3. >90 day Stor 66508
- 4. Labels 66504
- 5. Biennial RPT 66493
- 6. Records 66492

Comments: Used to be Road Mobil 160-

Manifest

- 7. Correct 66480
- 8. Copies sent 66484
- 9. Except RPT 66484
- 10. Copies Rec 66492

14th St which is torn down -

150 gal above ground waste

oil tank. Label the tank

"waste oil", 2,000 gal

underground fuel tank - not

Misc

- 11. Treatment 66371
- 12. On-site Disp
H&S 25189.5
- 13. ExHazWaste 66570

used yet, 15 gal carburetor

cleaner tank - this material

is a hazardous waste when

spent and must be disposed

of properly. Receipts of

disposal must be kept available

for 3 years,

parts cleaning tank with

SD/wat.

Prevention

- 14. Communica 67121
- 15. Aisle space 67124
- 16. Local Emer 67126
- 17. Maintenance 67120
- 18. Training 67105

Contingency

- 19. Prepared 67140
- 20. Name List 67141
- 21. Copies 67141
- 22. EmerCoordng 67144

Containers, Tanks

- 23. Condition 67241
- 24. Compatibility 67242
- 25. Maintenance 67243
- 26. Inspection 67244
- 27. Buffer zone 67246
- 28. Tank Insp 67259
- 29. Closure 67260
- 30. Safe Store 67261
- 31. Freeboard 67257
- 32. Other

CONTACT PERSON Red Kwan

TITLE owner

SIGN [Signature]

INSPECTOR THOMAS PEACOCK

SIGN [Signature]

Jennifer Eberle

ENVIRONMENTAL HEALTH
3000 SHAW BLVD. SUITE 200
OAKLAND, CA 94612
PHONE NO. 510/871-4330

je

ACCEPTED
DEPARTMENT OF ENVIRONMENTAL HEALTH
3000 SHAW BLVD., Third Floor
OAKLAND, CA 94612
Tel: (510) 871-4330

These plans have been reviewed and found to be acceptable
at this time. It is the responsibility of the applicant to
ensure that the plans are in accordance with the
Department of Environmental Health rules and regulations.
The applicant is responsible for obtaining all necessary
permits from the appropriate agencies. The Department
of Environmental Health does not guarantee the accuracy
of the information provided on these plans. The applicant
is responsible for providing accurate information.

COPIED FROM
POOR ORIGINAL
Eberle
9-28-94
All comments in red
P. 4+5

UNDERGROUND TANK CLOSURE PLAN

*** Complete according to attached instructions ***

- Business Name Auto Tech West (auto repair)
Business Owner Rod Kwan
- Site Address 2703 Martin Luther King Way at Grand Av.
City Oakland Zip 94612 Phone (510) 654-7588
- Mailing Address 2703 Martin Luther King Way
City Oakland Zip 94612 Phone (510) 654-7588
- Land Owner Rod Kwan
Address 2703 Martin Luther King City, State Oakland, Ca. Zip 94612
- Generator name under which tank will be manifested Rod Kwan

Rod said:
Kwan

EPA I.D. No. under which tank will be manifested CAC 000 721 120

ask RP when UST was installed? ~1980, per Andrew.
last operator? Acme-Western Ambulance Co. (they inst.
the UST)
Pb?

Nov 3/92 Rod never operated UST. - He bought prop in 1986
Acme told them UST was installed ~1976.

Address P.O. Box 55158

City Hayward, Ca. 94545

Phone (510) 732-9877

License Type C61D40 A HAZ

ID# 572427 exp. 7-31-95

Effective January 1, 1992, Business and Professional Code Section 7053.7 requires prime contractors to also hold Hazardous Waste Certification issued by the State Contractors License Board. Indicate that the certificate has been received, in addition, to holding the appropriate contractors license type.

7. Consultant None

Address -----

City ----- Phone -----

8. Contact Person for Investigation

Name Tom Gregory Title Project Manager

Phone (510) 732-9877

9. Number of tanks being closed under this plan 1

Length of piping being removed under this plan 6'

Total number of tanks at facility 1

10. State Registered Hazardous Waste Transporters/Facilities (see instructions).

** Underground tanks are hazardous waste and must be handled ** as hazardous waste

a) Product/Residual Sludge/Rinsate Transporter

Name None EPA I.D. No. -----

Hauler License No. ----- License Exp. Date -----

Address -----

City ----- State ----- Zip -----

b) Product/Residual Sludge/Rinsate Disposal Site

Name None EPA I.D. No. -----

Address -----

City ----- State ----- Zip -----

Name Erickson, Inc. EPA I.D. No. CAD 009 466 392
Hauler License No. 309177 License Exp. Date None
Address 255 Parr Boulevard
City Richmond State CA Zip 94801 ✓

d) Tank and Piping Disposal Site

Name Erickson, Inc. EPA I.D. No. CAD 009 466 392
Address 255 Parr Boulevard
City Richmond State CA Zip 94801 ✓

11. Experienced Sample Collector

Name Tom Gregory
Company K.T.W. & Associates
Address P.O. Box 55158
City Hayward State CA Zip 94545 Phone (510) 732-98

12. Laboratory

Name McC Campbell Analytical ✓
Address 110 2nd Avenue, South #D7
City Pacheco State CA Zip 94553
State Certification No. DHS 1644

13. Have tanks or pipes leaked in the past? Yes [] No [x]

If yes, describe. _____

The tank will be inerted via CO₂ displacement.

25 LBS./1,000 gallons

Before tanks are pumped out and inerted, all associated piping must be flushed out into the tanks. All accessible associated piping must then be removed. Inaccessible piping must be plugged.

The Bay Area Air Quality Management District (771-6000), along with local Fire and Building Departments, must also be contacted for tank removal permits. Fire departments typically require the use of explosion proof combustible gas meters to verify tank inertness. It is the contractor's responsibility to bring a working combustible gas meter on site to verify tank inertness.

15. Tank History and Sampling Information

Tank		Material to be sampled (tank contents, soil, ground-water, etc.)	Location and Depth of Samples
Capacity	Use History (see instructions)		
2,000	Gasoline (unleaded) <i>unknown date installed + date last used</i>	Soil Groundwater if encountered	One sample @ each end of tank + <i>beneath pump</i>

One soil sample must be collected for every 20 feet of piping that is removed. A ground water sample must be collected should any ground water be present in the excavation.

Stockpiled Soil Volume (Estimated)	Sampling Plan
50 cyds.	One (1) discrete sample/20 cyds. if soil returned to pit. 1-4 point composite sample for every 50 cyds. ✓

Stockpiled soil must be placed on bermed plastic and must be completely covered by plastic sheeting.

16. Chemical methods and associated detection limits to be used for analyzing samples

The Tri-Regional Board recommended minimum verification analyses and practical quantitation reporting limits should be followed. See attached Table 2.

Contaminant Sought	EPA, DHS, or Other Sample Preparation Method Number	EPA, DHS, or Other Analysis Method Number	Method Detection Limit
<p>DHS LUFT EPA Method</p> <p>TPH-g BTEX</p>	<p>TPH-G, BTX&E, TPH & BTXE</p> <p>5030</p>	<p>GCFID 5030 8020 or 8240 8260</p> <p>GCFID 8020 or 8240</p>	<p>1.0 ppm 0.005 ppm</p>

17. Submit Site Health and Safety Plan (See Instructions)

Golden Eagle Insurance Company

- 19. Submit Plot Plan (See Instructions)
- 20. Enclose Deposit (See Instructions)
- 21. Report any leaks or contamination to this office within 5 days of discovery. The report shall be made on an Underground Storage Tank Unauthorized Leak/Contamination Site Report Form (See Instructions)
- 22. Submit a closure report to this office within 60 days of the tank removal. This report must contain all the information listed in item 22 of the instructions.

I declare that to the best of my knowledge and belief the statements and information provided above are correct and true.

I understand that information in addition to that provided above may be needed in order to obtain an approval from the Department of Environmental Health and that no work is to begin on this project until this plan is approved.

I understand that any changes in design, materials or equipment will void this plan if prior approval is not obtained.

I understand that all work performed during this project will be done in compliance with all applicable OSHA (Occupational Safety and Health Administration) requirements concerning personnel health and safety. I understand that site and worker safety are solely the responsibility of the property owner or his agent and that this responsibility is not shared nor assumed by the County of Alameda.

Once I have received my stamped, accepted closure plan, I will contact the project Hazardous Materials Specialist at least three working days in advance of site work to schedule the required inspections.

Signature of Contractor

Name (please type) Allan Heider

Signature *Allan Heider*

Date 9/13/94

Signature of Site Owner or Operator

Name (please type) Rod Kwan

Signature *Allan Heider for Rod Kwan Rod Kwan*

Date 9/13/94

94 SEP 28 PM 2:40

HAZMAT
CLOSURE

STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD
UNDERGROUND STORAGE TANK PERMIT APPLICATION - FORM B



COMPLETE A SEPARATE FORM FOR EACH TANK SYSTEM.

MARK ONLY ONE ITEM	<input type="checkbox"/> 1 NEW PERMIT	<input type="checkbox"/> 3 RENEWAL PERMIT	<input type="checkbox"/> 5 CHANGE OF INFORMATION	<input type="checkbox"/> 7 PERMANENTLY CLOSED ON SITE
	<input type="checkbox"/> 2 INTERIM PERMIT	<input type="checkbox"/> 4 AMENDED PERMIT	<input type="checkbox"/> 6 TEMPORARY TANK CLOSURE	<input checked="" type="checkbox"/> 8 TANK REMOVED

DBA OR FACILITY NAME WHERE TANK IS INSTALLED: Auto Tech West

I. TANK DESCRIPTION COMPLETE ALL ITEMS -- SPECIFY IF UNKNOWN	
A. OWNER'S TANK I.D.# <u>None</u>	B. MANUFACTURED BY: <u>Unknown</u>
C. DATE INSTALLED (MO/DAY/YEAR) <u>Unknown</u>	D. TANK CAPACITY IN GALLONS: <u>2,000</u>

II. TANK CONTENTS IF A-1 IS MARKED, COMPLETE ITEM C.		
A. <input checked="" type="checkbox"/> 1 MOTOR VEHICLE FUEL <input type="checkbox"/> 2 PETROLEUM <input type="checkbox"/> 3 CHEMICAL PRODUCT	<input type="checkbox"/> 4 OIL <input type="checkbox"/> 80 EMPTY <input type="checkbox"/> 95 UNKNOWN	B. <input checked="" type="checkbox"/> 1 PRODUCT <input type="checkbox"/> 2 WASTE
C. <input checked="" type="checkbox"/> 1a REGULAR UNLEADED <input type="checkbox"/> 1b PREMIUM UNLEADED <input type="checkbox"/> 2 LEADED		<input type="checkbox"/> 3 DIESEL <input type="checkbox"/> 4 GASAHOL <input type="checkbox"/> 5 JET FUEL <input type="checkbox"/> 6 AVIATION GAS <input type="checkbox"/> 7 METHANOL <input type="checkbox"/> 99 OTHER (DESCRIBE IN ITEM D. BELOW)
D. IF (A.1) IS NOT MARKED, ENTER NAME OF SUBSTANCE STORED		C. A. S. #:

III. TANK CONSTRUCTION MARK ONE ITEM ONLY IN BOXES A, B, AND C, AND ALL THAT APPLIES IN BOX D AND E		
A. TYPE OF SYSTEM <input type="checkbox"/> 1 DOUBLE WALL <input checked="" type="checkbox"/> 2 SINGLE WALL	<input type="checkbox"/> 3 SINGLE WALL WITH EXTERIOR LINER <input type="checkbox"/> 4 SECONDARY CONTAINMENT (VAULTED TANK)	<input type="checkbox"/> 95 UNKNOWN <input type="checkbox"/> 99 OTHER
B. TANK MATERIAL (Primary Tank) <input checked="" type="checkbox"/> 1 BARE STEEL <input type="checkbox"/> 5 CONCRETE <input type="checkbox"/> 9 BRONZE	<input type="checkbox"/> 2 STAINLESS STEEL <input type="checkbox"/> 6 POLYVINYL CHLORIDE <input type="checkbox"/> 10 GALVANIZED STEEL	<input type="checkbox"/> 3 FIBERGLASS <input type="checkbox"/> 7 ALUMINUM <input type="checkbox"/> 95 UNKNOWN <input type="checkbox"/> 99 OTHER
C. INTERIOR LINING <input type="checkbox"/> 1 RUBBER LINED <input type="checkbox"/> 5 GLASS LINING	<input type="checkbox"/> 2 ALKYD LINING <input checked="" type="checkbox"/> 6 UNLINED	<input type="checkbox"/> 3 EPOXY LINING <input type="checkbox"/> 95 UNKNOWN <input type="checkbox"/> 99 OTHER
IS LINING MATERIAL COMPATIBLE WITH 100% METHANOL? YES ___ NO ___		
D. CORROSION PROTECTION <input type="checkbox"/> 1 POLYETHYLENE WRAP <input type="checkbox"/> 5 CATHODIC PROTECTION	<input type="checkbox"/> 2 COATING <input checked="" type="checkbox"/> 91 NONE	<input type="checkbox"/> 3 VINYL WRAP <input type="checkbox"/> 95 UNKNOWN <input type="checkbox"/> 99 OTHER
E. SPILL AND OVERFILL SPILL CONTAINMENT INSTALLED (YEAR) <u>None</u> OVERFILL PREVENTION EQUIPMENT INSTALLED (YEAR) <u>None</u>		

IV. PIPING INFORMATION CIRCLE A IF ABOVE GROUND OR U IF UNDERGROUND, BOTH IF APPLICABLE				
A. SYSTEM TYPE	A U 1 SUCTION	A U 2 PRESSURE	A U 3 GRAVITY	A U 99 OTHER
B. CONSTRUCTION	A U 1 SINGLE WALL	A U 2 DOUBLE WALL	A U 3 LINED TRENCH	A U 95 UNKNOWN A U 99 OTHER
C. MATERIAL AND CORROSION PROTECTION	A U 1 BARE STEEL	A U 2 STAINLESS STEEL	A U 3 POLYVINYL CHLORIDE (PVC)	A U 4 FIBERGLASS PIPE
	A U 5 ALUMINUM	A U 6 CONCRETE	A U 7 STEEL W/ COATING	A U 8 100% METHANOL COMPATIBLE W/FRP
	A U 9 GALVANIZED STEEL	A U 10 CATHODIC PROTECTION	A U 95 UNKNOWN	A U 99 OTHER
D. LEAK DETECTION	<input type="checkbox"/> 1 AUTOMATIC LINE LEAK DETECTOR	<input type="checkbox"/> 2 LINE TIGHTNESS TESTING	<input type="checkbox"/> 3 INTERSTITIAL MONITORING	<input type="checkbox"/> 99 OTHER <u>None</u>

V. TANK LEAK DETECTION				
<input type="checkbox"/> 1 VISUAL CHECK	<input type="checkbox"/> 2 INVENTORY RECONCILIATION	<input type="checkbox"/> 3 VADOZE MONITORING	<input type="checkbox"/> 4 AUTOMATIC TANK GAUGING	<input type="checkbox"/> 5 GROUND WATER MONITORING
<input type="checkbox"/> 6 TANK TESTING	<input type="checkbox"/> 7 INTERSTITIAL MONITORING	<input checked="" type="checkbox"/> 91 NONE	<input type="checkbox"/> 95 UNKNOWN	<input type="checkbox"/> 99 OTHER

VI. TANK CLOSURE INFORMATION		
1. ESTIMATED DATE LAST USED (MO/DAY/YR) <u>UNKNOWN</u>	2. ESTIMATED QUANTITY OF SUBSTANCE REMAINING <u><50</u> GALLONS	3. WAS TANK FILLED WITH INERT MATERIAL? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>

THIS FORM HAS BEEN COMPLETED UNDER PENALTY OF PERJURY, AND TO THE BEST OF MY KNOWLEDGE, IS TRUE AND CORRECT

APPLICANT'S NAME (PRINTED & SIGNATURE) <u>Allan Heider</u>	DATE <u>9/14/94</u>
--	---------------------

LOCAL AGENCY USE ONLY THE STATE I.D. NUMBER IS COMPOSED OF THE FOUR NUMBERS BELOW				
STATE I.D.#	COUNTY #	JURISDICTION #	FACILITY #	TANK #
	<u>01</u>	<u>006</u>	<u>033586</u>	<u>000001</u>
PERMIT NUMBER	PERMIT APPROVED BY/DATE		PERMIT EXPIRATION DATE	

STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD
UNDERGROUND STORAGE TANK PERMIT APPLICATION - FORM A



COMPLETE THIS FORM FOR EACH FACILITY/SITE

MARK ONLY ONE ITEM	<input type="checkbox"/> 1 NEW PERMIT	<input type="checkbox"/> 3 RENEWAL PERMIT	<input type="checkbox"/> 5 CHANGE OF INFORMATION	<input checked="" type="checkbox"/> 7 PERMANENTLY CLOSED SITE
	<input type="checkbox"/> 2 INTERIM PERMIT	<input type="checkbox"/> 4 AMENDED PERMIT	<input type="checkbox"/> 6 TEMPORARY SITE CLOSURE	

I. FACILITY/SITE INFORMATION & ADDRESS - (MUST BE COMPLETED)

DBA OR FACILITY NAME Auto Tech West		NAME OF OPERATOR Rod Kwan			
ADDRESS 2703 Martin Luther King Way		NEAREST CROSS STREET Grand Avenue	PARCEL # (OPTIONAL)		
CITY NAME Oakland		STATE CA	ZIP CODE 94612	SITE PHONE # WITH AREA CODE (510) 654-7538	
<input checked="" type="checkbox"/> BOX TO INDICATE <input type="checkbox"/> CORPORATION <input checked="" type="checkbox"/> INDIVIDUAL <input type="checkbox"/> PARTNERSHIP <input type="checkbox"/> LOCAL AGENCY DISTRICTS <input type="checkbox"/> COUNTY AGENCY <input type="checkbox"/> STATE AGENCY <input type="checkbox"/> FEDERAL AGENCY					
TYPE OF BUSINESS		<input type="checkbox"/> 1 GAS STATION <input type="checkbox"/> 2 DISTRIBUTOR <input type="checkbox"/> 3 FARM <input type="checkbox"/> 4 PROCESSOR <input checked="" type="checkbox"/> 5 OTHER		<input type="checkbox"/> IF INDIAN RESERVATION OR TRUST LANDS # OF TANKS AT SITE X 0	E. P. A. I. D. # (optional) CAC000721120

EMERGENCY CONTACT PERSON (PRIMARY)

EMERGENCY CONTACT PERSON (SECONDARY) - optional

DAYS: NAME (LAST, FIRST) Kwan, Rod	PHONE # WITH AREA CODE (510) 654-7588	DAYS: NAME (LAST, FIRST)	PHONE # WITH AREA CODE
NIGHTS: NAME (LAST, FIRST) Kwan, Rod	PHONE # WITH AREA CODE (510) 654-7588	NIGHTS: NAME (LAST, FIRST)	PHONE # WITH AREA CODE

II. PROPERTY OWNER INFORMATION - (MUST BE COMPLETED)

NAME Rod Kwan		CARE OF ADDRESS INFORMATION		
MAILING OR STREET ADDRESS 2703 Martin Luther King Way		<input checked="" type="checkbox"/> box to indicate <input checked="" type="checkbox"/> INDIVIDUAL <input type="checkbox"/> LOCAL AGENCY <input type="checkbox"/> STATE AGENCY <input type="checkbox"/> CORPORATION <input type="checkbox"/> PARTNERSHIP <input type="checkbox"/> COUNTY AGENCY <input type="checkbox"/> FEDERAL AGENCY		
CITY NAME Oakland		STATE CA	ZIP CODE 94612	PHONE # WITH AREA CODE (510) 654-7588

III. TANK OWNER INFORMATION - (MUST BE COMPLETED)

NAME OF OWNER Rod Kwan		CARE OF ADDRESS INFORMATION		
MAILING OR STREET ADDRESS 2703 Martin Luther King Way		<input checked="" type="checkbox"/> box to indicate <input checked="" type="checkbox"/> INDIVIDUAL <input type="checkbox"/> LOCAL AGENCY <input type="checkbox"/> STATE AGENCY <input type="checkbox"/> CORPORATION <input type="checkbox"/> PARTNERSHIP <input type="checkbox"/> COUNTY AGENCY <input type="checkbox"/> FEDERAL AGENCY		
CITY NAME Oakland		STATE CA	ZIP CODE 94612	PHONE # WITH AREA CODE (510) 654-7588

IV. BOARD OF EQUALIZATION UST STORAGE FEE ACCOUNT NUMBER - Call (916) 323-9555 if questions arise.

TY (TK) HQ **44** -

V. PETROLEUM UST FINANCIAL RESPONSIBILITY - (MUST BE COMPLETED) - IDENTIFY THE METHOD(S) USED

<input checked="" type="checkbox"/> box to indicate	<input type="checkbox"/> 1 SELF-INSURED	<input type="checkbox"/> 2 GUARANTEE	<input type="checkbox"/> 3 INSURANCE	<input type="checkbox"/> 4 SURETY BOND
	<input type="checkbox"/> 5 LETTER OF CREDIT	<input type="checkbox"/> 6 EXEMPTION	<input type="checkbox"/> 99 OTHER	

VI. LEGAL NOTIFICATION AND BILLING ADDRESS Legal notification and billing will be sent to the tank owner unless box I or II is checked.

CHECK ONE BOX INDICATING WHICH ABOVE ADDRESS SHOULD BE USED FOR LEGAL NOTIFICATIONS AND BILLING: I. II. III.

THIS FORM HAS BEEN COMPLETED UNDER PENALTY OF PERJURY, AND TO THE BEST OF MY KNOWLEDGE, IS TRUE AND CORRECT

APPLICANT'S NAME (PRINTED & SIGNATURE) Allan Heider <i>Allan Heider</i>	APPLICANT'S TITLE Operations Manager	DATE MONTH/DAY/YEAR 9/14/94
---	--	---------------------------------------

LOCAL AGENCY USE ONLY

COUNTY # 01	JURISDICTION # 000	FACILITY # 033586
LOCATION CODE - OPTIONAL	CENSUS TRACT # - OPTIONAL	SUPVISOR - DISTRICT CODE - OPTIONAL

white -env.health
yellow -facility
pink -files

ALAMEDA COUNTY, DEPARTMENT OF ENVIRONMENTAL HEALTH

80 Swan Way, #200
Oakland, CA 94621
(415) 271-4320

Hazardous Materials Inspection Form

II, III

Site ID # _____ Site Name Auto Tech West Today Date 10/11/94

II.A BUSINESS PLANS (Title 19)

- ___ 1. Immediate Reporting 2703
- ___ 2. Bus. Plan Stds. 25503(b)
- ___ 3. RR Cars > 30 days 25503.7
- ___ 4. Inventory Information 25504(a)
- ___ 5. Inventory Complete 2730
- ___ 6. Emergency Response 25504(b)
- ___ 7. Training 25504(c)
- ___ 8. Deficiency 25505(a)
- ___ 9. Modification 25505(b)

Site Address 2703 MLK

City Oakland Zip 94612 Phone _____

MAX AMT stored > 500 lbs, 55 gal., 200 cft.?

Inspection Categories:

- ___ I. Haz. Mat/Waste GENERATOR/TRANSPORTER
- ___ II. Business Plans, Acute Hazardous Materials
- III. Underground Tanks

Removal of 2K gasoline UST.

II.B ACUTELY HAZ MATLS

- ___ 10. Registration Form Filed 25533(a)
- ___ 11. Form Complete 25533(b)
- ___ 12. RMPP Contents 25534(c)
- ___ 13. Implement Sch. Req'd? (Y/N)
- ___ 14. OnSite Conseq. Assess. 25524(c)
- ___ 15. Probable Risk Assessment 25534(d)
- ___ 16. Persons Responsible 25534(g)
- ___ 17. Certification 25534(i)
- ___ 18. Exemption Request? (Y/N) 25536(b)
- ___ 19. Trade Secret Requested? 25538

Calif. Administration Code (CAC) or the Health & Safety Code (HS&C)

1:04 arrived onsite. + Gary Collins of OFD. Comments:

Tom Gregory of KTW + RP Rod Kwan onsite. Tom pumped out ~ 10gal rusty water fm UST. @ 1:15 Removal of UST: steel w/ tar wrap (thick); no obvious holes, some rust on top. UST hauled by Erickson under manifest #93480872. It's ~ 9' bgs to tank invert. 1:50 Removed stained, odorous soil fm below UST to 11' bgs. Took samples from below UST (see attached map). Rod said Site was a Shell station prior to Acme Ambulance. We found some concrete sheet chunks at the bottom, possibly fm prior UST excavation. Stockpile soil is ~ 30 yd³. They'll aerate + sample at a later date. Notify BHAQMD. Barricade the pit. There is a 200-gal polyethylene waste oil AST in back. 2:35 left site

III. UNDERGROUND TANKS (Title 23)

- General**
- ___ 1. Permi/ Application 25284 (H&S)
- ___ 2. Pipeline Leak Detection 25292 (H&S)
- ___ 3. Records Maintenance 2712
- ___ 4. Release Report 2651
- ___ 5. Closure Plans 2670
- ___ 6. Method
 - 1) Monthly Test
 - 2) Daily Vadose Semi-annual groundwater One time sol
 - 3) Daily Vadose One time sol
 - Annual tank test
 - 4) Monthly Gndwater One time sol
 - 5) Daily Inventory Annual tank testing Cont pipe leak det Vadose/gndwater mon.
 - 6) Daily Inventory Annual tank testing Cont pipe leak det
 - 7) Weekly Tank Gauge Annual tank testing
 - 8) Annual Tank Testing Daily Inventory
 - 9) Other _____
- ___ 7. Precs Tank Test Date: _____ 2643
- ___ 8. Inventory Rec. 2644
- ___ 9. Soil Testing 2646
- ___ 10. Ground Water 2647
- Monitoring for Existing Tanks**
- ___ 11. Monitor Plan 2632 * send info on loans + cleanup fund + AQMO #
- ___ 12. Access. Secure 2634
- ___ 13. Plans Submit Date: _____ 2711
- New Tanks**
- ___ 14. As Built Date: _____ 2635

II, III

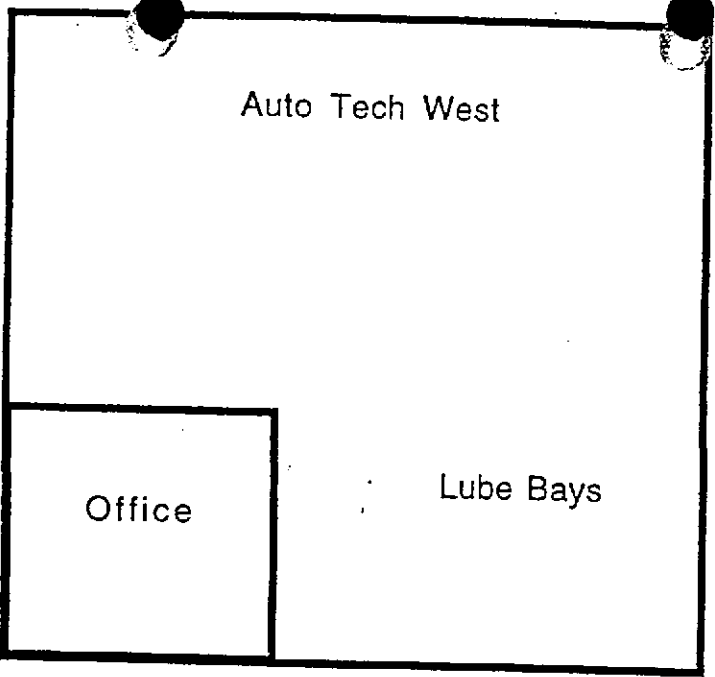
Contact: _____

Title: Owner

Signature: Rod Kwan

Inspector: Jennifer Eberke

Signature: J Eberke



stockpiled soil

Car Parking

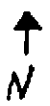
10-11-94 samples

ID	soil	odor	stain	H ₂ O?	depth
TP-1-N	coarse sand	awful	yes!	saturated	11"
TP-2-S	med. sand	"	"	"	11"

~~Grand Avenue~~

Fence

27th St.



SCALE NTS
Date 9/13/94
Drawing AMH



SITE LOCATION MAP

Auto Tech West
2703 Martin Luther King Way
Oakland, California 94612

PLATE

1

OBJECT: # 1374

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY

DAVID J. KEARS, Agency Director



RAFAT A. SHAHID, ASST. AGENCY DIRECTOR
DEPARTMENT OF ENVIRONMENTAL HEALTH

December 14, 1994
STID 454

Kim Johansen
Acme Western Ambulance Service
2829 California St.
San Francisco CA 94115

ALAMEDA COUNTY CC4580
DEPT. OF ENVIRONMENTAL HEALTH
ENVIRONMENTAL PROTECTION DIVISION
1131 HARBOR BAY PKWY., #250
ALAMEDA CA 94502-6577

Rod Kwan
Auto Tech West
2703 Martin Luther King Way
Oakland CA 94612

RE: Auto Tech West, 2703 Martin Luther King Way, Oakland CA
94612

Dear Mr. Johansen and Mr. Kwan,

On 10/11/94, 2,000-gallon gasoline underground storage tank (UST) was removed from the above referenced site. Tank removal activities were conducted under permit from this office, and witnessed by myself. Two soil samples were collected from below the UST at a depth of 11' below ground surface (bgs). The soil samples had a very strong hydrocarbon odor and were stained.

As per the laboratory report in the 10/26/94 tank removal report prepared by KTW & Associates, there was up to 18,000 parts per million (ppm) Total Petroleum Hydrocarbons as gasoline (TPH-g) and up to 100 ppm benzene in the soil below the UST. These concentrations are significant and warrant further investigation. Therefore, pursuant to the provisions of Article 11, Title 23, California Code of Regulations, please submit a Preliminary Site Assessment (PSA) workplan to define the lateral and vertical extent of soil contamination associated with this release, within 40 days, or by January 24, 1995.

I understand that the excavation remains open pending further investigation. Please barricade the excavation properly to ensure that people cannot inadvertently fall in. In addition, the existing soil stockpile must be properly covered to prevent rain from leaching out the contaminants to the surface and storm drains. If you have an Air Quality Management District (AQMD) permit to aerate soils, the stockpile must be properly covered only during rain storms and when you are not onsite.

All work should adhere to a) the Tri-Regional Board Staff Recommendations for Preliminary Evaluation and Investigation of Underground Tank Sites, dated 8/10/90; and b) Article 11 of Title 23, California Code of Regulations. Reports and proposals must be submitted under seal of a California-Registered Geologist, - Certified Engineering Geologist, or -Registered Civil Engineer.

December 14, 1994
STID 454
Kim Johansen
Rod Kwan
page 2 of 2

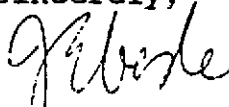
Please reference the attached Appendix A which broadly summarizes the elements of an acceptable PSA work plan.

Please note that with the exception of closure reports, routine reports and documents no longer need to be copied to the Regional Water Quality Control Board. Kindly submit a cover letter with your consultant's reports.

If you have any questions, please contact me at 510-567-6700, ext 6761. This is our new permanent phone number; our new fax number is 510-337-9335.

Please notify me at least 2 business days in advance of field activities so that I may arrange to be onsite. Feel free to submit reports on double-sided paper in order to save trees.

Sincerely,



Jennifer Eberle
Hazardous Materials Specialist

cc: Tom Gregory, KTW & Associates, PO Box 55158, Hayward CA
94545
Ed Howell/file

je 454
attachment

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



ENVIRONMENTAL
PROTECTION

January 8, 1997

STID 454

page 1 of 2

97 JAN 22 AM 8:56

ENVIRONMENTAL HEALTH SERVICES

ENVIRONMENTAL PROTECTION (LOPI)

1131 Harbor Bay Parkway, Suite 250

Alameda, CA 94502-6577

(510) 567-6700

FAX (510) 337-9335

Mr. Rod Kwan
Auto Tech West
2703 Martin Luther King Way
Oakland CA 94612

Mr. Kim Johansen
Acme Western Ambulance Service
2829 California St.
San Francisco CA 94115

Mr. Jeff Granberry
Shell Oil Products Co.
PO Box 4023
Concord CA 94524

RE: Auto Tech West site, 2703 Martin Luther King Way, Oakland CA 94612

Dear Mr. Kwan, Johansen and Granberry,

Since my last letter, dated 1/10/96, the following documents have been received in this office:

- 1) one page letter update from enviros dated 5/7/96;
- 2) letter update from enviros dated 5/10/96 (re overexcavation and sampling);
- 3) "Soil Boring and Well Installation Report," prepared by enviros, dated 10/30/96; and
- 4) "Quarterly Groundwater Monitoring report," prepared by Blaine Tech Services (BTS), dated 11/8/96, under enviros' cover letter dated 12/13/96.

Based on the most recent investigation, it appears that the majority of the contamination occurs in groundwater. The maximum groundwater concentrations were 34,000 ug/L benzene and 290,000 ug/L TPH-g; this was a grab water sample from B13, located near the northern property corner. As per our telecon on 12/19/96 (Diane Lundquist, Jeff Granberry and myself), the occurrence of the maximum groundwater concentration in what appears to be the upgradient direction is puzzling. As we agreed, more investigation is warranted in the upgradient direction. Please conduct an investigation of the (presumed) upgradient area in order to determine historical usages. Please submit this report within 45 days, or by February 23, 1997.

Second, you are requested to submit a potentiometric site map and tabulated groundwater results for the 11/8/96 quarterly report from BTS, within 30 days, or by February 8, 1997.

December 14, 1994
STID 454
Kim Johansen
Rod Kwan
page 2 of 2

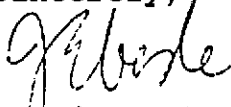
Please reference the attached Appendix A which broadly summarizes the elements of an acceptable PSA work plan.

Please note that with the exception of closure reports, routine reports and documents no longer need to be copied to the Regional Water Quality Control Board. Kindly submit a cover letter with your consultant's reports.

If you have any questions, please contact me at 510-567-6700, ext 6761. This is our new permanent phone number; our new fax number is 510-337-9335.

Please notify me at least 2 business days in advance of field activities so that I may arrange to be onsite. Feel free to submit reports on double-sided paper in order to save trees.

Sincerely,



Jennifer Eberle
Hazardous Materials Specialist

cc: Tom Gregory, KTW & Associates, PO Box 55158, Hayward CA
94545
Ed Howell/file

je 454
attachment

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



June 22, 1998
STID 454

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

Mr. Rod Kwan
Auto Tech West
2703 Martin Luther King Way
Oakland, CA 94612

Kim Johansen
Acme Western Ambulance Service
2829 California St.
San Francisco, CA 94115

Shell Oil Products Co.
ATTN: Jeff Gandberry
P.O. Box 4023
Concord, CA 94524

Re: 2703 Martin Luther King Way

Dear Mr's Kwan, Johansen, and Gandberry:

This office has received and reviewed Groundwater Monitoring Reports, dated February 28, 1988 and May 31, 1988, by Cambria, for the above site. The following are comments concerning these reports.

1. The downgradient monitoring wells are both reported as ND.
2. There is very high contamination in V-2 and it has not gone down yet.
3. The high contamination in V-1 was last reported as ND so it appears that vapor extraction is working very well in this case.
4. There are no conclusions or recommendations in these reports.

Please call this office with any questions at (510) 567-6782.

Sincerely,

Thomas F. Peacock, Manager
Environmental Protection Division

c: Thomas Magney, Cambria, 270 Perkins St., P.O. Box 259,
Sonoma, CA 95476
Dick Pantages, Chief - files-Tom

ALAMEDA COUNTY, DEPARTMENT OF ENVIRONMENTAL HEALTH
 Hazardous Materials Inspection Form

II, III

white -env.health
 yellow -facility
 pink -files

Site ID # _____ Site Name Former Shell Today's Date 3/19/96

Site Address 2703 MLK Way
 City Oakland Zip 94612 Phone _____

MAX AMI stored > 500 lbs, 55 gal., 200 cft.?

Inspection Categories:

- I. Haz. Mat/Waste GENERATOR/TRANSPORTER
- II. Business Plans, Acute Hazardous Materials
- III. Underground Tanks

over-Excavation of UST pit.

* Calif. Administration Code (CAC) or the Health & Safety Code (HS&C)

Comments:

9:25 arrived onsite. Met Joe Neely of environs. There is greenish (stained) soil in pit + a HC odor. They plan to backfill today. Stockpiled will be protiled for offsite disposal.
 10:00 Took 2 samples from the West + East ends at ~11' bgs. TP3-W + TP4-E. Sand w/clay. Saturated (w/water). HC odor + stained. Analyze for TPHg + BTEX. Standard TAT.

10:10 left site

II.A BUSINESS PLANS (Title 19)

- 1. Immediate Reporting 2703
- 2. Bus. Plan Sids 25503(b)
- 3. 27 Cons > 30 days 25503.7
- 4. Inventory Information 25504(a)
- 5. Inventory Complete 2730
- 6. Emergency Response 25504(b)
- 7. Training 25504(c)
- 8. Deficiency 25505(a)
- 9. Modification 25505(b)

II.B ACUTELY HAZ. MATLS

- 10. Registration Form Filed 25533(a)
- 11. Form Complete 25533(b)
- 12. RMPP Contents 25534(c)
- 13. Implement Sch. Read? (Y/N)
- 14. OnSite Conseq. Assess. 25524(c)
- 15. Probable Risk Assessment 25534(d)
- 16. Persons Responsible 25534(a)
- 17. Certification 25534(f)
- 18. Exemption Request? (Y/N) 25536(b)
- 19. Trade Secret Requested? 25538

III. UNDERGROUND TANKS (Title 23)

- General
- 1. Permit Application 25284 (H&S)
 - 2. Positive Leak Detection 25292 (H&S)
 - 3. Records Maintenance 2712
 - 4. Release Report 2651
 - 5. Closure Plans 2670

- Monitoring for Existing Tanks
- 6. Method
 - 1) Monthly Test
 - 2) Daily Vadose
 - Semi-annual groundwater
 - One time soil
 - 3) Daily Vadose
 - One time soil
 - Annual tank test
 - 4) Monthly Groundwater
 - One time soil
 - 5) Daily Inventory
 - Annual tank testing
 - Cont pipe leak out
 - Vadose/groundwater mon.
 - 6) Daily Inventory
 - Annual tank testing
 - Cont pipe leak out
 - 7) Weekly Tank Gauge
 - Annual tank testing
 - 8) Annual Tank Testing
 - Daily Inventory
 - 9) Other _____

- 7. Precs Tank Test 2643
 - Date: _____
- 8. Inventory Rec. 2644
- 9. Soil Testing 2646
- 10. Ground Water. 2647

- New Tanks
- 11. Monitor Plan 2632
 - 12. Access, Secure 2634
 - 13. Plans Submit 2711
 - Date: _____
 - 14. As Built 2635
 - Date: _____

Rev 6/88

Contact: _____
 Title: _____
 Signature: Joe Neely

Inspector: Jennifer Eberke
 Signature: J Eberke

II, III

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



DEF ex. C For Ident

Wit: Redwood Kanan

Date: July 18, 1997

Shelli G. Eng, CSR

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

August 13, 1990

Owner/Operator
2703 Martin L King Way
Oakland, CA 94612

RE: 2703 Martin L King Way

FINAL NOTICE OF VIOLATION

Dear owner/operator:

Our records indicate that there are underground tank(s) at your site at the above facility. You have not responded to two previous notices regarding these tanks.

In accordance with the California Code of Regulations, Title 23, Chapter 3, Subchapter 16 Underground Tank Regulations you must perform one of the following actions:

1. Submit a tank closure plan to this Department as required by Article 7, 2670, or
2. Apply for a permit as required by Article 10, 2710.

You are directed to notify this Department within 10 days of your intentions and to obtain the necessary instructions and forms.

Please note that section 25299 of the California Health and Safety Code states that any operator or owner of an underground storage tank is liable for a civil penalty of not less than five hundred dollars or more than five thousand dollars per day for failure to obtain a permit, or failing to properly close an underground storage tank, as required by section 25298.

If you have any questions concerning this matter, please contact this office at 271-4320.

Sincerely,



Thomas F. Peacock, Senior HMS
Hazardous Materials Division

TFP:tfp-

cc: Gil Jensen, Alameda County District Attorney, Consumer and
Environmental Protection Agency
Lester Feldman, RWQCB

ASSESSOR'S OFFICE

HISTORY FILE INQUIRY

ASTCH00

PARCEL: 9-691-3-1

2703 M L KING JR WY

OAKLAND

94612

OWNER: KWAN RODNEY & JANET

C/O NAME:

MAIL ADDR: 1834 ALAMEDA AV

ALAMEDA CA

TAC: 17-001

USE CODE: 8100

CODE NUMBER DATE

94501

M/A EFF: 06/06/86

LATEST DOCUMENT : 61 86 133834 06/06/86

TR TAX

ROLL INDATE

LAST APPRAISABLE: 1 133834 06/06/86

165.00

87 86210

ANGOTTI RICHARD F 01 79 195020 10/01/79

58.30

80 85213

MA

80 85213

**

80 00289

SHELL OIL COMPANY

09 79 195018 10/01/79

0.00

80 00287

GENERAL ELEC PENSION TR

00 000000000 00/00/00

0.00

70 00999

ENTER 'O' UNDER OPTION TO RETURN TO MENU

I-OPTION---REFERENCE NUMBER---

ENTER 'P' UNDER OPTION TO VIEW PRELIMINARY ROLL

I H 9-691-3-1

ASSESSOR'S OFFICE

94 / 95 PRELIMINARY ROLL VALUES

ASTCS00

REF NO: 9-691-3-1

2703 M L KING JR WY

OAKLAND

94612

OWNER ON 3 / 1 / 94 : KWAN RODNEY & JANET

TAX AREA CODE: 17-001 BASE YEAR CODE: 86S

LAST DOCUMENT NUMBER: 133834

CURRENT OWNER: KWAN RODNEY & JANET

LAST DOCUMENT DATE: 06/06/86

C/O NAME:

MAIL ADDR: 1834 ALAMEDA AV

ALAMEDA CA

94501

ASSESSED VALUES=>

LAND: 162,632

IMPROVEMENTS: 13,123

FIXTURES: 0

HOUSEHOLD PERSONAL PROPERTY: 0

BUSINESS PERSONAL PROPERTY: 0

TOTAL: 175,755

HOMEOWNER'S EXEMPTION: 0

() OTHER EXEMPTION: 0

NET TOTAL: 175,755

ENTER 'O' UNDER OPTION TO RETURN TO MENU

I-OPTION---REFERENCE NUMBER---

ENTER 'H' UNDER OPTION TO VIEW HISTORY

I P 9-691-3-1

ENVIRONMENTAL
PROTECTION

WHEELER & HALLFORD
Certified Shorthand Reporter
2030 Franklin Street, Suite 222
Oakland, California 94612

MAR -2 AM 10:36

February 24, 1999

JENNIFER EBERLE
c/o ALAMEDA COUNTY HEALTH AGENCY
1131 Harbor Bay Parkway, 2nd Floor
Alameda, CA 94502

DEPOSITION OF: JENNIFER EBERLE, VOLUME I

REPORTED ON: Monday, February 22, 1999

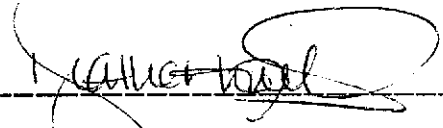
IN THE MATTER OF: KWAN vs. ANGOTTI

Dear Ms. Eberle:

Please be advised that the transcript of your deposition taken in the above-entitled matter has now been completed.

If you wish to read, correct and sign your deposition, please call (510) 893-2507, Monday - Friday, 9:00 - 4:30, to make arrangements within 35 days of this notification. If you are represented by counsel, you may wish to contact your attorney regarding this procedure.

Any changes or corrections may be made in letter form directed to my attention indicating changes by page and line references.


HEATHER LOWELL
CSR NO. 10374

cc: All counsel
Original transcript

W&H

Heather Lowell
CSR #10374

In Association With
WHEELER & HALLFORD
Certified Shorthand Reporters

2030 Franklin Street • Suite 222 • Oakland, California 94612
Telephone (510) 893-2507 • FAX (510) 893-0111

THIS CHECK IS DELIVERED FOR PAYMENT ON THE FOLLOWING ACCOUNTS		SMITH & BURSTEIN ATTORNEYS AT LAW		2832	
DATE	AMOUNT	(707) 643-8405			
<i>kw</i>		1730 SONOMA BLVD			
		VALLEJO, CA 94590			
		DATE <i>12/21/98</i>		11-35 1210	
		PAY TO THE ORDER OF <i>ALCO ENVIRONMENTAL HEALTH</i>		\$ <i>150.00</i>	
		<i>one hundred + fifty</i>		DOLLARS	
TOTAL OF INVOICES		Bank of America		Security features included. Details on back.	
LESS % DISCOUNT		Montclair Branch 0558			
LESS		1959 Mountain Boulevard			
TOTAL DEDUCTIONS		Oakland, CA 94611 (510) 649-8600			
AMOUNT OF CHECK					

MP

⑈002832⑈ ⑆121000358⑆ 05587⑈04924⑈

1st or 2nd exit after bridge in Sonoma Blvd. (~1/2 mi from I-80)

REF. ACCT. # *Subpen 9*

COUNTY OF ALAMEDA
OFFICE OF THE AUDITOR-CONTROLLER

MISCELLANEOUS RECEIPT No 787646

One hundred Fifty \$ *150* DOLLARS

CASH PERSONAL/CASHIER'S CHECK CHECK M. O. # *2832* OTHER:

RECEIVED FROM: *Smith & Burstein 1730 - Sonoma Valley*

FOR: *Subpen 9*

DATE *12/22/98* RECEIVED BY: *[Signature]* DEPT. NO. *4510*

110-1 (Rev 10/83) 0123E (08) Distribution: White - Payor Yellow & Pink - Depart.



COUNTY COUNSEL

1221 Oak Street, Suite 463, Oakland, California 94612-4296
Telephone (510) 272-6700 Fax (510) 272-5020

RICHARD E. WINNIE
COUNTY COUNSEL

December 30, 1998

Jack B. Burstein, Esq.
Smith & Burstein
P.O. Box 7026
1730 Sonoma Blvd.
Vallejo, CA 94590

Re: Kwan v. Angotti

Dear Mr. Burstein:

I have received a copy of your notice of deposition with the attached subpoena duces tecum which was served on Jennifer Eberle. Ms. Eberle will appear at the deposition and she will have the file which is kept by the Environmental Health Department. You should be aware that the City of Oakland now has jurisdiction to monitor underground storage tanks. This authorization went into effect last year. As a consequence, any additional files relating to the property in question may be in the custody of the City of Oakland.

There are a number of documents which are considered to be confidential and which are a part of the file. Those documents contain financial information which is related to Rodney Kwan. The documents are contained in the file in an envelope marked "confidential". I have instructed Ms. Eberle to claim Mr. Kwan's privilege unless he or you agreed to waive the privilege at the deposition. You, of course, have the right to review Mr. Kwan's documents.

I will not be accompanying Ms. Eberle to her deposition. However, I have instructed her that if she needs to consult with me, she can telephone me at my office. I feel certain that it will not be necessary for her to utilize that privilege. If I can be of any assistance to you, please do not hesitate to call me.

Very truly yours,

RICHARD E. WINNIE
County Counsel

By: KRISIDA NISHIOKA
Deputy County Counsel

KN/fyc

cc: Jennifer Eberle, QIC 30440

Peacock, Tom, Public Health, EH

From: Eberle, Jennifer, Public Health, EH
Sent: Thursday, December 17, 1998 11:25 AM
To: Nishioka, Krisida, Counsel
Cc: Peacock, Tom, Public Health, EH; Pantages, Dick, Public Health, EH; Browder, Ronald, Public Health, EH
Subject: RE: Deposition of Jennifer Eberle(?)

Krisida,

My present work site is 1131 Harbor Bay Pky, Alameda CA 94502. My former supervisor, Tom Peacock, located part of the file. We cannot locate the other half. Also, Tom Peacock was recently sent a letter from the law offices of Smith & Burstein, signed by Jack B. Burstein, of Vallejo. Note the spelling of his last name is different than you thought.

Jennifer

From: Nishioka, Krisida, Counsel
Sent: Wednesday, December 16, 1998 11:42 AM
To: Eberle, Jennifer, Public Health, EH
Subject: RE: Deposition of Jennifer Eberle(?)
Importance: High

Krisida,

My work site is 1131 Harbor Bay Pky, Alameda CA 94502. My former supervisor, Tom Peacock, found part of the file. We cannot locate the rest of it.

Jennifer

Thank you for responding so promptly. I will be happy to meet with you to discuss your deposition. Let us do that after the parties have served you with a subpoena. Where is your present work site? You will be served there and they will give you a check for \$150.00 for witness fees which go to your department.

The file may be in the City of Oakland. You and the City will be served with a duces tecum subpoena. You should give the duces tecum subpoena to your files unit at the department where you are formerly assigned when this issue arose.

The attorney who is asking for your testimony is Jack Bernstein of Vallejo.

From: Eberle, Jennifer, Public Health, EH
Sent: Wednesday, December 16, 1998 11:12 AM
To: Nishioka, Krisida, Counsel
Subject: RE: Deposition of Jennifer Eberle(?)

Dear Dick,

I only plan to take off the County holidays. Nothing more. I do remember this case, but not in detail. Any advice for how to prepare for a deposition? Where is the file?
Jennifer

From: Nishioka, Krisida, Counsel
Sent: Wednesday, December 16, 1998 7:34 AM
To: Eberle, Jennifer, Public Health, EH
Cc: Pantages, Dick, Public Health, EH
Subject: FW: Deposition of Jennifer Eberle(?)
Importance: High

Dear Jennifer:
The attorneys in a case involving Acme Ambulance and Robert Kwan want to take your

deposition. Please e-mail me what your vacation or leave schedule will be during the next three to four weeks. If you need to call me, please call me at 272 6722.

Thank you.

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

From: Pantages, Dick, Public Health, EH
Sent: Tuesday, December 15, 1998 3:30 PM
To: Nishioka, Krisida, Counsel
Subject: RE: Deposition of Jennifer Eberle(?)

Krisida:
Jennifer Eberle still works here, but no longer in HazMat. She got transferred to the Operations unit with the HazMat layoffs. Her extension is 36761, and her e-mail is <jeberle@co.alameda.ca.us <mailto:jeberle@co.alameda.ca.us>>. If there's anything else I can do, let me know. We may no longer have the files, if this is an Oakland site, since Oakland took over the HazMat business from us about 18 months ago. We still have some files for site cleanup in Oakland, but most of the routine HazMat site files have been transferred to Oakland.

Dick Pantages
Alameda County
Environmental Health

From: Nishioka, Krisida, Counsel
Sent: Tuesday, December 15, 1998 3:22 PM
To: Tung, Mee Ling, Public Health, EH; Pantages, Dick, Public Health, EH
Subject: Deposition of Jennifer Eberle(?)
Importance: High

I received a call from Jack Bernstein, an attorney in Vallejo. He wants to schedule the deposition of Jennifer Eberle but the spelling may be wrong. The parties were involved in underground tank contamination. The parties to the issue were Rod Kwan and Acme Ambulance and the property was on Martin Luther King.

Please advise me whether there is an employee fitting that description and tell me how best to contact her. I need your assistance in the next day or so.

JACK B. BURSTEIN

LAW OFFICES OF
SMITH & BURSTEIN
P.O. BOX 7026 - 1730 SONOMA BOULEVARD
Vallejo, California 94590
(707) 643-8405
FAX (707) 643-0818

MILLARD SMITH
(1903-1981)

PROFESSIONAL
FEB - 8 PM 4: 07

February 4, 1999

Jennifer Eberle
1131 Harbor Bay Pkwy
Alameda, CA 94502

In re: Kwan vs. Angotti
Alameda County Superior Court File No. 775190-1

Dear Ms. Eberle:

We have arranged to take your deposition on Monday, February 22nd at 1:30 p.m. at this office per the enclosed copy of the subpoena.

Kindly sign the enclosed acknowledgment and return it to me in the enclosed envelope provided herewith for that purpose.

Sincerely yours,

Jack B. Burstein

JACK B. BURSTEIN *(tse)*

JBB/tse
Enclosure

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name and Address): SMITH & BURSTEIN Jack B. Burstein SBN 26464 1730 Sonoma Blvd. Vallejo, CA 94590		TELEPHONE NO.: 707-643-8405 fax 707-643-0818	FOR COURT USE ONLY
ATTORNEY FOR (Name): Plaintiffs			
NAME OF COURT: ALAMEDA COUNTY SUPERIOR COURT STREET ADDRESS: 1225 Fallon St. MAILING ADDRESS: CITY AND ZIP CODE: Oakland, CA 94612 BRANCH NAME:			
PLAINTIFF/PETITIONER: RODNEY KWAN DEFENDANT/RESPONDENT: RICHARD F. ANGOTTI, et al.			
DEPOSITION SUBPENA For Personal Appearance <input checked="" type="checkbox"/> and Production of Documents and Things		CASE NUMBER: 775190-1	

THE PEOPLE OF THE STATE OF CALIFORNIA, TO (name, address, and telephone number of deponent, if known):
JENNIFER EBERLE AND DOE ONE AS CUSTODIAN OF RECORDS OF ALAMEDA COUNTY DEPARTMENT OF ENVIRONMENTAL HEALTH
 1. YOU ARE ORDERED TO APPEAR IN PERSON TO TESTIFY AS A WITNESS in this action at the following time and place:
 Date: Feb. 2, 1999 Time: 1:30 p.m. Address: 1730 Sonoma Blvd., Vallejo, CA

- a. As a deponent who is not a natural person, you are ordered to designate one or more persons to testify on your behalf as to the matters described in item 3. (Code of Civil Procedure section 2025 (d)(6).)
- b. You are ordered to produce the documents and things described in item 3.
- c. This deposition will be recorded stenographically and by audiotape videotape.
- d. This videotape deposition is intended for possible use at trial under Code of Civil Procedure section 2025 (u)(4).
- 2. The personal attendance of the custodian of records or other qualified witness and the production of the original documents are required by this deposition subpoena. The procedure authorized by Evidence Code sections 1560 (b), 1561, and 1562 will not be deemed sufficient compliance with this subpoena.
- 3. The documents and things to be produced and any testing or sampling being sought are described as follows:

SEE ATTACHED DECLARATION IN SUPPORT OF SUBPENA DUCES TECUM

Continued on attachment 3.

4. A deposition permits an attorney to ask questions of a witness who is sworn to tell the truth. An attorney for other parties may then ask questions also. Questions and answers are recorded stenographically at the deposition; later they are transcribed for possible use at trial. A witness may read the written record and change any incorrect answers before signing the deposition. The witness is entitled to receive witness fees and mileage actually traveled both ways. The money must be paid, at the option of the party giving notice of the deposition, either with service of this subpoena or at the time of the deposition.

DISOBEDIENCE OF THIS SUBPENA MAY BE PUNISHED AS CONTEMPT BY THIS COURT. YOU WILL ALSO BE LIABLE FOR THE SUM OF FIVE HUNDRED DOLLARS AND ALL DAMAGES RESULTING FROM YOUR FAILURE TO OBEY.

Date issued: February 2, 1999
 JACK B. BURSTEIN
 (TYPE OR PRINT NAME)

(SIGNATURE OF PERSON ISSUING SUBPENA)
 Attorney for Plaintiffs
 (TITLE)

(See reverse for proof of service)

PROOF OF SERVICE DEPOSITION SUBPENA—PERSONAL APPEARANCE

982(a)(15.1) (Rev. January 1, 1993)

(SIGNATURE) _____

(SIGNATURE) _____

Date: _____

Date: _____

I certify that the foregoing is true and correct. (For California sheriff, marshal, or constable use only)

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

3. Person serving:
- a. Not a registered California process server.
 - b. California sheriff, marshal, or constable.
 - c. Registered California process server.
 - d. Employee or independent contractor of a registered California process server.
 - e. Exempt from registration under Bus. & Prof. Code section 22350(b).
 - f. Registered professional photocopier.
 - g. Exempt from registration under Bus. & Prof. Code section 22451.
 - h. Name, address, and telephone number and, if applicable, county of registration and number:

2. I received this subpoena for service on (date): _____

f. Fee for service: \$ _____

tendered was (specify): \$ _____
section 68097.2. The amount
quited by Government Code
public entity employer as re-

(1) were paid. Amount: \$ _____
(2) were not paid.
(3) were tendered to the witness's

e. Witness fees and mileage both ways (check one):

d. Time of delivery: _____

c. Date of delivery: _____

b. Address where served: _____

a. Person served (name): _____

1. I served this Deposition Subpena—Personal Appearance by personally delivering a copy to the person served as follows:

PROOF OF SERVICE OF DEPOSITION SUBPENA—PERSONAL APPEARANCE

CASE NUMBER:	DEFENDANT/RESPONDENT:
PLAINTIFF/PETITIONER:	

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Jack B. Burstein
State Bar No. 26464

ATTORNEYS FOR
Plaintiffs

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF ALAMEDA

RODNEY KWAN, and
JANET KWAN,

CASE NO. 775190-1

Plaintiffs,

DECLARATION IN SUPPORT
OF SUBPENA DUCES TECUM

v.

RICHARD F. ANGOTTI; ACME
AMBULANCE CO., INC., a
corporation; SHELL OIL CO.,
INC., a corporation; DOES
ONE through TEN, both
inclusive and FIRST
CORPORATION through TENTH
CORPORATION, both inclusive,

Defendants.

Jack B. Burstein declares under penalty of perjury that:

That Jennifer Eberle and Doe One as custodian of records of
Alameda County Department of Environmental Health, have in their
custody, possession or control original or true copies of all
notes and memorandum pertaining to the removal of underground
storage tanks from the property located at 2703 Martin Luther
King Jr. Way, Oakland, California, including but not limited to

1 the following:

2 (a) All notes, memoranda and writings of every type and
3 description taken of enforcement meetings at which Rodney Kwan
4 was present;

5 (b) All notes, memoranda, reports, summaries and writings
6 of every type and description of conferences held in which Rodney
7 Kwan was in attendance;

8 (c) All notes and memoranda and writings of every type and
9 description prepared during or subsequent to conferences and
10 enforcement meetings at which Rodney Kwan was in attendance;

11 (d) All notes, memoranda and writings of every type and
12 description pertaining to testing for contamination on the
13 premises located at 2703 Martin Luther King Jr. Way, Oakland,
14 California;

15 (e) All notes, memoranda and writings of every type and
16 description pertaining to telephone calls and conferences between
17 Jennifer Eberle and any and all agents, employees or other
18 representative of Shell Oil, including its attorneys;

19 (f) All notes, memoranda and writings of every type and
20 description pertaining to telephone calls and conferences between
21 Jennifer Eberle and Richard Angotti or any and all agents,
22 employees or other representatives of Richard Angotti, including
23 his attorneys;

24 (g) All notes, memoranda and writings of every type and
25 description pertaining to telephone calls and conferences between
26 Jennifer Eberle and any and all agents, employees or other

1 representative of Acme Ambulance, including its attorneys;

2 Said documents and things are not privileged and constitute
3 or contain evidence material to the issues to be presented at the
4 trial of the above-entitled action in that they relate to the
5 notice and knowledge of the existence of contamination on the
6 premises and the nature and extent of such contamination.

7 EXECUTED at Vallejo, California, this 3 day of February,
8 1999.



10 _____
11 JACK B. BURSTEIN

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PROOF OF SERVICE

I am employed in the County of Solano, State of California. I am over the age of 18 and not a party to the within action; my business address is 1730 Sonoma Blvd., Vallejo, California, 94590.

On February __, 1999 I served the foregoing document described as **DECLARATION IN SUPPORT OF SUBPENA DUCES TECUM** on the interested parties in this action by placing a true and correct copy thereof enclosed in a sealed envelope, addressed as follows:

Matthew G. Dudley, Esq. Attorneys for defendant
Burnham & Brown Shell Oil Co.
P. O. Box 119 (510-444-6800)
Oakland, CA 94604

Mike Reiser, Esq. Attorneys for defendants
Rankin, Sproat, Mires R. Angotti & Acme Ambulance
1800 Harrison St., Ste. 1616 (510-465-3922)
P.O. Box 28765
Oakland, CA 94604

Krisida Nisich
Alameda County
Office of County Counsel
1221 Oak St., Room 463
Oakland, CA 94612

- (X) (BY MAIL) I caused such envelope with postage thereon fully prepaid to be placed in the United States mail at Vallejo, California, on said date.
- () (FEDERAL) I declare that I am employed in the office of a member of the bar of this court, at whose direction the service was made.
- (X) (STATE) I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

EXECUTED at Vallejo, California, on February __, 1999.


Keenan Guernsey

LAW OFFICES OF
SMITH & BURSTEIN
P.O. BOX 7026 • 1730 SONOMA BOULEVARD
VALLEJO, CALIFORNIA 94590
(707) 643-8405

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Jack B. Burstein
State Bar No. 26464

ATTORNEYS FOR
Plaintiffs

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF ALAMEDA

RODNEY KWAN, and
JANET KWAN,

CASE NO. 775190-1

NOTICE OF TAKING DEPOSITION

Plaintiffs,

v.

RICHARD F. ANGOTTI; ACME
AMBULANCE CO., INC., a
corporation; SHELL OIL CO.,
INC., a corporation; DOES
ONE through TEN, both
inclusive and FIRST
CORPORATION through TENTH
CORPORATION, both inclusive,

Defendants.

PLEASE TAKE NOTICE that plaintiff Rodney Kwan will take the deposition of Jennifer Eberle, pursuant to subpoena duces tecum, a copy of which is attached hereto as Exhibit "A", at the Law Offices of Smith & Burstein, 1730 Sonoma Boulevard, Vallejo, California, on February __, 1999 at 1:30 o'clock p.m..

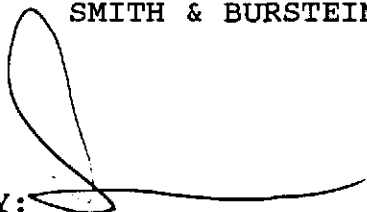
Said deposition shall be taken before a notary public in and for the State of California, and will continue from day to day,

1 excluding Saturdays, Sundays and holidays, until completed.

2 At that time and place, the deponent is required to produce
3 for inspection and copying, the documents and things referred to
4 in the Declaration in Support of Subpena Duces Tecum, attached
5 hereto as Exhibit "B".

6 DATED this 3rd day of February, 1999.

7 SMITH & BURSTEIN

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10 BY: 
11 JACK B. BURSTEIN

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PROOF OF SERVICE

I am employed in the County of Solano, State of California. I am over the age of 18 and not a party to the within action; my business address is 1730 Sonoma Blvd., Vallejo, California, 94590.

On February ____, 1999 I served the foregoing document described as NOTICE OF TAKING DEPOSITION on the interested parties in this action by placing a true and correct copy thereof enclosed in a sealed envelope, addressed as follows:

Matthew G. Dudley, Esq. Burnham & Brown P. O. Box 119 Oakland, CA 94604-0119	Attorneys for defendant Shell Oil Co. (510-444-6800)
---	--

Mike Reiser, Esq. Rankin, Sproat, Mires 1800 Harrison St., Ste. 1616 P.O. Box 28765 Oakland, CA 94604	Attorneys for defendants R. Angotti & Acme Ambulance (510-465-3922)
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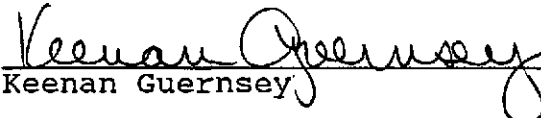
Krisida Nisich Alameda County Office of County Counsel 1221 Oak St., Rm. 463 Oakland, CA 94612	Office of Alameda County Counsel
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(X) (BY MAIL) I caused such envelope with postage thereon fully prepaid to be placed in the United States mail at Vallejo, California, on said date.

() (FEDERAL) I declare that I am employed in the office of a member of the bar of this court, at whose direction the service was made.

(X) (STATE) I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

EXECUTED at Vallejo, California, on February ____, 1999.


Keenan Guernsey

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name and Address): SMITH & BURSTEIN Jack B. Burstein SBN 26464 1730 Sonoma Blvd. Vallejo, CA 94590		TELEPHONE NO.: 707-643-8405	FOR COURT USE ONLY
ATTORNEY FOR (Name): Plaintiffs		fax 707-643-0818	
NAME OF COURT: STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	Alameda County Superior Court 1225 Fallon St. Oakland, CA 94612		
PLAINTIFF/PETITIONER: DEFENDANT/RESPONDENT:	RODNEY KWAN, et al. RICHARD F. ANGOTTI, et al.		
DEPOSITION SUBPENA For Personal Appearance <input checked="" type="checkbox"/> and Production of Documents and Things		CASE NUMBER: 775190-1	

THE PEOPLE OF THE STATE OF CALIFORNIA, TO (name, address, and telephone number of deponent, if known):

JENNIFER EBERLE and DOE ONE as custodian of records of
ALAMEDA COUNTY DEPARTMENT OF ENVIRONMENTAL HEALTH

1. YOU ARE ORDERED TO APPEAR IN PERSON TO TESTIFY AS A WITNESS in this action at the following time and place:

Date: January 8, 1999	Time: 1:30 p.m.	Address: 1730 Sonoma Blvd. Vallejo, CA 94590
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- a. As a deponent who is not a natural person, you are ordered to designate one or more persons to testify on your behalf as to the matters described in item 3. (Code of Civil Procedure section 2025 (d)(6).)
 - b. You are ordered to produce the documents and things described in item 3.
 - c. This deposition will be recorded stenographically and by audiotape videotape.
 - d. This videotape deposition is intended for possible use at trial under Code of Civil Procedure section 2025 (u)(4).
2. The personal attendance of the custodian of records or other qualified witness and the production of the original documents are required by this deposition subpoena. The procedure authorized by Evidence Code sections 1560 (b), 1561, and 1562 will not be deemed sufficient compliance with this subpoena.
3. The documents and things to be produced and any testing or sampling being sought are described as follows:

IN THE DECLARATION IN SUPPORT OF SUBPENA DUCES TECUM


Continued on attachment 3.

4. A deposition permits an attorney to ask questions of a witness who is sworn to tell the truth. An attorney for other parties may then ask questions also. Questions and answers are recorded stenographically at the deposition; later they are transcribed for possible use at trial. A witness may read the written record and change any incorrect answers before signing the deposition. The witness is entitled to receive witness fees and mileage actually traveled both ways. The money must be paid, at the option of the party giving notice of the deposition, either with service of this subpoena or at the time of the deposition.

DISOBEDIENCE OF THIS SUBPENA MAY BE PUNISHED AS CONTEMPT BY THIS COURT. YOU WILL ALSO BE LIABLE FOR THE SUM OF FIVE HUNDRED DOLLARS AND ALL DAMAGES RESULTING FROM YOUR FAILURE TO OBEY.

Date issued: Dec. 21, 1998

JACK B. BURSTEIN
(TYPE OR PRINT NAME)


Attorney for Plaintiffs
(TITLE)

(See reverse for proof of service)

PLAINTIFF/PETITIONER:	CASE NUMBER:
DEFENDANT/RESPONDENT:	

PROOF OF SERVICE OF DEPOSITION SUBPENA—PERSONAL APPEARANCE

1. I served this Deposition Subpena—Personal Appearance by personally delivering a copy to the person served as follows:

- a. Person served (name): _____
- b. Address where served: _____
- c. Date of delivery: _____
- d. Time of delivery: _____
- e. Witness fees and mileage both ways (check one):
 - (1) were paid. Amount: \$ _____
 - (2) were not paid.
 - (3) were tendered to the witness's public entity employer as required by Government Code section 68097.2. The amount tendered was (specify): \$ _____
- f. Fee for service: \$ _____

2. I received this subpena for service on (date): _____

3. Person serving:

- a. Not a registered California process server.
- b. California sheriff, marshal, or constable.
- c. Registered California process server.
- d. Employee or independent contractor of a registered California process server.
- e. Exempt from registration under Bus. & Prof. Code section 22350(b).
- f. Registered professional photocopier.
- g. Exempt from registration under Bus. & Prof. Code section 22451.
- h. Name, address, and telephone number and, if applicable, county of registration and number: _____

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

(For California sheriff, marshal, or constable use only)
I certify that the foregoing is true and correct.

Date:

Date:

▶ _____
(SIGNATURE)

▶ _____
(SIGNATURE)

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Jack B. Burstein
State Bar No. 26464

ATTORNEYS FOR
Plaintiffs

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF ALAMEDA

RODNEY KWAN, and
JANET KWAN,

CASE NO. 775190-1

Plaintiffs,

DECLARATION IN SUPPORT
OF SUBPENA DUCES TECUM

v.

RICHARD F. ANGOTTI; ACME
AMBULANCE CO., INC., a
corporation; SHELL OIL CO.,
INC., a corporation; DOES
ONE through TEN, both
inclusive and FIRST
CORPORATION through TENTH
CORPORATION, both inclusive,

Defendants.

Jack B. Burstein declares under penalty of perjury that:

That Jennifer Eberle and ~~Doe One~~ as custodian of records of
Alameda County Department of Environmental Health, have in their
custody, possession or control original or true copies of all
notes and memorandum pertaining to the removal of underground
storage tanks from the property located at 2703 Martin Luther
King Jr. Way, Oakland, California, including but not limited to

1 the following:

2 (a) All notes, memoranda and writings of every type and
3 description taken of enforcement meetings at which Rodney Kwan
4 was present;

5 (b) All notes, memoranda, reports, summaries and writings
6 of every type and description of conferences held in which Rodney
7 Kwan was in attendance;

8 (c) All notes and memoranda and writings of every type and
9 description prepared during or subsequent to conferences and
10 enforcement meetings at which Rodney Kwan was in attendance;

11 (d) All notes, memoranda and writings of every type and
12 description pertaining to testing for contamination on the
13 premises located at 2703 Martin Luther King Jr. Way, Oakland,
14 California;

15 (e) All notes, memoranda and writings of every type and
16 description pertaining to telephone calls and conferences between
17 Jennifer Eberle and any and all agents, employees or other
18 representative of Shell Oil, including its attorneys;

19 (f) All notes, memoranda and writings of every type and
20 description pertaining to telephone calls and conferences between
21 Jennifer Eberle and Richard Angotti or any and all agents,
22 employees or other representatives of Richard Angotti, including
23 his attorneys;

24 (g) All notes, memoranda and writings of every type and
25 description pertaining to telephone calls and conferences between
26 Jennifer Eberle and any and all agents, employees or other

1 representative of Acme Ambulance, including its attorneys;

2 Said documents and things are not privileged and constitute
3 or contain evidence material to the issues to be presented at the
4 trial of the above-entitled action in that they relate to the
5 notice and knowledge of the existence of contamination on the
6 premises and the nature and extent of such contamination.

7 EXECUTED at Vallejo, California, this 21 day of December,
8 1998.

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11 JACK B. BURSTEIN
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PROOF OF SERVICE

I am employed in the County of Solano, State of California. I am over the age of 18 and not a party to the within action; my business address is 1730 Sonoma Blvd., Vallejo, California, 94590.

On December 21, 1998 I served the foregoing document described as **DECLARATION IN SUPPORT OF SUBPENA DUCES TECUM** on the interested parties in this action by placing a true and correct copy thereof enclosed in a sealed envelope, addressed as follows:

Matthew G. Dudley, Esq. Attorneys for defendant
LARSON & BURNHAM Shell Oil Co.
P. O. Box 119 (510-444-6800)
Oakland, CA 94604

Mike Reiser, Esq. Attorneys for defendants
Rank, Sproat, Mires R. Angotti & Acme Ambulance
1800 Harrison St., Ste. 1616 (510-465-3922)
P.O. Box 28765
Oakland, CA 94604

- (X) (BY MAIL) I caused such envelope with postage thereon fully prepaid to be placed in the United States mail at Vallejo, California, on said date.
- () (BY PERSONAL SERVICE) I caused such envelope to be delivered by hand at the following place:
- () (BY FAX) Addressed to the above-named party through the facsimile at telephone number:
- () (FEDERAL) I declare that I am employed in the office of a member of the bar of this court, at whose direction the service was made.
- (X) (STATE) I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

EXECUTED at Vallejo, California, on December 21, 1998.

Keenan Guernsey
Keenan Guernsey

CONFIDENTIAL
PROTECTION
JACK B. BURSTEIN
98 NOV 16 PM 1:26

LAW OFFICES OF
SMITH & BURSTEIN
P.O. BOX 7026 - 1730 SONOMA BOULEVARD
Vallejo, California 94590
(707) 643-8405
FAX (707) 643-0818

MILLARD SMITH
(1903-1981)

November 12, 1998

Thomas Peacock
Alameda County
Environmental Health Agency
1131 Harbor Bay Parkway
Alameda, CA 94502

In re: Kwan v. Angotti, et al.

Dear Mr. Peacock:

You will recall that we spoke several weeks ago concerning the subject of notes that you were able to locate concerning the above property.

At that time I stated to you that those notes must be safely maintained, as they may be needed in the litigation.

Should you have any questions, I suggest you telephone County Counsel.

Sincerely yours,



JACK B. BURSTEIN

JBB:kg

ALAMEDA COUNTY
HEALTH CARE SERVICES

OC 8 1998



AGENCY
DAVID J. KEARS, Agency Director

October 19, 1998
STID 454

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

Mr. Rod Kwan
Auto Tech West
2703 Martin Luther King Way
Oakland, CA 94612

Kim Johansen
Acme Western Ambulance Service
2829 California St.
San Francisco, CA 94115

Shell Oil Products Co.
ATTN: Jeff Gandberry
P.O. Box 4023
Concord, CA 94524

Re: 2703 Martin Luther King Way

Dear Mr's Kwan, Johansen, and Gandberry:

This office has received and reviewed a Groundwater Monitoring Report, dated August 31, 1988, by Cambria, for the above site. The following are comments concerning these reports.

1. The downgradient monitoring wells are both reported as ND.
2. There is very high contamination in V-2 and it has not gone down yet.
3. The high contamination in V-1 was last reported as minor so it appears that vapor extraction is working very well in this case.
4. There are no conclusions or recommendations in this report.

Please call this office with any questions at (510) 567-6782.

Sincerely,

Thomas F. Peacock, Manager
Environmental Protection Division

c: Mike Prinz, Cambria, 270 Perkins St., P.O. Box 259,
Sonoma, CA 95476
Dick Pantages, Chief - files - Tom

June 22, 1998
STID 454

Mr. Rod Kwan
Auto Tech West
2703 Martin Luther King Way
Oakland, CA 94612

Kim Johansen
Acme Western Ambulance Service
2829 California St.
San Francisco, CA 94115

Shell Oil Products Co.
ATTN: Jeff Gandberry
P.O. Box 4023
Concord, CA 94524

Re: 2703 Martin Luther King Way

Dear Mr's Kwan, Johansen, and Gandberry:

This office has received and reviewed Groundwater Monitoring Reports, dated February 28, 1988 and May 31, 1988, by Cambria, for the above site. The following are comments concerning these reports.

1. The downgradient monitoring wells are both reported as ND.
2. There is very high contamination in V-2 and it has not gone down yet.
3. The high contamination in V-1 was last reported as ND so it appears that vapor extraction is working very well in this case.
4. There are no conclusions or recommendations in these reports.

Please call this office with any questions at (510) 567-6782.

Sincerely,

Thomas F. Peacock, Manager
Environmental Protection Division

c: Thomas Magney, Cambria, 270 Perkins St., P.O. Box 259,
Sonoma, CA 95476
Dick Pantages, Chief - **files-Tom**

**Alameda County Department of Environmental Health
Hazardous Materials Division**

~~89 Swan Way, Rm. 200, Oakland, CA 94621~~
Ph: 510-271-4320 FAX: 510-568-3706

Meeting Attendees

Subject 2703 MLK Way, Oakland 94612 Stid 454
Date 8-16-95
Location 1131 Harbor Bay Pkway, Alameda

	<u>Name</u>	<u>Affiliation</u>	<u>Phone #</u> / <u>FAX #</u>
1	<u>Jennifer Eberle</u>	<u>Alameda Co.</u>	<u>510-567-6761 / 337-9335</u>
2	<u>Kevin Graves</u>	<u>RWDQB</u>	<u>510-286-0435 / 286-1380</u>
3	<u>Gil Johnson</u>	<u>ALA Co D.A</u>	<u>569-9281 /</u>
4	<u>Thomas Peacock</u>	<u>Ala Co. DEP</u>	<u>567-6782 /</u>
5	<u>Janna McGranahan</u>	<u>ALA CO DA's office</u>	<u>569-9281 /</u>
6	<u>D Lynn Walker</u>	<u>Shell O.I Products Company</u>	<u>(570) 675-6161 / (570) 675-6172</u>
7	<u>Rod Kwan</u>	<u>KATO TECH WEST</u>	<u>510 839 7241</u>
8	<u>Trish Fuzesy</u>	<u>Rankin, Sprout & Pollack</u>	<u>510 465-3924</u>
9	<u>Mike Reizen</u>	<u>"</u>	<u>" /</u>
10	<u>Kim Johnson</u>	<u>ARME WESTERN INC.</u>	<u>" /</u>
11	<u></u>	<u></u>	<u>/</u>
12	<u></u>	<u></u>	<u>/</u>
13	<u></u>	<u></u>	<u>/</u>
14	<u></u>	<u></u>	<u>/</u>
15	<u></u>	<u></u>	<u>/</u>
16	<u></u>	<u></u>	<u>/</u>
17	<u></u>	<u></u>	<u>/</u>



Weiss Associates

Environmental and Geologic Services

5500 Shellmound Street, Emeryville, CA 94608-2411

FAX: 510-547-5043 Phone: 510-450-6000

88 e 92

TRANSMITTAL

DATE: 8/3/95
TO: JULIET BLAKE
COMPANY: ACDEH

PROJECT #:
PHONE: 567-6750
FAX: 337-9335

FROM: TOM FOJUT
SUBJECT: FILE SEARCH

VIA:

- Fax
- 1st Class Mail
- Overnight Delivery
- UPS (Surface)
- Courier

FAX:

of pages: 1
(including this cover)

- Hard Copy to follow

AS:

- Per our phone call
- You requested
- Is required
- We believe you may be interested

FOR:

- Your information
- Return to you
- Your review & comments

Please call (510) 450-6000 if there are any problems with transmission.

COMMENTS:

~~#~~ Please call me or Brian Busch to schedule a file search for as soon as possible for the property at 2703 Martin Luther King Jr Way (formerly Grove Street) in Oakland. The property ^{recently} has been occupied by Shell Oil Products Company, Acme Western Ambulance and AutoTech West. Zip code = 94612.

FAX CONFIDENTIALITY NOTICE

This facsimile transmission contains confidential information belonging to the sender. The information is intended only for the use of the individual or entity named above. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution or action taken in reliance on the contents of this facsimile transmittal is strictly prohibited. If you have received this facsimile in error, please call us immediately to arrange for the return of the original documents.

Z 196 176 861

Receipt for Certified Mail

No Insurance Coverage Provided
Do not use for International Mail
(See Reverse)



Sent to	Lynn Walker
Street and No.	P.O. Box 4023
P.O., State and ZIP Code	Concord CA 94524
Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, and Addressee's Address	
TOTAL Postage & Fees	\$
Postmark or Date	

PS Form 3800, March 1993

JE

Z 196 176 862

Receipt for Certified Mail

No Insurance Coverage Provided
Do not use for International Mail
(See Reverse)



PS Form 3800, March 1993

Sent to	Kim Johansen
Street and No.	2829 California St.
P.O., State and ZIP Code	San Francisco CA 94115
Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, and Addressee's Address	
TOTAL Postage & Fees	\$
Postmark or Date	

JE

Z 196 176 863

Receipt for Certified Mail

No Insurance Coverage Provided
Do not use for International Mail
(See Reverse)



PS Form 3800, March 1993

Sent to	Rod Kwan
Street and No.	2703 Martin Luther King Way
P.O., State and ZIP Code	Oakland CA 94612
Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, and Addressee's Address	
TOTAL Postage & Fees	\$
Postmark or Date	

JE

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, and 4a & b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number. The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

- Addressee's Address
- Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to: J. Eberle

Mr. Lynn Walker
Shell Oil Company
P.O. Box 4023
Concord CA 94524

4a. Article Number
Z 196 176 861

4b. Service Type

- Registered Insured
- Certified COD
- Express Mail Return Receipt for Merchandise

7. Date of Delivery
JUL 13 1995

5. Signature (Addressee)

8. Addressee's Address (Only if requested and fee is paid)

6. Signature (Agent)

PS Form 3811, December 1991 *U.S. GPO: 1993-352-714 DOMESTIC RETURN RECEIPT

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, and 4a & b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number. The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

- Addressee's Address
- Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to: J. Eberle (454)

Mr. Rod Kwan
Auto Tech West
2703 Martin Luther King Way
Oakland CA 94612

4a. Article Number
Z 196 176 863

4b. Service Type

- Registered Insured
- Certified COD
- Express Mail Return Receipt for Merchandise

7. Date of Delivery
7-21-95

5. Signature (Addressee)

8. Addressee's Address (Only if requested and fee is paid)

6. Signature (Agent)

PS Form 3811, December 1991 *U.S. GPO: 1993-352-714 DOMESTIC RETURN RECEIPT

Is your RETURN ADDRESS completed on the reverse side?

Is your RETURN ADDRESS completed on the reverse side?

Thank you for using Return Receipt Service.

Thank you for using Return Receipt Service.

Alameda County Health Care Services Agency
Department of Environmental Health
Division of Environmental Protection

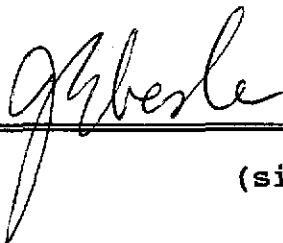
In Re The Property Known As :

2703 Martin Luther King Way
(Formerly known as Grove St.)
Oakland CA 94612

) Proof of Service of
) Notice of
) Continued
) Pre-Enforcement
) Review Panel

I Jennifer Eberle, do hereby certify that I served
Acme Western Ambulance Service Attn: Mr. Kim Johansen
with a copy of the attached Notice of Continued
Pre-Enforcement Review Panel to be held on August 16, 1995
at 1:00 pm by certified mailer #Z 196 176 862

Dated: 7/6/95



(signature)

Alameda County Health Care Services Agency
Department of Environmental Health
Division of Environmental Protection

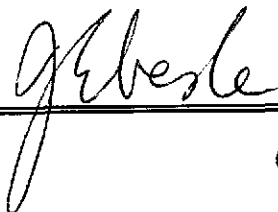
In Re The Property Known As :

2703 Martin Luther King Way)
(Formerly known as Grove St.))
Oakland CA 94612)

Proof of Service of
Notice of
Continued
Pre-Enforcement
Review Panel

I Jennifer Eberle, do hereby certify that I served
Shell Oil Co. Attn: Mr. Lynn Walker
with a copy of the attached Notice of Continued
Pre-Enforcement Review Panel to be held on August 16, 1995
at 1:00 pm by certified mailer #Z 196 176 861

Dated: 7/6/95



(signature)

Alameda County Health Care Services Agency
Department of Environmental Health
Division of Environmental Protection

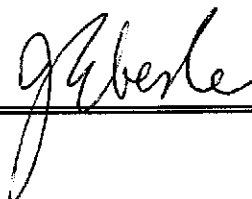
In Re The Property Known As :

2703 Martin Luther King Way
(Formerly known as Grove St.)
Oakland CA 94612

) Proof of Service of
) Notice of
) Continued
) Pre-Enforcement
) Review Panel

I Jennifer Eberle, do hereby certify that I served
Auto Tech West Attn: Mr. Rod Kwan
with a copy of the attached Notice of Continued
Pre-Enforcement Review Panel to be held on August 16, 1995
at 1:00 pm by certified mailer #Z 196 176 863

Dated: 7/6/95



(signature)

**Alameda County Health Care Services Agency
Department of Environmental Health
Division of Environmental Protection**

In Re The Property Known As :)	NOTICE OF CONTINUED
)	PRE-ENFORCEMENT
2703 Martin Luther King Way)	REVIEW PANEL
(formerly known as Grove St.))	
Oakland CA 94612)	

Notice is hereby given that upon the motion of the Alameda County Environmental Protection Division and the San Francisco Bay Regional Water Quality Control Board, a **Continued Pre-Enforcement Review Panel** will convene on **Wednesday, August 16, 1995 at 1:00 pm** in the offices of the Alameda County Hazardous Materials Division located at 1131 Harbor Bay Parkway, Room 200, Alameda CA 94502. This **Continued Pre-Enforcement Review Panel** will reconvene for the purpose of determining responsible parties as well as appropriate closure, site assessment, clean-up and mitigation of contamination at the above location.

The Alameda County Environmental Protection Division, and the San Francisco Bay Regional Water Quality Control Board have named and served notice of this **Continued Pre-Enforcement Review Panel** on the following persons or entities as having proposed responsibility for closure, site assessment, clean-up and mitigation of contamination at the above location, and by this notice all parties named herein are informed of the right to appear and show cause, if any they have, for the exclusion or inclusion of any of the parties served herein from said responsibility or obligations:

- | | |
|--|--|
| <p>1. Attn: Mr. Lynn Walker
Shell Oil Co.
PO Box 4023
Concord CA 94524</p> | <p>2. Attn: Mr. Kim Johansen
Acme Western Ambulance Service
2829 California St.
San Francisco CA 94115</p> |
| <p>3. Attn: Mr. Rod Kwan
Auto Tech West
2703 Martin Luther King Way
Oakland CA 94612</p> | |

Dated: 7-6-95 _____
Jennifer Eberle
Hazardous Materials Specialist

cc: Gil Jensen, Alameda County District Attorney Office
 John Kaiser, Regional Water Quality Control Board

LAW OFFICES
RANKIN, SPROAT & POLLACK

AN ASSOCIATION OF PROFESSIONAL CORPORATIONS

1800 HARRISON STREET

SUITE 1616

POST OFFICE BOX 28765

OAKLAND, CALIFORNIA 94604

TELEPHONE (510) 465-3922

369 PINE STREET
SUITE 400
SAN FRANCISCO, CA 94104

REPLY TO: OAKLAND

TELECOPIER - OAKLAND
(510) 452-3006

PATRICK T. RANKIN (1943-1990)
RONALD G. SPROAT
EDWARD VAIL POLLACK
GEOFFREY A. MIREs
THOMAS A. TRAPANI
MICHAEL J. REISER

DAVID A. HECK
GREGORY P. MENZEL
LYNNÉ P. MCGHEE
DAVID T. SHUEY
G. TRENT MORROW

May 15, 1995

Jennifer Eberle
Hazardous Materials Specialist
ALAMEDA COUNTY HEALTH AGENCY
DIVISION OF ENVIRONMENTAL PROTECTION
DEPARTMENT OF ENVIRONMENTAL HEALTH
1131 Harbor Bay Parkway, 2nd Floor
Alameda, CA 94502

Re: 2703 Martin Luther King Jr., Way [Grove St.],
Oakland/Auto Tech West
Our Client: Acme Ambulance Services

Dear Ms. Eberle:

I am writing per your instructions to my paralegal,
Trish Fuzesy, in a telephone conversation with her on May 10.

Despite our best efforts, we have been unable to meet
the forty-five day deadline imposed at the March 28th Pre-
Enforcement Hearing, by which we were to submit evidence. I am
writing to confirm that you have agreed that this deadline is now
extended to June 30, 1995. ✓

As you are aware, this location was a Shell Oil
gasoline service station from 1959 to 1979. We have been
conducting an investigation to determine the placement of the
pump islands, as well as the underground storage tanks utilized
by Shell. Based upon the results of that investigation, our
consultant ACC Environmental has proposed to drill eight soil
borings in the known area of the Acme Ambulance Services 2,000
gallon tank and the suspected locations of the Shell underground
storage tanks. The soil bores have been scheduled to take place
on Friday, May 19.

ENVIRONMENTAL
PROTECTION
MAY 16 PM 3:06

**Alameda County Department of Environmental Health
Hazardous Materials Division**

80 Swan Way, Rm. 200, Oakland, CA 94621
Ph: 510-271-4320 FAX: 510-568-3706

Meeting Attendees

Subject Auto Tech West, 2703 MLK

Date 3-28-95

Location 1131 Harbor Way Pky, Alameda

	<u>Name</u>	<u>Affiliation</u>	<u>Phone #</u>	<u>FAX #</u>
KJ ₁	<u>Kim E. Johansen</u>	<u>Acme Western Ambulance Service</u>	<u>415 929 4759</u>	<u>415 931-0196</u>
MR ₂	<u>Mike Rain</u>	<u>Rankin Sprout + Pollack</u>	<u>510 465-3922</u>	<u>510 452-3000</u>
	<u>Trish Fuzesy</u>	<u>Rankin, Sprout & Pollack</u>	<u>same</u>	
RK ₄	<u>Rod Kuran</u>	<u>Auto Tech West</u>	<u>510 839</u>	<u>17264</u>
	<u>Tom Feacock</u>	<u>Alameda Co. DEP</u>	<u>567-6782</u>	
		<u>STATE OF CALIFORNIA</u>	<u>510-</u>	<u>570-</u>
	<u>John Kaiser</u>	<u>Regional Water Quality Control Bd</u>	<u>286-0803</u>	<u>1286-1381</u>
GJ ₇	<u>Cic Jensen</u>	<u>ALAMEDA COUNTY DISTRICT ATTORNEY</u>	<u>510 565-2201</u>	<u>510 565-0505</u>
JG ₈	<u>Jennifer Sperle</u>	<u>AlCo Env. Prot.</u>	<u>567-6761</u>	<u>337-9335</u>
	<u>Cathy Gates</u>	<u>AlCo Env. Prot (Visitor)</u>	<u>567-6863</u>	<u>337-1131</u>
10				
16				
17				

MICHAEL J. REISER
ATTORNEY AT LAW

LAW OFFICES
RANKIN, SPROAT & POLLACK
AN ASSOCIATION OF
PROFESSIONAL CORPORATIONS

1800 HARRISON STREET
SUITE 1616
P. O. BOX 28765
OAKLAND, CALIFORNIA 94604
TELEPHONE (510) 465-3922

KIM E. JOHANSEN
Chief Operating Officer

**ACME-WESTERN AMBULANCE SERVICE
SAN FRANCISCO AMBULANCE SERVICE
UNITED AMBULANCE SERVICE**

Corporate Offices
2829 California Street
San Francisco, CA 94115-2594

(415) 922-9400

Alameda County Health Care Services Agency
Department of Environmental Health
Division of Environmental Protection

In Re The Property Known As :


Auto Tech West)
2703 Martin Luther King Way)
Oakland CA 94612)

Proof of Service of
Notice of
Pre-Enforcement
Review Panel

I Jennifer Eberle, do hereby certify that I served Kim Johansen of Acme Western Ambulance with a copy of the attached Notice of Pre-Enforcement Review Panel to be held on March 28, 1995 at 10:30 am by certified mailer

#Z 196 176 815

Dated: 3/1/95



(signature)

IMPORTANT:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, and 4a & b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

- Addressee's Address
- Restricted Delivery

Consult postmaster for fee.

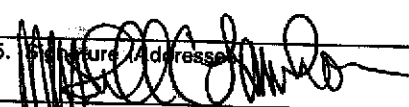
3. Article Addressed to: **J. Eberle**

Kim Johansen
Acme Western Ambulance Service
2829 California Street
San Francisco CA 94115

4a. Article Number
Z 196 176 815

4b. Service Type

<input type="checkbox"/> Registered	<input type="checkbox"/> Insured
<input checked="" type="checkbox"/> Certified	<input type="checkbox"/> COD
<input type="checkbox"/> Express Mail	<input type="checkbox"/> Return Receipt for Merchandise

5. Signature (Addressee)


6. Signature (Agent)

7. Date of Delivery

8. Addressee's Address (Only if requested and fee is paid)

PS Form 3811, December 1981 U.S. PSN 525-220-914

JE

Z 196 176 815

Receipt for Certified Mail

No Insurance Coverage Provided
Do not use for International Mail
(See Reverse)

U.S. MAIL POSTAL SERVICE

Sent to	Kim Johansen
Street and No.	2829 California St.
P.O., State and ZIP Code	San Francisco CA 94115
Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, and Addressee's Address	
TOTAL Postage & Fees	\$
Postmark or Date	

PS Form 3800, March 1993

Alameda County Health Care Services Agency
Department of Environmental Health
Division of Environmental Protection


In Re The Property Known As :

Auto Tech West
2703 Martin Luther King Way
Oakland CA 94612

) Proof of Service of
) Notice of
) Pre-Enforcement
) Review Panel

I Jennifer Eberle, do hereby certify that I served Rod Kwan
of Auto Tech West with a copy of the attached Notice of
Pre-Enforcement Review Panel to be held on March 28, 1995 at
10:30 am by certified mailer #Z 196 176 814

Dated: 3/1/95



(signature)

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, and 4a & b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
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I also wish to receive the following services (for an extra fee):

- Addressee's Address
- Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to: **J. Eberle**

Rod Kwan
Auto Tech West
2703 Martin Luther King Way
Oakland CA 94612

4a. Article Number
Z 196 176 814

4b. Service Type

Registered Insured
 Certified COD
 Express Mail Return Receipt for Merchandise

7. Date of Delivery

5. Signature (Addressee)

Signature (Agent)
Rod Kwan

8. Addressee's Address (Only if requested and fee is paid)

Form 3811, December 1991 U.S. GPO: 1993-652-714 **DOMESTIC RETURN RECEIPT**

POSTAGE ADDRESS completed on the reverse side

Thank you for using Return Receipt Service.

JE #

Receipt for Certified Mail
No Insurance Coverage Provided
Do not use for International Mail
(See Reverse)

Z 196 176 814

Sent to	Rod Kwan
Street and No.	2703 Martin Luther King
P.O., State and ZIP Code	Oakland CA 94612
Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, and Addressee's Address	
TOTAL Postage & Fees	\$
Postmark or Date	

PS Form 3800, March 1993

Alameda County Health Care Services Agency
Department of Environmental Health
Division of Environmental Protection

In Re The Property Known As :)
Auto Tech West)
2703 Martin Luther King Way)
Oakland CA 94612)

Notice of
Pre-Enforcement
Review Panel

Notice is hereby given that upon the motion of the Alameda County Environmental Protection Division and the San Francisco Bay Regional Water Quality Control Board, a **Pre-Enforcement Review Panel** will convene on **Tuesday, March 28, 1995 at 10:30 am** in the offices of the Alameda County Hazardous Materials Division located at 1131 Harbor Bay Parkway, Alameda CA 94502. This **Pre-Enforcement Review Panel** will convene for the purpose of determining responsible parties as well as appropriate closure, site assessment, clean-up and mitigation of contamination at the above location.

Information and supporting documents which substantially illustrate the contractual relationship between Auto Tech West, Acme Western Ambulance Service, and other tank operators/owners, must be presented to the Panel.

The Alameda County Environmental Protection Division, and the San Francisco Bay Regional Water Quality Control Board have named and served notice of this **Pre-Enforcement Review Panel** on the following persons or entities as having proposed responsibility for closure, site assessment, clean-up and mitigation of contamination at the above location, and by this notice all parties named herein are informed of the right to appear and show cause, if any they have, for the exclusion or inclusion of any of the parties served herein from said responsibility or obligations:

1. Attn: Rod Kwan
Auto Tech West
2703 Martin Luther King Way
Oakland CA 94612
2. Attn: Kim Johansen
Acme Western Ambulance Service
2829 California St.
San Francisco CA 94115

Dated: 3-1-95 Jennifer Eberle
Jennifer Eberle, Hazardous Materials Specialist

cc: Gil Jensen, Alameda County District Attorney Office
John Kaiser, Regional Water Quality Control Board
Lyn Walker, Shell Oil Co., PO Box 4023, Concord CA 94524

Alameda County Health Care Services Agency
Department of Environmental Health
Division of Environmental Protection

In Re The Property Known As :)) Auto Tech West) 2703 Martin Luther King Way) Oakland CA 94612)	Notice of Pre-Enforcement Review Panel
---	--


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- 1. Attn: Rod Kwan**
 Auto Tech West
 2703 Martin Luther King Way
 Oakland CA 94612

- 2. Attn: Kim Johansen**
 Acme Western Ambulance Service
 2829 California St.
 San Francisco CA 94115

Dated: 3-1-95  _____
Jennifer Eberle, Hazardous Materials Specialist

cc: Gil Jensen, Alameda County District Attorney Office
 John Kaiser, Regional Water Quality Control Board
 Lyn Walker, Shell Oil Co., PO Box 4023, Concord CA 94524