



Linda S. Adams
Secretary for
Environmental Protection

State Water Resources Control Board

Division of Financial Assistance

1001 I Street • Sacramento, California 95814
P.O. Box 944212 • Sacramento, California • 94294-2120
(916) 341-5757 • FAX (916) 341-5806 • www.waterboards.ca.gov/cwphome/wpcf



Arnold Schwarzenegger
Governor

SEP 15 2006

OLYMPIAN
JANET HEIKEL
1300 INDUSTRIAL RD #2
SAN CARLOS, CA 94070

**PRE-APPROVAL OF CORRECTIVE ACTION COSTS, CLAIM NO. 001904,
ACCEPTANCE OF REASONABLE COSTS DETERMINATION
DATED: SEPTEMBER 5, 2006.
SITE ADDRESS: 1435 WEBSTER ST, ALAMEDA, CA 94501**

I received your acceptance of reasonable costs determination dated September 5, 2006. I have included a copy of the "Cost Pre-Approval Request" form; please use this form in the future for requesting pre-approval of corrective action costs.

With the following provisions, the total cost pre-approved as eligible for reimbursement for completing the February 2, 2006, TEC Accutite workplan approved by the Alameda County EHD (County) in their May 3, 2006 letter, is **\$220,580**; see the table below for a breakdown of costs. (The total amount that has been reimbursed and approved for payment up to this point is \$ 71,371.)

Be aware that this pre-approval does not constitute a decision on reimbursement: **necessary** (as determined by the Fund) corrective action costs for action work **directed and approved by the County** will be eligible for reimbursement at costs consistent with those pre-approved in this letter. However, depending on what happens in the field, some costs may not actually be necessary.

All costs for corrective action must meet the requirements of Article 11, Chapter 16, Underground Storage Tank Regulations in order to be eligible for reimbursement.

COST PRE-APPROVAL BREAKDOWN

#	Task*	Amount Pre-Approved	Comments
1	Alameda County Interaction and Project Coordination	\$2,200	This cost included all time and materials associated with this task.
2	Permitting and Well Destruction (MW-1 & MW-5)	\$3,625	This cost includes all time, materials and markups associated with this task. Copies of all permits must be submitted to the Fund.
3	Soil Excavation and Dewatering	\$187,835	The requested cost of \$240,935 appears to be excessive and unreasonable for the proposed scope of work. \$187,835 includes all time, materials and markups associated with this task. As presented in the proposal dated 8/15/06, onsite groundwater treatment and disposal cost was reduced from \$45,000 to \$22,500 (\$0.60/gal to \$0.30/gal for 75,000 gallons). In addition, backfill soil import and compaction was reduced from \$51,000 to \$20,400 (\$30/ton to \$12/ton for 1,700 tons). The remaining tasks are approved. Permitting, Soil Excavation, Electrical Conduit Replacement, Asphalt Resurfacing. Copies of all sub-invoices must be submitted to the Fund at the time of reimbursement.
4	Re-Installation of MW-1 and MW-5	\$7,000	This cost included all time materials and markups associated with this task. The requested cost of \$14,051.40, again appears to be excessive and unreasonable. Copies of all permits and sub-invoices must be submitted to the fund.

#	Task*	Amount Pre-Approved	Comments
5	Install 7-20' Soil Borings, Permitting, Analytical, and PM	\$15,000	As indicated above, the requested cost of \$17,094.50 for this task appears to be excessive and unreasonable for the scope of work. Copies of all permits and sub-invoices must be submitted to the Fund.
6	Report: Site Investigation, Remedial Action, Well Installation and Site Characterization	\$4,920	Copies of all reports must be submitted to the Fund at the time of reimbursement.
	TOTAL PRE-APPROVED	\$220,580	

* Task descriptions are the same as those identified in TEC Accutite's August 15, 2006 cost estimate.

- Only the tasks/costs reflected on the above table are pre-approved at this time. The Fund will review any tasks/costs that go beyond the pre-approved amount to be determined if the additional tasks and costs are necessary and reasonable.
- The work products must be acceptable to the County and the Regional Water Quality Control Board.
- If a different scope of work becomes necessary, then you must request pre-approval of costs on the new scope of work.
- Although I have referred to the TEC Accutite's proposal in my pre-approval above, please be aware that you will be entering into a private contract: the State of California cannot compel you to sign any specific contract. This letter **pre-approves the costs** as presented in the proposal dated August 15, 2006 by TEC Accutite for conducting the work approved by the County.

I also want to remind you that the Fund's regulations require that you obtain at least three bids, or a bid waiver from Fund staff, from qualified firms for all necessary future corrective action work. If you need assistance in procuring contractor and consultant services, don't hesitate to call me.

Please remember that it is still necessary to submit the actual costs of the work as explained in the Reimbursement Request Instructions to confirm that the costs are consistent with this pre-approval before you will be reimbursed.

Olympian
Claim No. 1904, PA # 7
Acceptance Of Reasonable Costs Determination
Dated: 09/05/2006

-4-

9/11/06

Please insure that your consultant prepares their invoices to include the required breakdown of costs on a time and materials basis, that invoiced tasks are consistent with the original proposal, and that reasonable explanations are provided for any changes made in the scope of work or increases in the costs.

When the invoices are submitted you must include copies of all:

- *subcontractor invoices,*
- *technical reports, when available, and*
- *applicable correspondence from the County.*

Please call if you have any questions; I can be reached at (916) 341-5757

Sincerely,



Sunil Ramdass, Water Resources Control Engineer
Technical Review Unit
Underground Storage Tank Cleanup Fund

Enclosure

cc: Mr. Steven Plunkett
Alameda County EHD
1131 Harbor Bay Pkway, 2nd Fl.
Alameda, CA 94502-6577

Nicholas Haddad
TEC Accutite
262 Michelle Court
So. San Francisco, CA 94080-6201



State Water Resources Control Board



Linda S. Adams
Secretary for
Environmental Protection

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Arnold Schwarzenegger
Governor

AUG 28 2006

OLYMPIAN
JANET HEIKEL
1300 INDUSTRIAL RD #2
SAN CARLOS, CA 94070

Alameda County
AUG 30 2006
Environmental Health

RECEIVED

AUG 29 2006

ENVIRONMENTAL HEALTH SERVICES

**PRE-APPROVAL OF CORRECTIVE ACTION COSTS, CLAIM NO. 001904, PA # 7
SITE ADDRESS: 1435 WEBSTER ST, ALAMEDA, CA 94501**

I have reviewed your request, received on August 15, 2006, for pre-approval of corrective action costs; I will place these documents in your file for future reference. I have included a copy of the "Cost Pre-Approval Request" form; please use this form in the future for requesting pre-approval of corrective action costs.

Pursuant to Section 2811.4, subdivision (c), of the Cleanup Fund regulations and based upon the materials submitted, the Cleanup Fund must deny your request for pre-approval. You have failed to submit the required three bids for the tasks covered by your pre-approval request. Also the, single bid for \$282,845.90 you provided for the task covered by your pre-approval request is unreasonable for the scope of work. Based on the Cleanup Fund's experience with similar sites in your area, we have determined that \$220,580 is reasonable for the tasks included in your pre-approval request. The breakdown of costs associated with each task is shown in Table 1 below.

There are two options available to you. You must secure the requisite bids for the tasks covered by the pre-approval request, and the Cleanup Fund will evaluate the reasonableness of the costs in light of the additional bids.

Or, you may resubmit the existing bid and request pre-approval for the amounts specified in Table 1. Since the Cleanup Fund has determined that the amount specified in Table 1 is reasonable for this scope of work, the three-bid requirement is unnecessary if you concur with the Cleanup Fund's determination.

The Cleanup Fund has the authority to waive the three-bid requirement as unnecessary upon your request to do so. Therefore, if your resubmitted pre-approval request only seeks pre-approval for the amount the Cleanup Fund has determined reasonable (the amount specified in Table 1) and you request waiver of the three-bid requirement as unnecessary, the Cleanup Fund will grant your request for pre-approval and waive the three bid requirement, with respect to this scope of work, as unnecessary.

A waiver does not waive the three-bid requirement for the claim, but only for the tasks covered by the pre-approval request. In an effort to assist you in expediting the pre-approval process we have prepared the attached *Acceptance of Reasonable Cost/Request for Bid Waiver* form letter.

If you concur/accept our reasonable cost determination and would like to request a bid waiver, then just sign and date the attached letter and return to us for further processing your Pre-Approval.

Table 1

**REASONABLE COST BREAKDOWN
 COST PRE-APPROVAL BREAKDOWN**

#	Task*	Amount Pre-Approved	Comments
1	Alameda County Interaction and Project Coordination	\$2,200	This cost included all time and materials associated with this task.
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	TOTAL PRE-APPROVED	\$220,580	

* Task descriptions are the same as those identified in TEC Accutite's August 15, 2006 cost estimate.

Please call if you have any questions; I can be reached at (916) 341-5757

Sincerely,



Sunil Ramdass, Water Resources Control Engineer
Technical Review Unit
Underground Storage Tank Cleanup Fund

Enclosure

cc: Mr. Steven Plunkett
Alameda County EHD
1131 Harbor Bay Pkway, 2nd Fl.
Alameda, CA 94502-6577

Nicholas Haddad
TEC Accutite
262 Michelle Court
So. San Francisco, CA 94080-6201

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



7

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

May 3, 2006

Ms. Janet Heikel
1300 Industrial Road #2
San Carlos, CA 94707

Subject: Fuel Leak Case N [REDACTED] Olympian #112, 1435 Webster Street, Alameda CA

Dear Ms Heikel:

I am the new case worker recently assigned to review your case, I will be taking over for Mr. Amir Gholami. If you could please address any questions, concerns and all future correspondence directly to me I would appreciate it.

Alameda County Environmental Health (ACEH) staff has reviewed the case file and work plan entitled, "Site Investigation and Remediation Work Plan", dated February 2006 and prepared on your behalf by TEC Accutite. The work plan was submitted in response to a request by ACEH that would help delineate contamination both on and off site and thus determine future action. The above referenced report proposes additional investigation including the installation of four off site soil borings, pre-excavations soil characterization and soil sampling, soil excavation and excavation pit dewatering, excavations pit confirmation soil sampling, monitoring well MW-5A decommissioning and offsite groundwater sampling. ACEH agrees with the need for additional investigation to define the trajectory and potential movement of contamination off site. Based on ACEH staff review of the documents referenced above, we request that you address the following technical comments, perform the proposed work, and send us the reports requested below. Please provide 72-hour advance written notification to this office (e-mail preferred to steven.plunkett@acgov.org) prior to the start of field activities.

TECHNICAL COMMENTS

1. **Interim Remedial Action Soil Excavation and Confirmation Soil Sampling.** Pre excavation soil characterization using geoprobe techniques may not adequately delineate the extent of contamination. Therefore, it is important to consider that during excavation, additional soil contamination may be encountered and the appropriate decisions regarding the extent of excavation will need to be assessed as conditions arise.

During soil excavation in the vicinity of the former fuel dispenser island ACEH recommends field screening with a photoionization detector in order to help limit the extent of excavation. Additionally, confirmation soil samples should be collected every 20 linear feet along the excavation sidewalls and bottom. For example, the proposed Area A excavation would require a minimum of eight confirmation soil samples, while the Area B excavation scenario would require a minimum of 15 confirmation soil samples, exclusive of duplicate samples. Furthermore, soil analytical data collected during the installation of MW-5 indicate the presence of contamination below the sample depth of five feet bgs, as proposed TEC

Accutite. ACEH recommends soil sampling from excavation sidewalls at a depth of between 7-8 ft bgs. However if noticeable odor, staining or elevated PID readings are present at other depths a sample should be collected and submitted for laboratory analysis. All soil and groundwater samples must be analyzed for total petroleum hydrocarbons as gasoline (TPHg), benzene, toluene, ethylbenzene, and xylenes (BTEX), and fuel oxygenates using EPA method 8260B and TPH as diesel (TPHd) using EPA method 8015M. Results from the soil and groundwater samples are to be presented in the Soil and Groundwater Investigation Report requested below. Furthermore, should excavation scenario B occur, groundwater monitoring well MW-5 will need to be decommissioned in accordance with Alameda County well decommissioning guidelines. A permit must be obtained from Alameda County Public Works Department prior to decommissioning. An online application is available at www.acgov.org/wells/wellpermits.htm.

2. **Monitoring Well MW-5 Decommissioning and Replacement.** Should monitoring well MW-5 require decommissioning, replacement well MW-5A must be installed in undisturbed, native soil within three feet of the limit of the excavation. The new monitoring well -MW-5A- will be installed in accordance Alameda County guidelines including sanitary seal installation, well development and water sampling, lithologic logging, and soil sampling and analysis.
3. **Soil Boring Location.** During a previous investigation in June 2001, TEC Accutite installed four off site soil borings -B1 to B4- these boring were located to the east and south of the site. According to the report titled, "Subsurface Investigation Report" one soil sample was collected from each boring, at nine feet below ground surface (bgs). Soil samples tested non-detect for TPH, BTEX and MTBE at all four soil boring locations, while groundwater analytical data detected maximum concentrations of 400 µg/L TPHg in soil boring B3, Benzene concentrations of 2 µg/L in soil boring B4 and MTBE concentrations of 4 µg/L in soil boring B1. The second phase of investigation is proposing to install four additional soil borings in line with four soil borings installed during the first phase of investigation completed in June 2001.

It is the opinion of ACEH staff that the proposed location of the phase II soil borings will not adequately define the trajectory or the migration path of the contaminant plume. Given the regional groundwater flow direction and gradient of 0.0052 ft/ft toward the south/southeast we recommend that the soil borings be relocated to the west side of Webster Street adjacent to the former Olympian Station. In addition, given the estimated extent of petroleum hydrocarbon impact to groundwater as presented in the previously mentioned report, ACEH recommends the installation of at least three additional soil borings, for a total of seven soil borings in the path of the contamination plume. We recommend that you consider spacing of soil borings on the order of 15' between soil borings installed adjacent to the former Olympian Station. Please see Figure 1 for the approximate locations of the phase II soil borings.

4. **Soil and Grab Groundwater Sampling.** All soils from the boreholes are to be examined for staining and odor and are to be screened using a PID. Soil samples are to be collected from any interval where staining, odor, or elevated PID readings are observed. If no staining, odor, or elevated PID readings are observed, two soil sample are to be collected from each boring immediately above the zone where groundwater is first encountered and at 25 ft bgs or total depth of the boring. After soil sampling has been completed grab groundwater samples should be collected from the soil boring at the depth discrete intervals suggested by TEC Accutite. All soil and groundwater samples are to be analyzed for TPHg, BTEX and fuel oxygenates using EPA methods 8015M and 8260B, respectively. Results from the soil and

groundwater samples are to be presented in the Soil and Groundwater Investigation Report requested below.

5. **Hydrogeologic Cross Sections.** Please incorporate soil boring data including soil and groundwater analytical data, static water level and first water encountered, distinct geologic units into a minimum of two cross sections that are parallel and perpendicular to groundwater flow. Please present the cross sections in the Soil and Groundwater Investigation Report requested below.
6. **Quarterly Groundwater Monitoring.** ACEH concurs with the recommendation to sample wells MW-1 through MW-6 on a quarterly basis for one year after interim remediation. However, should contamination remain at levels currently detected on site, groundwater monitoring may need to continue into the future and other forms of remediation may need to be considered to reduce the concentrations of dissolved petroleum hydrocarbon in the subsurface.
7. **Site Conceptual Model.** Please include soil boring and excavation results with on going quarterly groundwater monitoring and update the existing site conceptual model. ACEH encourages application of an electronic site conceptual model format for reporting. The use of this format, which will be provided to TEC Accutite Inc, is encouraged but not mandatory.

TECHNICAL REPORT REQUEST

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

- **August 1, 2006** – Soil and Groundwater Investigation Report
- **May 15 2006** – Quarterly Groundwater Monitoring Report 2nd Quarter 2006
- **August 15, 2006** – Quarterly Groundwater Monitoring Report 3rd Quarter 2006
- **November 15, 2006** – Quarterly Groundwater Monitoring Report 4th Quarter 2006

These reports are being requested pursuant to California Health and Safety Code Section 25296.10. 23 CCR Sections 2652 through 2654, and 2721 through 2728 outline the responsibilities of a responsible party in response to an unauthorized release from a petroleum UST system, and require your compliance with this request.

ELECTRONIC SUBMITTAL OF REPORTS

The Alameda County Environmental Cleanup Oversight Programs (LOP and SLIC) require submission of all reports in electronic form to the county's ftp site. Paper copies of reports will no longer be accepted. The electronic copy replaces the paper copy and will be used for all public information requests, regulatory review, and compliance/enforcement activities. Instructions for submission of electronic documents to the Alameda County Environmental Cleanup Oversight Program ftp site are provided on the attached "Electronic Report Upload (ftp) Instructions." Please do not submit reports as attachments to electronic mail.

Submission of reports to the Alameda County ftp site is an addition to existing requirements for electronic submittal of information to the State Water Resources Control Board (SWRCB) Geotracker website. Submission of reports to the Geotracker website does not fulfill the

requirement to submit documents to the Alameda County ftp site. In September 2004, the SWRCB adopted regulations that require electronic submittal of information for groundwater cleanup programs. For several years, responsible parties for cleanup of leaks from underground storage tanks (USTs) have been required to submit groundwater analytical data, surveyed locations of monitor wells, and other data to the Geotracker database over the Internet. Beginning July 1, 2005, electronic submittal of a complete copy of all necessary reports was required in Geotracker (in PDF format). Please visit the SWRCB website for more information on these requirements (http://www.swrcb.ca.gov/ust/cleanup/electronic_reporting).

PERJURY STATEMENT

All work plans, technical reports, or technical documents submitted to ACEH must be accompanied by a cover letter from the responsible party that states, at a minimum, the following: "I declare, under penalty of perjury, that the information and/or recommendations contained in the attached document or report is true and correct to the best of my knowledge." This letter must be signed by an officer or legally authorized representative of your company. Please include a cover letter satisfying these requirements with all future reports and technical documents submitted for this fuel leak case.

PROFESSIONAL CERTIFICATION & CONCLUSIONS/RECOMMENDATIONS

The California Business and Professions Code (Sections 6735, 6835, and 7835.1) requires that work plans and technical or implementation reports containing geologic or engineering evaluations and/or judgments be performed under the direction of an appropriately registered or certified professional. For your submittal to be considered a valid technical report, you are to present site specific data, data interpretations, and recommendations prepared by an appropriately licensed professional and include the professional registration stamp, signature, and statement of professional certification. Please ensure all that all technical reports submitted for this fuel leak case meet this requirement.

UNDERGROUND STORAGE TANK CLEANUP FUND

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

AGENCY OVERSIGHT

If it appears as though significant delays are occurring or reports are not submitted as requested, we will consider referring your case to the Regional Board or other appropriate agency, including the County District Attorney, for possible enforcement actions. California Health and Safety Code, Section 25299.76 authorizes enforcement including administrative action or monetary penalties of up to \$10,000 per day for each day of violation.

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



Figure 1

- Approximate location of proposed soil borings.

- Although I have referred to the Accutite proposal in my pre-approval above, please be aware that you will be entering into a private contract: the State of California cannot compel you to sign any specific contract.

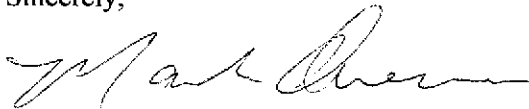
I also want to remind you that the Fund's regulations require that you obtain at least three bids, or a bid waiver from Fund staff, from qualified firms for all future necessary corrective action work.

Please remember that it is still necessary to submit the actual costs of the work as explained in the Reimbursement Request Instructions to confirm that the costs are consistent with this pre-approval before you will be reimbursed. *Please insure that your consultant prepares their invoices to include the required break down of costs on a time and materials basis, that invoiced tasks are consistent with the original proposal, and that reasonable explanations are provided for any changes made in the scope of work or increases in the costs. When the invoices are submitted you must include copies of all:*

- subcontractor invoices (includes lab invoices)
- technical reports, when available, and
- applicable correspondence from the ACHCS.

Please call if you have any questions; I can be reached at (916) 227-7883.

Sincerely,



Mark Owens, Water Resources Control Engineer
Technical Review Unit
Underground Storage Tank Cleanup Fund

cc: Ms. Eva Chu, Alameda County Health Care Services, Alameda



Ms. Janet Heikel
April 25, 2006
Page 5

Sincerely,



Steven Plunkett
Hazardous Materials Specialist

cc: ~~Mrs. Bagley~~

Mr. Jeff Farrar
George P. Harrison Trust
PO Box 1701
Chico, CA 94927

Mr. Jing Heisler
Tec Accutite
262 Michelle Court
South San Francisco, CA 94080-6201

Donna Drogos, ACEH
Steven Plunkett, ACEH
File



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

March 28, 2006

Mr. Fred Bertetta
1300 Industrial Road, Suite 2
San Carlos, CA 94070

Re: Fuel Leak Case #RO0000193, Environmental Investigation at Former
Olympian, 1435 Webster Street, Alameda, CA

Dear Mr. Bertetta:

Alameda County Environmental Health (ACEH) staff has recently reviewed the Workplan report dated February 16, 2006, prepared by Ms. Jing Heisler of TEC Accutite. This workplan was submitted in response to our discussion in the meeting held on February 1, 2006 regarding the contamination detected at the above referenced site. The proposed workplan is approved. However we request that you address the following technical comments, perform the proposed work, and send us the technical reports requested below.

TECHNICAL COMMENTS

As your are aware, this office have held meetings and several discussions to address the existing plume at the above referenced site. During the meeting and discussions, we mentioned the possibility of source removal as the most expeditious way to address the existing plume. Subsequent to our meeting and discussions, this workplan was submitted to this office to address the existing source at the above reference site. Please ensure the following items are addressed as specified below:

- Geotracker EDF Submittals - A review of the case file and the State Water Resources Control Board's (SWRCB) Geotracker website indicate that electronic copies of analytical data have not been submitted for your site. Pursuant to CCR Sections 2729 and 2729.1, beginning September 1, 2001, all analytical data, including monitoring well samples, submitted in a report to a regulatory agency as part of the LUFT program, must be transmitted electronically to the SWRCB Geotracker website via the internet. Additionally, beginning January 1, 2002, all permanent monitoring points utilized to collected groundwater samples (i.e. monitoring wells) and submitted in a report to a regulatory agency, must be surveyed (top of casing) to mean sea level and latitude and longitude accurate to within 1-meter accuracy, using NAD 83, and transmitted electronically to the SWRCB Geotracker website. Beginning July 1, 2005, electronic submittal of a complete copy of all reports is required in Geotracker (in PDF format). In order to remain in regulatory compliance, please upload all analytical data (collected on or after September 1, 2001), to the SWRCB's Geotracker database website in accordance

with the above-cited regulation. Please perform the electronic submittals for applicable data and submit verification to this Agency by 3/14/2006.

- As you are aware, the SCM needs to be updated to reflect the result of the investigations and submitted to this office.

TECHNICAL REPORT REQUEST

Please submit the following technical reports to Alameda County Department of Environmental Health (Attention: Amir K. Gholami):

April 27, 2006 SWI Report

These reports are being requested pursuant to California Health and Safety Code Section 25296.10. 23 CCR Sections 2652 through 2654, and 2721 through 2728 outline the responsibilities of a responsible party in response to an unauthorized release from a petroleum UST system, and require your compliance with this request.

ELECTRONIC SUBMITTAL OF REPORTS

ACEH's Environmental Cleanup Oversight Programs (LOP and SLIC) now request submission of reports in electronic form. The electronic copy is intended to replace the need for a paper copy and is expected to be used for all public information requests, regulatory review, and compliance/enforcement activities. Instructions for submission of electronic documents to the Alameda County Environmental Cleanup Oversight Program FTP site are provided on the attached "Electronic Report Upload Instructions." Submission of reports to the Alameda County FTP site is an addition to existing requirements for electronic submittal of information to the State Water Resources Control Board (SWRCB) Geotracker website. In September 2004, the SWRCB adopted regulations that require electronic submittal of information for groundwater cleanup programs. For several years, responsible parties for cleanup of leaks from underground storage tanks (USTs) have been required to submit groundwater analytical data, surveyed locations of monitoring wells, and other data to the Geotracker database over the Internet. Beginning July 1, 2005, electronic submittal of a complete copy of all reports is required in Geotracker (in PDF format). Please visit the State Water Resources Control Board for more information on these requirements (http://www.swrcb.ca.gov/ust/cleanup/electronic_reporting).

PERJURY STATEMENT

All work plans, technical reports, or technical documents submitted to ACEH must be accompanied by a cover letter from the responsible party that states, at a minimum, the following: "I declare, under penalty of perjury, that the information and/or recommendations contained in the attached document or report is true and correct to the best of my knowledge." This letter must be signed by an officer or legally authorized representative of your company. Please include a cover letter satisfying these requirements with all future reports and technical documents submitted for this fuel leak case.

PROFESSIONAL CERTIFICATION & CONCLUSIONS/RECOMMENDATIONS

The California Business and Professions Code (Sections 6735, 6835, and 7835.1) requires that work plans and technical or implementation reports containing geologic or engineering

evaluations and/or judgments be performed under the direction of an appropriately registered or certified professional. For your submittal to be considered a valid technical report, you are to present site specific data, data interpretations, and recommendations prepared by an appropriately licensed professional and include the professional registration stamp, signature, and statement of professional certification. Please ensure all that all technical reports submitted for this fuel leak case meet this requirement.

UNDERGROUND STORAGE TANK CLEANUP FUND

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If you have any questions, please call me at (510) 567-6876.

Sincerely,

Amir K. Gholami, REHS
Hazardous Materials Specialist

C: Jing Heisler, TEC Accutite, 262 Michele Ct., South San Francisco, CA 94080
A. Gholami, D. Drogos

Enclosure: ACEH Electronic Report Upload (ftp) Instructions

**Alameda County Environmental Cleanup
Oversight Programs
(LOP and SLIC)**

ISSUE DATE: July 3, 2005

REVISION DATE: December 16, 2005

PREVIOUS REVISIONS: October 31, 2005

SECTION: Miscellaneous Administrative Topics & Procedures

SUBJECT: Electronic Report Upload (ftp) Instructions

Effective **January 31, 2006**, the Alameda County Environmental Cleanup Oversight Programs (LOP and SLIC) require submission of all reports in electronic form to the county's ftp site. Paper copies of reports will no longer be accepted. The electronic copy replaces the paper copy and will be used for all public information requests, regulatory review, and compliance/enforcement activities.

REQUIREMENTS

- Entire report including cover letter must be submitted to the ftp site as a **single portable document format (PDF) with no password protection**. (Please do not submit reports as attachments to electronic mail.)
- It is **preferable** that reports be converted to PDF format from their original format, (e.g., Microsoft Word) rather than scanned.
- Signature pages and perjury statements **must** be included and have either original or electronic signature.
- **Do not password protect the document**. Once indexed and inserted into the correct electronic case file, the document will be secured in compliance with the County's current security standards and a password. **Documents with password protection will not be accepted.**
- Each page in the PDF document should be rotated in the direction that will make it easiest to read on a computer monitor.
- Reports must be named and saved using the following naming convention:
RO#_Report Name_Year-Month-Date (e.g., RO#5555_WorkPlan_2005-06-14)

Additional Recommendations

- A separate copy of the tables in the document should be submitted by e-mail to your Caseworker in **Excel** format. These are for use by assigned Caseworker only.

Submission Instructions

- 1) Obtain User Name and Password:
 - a) Contact the Alameda County Environmental Health Department to obtain a User Name and Password to upload files to the ftp site.
 - i) Send an e-mail to dehloptoxic@acgov.org
or
 - ii) Send a fax on company letterhead to (510) 337-9335, to the attention of Alicia Lam-Finneke.
 - b) In the subject line of your request, be sure to include "**ftp PASSWORD REQUEST**" and in the body of your request, include the **Contact Information, Site Addresses, and the Case Numbers (RO# available in Geotracker) you will be posting for.**
- 2) Upload Files to the ftp Site
 - a) Using Internet Explorer (IE4+), go to <ftp://alcoftp1.acgov.org>
 - (i) Note: Netscape and Firefox browsers will not open the FTP site.
 - b) Click on File, then on Login As.
 - c) Enter your User Name and Password. (Note: Both are Case Sensitive.)
 - d) Open "My Computer" on your computer and navigate to the file(s) you wish to upload to the ftp site.
 - e) With both "My Computer" and the ftp site open in separate windows, drag and drop the file(s) from "My Computer" to the ftp window.
- 3) Send E-mail Notifications to the Environmental Cleanup Oversight Programs
 - a) Send email to dehloptoxic@acgov.org notify us that you have placed a report on our ftp site.
 - b) Copy your Caseworker on the e-mail. Your Caseworker's e-mail address is the entire first name then a period and entire last name at acgov.org. (e.g., firstname.lastname@acgov.org)
 - c) The subject line of the e-mail must start with the RO# followed by **Report Upload**. (e.g., Subject: RO1234 Report Upload)

OLYMPIAN
1300 Industrial Road, Suite 2
San Carlos, CA 94070

R0193

December 19, 2005

4462OLY

Mr. Amir Gholami, REHS
Hazardous Materials Specialist
Alameda County
Health Care Services Agency
1131 Harbor Bay Parkway
Alameda, CA 94502-6577

Re: 1435 Webster Street, Alameda
8515 San Leandro St., Oakland
3152 Depot Rd, Hayward
2005 W. Winton, Hayward

Alameda County
DEC 21 2005
Environmental

Dear Mr. Gholami:

Olympian recently moved our offices. The new address is:

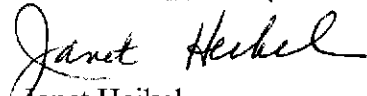
Mr. Fred Bertetta, Jr./ Janet Heikel
Olympian
1300 Industrial Road, Suite 2
San Carlos, CA 94070

Phone: 650-596-8950

Please update your records and send all correspondence and notices to my attention at our new address.

Sincerely,

OLYMPIAN



Janet Heikel
Risk Manager

janeth@ogpinc.net

December 19, 2005

RO0193

Charles A. Begley, Geoffrey A. Farrar, Dorothy McKee
2592 PineView Dr.
Fortuna, CA 95540-3231
707-725-6299

ENVIRONMENTAL HEALTH SERVICES

David J. Kears, Agency Director
Environmental Health Services
1131 Harbor Bay Parkway
Alameda, CA 94502-6577
510-567-6700

DEC 28 2005

DIRECTOR'S OFFICE

Re: RO0000193 Olympian #112 1435 Webster, Alameda CA

We are trying to get a closure on this property. The property is a parking lot. The City of Alameda is leasing it from us. On May 26,05 we got a notice from the city for a possible exercise of eminent domain on our property. The city wants to see stores on this property. We need a closure so we can pursue what the city wants. Mr. Farrar got a letter from Mr. Gholami, saying he was recently assigned to oversee our property. Letter attached. What I cannot understand Mr. Gholami has been working on it for years.

9/13/89 Tanks removed.
From 6/3/93-7/9/95 no MTBE.
7/31/98 MTBE showed up.
1/2/03 filed for closure.
9/18/03 filed for unconditional closure.
8/31/05 filed for closure.
11/21/05 filed for closure

The City of Alameda sees no problem having a parking lot and a Farmer's Market on our property! Why can't we get a closure?

Charles A + Ose M Begley

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



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

JEFFREY FERRAR
PO BOX 1701, CHICO, CA 95927

RE:RO0000193 OLYMPIAN #112 1435 WEBSTER
Alameda CA

Page 1 of 2

Dear Mr.FERRAR:

Please be advised that I have been recently assigned to oversee the above referenced site. Therefore, all documents, reports, and correspondences should be addressed to my attention. In fact, I have received numerous other "new cases", which I need to get familiar with and proceed forward as soon as practicable. In order to keep continuity and to reduce confusion, I will try to follow up on the work/guidelines previously requested by my colleague of this office.

However, to expedite this so called "familiarization" process, please fill out and submit to me the attached table as soon as possible. I would appreciate it if you could fill out the attached table with the latest information regarding concentrations, etc and send it to me via an email attachment. My email address is amir.gholami@acgov.org

Site Address:

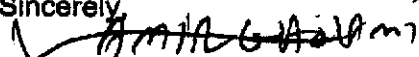
Depth to groundwater	
Groundwater flow gradient and speed	
Benzene (ppb)	
Toluene (ppb)	
Ethylbenzene (ppb)	
Xylene (ppb)	
MTBE (ppb)	
TPHg (ppb)	
TPHd (ppb)	
Solvents if any (ppb)	
Heavy Metals if any	
Well Screen levels (for each monitoring well)	
Date Information collected for concentrations	
Plume Stability: increasing or decreasing or stable?	
Any "Active Remediation" occurring presently or past?	
Other Pertinent Information regarding this site, such as whether any of the following has been performed: the plume is defined (vertically & horizontally) in soil & GW, SCM ,Risk Assessment, ESL comparison for Soil /GW, Sensitive Receptor survey, Soil Vapor analysis, etc. What is left in soil/Gw presently? (Please use additional attachment(s) if necessary)	

Additionally please provide a hard copy of a stand-alone document, which includes a site conceptual model (SCM), which incorporates the following items:

- Summary Figures
 - Site vicinity map showing the site location and identification of any nearby sensitive receptors.
 - Plot plan showing all historical sampling locations. Differentiation between sample types (i.e. excavation soil samples, soil boring locations, monitoring wells, soil vapor sampling points, etc.) is required. This figure also needs to include any former and existing UST system components, delineation of excavation areas, areas targeted by active remediation, building locations, potential preferential pathways such as utilities, property boundaries and public right-of-way locations.
 - Depth-specific contaminant isoconcentration maps for soil and groundwater. If active remediation was performed, separate pre-remediation and post-remediation isoconcentration maps are required.
- Summary Tables
 - Table of all historical soil data. Sample ID, date, depth, and results for all analytes are required. Please refer to the Tri-Regional Guidelines to confirm that chemical analysis was performed for all relevant contaminants of concern (CoCs). Pre- and post-remediation concentrations should be clearly identified or presented in separate tables.
 - Table of all historical groundwater data. Chemical concentrations in monitoring well(s) concentrations along with depth to water should be tabulated.
 - The tables need to compare the detected CoC concentrations with the Regional Board's ESLs or other appropriate cleanup levels and to the water quality objectives identified in the Regional Board's Basin Plan.
- Complete set of all boring logs generated during site investigation.
- Geologic cross-sections showing soil borings, monitoring wells with screened intervals, UST locations, any preferential pathways, excavation boundaries, water table elevations (historical and current) and extent of residual contamination.

The submission of the above documents will help expedite the review of your case. If you have any questions, please call me at (510)-5676. Thank you very much for your cooperation.

Sincerely,



Amir K. Gholami, REHS
Hazardous Materials Specialist
C: A.Gholami,D.Drogos
files

R0193

November 10, 2005

Charles A. & Ose M. Begley
2592 PineView Dr.
Fortuna, CA 95540
707-725-6299

Alameda County
NOV 15 2005
Environmental Health

Mr. Amir K. Gholami, REHS
Alameda County Health Care Services Agency
1131 Harbor Bay Parkway, 2nd Floor
Alameda, CA. 94502

Re: Fuel leak case #R00000193, Environmental Investigation at Former Olympian, 1435 Webster St. Alameda

Mr. Gholami,

I spoke with you yesterday. Attached is a copy of the fax I sent you. When you told me that you did not have a closure report from Technology, Engineering & Construction, Inc. I phoned Janet Heikel, Olympian, she told me that all reports are sent electronically. Please check your files. We need a speedy closure so we can give the City of Alameda retail stores.

Sincerely,

Charles A. & Ose M. Begley

Ose Begley

FAX TRANSMISSION: October 31, 2005

**From: Charles A. Begley
2592 Pine View Dr.
Fortuna, CA 95540
707-725-6299
Fax: 725-6422**

**To: Mr. Amir K. Gholami, REHS
Hazardous Materials Specialist
Alameda County Health Care Services Agency
Division of Environmental Protection
1131 Harbor Bay Parkway, 2nd Floor
Alameda, Ca 94502
510- 567-6876
Fax: 337-9335**

**Re: Fuel Leak Case #RO0000193, Environmental Investigation at Former
Olympian, 1435 Webster St. Alameda**

I would like to see a closure on this property as soon as possible, since we have been notified by the City of Alameda for a possible exercise of eminent domain. The City of Alameda is presently leasing this property from my partners and I. Currently this property is a parking lot. The City wants to see retail stores on our property. We cannot pursue this until we have a closure. We thank you in advance for your speedy efforts.



A L

89 NOV 16 PM 12:59

OLYMPIAN OIL COMPANY

260 MICHELE COURT • SOUTH SAN FRANCISCO, CALIFORNIA 94080-6297
(415) 873-8200 • (800) 682-6100 • TELEX 171513

November 15, 1989

259ADM

Mr. Ariu Levi
Alameda County Health Agency
Division of Hazardous Materials
Department of Environmental Health
80 Swan Way, Room 200
Oakland, Ca. 94621

Re: 1435 Webster Street, Alameda

Dear Mr. Levi:

Please find enclosed a copy of the soil sampling report for the above referenced property.

Sincerely,

OLYMPIAN OIL COMPANY

Janet Heikel
Administrative Coordinator

CBP CARNEGHI-BLUM & PARTNERS, INC.
Real Estate Appraisers & Consultants in Urban Economics

May 26, 2005

Mr. Charles A. Begley
2592 Pine View Drive
Fortuna, CA 95540

Re: 1435 Webster Street
Alameda, California

Dear Mr. Begley:

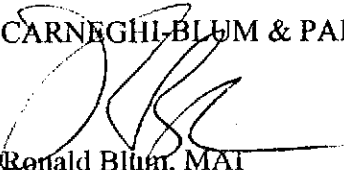
Carneghi-Blum & Partners, Inc. has been engaged by Law Offices of Michael W. Stamp, acting as attorney for the Community Improvement Commission of the City of Alameda, to appraise the property at 1435 Webster Street in Alameda, California. The appraisal is preliminary to a possible exercise of eminent domain of the property by the City of Alameda. We emphasize that no decisions have been made in regard to the property, and that the possible project is still in the planning stages.

Pursuant to California Code of Civil Procedure Section 1245.020, we are seeking your written consent, as the property owner, to enter upon the property and to inspect it in order that we may complete the appraisal. We would also like to offer you the opportunity to accompany us on the property inspection and to present any market evidence you may have that is relevant to ascertaining to property's value. We would arrange a time that is convenient to all parties to conduct the inspection.

Enclosed is an additional signed copy of this letter. Please return at your earliest convenience a countersigned copy of the letter to our office to indicate that you consent to the physical inspection.

Sincerely,

CARNEGHI-BLUM & PARTNERS, INC.


Ronald Blum, MAI
Certified General Real Estate Appraiser
State of California No. AG009958

Agreed:

Charles A. Begley

Date

cc: Michael Stamp



17

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

April 28, 2005

Mr. Fred Bertetta
1300 Industrial Road, Suite 2
San Carlos, CA 94070

Re: Fuel Leak Case # ~~0000103~~ Environmental Investigation at Former
Olympian, 1435 Webster Street, Alameda, CA

Dear Mr. Bertetta:

It has come to our attention that you and/or your consultant have requested the review of the above subject site for closure. Please be advised that the following State Water Board "low risk" criteria must be met prior to your case being considered for closure. If you feel that your site meets the following state requirements for a "low risk" site, then submit a stand-alone document specified below for our office review.

LOW RISK requirements:

1. Leak stopped, on-going source, including free product removed
2. Site adequately characterized
3. Plume not migrating
4. No sensitive receptors impacted
5. No significant risk to human health
6. No significant risk to environment
7. Water quality objectives to be achieved within a reasonable time frame

Please be advised that a **stand-alone document** must include a site conceptual model (SCM), which incorporates the following items:

- Summary Figures
 - Site vicinity map showing the site location and identification of any nearby sensitive receptors.
 - Plot plan showing all historical sampling locations. Differentiation between sample types (i.e. excavation soil samples, soil boring locations, monitoring wells, soil vapor sampling points, etc.) is required. This figure also needs to include any former and existing UST system components, delineation of excavation areas, areas targeted by active remediation, building locations, potential preferential pathways such as utilities, property boundaries and public right-of-way locations.

- Depth-specific contaminant isoconcentration maps for soil and groundwater. If active remediation was performed, separate pre-remediation and post-remediation isoconcentration maps are required.
- Summary Tables
 - Table of all historical soil data. Sample ID, date, depth, and results for all analytes are required. Please refer to the Tri-Regional Guidelines to confirm that chemical analysis was performed for all relevant contaminants of concern (CoCs). Pre- and post-remediation concentrations should be clearly identified or presented in separate tables.
 - Table of all historical groundwater data. Chemical concentrations in monitoring well(s) concentrations along with depth to water should be tabulated.
 - The tables need to compare the detected CoC concentrations with the Regional Board's ESLs or other appropriate cleanup levels and to the water quality objectives identified in the Regional Board's Basin Plan.
- Complete set of all boring logs generated during site investigation.
- Geologic cross-sections showing soil borings, monitoring wells with screened intervals, UST locations, any preferential pathways, excavation boundaries, water table elevations (historical and current) and extent of residual contamination.

The above stand-alone document will help to expedite the review of your case. Please contact Amir K. Gholami at 510-567-6876 or amir.gholami@acgov.org to receive document samples to help you prepare the stand-alone document, if you are requesting a closure review.

Sincerely,



Amir K. Gholami, REHS

Hazardous Materials Specialist

C: D. Drogos, A. Gholami

Sami Malaeb, Tec Accutite, 262 Michele Ct., South San Francisco, CA 94080



Technology, Engineering & Construction, Inc.

35 South Linden Ave. • So. San Francisco, CA 94080-6407 • Contractor's Lic. #762034
Tel: (650) 952-5551 • Fax: (650) 952-7631 • www.tecaccutite.com

120193

Alameda County

NOV 03 2003

Environmental Health

October 30, 2003

Mr. Amir Gholami, REHS
Hazardous Materials Specialist
Alameda County Health Care Services Agency
1131 Harbor Bay Parkway, Suite 250
Alameda, CA 94502-6577

SUBJECT: Case Closure Summary

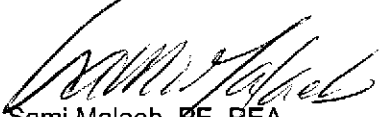
SITE: Former Olympian Station
1435 Webster Street
Alameda, California.

Dear Mr. Gholami:

As you requested in your email dated July 17, 2003, TEC Accutite is pleased to submit the completed closure summary forms for the site located at 1435 Webster Street, Alameda, California. The original completed forms and the attachments were mailed to your office on September 18, 2003. I tried to email the forms to you. However, they were returned to me. Instead, I copied the closure summary on the enclosed floppy diskette. Please let us know when we can proceed with the destruction of the six monitoring wells at this site.

Thank you for your cooperation and assistance on this project. If you have any questions, please call the undersigned at (650) 952-5551, Ext. 209.

Sincerely,
TEC Accutite


Sami Malaeb, PE, REA
Environmental Director

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



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

RO0000193

February 10, 2003

Mr. Dan Koch
Olympian
260 Michelle Court
South San Francisco, CA 94080

Re: Former olympian Gasoline Station, 1435 Webster Street, Alameda, CA

Dear Mr. Koch:

This office is in receipt of "Soil Vapor Investigation Workplan" dated January 2, 2003, prepared by your consultant Mr. David Gregory of TEC Accutite inc. regarding the above referenced site.

I have reviewed the above document and discussed it with your consultant. This workplan has been proposed since previously submitted risk assessment suggested that benzene in groundwater beneath the site might present an inhalation risk in residential site use scenario. However, the numbers used in the risk assessment were derived using "Johnson & Ettinger Vapor Transport Model", which estimates vapor concentrations from dissolved concentration of the chemical and then using site specific parameters back calculates SSTLs (Site Specific Target Level) for the constituents of concerns. However, this method of soil vapor calculation does cause overestimations. It is due to this tendency that TEC Accutite Inc. has proposed to collect soil vapor samples from 3.5 ft bgs. The proposed soil sample locations are depicted in figure 3 of this document.

I concur with this workplan and inclusion of accurate field numbers as submitted by Mr. Gregory of TEC Acetate Inc. However, please be advised that I have been recently assigned to oversee this project and that I still have to review the whole file including the risk assessment and site conceptual model per my discussion with Mr. Gregory of TEC Acetate Inc.

If you have any questions, please call me at (510)-567-6876.

Sincerely,

Amir K. Gholami, REHS
Hazardous Materials Specialist

C: David Harris, TAT&P, LLP, 2280 Union Street, San Francisco, CA 94123

W Jeff Farrar, P.O. Box 1701, Chico, CA 95927

David Gregory, TEC Accutite, 35 S Linden Ave, South San Francisco, CA94080

Files

Chu, Eva, Env. Health

From: Chu, Eva, Env. Health
Sent: Thursday, December 12, 2002 4:37 PM
To: 'David Gregory'
Cc: Gholami, Amir, Env. Health
Subject: RE: Vapor Survey

Hi David,

Please go ahead and prepare a workplan for the collection of soil vapor samples at 1435 Webster Street, Alameda, CA. Benzene concentrations in groundwater beneath the site exceeded the Tier 2 SSTLs for a residential scenario. It is appropriate to collect soil vapor samples at this time to see if we can close the case without a deed restriction. The workplan is due within 45 days of the date of this letter, or by January 24, 2003.

BTW, there is a re-distribution of cases at Alameda County. Beginning in 2003, the new case worker for LOP sites in the city of Alameda will be Mr. Amir Gholami. He can be reached at (510) 567-6876. It was a pleasure working with you on this case.

Happy Holidays,
eva

[Chu, Eva, Env. Health]

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

From: David Gregory [mailto:dgregory@tecacutite.com]
Sent: Thursday, December 12, 2002 3:10 PM
To: Chu, Eva, Env. Health
Subject: Vapor Survey

Dear Eva,

As discussed over the telephone today TEC believes that a vapor survey at the former Olympian Station may result in the site being closed without a deed restriction. Currently there is a small isolated groundwater plume in the vicinity of two wells onsite. A risk assessment was completed and concentrations in groundwater exceeded the RBSL for protection of indoor air. As the RBSL calculations assume absolute equilibrium between phases, TEC believes actual soil vapor samples 3 fbg will be significantly less than RBSLs concentrations and may pass the residential scenario. Therefore, on behalf of Olympian and Mr. Farrar, TEC Accutite requests regulatory approval to submit a workplan for soil vapor sampling.

Regards
David Gregory R.G.
Project Manager

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



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

RO0000193

October 1, 2001

Mr. Dan Koch
Olympian
260 Michelle Court
South San Francisco, CA 94080

RE: Tier 2 RBCA for 1436 Webster Street, Alameda, CA

Dear Mr. Koch:

I have completed review of TEC Accutite's August 2001 *Subsurface Investigation Report* prepared for the above referenced site. In June 2001, four soil borings were advanced across Webster Street to delineate the extent of the contaminant plume. Based on the grab groundwater analytical data, it appears that the plume has been delineated. Likewise, it appears that BTEX concentrations have stabilized in well MW-1 and are decreasing in well MW-5.

When groundwater concentrations were compared with the RWQCB's RBSLs, benzene in wells MW-1 and MW-5 exceeded the RBSL of 84ppb for groundwater volatilization through a coarse sediment to indoor air. It is recommended that a site specific Tier 2 RBCA be prepared for the site. The 95% UCL of chemicals of concern's concentrations from the last four quarter may be used. TPHg should also be evaluated, applying the MADEP fractionation methodology. Prepare the risk assessment assuming a residential scenario (10E-06 risk), thus the site can eventually be closed without a deed restriction.

Reference was made to a soil gas analysis that was performed in October 1988 by CHIPS Environmental Consultants. I am not in receipt of that report. Please provide a copy.

If you have any questions, I can be reached at (510) 567-6762.

A handwritten signature in black ink, appearing to read 'eva chu'.

eva chu
Hazardous Materials Specialist

c: David Harris, TAT&P, LLP, 2280 Union Street, San Francisco, CA 94123
Jeff Farrar, P.O. Box 1701, Chico, CA 95927
David Gregory, TEC Accutite, 35 S Linden Ave, South San Francisco, CA 94080

ferrar9

TEC ACCUTITE

35 S. Linden Ave.

South San Francisco, CA 94080

Phone 650-952-5551

Fax 650-952-7631

Fax

To: Ms. Eva Chu **From:** David Gregory

Fax: (510) 337 9335 **Date:** 5/30/01

Phone: **Pages:** 3

Re: Olympian 1435 Webster St. **CC:**

Urgent **For Review** **Please Comment** **Please Reply** **Please Recycle**

Hi Eva,

Please find attached the chromatograms as requested. I have included the chromatogram for MW-1 and a standard diesel chromatogram. As you can see the MW-1 sample chromatogram does not match the diesel chromatogram. Detections in the diesel range are weathered gasoline or mineral spirits.

Regards

David Gregory

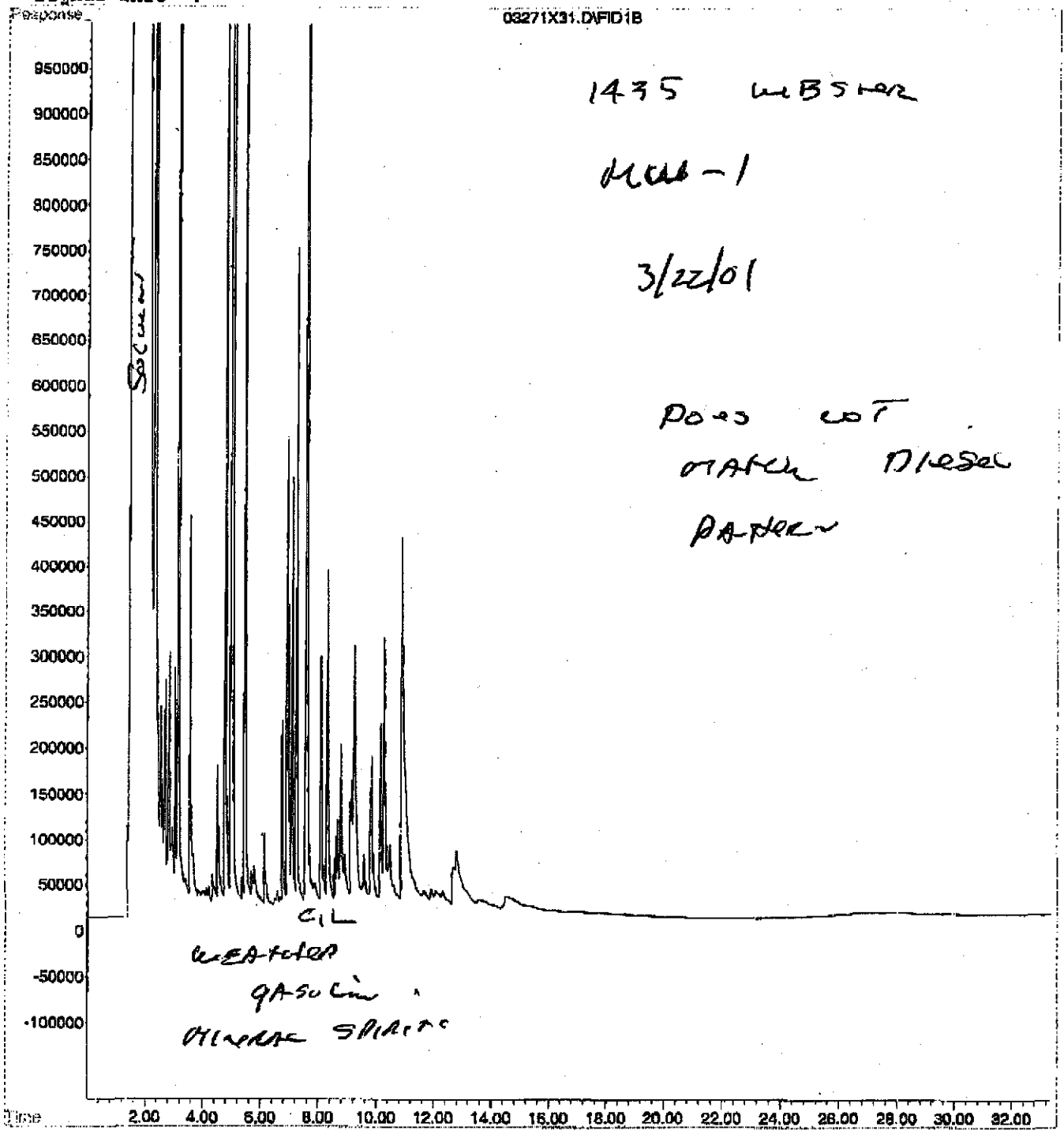
FROM : Panasonic PPF

Quantitation Report

Data File : E:\HPCHEM\1\DATA\03271X31.D Vial: 25
 Acq On : 3-28-01 8:35:31 AM Operator: ec
 Sample : 01-0404-01 Inst : GC/MS Ins
 Misc : water Multiplr: 0.01
 IntFile : EVENTS.E
 Quant Time: Mar 28 9:08 2001 Quant Results File: TPH.RES

Quant Method : E:\HPCHEM\1\METHODS\TPH.M (Chemstation Integrator)
 Title :
 Last Update : Tue Mar 06 12:33:09 2001
 Response via : Multiple Level Calibration
 DataAcq Meth : TPH.M

Volume Inj. :
 Signal Phase :
 Signal Info :



FROM : Panasonic PPF

Quantitation Report

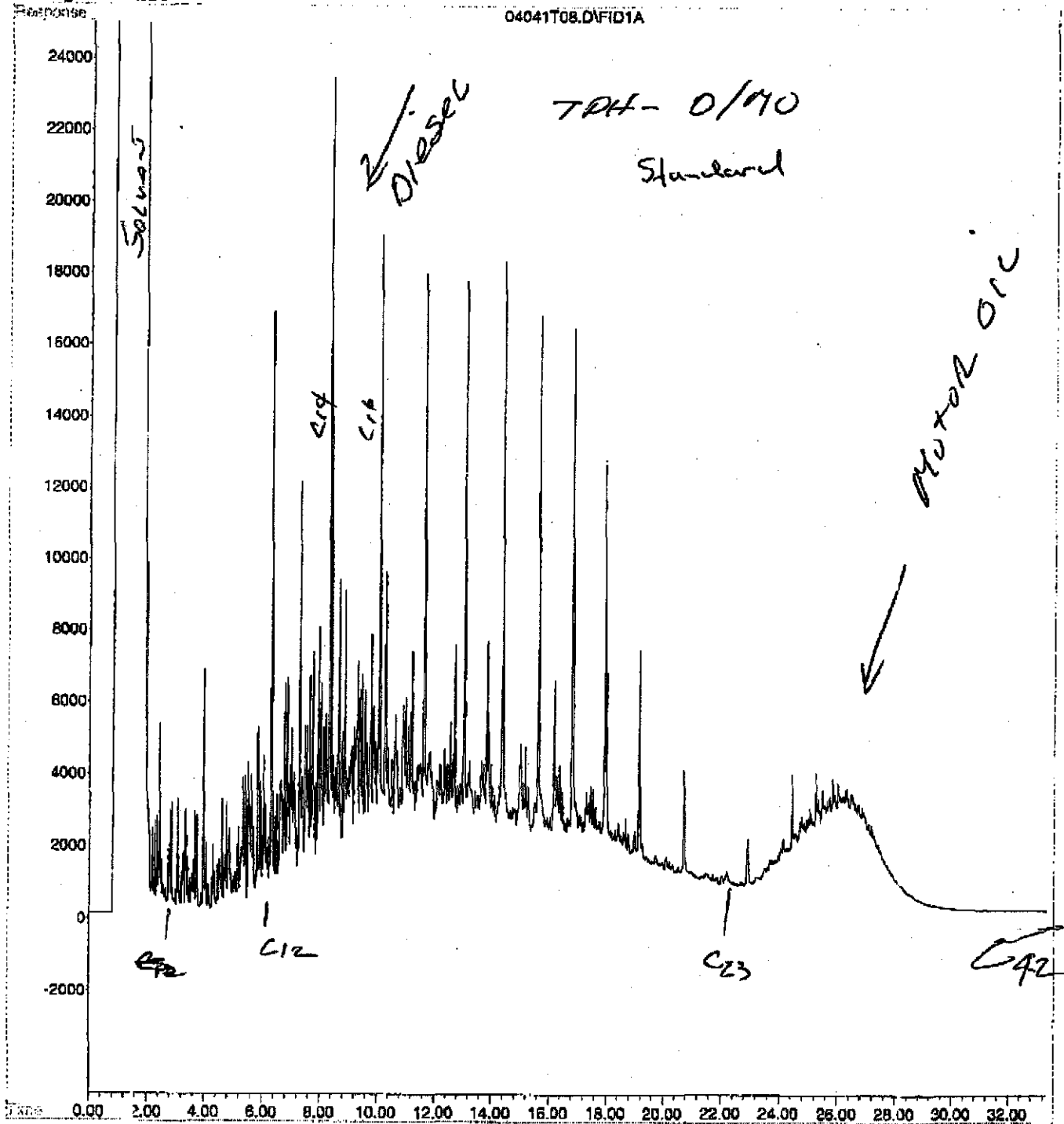
Data File : E:\HPCHEM\2\DATA\04041T08.D
Acq On : 4 Apr 2001 3:31 pm
Sample : d/mc 500 ppm
Misc : 5 point calibration
Intfile : EVENTS.E
Quant T.me: Apr 4 16:05 2001

Vial: 8
Operator: ss
Inst : GC/MS Ins
Multiplr: 1.00

Quant Results File: TPH.RES

Quant Method : E:\HPCHEM\2\METHODS\TPH.M (Chemstation Integrator)
Title :
Last Update : Wed Mar 14 16:03:04 2001
Response via : Multiple Level Calibration
DataAcq Meth : TPH.M

Volume Inj. :
Signal Phase :
Signal Info :





State Water Resources Control Board

Division of Clean Water Programs

1001 I Street • Sacramento, California 95814
P.O. Box 944212 • Sacramento, California • 94244-2120
(916) 341-5831 • FAX (916) 341-5806 • www.swrcb.ca.gov/cwphome/ustcf

Winston H. Hickox
Secretary for
Environmental
Protection

*The energy challenge facing California is real. Every Californian needs to take immediate action to reduce energy consumption.
For a list of simple ways you can reduce demand and cut your energy costs, see our website at www.swrcb.ca.gov.*



Gray Davis
Governor

March 1, 2001

Dan Koch
Olympian
260 Michele Ct
So. San Francisco, CA 94080

**PRE-APPROVAL OF CORRECTIVE ACTION COSTS,
CLAIM NO. 001904, PRE-APPROVAL REQUEST NO. 4
SITE ADDRESS: 1435 WEBSTER ST, ALAMEDA, CA 94501**

I have reviewed your request, received on February 13, 2001, for pre-approval of corrective action costs. I have included a copy of the "Cost Pre-Approval Request" form; please use this form in the future for requesting pre-approval of corrective action costs.

With the following provisions, the total cost pre-approved as eligible for reimbursement for completing the December 19, 2000, TEC Acutite workplan approved by the Alameda County EHD (County) in their December 22, 2001 letter, is \$17,011; see the table below for a breakdown of costs.

Be aware that this pre-approval does not constitute a decision on reimbursement: **necessary** (as determined by the Fund) corrective action costs for action work **directed and approved by the County** will be eligible for reimbursement at costs consistent with those pre-approved in this letter. However, depending on what happens in the field, some costs may not actually be necessary. If the Fund agrees that they were in fact necessary, the Fund will reimburse at reasonable rates (rates consistent with those pre-approved.)

In an effort to expedite future reimbursement requests associated with the implementation of the corrective action tasks pre-approved in this letter, we ask that the attached 'Pre-Approval Specific Reimbursement Request Form' be completed, updated and submitted with each reimbursement request. All relevant supporting documentation must also be included with each reimbursement request.

In order for future costs for corrective action to be part of the expedited reimbursement process, they must be pre-approved in writing by Fund staff.

All costs for corrective action must meet the requirements of Article 11, Chapter 16, Underground Storage Tank Regulations in order to be eligible for reimbursement.

California Environmental Protection Agency



COST PRE-APPROVAL BREAKDOWN

#	Task*	Amount Pre-Approved	Comments
1	WP Preparation	\$ 0	Already prepared under separat contract.
2	H & S Plan	\$ 160	Perpare a H & S plan for off-site investingation. The plan shall include safety measures to be taken for drilling in the street.
3	Permitting & Clearing Utilities	\$ 631	Pre-mark soil boring locations, get the boring locations cleared with utilities since the borings are in the street. Obtain permit from all City, County and State jurisdictions. All time and material costs are included.
4	Sub-Surface Investigation	\$3,000	Advance 5 soil borings to 15' bgs. Collect soil and grab GW samples. Includes all time and material costs for this task.
5	Soil and GW analysis	\$1,300	Laboratory analysis of 5 soil and 5 GW samples for TPH(g), TPH(d), BTEX and MTBE using EPA methods 8015/820 and 8260B.
6	Continuing QMR sampling	\$9,640	Conduct four rounds of QMR sampling in 6 existing GWMWs. Includes all time and matrial costs for monitoring, sampling, lab analysis and report preparation.
7	Tier I RBCA	\$1,180	Perform a Tier I RBCA for the subject site along with the newly acquired data. If the RBCA has been performed at the site in the past, than there is no need in the future.
8	Reporting	\$1,100	Prepare detailed SAR (sections for site background, history, geology, geohydology, field activites, methodology, log of borings, figures, corss-sections, isoconcentration maps in soil and GW [TPH(g), TPH(d), benzene, MTBE], conclusions & Recommendations
	TOTAL PRE-APPROVED	\$17,011	

* Task descriptions are the same as those identified in TEC Acutite's January 3, 2001 cost estimate.

- Only the tasks/costs reflected on the above table are pre-approved at this time. The Fund will review any tasks/costs that go beyond the pre-approved amount to be determined if the additional tasks and costs are necessary and reasonable. However, if costs exceed the above pre-approved amounts, the Fund will be unable to expedite your Reimbursement Request.
- The work products must be acceptable to the County and the Regional Water Quality Control Board.

- If a different scope of work becomes necessary, then you must request pre-approval of costs on the new scope of work.
- Although I have referred to the TEC Acutite proposal in my pre-approval above, please be aware that you will be entering into a private contract: the State of California cannot compel you to sign any specific contract. This letter **pre-approves the costs** as presented in the proposal dated January 3, 2001 by TEC Acutite for conducting the work approved by the County for implementing the December 19, 2000, TEC Acutite workplan.

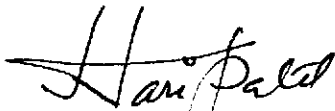
I also want to remind you that the Fund's regulations require that you obtain at least three bids, or a bid waiver from Fund staff, from qualified firms for all necessary future corrective action work. If you need assistance in procuring contractor and consultant services, don't hesitate to call me.

Please remember that it is still necessary to submit the actual costs of the work as explained in the Reimbursement Request Instructions to confirm that the costs are consistent with this pre-approval before you will be reimbursed. *Please insure that your consultant prepares their invoices to include the required breakdown of costs on a time and materials basis, that invoiced tasks are consistent with the original proposal, and that reasonable explanations are provided for any changes made in the scope of work or increases in the costs. When the invoices are submitted you must include copies of all:*

- *subcontractor invoices,*
- *technical reports, when available, and*
- *applicable correspondence from the County.*

Please call if you have any questions; I can be reached at (916) 341-5831.

Sincerely,



Hari Patel, Sanitary Engineering Associate
Technical Review Unit
Underground Storage Tank Cleanup Fund

Enclosure

cc: Ms. Eva Chu
✓ Alameda County EHD
1131 Harbor Bay Pkway, 2nd Fl.
Alameda, CA 94502-6577

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



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

StID 3568

December 22, 2000

Mr. Dan Koch
Olympian
260 Michelle Court
South San Francisco, CA 94080

RE: Work Plan Approval for 1436 Webster Street, Alameda, CA

Dear Mr. Koch:

I have completed review of TEC/Accutite's (Accutite) December 2000 *Workplan for Performing an Offsite Subsurface Investigation and a Risk-Based-Corrective-Action (RBCA)* for the above referenced site. Accutite proposes to advance five offsite borings to delineate the extent of the MTBE plume. Data collected from this investigation will be used in an RBCA analysis for the site. The workplan is acceptable and field work should commence within 90 days of the date of this letter. As requested by Accutite, the analysis for other ether oxygenates using EPA Method 8260 may be discontinued at this time.

If you have any questions, I can be reached at (510) 567-6762.

eva chu
Hazardous Materials Specialist

c: Sami Malaeb, TEC Accutite, 35 South Linden Avenue, SSF, CA 94080-6407
Jeff Ferrar, P.O. Box 1701, Chico, CA 95927
David Harris, TAT&P, LLP, 2280 Union Street, San Francisco, CA 94123

2/28/01

David Gregory called to say need extension for
access/accommodations from Cal Trans ~ another
2 months

ferrar8

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



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

StID 3568

December 8, 2000

Mr. Dan Koch
Olympian
260 Michelle Court
South San Francisco, CA 94080

RE: Offsite Investigation at 1435 Webster Street, Alameda, CA

Dear Mr. Koch:

I have completed review of TEC/Accutite's November 2000 *Quarterly Groundwater Monitoring, Sensitive Receptor Survey, and Site Conceptual Model* report prepared for the above referenced site. As concluded in this report, a historical review has revealed that the hydrocarbon plume is currently unstable and is moving down-gradient to the southeast. The lateral extent of the plume has not been delineated to the southeast.

Accutite recommended that addition shallow geoprobe borings (up to five) be advanced to determine the extent of the dissolved plume. Data from this phase of investigation will be used to prepare a Risk Based Corrective Action study. This office concurs with Accutite's recommendation. A workplan for the advancement of offsite geoprobe borings is due within 60 days of the date of this letter, or by **February 11, 2001**.

If you have any questions, I can be reached at (510) 567-6762.

eva chu
Hazardous Materials Specialist

c: Jeff Ferrar, P.O. Box 1701, Chico, CA 95927
David Harris, Trump-Alioto-Trump & Prescott, LLP, 2280 Union Street, San Francisco, CA 94123
David Gregory, TEC, 35 South Linden Ave., South San Francisco, CA 94080-6407

TEC ACCUTITE
 35 S. Linden Ave.
 South San Francisco, CA 94080
 Phone 650-952-5551
 Fax 650-952-7631

Fax

To: Ms. Eva Chu **From:** David Gregory Fx 650-957 7631

Fax: 510 337 9335 **Date:** October 16, 2000

Phone: **Pages:** 2

Re: 1435 Webster St, Receptor Survey **CC:**

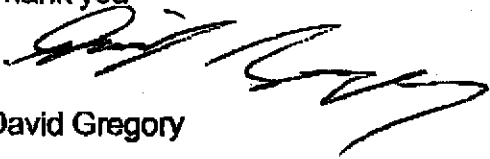
- Urgent For Review Please Comment Please Reply Please Recycle

Dear Ms. Chu,

Could you please complete and fax the well drillers request form so I may proceed with obtaining the DWR reports for a sensitive receptor survey at the above address.

Thank you

David Gregory



*Completed + faxed back
to D Gregory*

*DWR Log: 916-227-7600
Attn: Anne Roth*

State of California
Department of Water Resources
Central District
3251 S Street
Sacramento, CA 95816-7017

**WELL DRILLER'S REPORTS
INSPECTION REQUEST AND AGREEMENT**

Project: Former Olympian Service Station
Location: 1435 Webster Street, Alameda
County: Alameda Contract Number: _____

Request is made pursuant to Section 13751 of the California Water Code for permission to inspect or copy Water Well Driller's Reports which are on file in your office.

In accordance with the requirements of Section 13752 of the Water Code, it is stipulated and agreed that such reports, or any copy or copies made thereof, will not be made available for inspection by the public but will be used solely by this governmental agency for making studies. If copies are made or taken, each copy will be stamped "CONFIDENTIAL" or "FOR OFFICIAL USE ONLY" and will be kept in a restricted file, access to which is limited to the staff of this governmental agency or to its contracted agents. Any copies furnished to contracted agents must be returned to the Department of Water Resources, Central District upon completion of work by the contracted agent.

No information contained in these reports can be disseminated or published without the written permission of the owner of the well.

<u>TEC Accutite</u> Contracted Agent	<u>Alameda Co. Environmental Health</u> Governmental Agency
<u>35 South Linden Avenue</u> Address	<u>1131 Harbor Bay Parkway</u> Address
<u>South San Francisco, CA 94080</u> City, State, & Zip Code	<u>Alameda, CA 94502</u> City, State, & Zip Code
By <u>David Gregory</u> Officer	By <u>Eva Chu</u> Officer
<u>Project Manager</u> Title	<u>Haz Mat Specialist</u> Title
<u>659 952-5551 x 208</u> Telephone	<u>510 567-6762</u> Telephone
<u>10/16/00</u> Date	<u>10/17/00</u> Date

(For Departmental information: _____ copies sent _____)

Post-It® Fax Note	7871	Date	10-16-00	P. of Pages	1
To	<u>David Gregory</u>	From			
Co./Dept	<u>TEC</u>	Co.			
Phone #		Phone #	<u>227-7632</u>		
Fax #	<u>952-7631</u>	Fax #	<u>227-7602</u>		

Chu, Eva, Public Health, EHS

From: Chu, Eva, Public Health, EHS
Sent: July 24, 2000 10:09 AM
To: 'Thomas E. Ballard'
Subject: RE: Action Plan for 1435 Webster Street, Alameda, CA

With the exception of item 4, site closure will not be considered if MTBE concentrations continue to be above 100 to 200ppb. There is a possibility that the frequency of monitoring/sampling can be decreased to semi-annual basis, and/or eventually to annual, if sufficiency data is available.

From: Thomas E. Ballard[SMTP:teb@tballard.com]
Sent: July 24, 2000 9:57 AM
To: echu@co.alameda.ca.us
Subject: Action Plan for 1435 Webster Street, Alameda, CA

GHH@ghheng.com

Eva:

Thanks so much for taking the time to meet last Friday, July 21. You definitely cleared up some questions I had. Just to make sure, I wanted to document my understanding of what needs to be done at the site to get it onto the closure track:

1. The next quarterly monitoring event, which should take place in September 2000, is to include analysis for the full suite of oxygenates by EPA Method 8260B. In addition, TDS analysis should be conducted to determine the general quality of the groundwater. Concentration vs. time graphs should be presented in the report.
2. A site conceptual model, including sensitive receptor information, should be developed and presented in the report. The site conceptual model should also include MTBE and petroleum hydrocarbon transport rates.
3. A determination of whether additional investigation (hydropunch or geoprobe) should be conducted across Webster Street (downgradient) from the site in order to define the horizontal extent of the plume, based on the site conceptual model.
4. Using the information defined in the site conceptual model, look at the potential impacts on the identified sensitive receptors using a Tier II model and RBSLs which have been developed for the identified receptors. If the risks fall within acceptable ranges, the site will be considered a candidate for closure.

Please let me know if this is correct or if I have left out anything. If this OK, I will pass along the plan to all the concerned parties.

Thanks for your assistance.

Thomas E. Ballard
GHH Engineering, Inc.

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



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

StID 3568

July 24, 2000

Mr. Dan Koch
Olympian
260 Michelle Court
South San Francisco, CA 94080

RE: Next QMR for 1435 Webster Street, Alameda, CA

Dear Mr. Koch:

I have completed review of TEC-Accutite's July 2000 *Quarterly Sampling and Analysis of Six Monitoring Wells* report prepared for the above referenced site. Groundwater analytical data revealed elevated MTBE in Wells MW-1 and MW-5. The extent of the MTBE plume has not been delineated.

For the next groundwater sampling event, due in September 2000, water samples should be analyzed for the full suite of oxygenates (including TAME, ETBE, TBA, DIPE and MTBE). Total dissolved solids should also be measured. Results of the groundwater data should be submitted in a quarterly monitoring report (QMR). The next QMR should also included a site conceptual model (SCM) for the site, where the distribution of chemicals is plotted on a site plan, potential sensitive receptors are identified, contaminant transport rates calculated to determine if sensitive receptors will be impacted, among others. The SCM should adhere to the SWRCB's final draft May 2000 *Guidelines for Investigation and Cleanup of MTBE and Other Ether-Based Oxygenates*. A copy of the guidelines is available on the SWRCB's web site: www.swrcb.ca.gov, under the NEWS heading.

If you have any questions, I can be reached at (510) 567-6762.

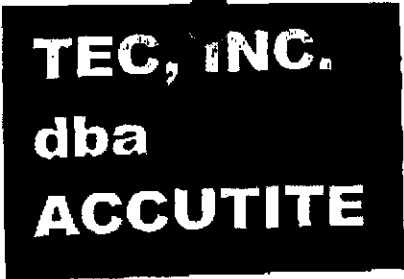
eva chu
Hazardous Materials Specialist

cc: Jeff Ferrar, P.O.Box 1701, Chico, CA 95927
Sami Malaeb, TEC, 35 South Linden Ave., South San Francisco, CA 94080-6407

ferrar6

FROM : Panasonic PPF

35 S. LINDEN AVE.
SO. SAN FRANCISCO, CA 94080
(650)952-5551 PHONE
(650)952-7631 FAX



Fax

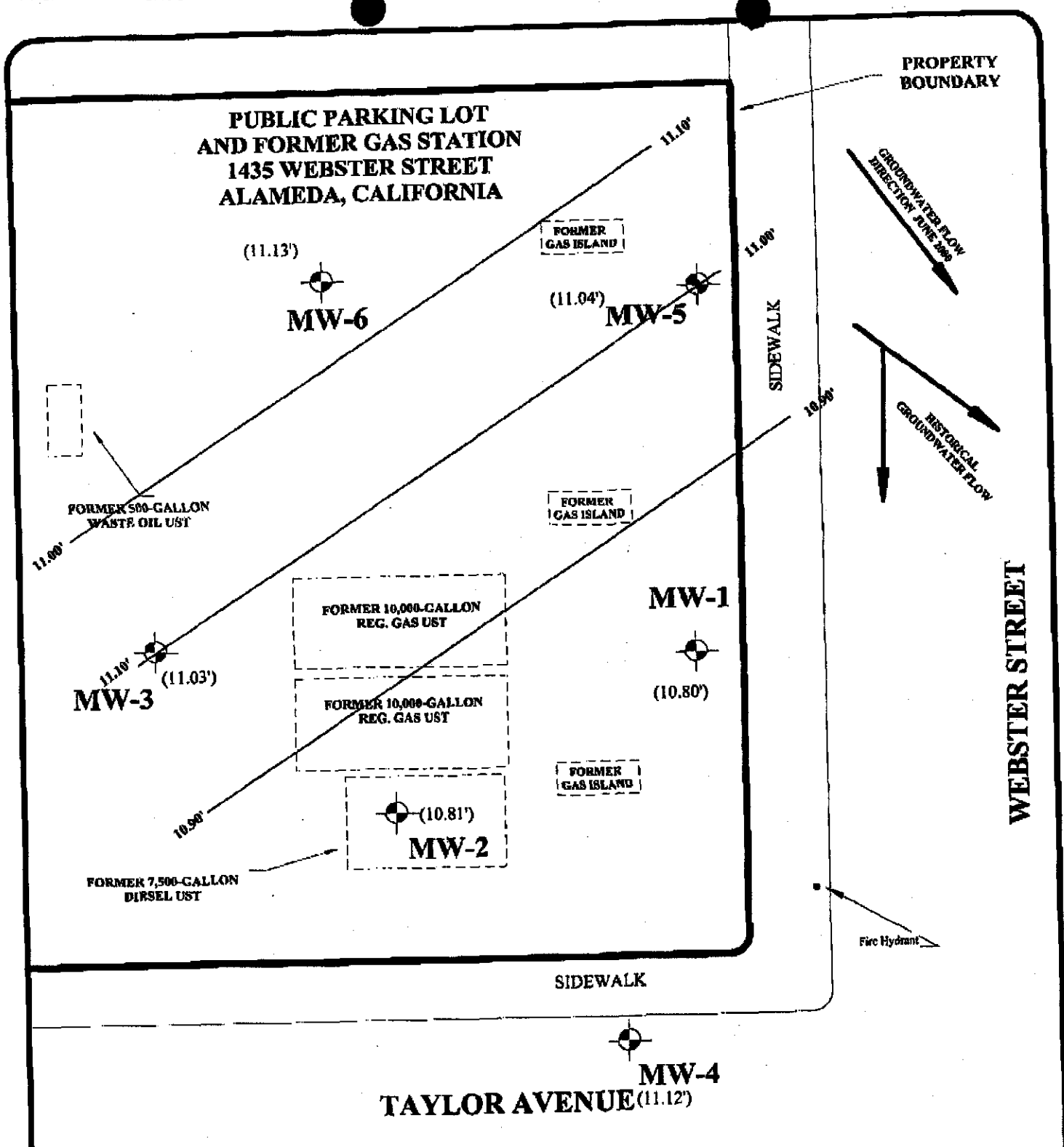
To: Ms. Eva Chu From: Rami Mateeb
 Fax: (510) 337-9885 Pages: 3
 Phone: _____ Date: _____
 Re: _____ CC: _____

- Urgent For Review Please Comment Please Reply Please Recycle

Attached please find the analytical results
of the groundwater at the former Olympian
gasoline station, 1435 Webster Street
in Alameda. I will call you
later to discuss these results and
decide on the next step.

Thanks

Rami Mateeb



REVISIONS	DATE 07/14/00	PAGE 1 of 1
N ↑	LEGEND: MONITORING WELLS NUMBERS BETWEEN PARENTHESES DENOTE ELEVATION OF GROUNDWATER	

TEC
ACCUTITE
 35 SOUTH LINDEN AVENUE
 SOUTH SAN FRANCISCO, CA 94080

FIGURE 2
GROUNDWATER FLOW DIRECTION AND GRADIENT 20MR00
 1435 Webster Street
 Alameda, California

SCALE:
 ONE INCH = 20 FEET
 MW-1, MW-2, AND MW-3 WERE INSTALLED IN JANUARY 1993
 MW-4, MW-5, AND MW-6 WERE INSTALLED IN DECEMBER 1999

35 SOUTH LINDEN AVENUE
SOUTH SAN FRANCISCO CA 94080
(650) 952-5551 PHONE
(650) 952-7631 FAX

TEC/DBA ACCUTITE

Fax

To: Ms. Eva Chu From: Sami Malachuk
 Fax: (510) 337-9335 Pages: 2
 Phone: (510) 567-6762 Date: 10/13/99
 Re: Well Installation CC:

- Urgent For Review Please Comment Please Reply Please Recycle

• Comments:

Dear Eva:
 As requested by Mr. Lee Masters of the City of Alameda, a public works Dept., MW-4 was moved from the side of street to the sidewalk. It should be OK since the location of the proposed well (MW-4) still in the downgradient from the former USTs onsite.

Plank's

I will call you later



State Water Resources Control Board



Gray Davis
Governor

Division of Clean Water Programs

2014 T Street • Sacramento, California 95814 • (916) 227-

Mailing Address: P.O. Box 944212 • Sacramento, California • 94244-2120

FAX (916) 227-4530 • Internet Address: <http://www.swrcb.ca.gov/~cwphome/ustcf>

Winston H. Hickox
Secretary for
Environmental
Protection

October 1, 1999

Mr. Dan Koch
Olympian
260 Michelle Court
South San Francisco, CA 94080

PRE-APPROVAL OF CORRECTIVE ACTION COSTS, CLAIM NO. 1904, SITE ADDRESS: 1435 WEBSTER STREET, ALAMEDA

I have reviewed your request, received on September 22, 1999 for pre-approval of corrective action costs; I will place these documents in your file for future reference. I have included a copy of the "Cost Pre-Approval Request" form; please use this form in the future for requesting pre-approval of corrective action costs.

With the following provisions, the **total cost pre-approved** as eligible for reimbursement for the additional monitoring well installation and related work, is **\$1,610.00**. The cost proposal for this work by Accutite is approved for eligible costs as submitted.

In an effort to expedite future reimbursement requests associated with the implementation of these pre-approved tasks, we request that the attached budget tracking form be completed/updated and submitted with the relevant supporting documentation.

Be aware that this pre-approval does not constitute a decision on reimbursement: all reasonable and necessary corrective action costs for work directed and approved by the local regulator will be eligible for reimbursement per the terms of your Letter of Commitment at costs consistent with those pre-approved in this letter.

*All future costs for corrective action must be approved in writing by Fund staff.
Future costs for corrective action must meet the requirements of
Article 11, Chapter 16, Underground Storage Tank Regulations.*

- The actual costs and scope of work performed must be consistent with the pre-approval for it to remain valid.
- The work products must be acceptable to Alameda County Health Care Services (ACHCS).
- If a different scope of work becomes necessary, then you must request pre-approval of costs on the new scope of work.

California Environmental Protection Agency

- Although I have referred to the Accutite proposal in my pre-approval above, please be aware that you will be entering into a private contract: the State of California cannot compel you to sign any specific contract.

I also want to remind you that the Fund's regulations require that you obtain at least three bids, or a bid waiver from Fund staff, from qualified firms for all future necessary corrective action work.

Please remember that it is still necessary to submit the actual costs of the work as explained in the Reimbursement Request Instructions to confirm that the costs are consistent with this pre-approval before you will be reimbursed. *Please insure that your consultant prepares their invoices to include the required break down of costs on a time and materials basis, that invoiced tasks are consistent with the original proposal, and that reasonable explanations are provided for any changes made in the scope of work or increases in the costs. When the invoices are submitted you must include copies of all:*

- subcontractor invoices (includes lab invoices)
- technical reports, when available, and
- applicable correspondence from the ACHCS.

Please call if you have any questions; I can be reached at (916) 227-7883.

Sincerely,



Mark Owens, Water Resources Control Engineer
Technical Review Unit
Underground Storage Tank Cleanup Fund

cc: Ms. Eva Chu, Alameda County Health Care Services, Alameda





State Water Resources Control Board



Division of Clean Water Programs

2014 T Street • Sacramento, California 95814 • (916) 227-
Mailing Address: P.O. Box 944212 • Sacramento, California • 94244-2120
FAX (916) 227-4530 • Internet Address: <http://www.swrcb.ca.gov/~cwphome/ustcf>

Winston H. Hickox
Secretary for
Environmental
Protection

September 22, 1999

cc
Mr. Dan Koch
Olympian
260 Michelle Court
South San Francisco, CA 94080

**PRE-APPROVAL OF CORRECTIVE ACTION COSTS, CLAIM NO. 1904,
SITE ADDRESS: 1435 WEBSTER STREET, ALAMEDA**

I have reviewed your request, received on September 7, 1999 for pre-approval of corrective action costs; I will place these documents in your file for future reference. I have included a copy of the "Cost Pre-Approval Request" form; please use this form in the future for requesting pre-approval of corrective action costs.

With the following provisions, the **total cost pre-approved** as eligible for reimbursement for the monitoring well installation and related work, is **\$18,510**. The cost proposal for this work by Accutite is approved for eligible costs as submitted (with some exceptions, as noted on the attached budget tracking form).

In an effort to expedite future reimbursement requests associated with the implementation of these pre-approved tasks, we request that the attached budget tracking form be completed/updated and submitted with the relevant supporting documentation.

Be aware that this pre-approval does not constitute a decision on reimbursement: all reasonable and necessary corrective action costs for work directed and approved by the local regulator will be eligible for reimbursement per the terms of your Letter of Commitment at costs consistent with those pre-approved in this letter.

***All future costs for corrective action must be approved in writing by Fund staff.
Future costs for corrective action must meet the requirements of
Article 11, Chapter 16, Underground Storage Tank Regulations.***

- The actual costs and scope of work performed must be consistent with the pre-approval for it to remain valid.
- The work products must be acceptable to Alameda County Health Care Services (ACHCS).
- If a different scope of work becomes necessary, then you must request pre-approval of costs on the new scope of work.

California Environmental Protection Agency



Technology, Engineering & Construction, Inc.

35 South Linden Avenue • South San Francisco, CA 94080-6407

Tel: (650) 952-5551 • Fax: (650) 952-7631 • Contractor's Lic. #762034

location of proposed wells are approved.

September 20, 1999

Ms. Eva Chu
Hazardous Materials Specialist
Alameda County Health Agency
Division of Environmental Protection
1131 Harbor Bay Parkway, 2nd Floor
Alameda, CA 94502

SUBJECT: AMENDMENT TO WORKPLAN FOR THE INSTALLATION OF TWO ADDITIONAL MONITORING WELLS AT FORMER SERVICE STATION, 1435 WEBSTER STREET IN ALAMEDA, CALIFORNIA

Dear Ms. Chu:

As you requested during our telephone conversation on September 20, 1999, Accutite is pleased to submit this amendment to our workplan dated July 12, 1999. Because of detecting significant concentrations of TPH-G, BTEX, and MTBE in the groundwater sample, collected from boring B4, you requested the installation of a third additional well MW-6, near B4 (the amended Figure 3 is attached). This additional well will have a 2-inch diameter casing and 20 feet of depth, identical to the wells described in our workplan dated July 12, 1999. Once we obtain the drilling and encroachment permits, we will schedule the drilling. We will inform you of the drilling date at least 72 hours in advance.

Thank you for your cooperation. If you have any questions, please call me at (650) 952-5551, Ext. 209.

Sincerely,
Accutite

Sami Malaeb, P.E., R.E.A.
Project Manager

Cc: Mr. Dan Koch, Olympian, 260 Michelle Court, South San Francisco, CA 94080
Mr. David Harris, Esq., Trump, Alioto, Trump & Prescott, LLP, 2280 Union Street, San Francisco, CA 94123
Mr. Jeff Farrar, 3100 Cohasset Road, Chico, CA 95973

99 SEP 22 PM 2:16

ENVIRONMENTAL PROTECTION

**PUBLIC PARKING LOT
AND FORMER GAS STATION
1435 WEBSTER STREET
ALAMEDA, CALIFORNIA**

**PROPERTY
BOUNDARY**

B4-W (WATER)
(2/11/99)
TPH-D 9,000 PPB
TPH-G 33,000 PPB
B 460 PPB
T 2,300 PPB
E 1,500 PPB
X 8,300 PPB
MTBE 110 PPB
LEAD (PB) 1.4 PPM

FORMER
GAS ISLAND

B3-W (WATER)
(2/11/99)
TPH-D 7,000 PPB
TPH-G 38,000 PPB
B 2,000 PPB
T 3,700 PPB
E 1,600 PPB
X 6,300 PPB
MTBE 750 PPB
LEAD (PB) 1.7 PPM

MW-6

B3
MW-5

HISTORICAL GROUNDWATER
FLOW DIRECTION

SIDEWALK

WEBSTER STREET

FORMER 300-GALLON
WASTE OIL UST

GROUNDWATER FLOW DIRECTION CALCULATED IN JUNE 1999

FORMER
GAS ISLAND

B2-W (WATER)
(2/11/99)
TPH-D ND
TPH-G 340 PPB
B 34 PPB
T 0.7 PPB
E 1.2 PPB
X 1.2 PPB
MTBE 6,000 PPB
LEAD (PB) 0.51 PPM

MW-3
(6/23/99)
TPH-D ND
TPH-G ND
B ND
T ND
E ND
X ND
MTBE 3.0 PPB

MW-3

MW-1

FORMER 10,000-GALLON
REG. GAS UST

B2

MW-2
(6/23/99)
TPH-D 420 PPB
TPH-G ND
B ND
T ND
E ND
X ND
MTBE 96 PPB

FORMER 10,000-GALLON
REG. GAS UST

FORMER
GAS ISLAND

MW-1
(6/23/99)
TPH-D 4,900 PPB
TPH-G 42,000 PPB
B 11,000 PPB
T 1,100 PPB
E 1,500 PPB
X 2,300 PPB
MTBE 15,000 PPB

MW-2

B1

FORMER 7,500-GALLON
DIESEL UST

Fire Hydrant

SIDEWALK

TAYLOR AVENUE

MW-4

B1-W (WATER)
(2/11/99)
TPH-D 9,000 PPB
TPH-G 8,200 PPB
B 1,400 PPB
T 130 PPB
E 290 PPB
X 1,300 PPB
MTBE 320 PPB
LEAD (PB) 1.1 PPM

REVISIONS

DATE
7/12/99

PAGE
1 of 1

**ACCUTITE
ENVIRONMENTAL
ENGINEERING**

35 SOUTH LINDEN AVENUE
SOUTH SAN FRANCISCO, CA 94080

**FIGURE 3
LOCATION OF THE PROPOSED
MONITORING WELLS**

1435 Webster Street
Alameda, California

KEY:
TPH-D = DIESEL
TPH-G = GASOLINE
B = BENZENE
T = TOLUENE
E = ETHYL BENZENE
X = XYLENES
MTBE = METHYL-T-BUTYL ETHER
TRPH = PETROLEUM OIL AND GREASE

SCALE: 20 FEET



LEGEND:

- EXISTING MONITORING WELLS
- LOCATION OF THE DRILLED BORINGS
- PROPOSED MONITORING WELLS

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



ENVIRONMENTAL HEALTH SERVICES

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

StID 3568

July 23, 1999

Mr. Dan Koch
Olympian
260 Michelle Court
South San Francisco, CA 94080

RE: Work Plan Approval for 1435 Webster Street, Alameda, CA

Dear Mr. Koch:

I have completed review of Accutite Environmental Engineering's July 1999 *Groundwater Sampling and Analysis, Utility Search, and a Workplan to Install Two Additional Monitoring Wells* report prepared for the above referenced site. The proposal to install two additional groundwater monitoring wells to delineate the extent of the contaminant plume at the site is acceptable. Field work should commence within 60 days of the date of this letter, or **by September 24, 1999**. Please notify this office at least 72 hours prior to the start of field activities. If you have any questions, I can be reached at (510) 567-6762.

eva chu
Hazardous Materials Specialist

c: David Harris, Trump, Alioto, Trump & Prescott, LLP, 2280 Union Street,
San Francisco, CA 94123
Jeff Farrar, 3100 Cohasset Road, CA 94973 (chu)
Sami Malaeb, Accutite, 35 South Linden Avenue, South San Francisco, CA 94080

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



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

StID 3568

April 16, 1999

Mr. Dan Koch
Olympian
260 Michelle Court
South San Francisco, CA 94080

RE: Additional Groundwater Monitoring Wells for 1435 Webster Street, Alameda, CA

Dear Mr. Koch:

I have completed review of Accutite Environmental Engineering's (Accutite) April 1999 *Subsurface Investigation and Monitoring Well Sampling* report prepared for the above referenced site. The report summarized results of the quarterly groundwater monitoring of the existing wells and the advancement of four soil borings (B1 through B4) to collect soil and groundwater samples. Groundwater analytical results revealed elevated hydrocarbons in monitoring well MW-1 and each of the soil borings.

Based on the findings, Accutite recommended that an offsite investigation be conducted to determine if there is an offsite source contributing to the plume, that two additional groundwater monitoring wells be installed, and to continue with quarterly monitoring of the onsite wells. This office concurs with the above recommendations. The offsite investigation should also include a utility line survey. Please submit a workplan for the installation of additional wells and for the offsite investigation. The workplan is due within 60 days of the date of this letter, or **by June 18, 1999.**

If you have any questions, I can be reached at (510) 567-6762.

eva chu
Hazardous Materials Specialist

6/9/99

Approve extension to July 28, 1999
for WP

c: David Harris, Trump, Alioto, Trump & Prescott, LLP, 2280 Union Street, San Francisco, CA 94123
Jeff Farrar, 3100 Cohasset Road, Chico, CA 95973
Sami Malaeb, Accutite, 35 So. Linden Ave, South San Francisco, CA 94080-6407

ferrar4



Contractor's License #643881

Accutite Environmental Engineering

35 So. Linden Avenue, South San Francisco, CA 94080-6407 Tel: (650) 952-5551 Fax: (650) 952-7631 Tank Testing: (650) 952-0327

December 14, 1998

Ms. Eva Chu
Hazardous Materials Specialist
Alameda County Health Agency
Division of Environmental Protection
1131 Harbor Bay Parkway, 2nd Floor
Alameda, CA 94502

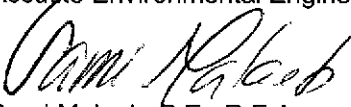
**Subject: 1435 Webster Street in Alameda, California
Encroachment Permit**

Dear Ms. Chu:

This letter is to confirm our phone conversation on December 14, 1998 regarding advancing the borings at 1435 Webster Street in Alameda, California. As you know, one of the borings is planned to be drilled on the side of Webster Street. Encroachment permits from Cal Trans and the City of Alameda are needed to drill this boring. Accutite filed the needed permit applications with Cal Trans and the City of Alameda in the week ending December 13, 1998. According to Cal Trans, the encroachment permit will take between 3 weeks and two months to be obtained. Once all the needed permits are obtained, Accutite will inform you at least 72 hours prior to commencing the field activities.

Thank you for your cooperation. If you have any questions, please call me at (650) 952-5551, Ext. 209.

Sincerely,
Accutite Environmental Engineering


Sami Malaeb, P.E., R.E.A.
Project Manager

cc: David Harris, Trump, Alioto, Trump & Prescott, 2280 Union Street, San Francisco, California 94123.

Mr. Dan Koch, Olympian, 260 Michele Court, South San Francisco, CA 94080.

Mr. Jeff Farrar, P.O. Box 1701, Chico, California 95927

1435LT1214

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



ENVIRONMENTAL HEALTH SERVICES

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

StID 3568

October 22, 1998

Mr. Dan Koch
Olympian
260 Michelle Court
South San Francisco, CA 94080

RE: Work Plan Approval for 1435 Webster Street, Alameda, CA

Dear Mr. Koch:

I have completed review of Accutite's October 2, 1998 "Groundwater Sampling and Analysis, and a Workplan to Advance Four Borings at...", and an amended site plan denoting the change in location of proposed borings for work at the above referenced site. The proposed work plan is acceptable and field work should commence within 60 days of the date of this letter. Please notify this office at least 72 hours prior to the start of field activities.

If you have any questions, I can be reached at (510) 567-6762.

eva chu
Hazardous Materials Specialist

c: David Harris
Trump, Alioto, Trump & Prescott, LLP
2280 Union Street
San Francisco, CA 94123

Jeff Farrar
3100 Cohasset Road
Chico, CA 95973

Sami Malaeb
Accutite
35 So. Linden Ave
South San Francisco, CA 94080-6407

ferrar3



Accutite Environmental Engineering

Contractor's License #643881

35 So. Linden Avenue, South San Francisco, CA 94080-6407

Tel: (650) 952-5551

Fax: (650) 952-7631

Tank Testing: (650) 952-0327

FACSIMILE COVERSHEET

TO: Ms. Eva Chiu

COMPANY: Alameda County Health Care Services

FAX NUMBER: (510) 337-9335

DATE: October 20, 1998

FROM: Pamir Maksoob

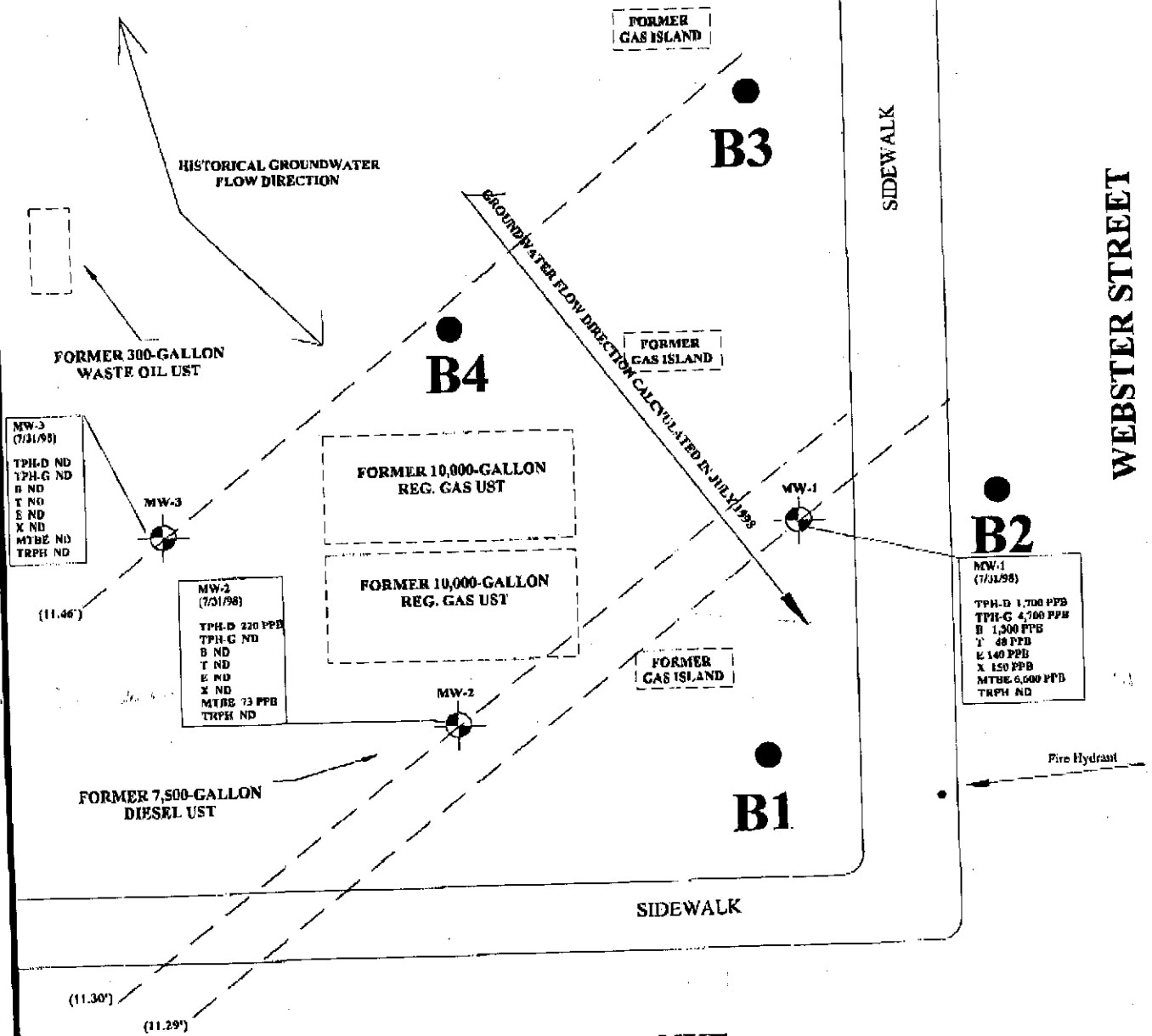
NUMBER OF PAGES: 3
 (INCLUDING COVERSHEET)

MESSAGE: Attached please find the figure showing the modified locations of the borings at 1435 Webster Street in Alameda, CA. Also, I attached a utility map. please note that we will call USA for marking the utilities before drilling.

Thanks

Pamir Maksoob
 TEL: (650) 952-5551 Ext. 209

**PUBLIC PARKING LOT
AND FORMER GAS STATION
1435 WEBSTER STREET
ALAMEDA, CALIFORNIA**



MW-1
(7/31/98)
TPH-D 1,700 PFB
TPH-G 4,700 PFB
D 1,500 PFB
T 48 PFB
E 140 PFB
X 150 PFB
MTBE 6,000 PFB
TRPH ND

MW-2
(7/31/98)
TPH-D 220 PFB
TPH-G ND
D ND
T ND
E ND
X ND
MTBE 73 PFB
TRPH ND

MW-3
(7/31/98)
TPH-D ND
TPH-G ND
D ND
T ND
E ND
X ND
MTBE ND
TRPH ND

TAYLOR AVENUE

WEBSTER STREET

FIGURE 3

LOCATIONS OF THE PROPOSED BORINGS

**1435 Webster Street
Alameda, California**

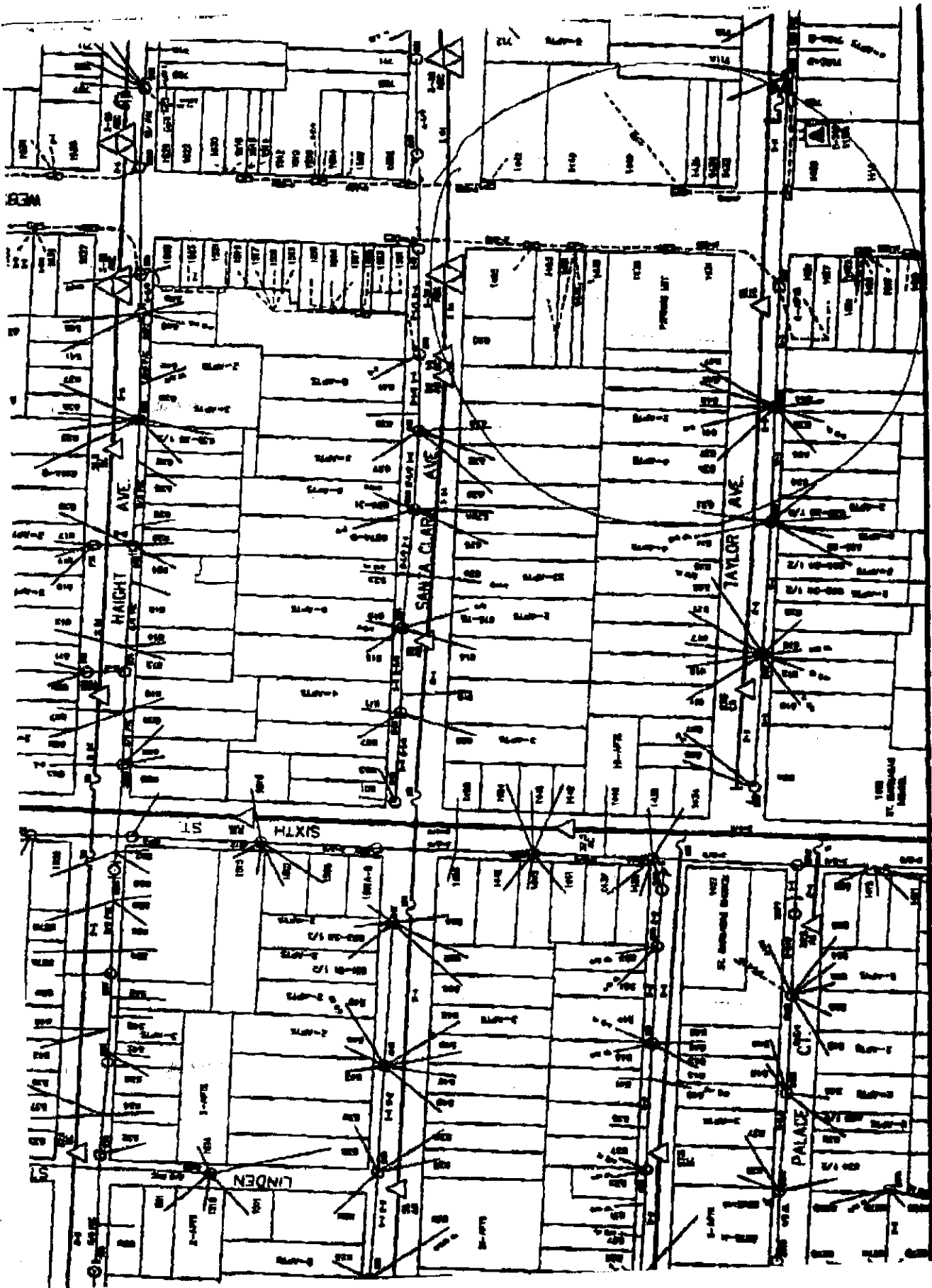
REVISIONS	DATE 7/30/98	PAGE 1 of 1
<p>N</p>	<p>SCALE: 20 FEET</p>	
	<p>LEGEND:</p> <p> LOCATION OF MONITORING WELLS</p> <p> LOCATION OF THE PROPOSED BORINGS</p>	

**ACCUTITE
ENVIRONMENTAL
ENGINEERING**

35 SOUTH LINDEN AVENUE
SOUTH SAN FRANCISCO, CA 94080

KEY:

- TPH-D - DIESEL
- TPH-G - GASOLINE
- D - BENZENE
- T - TOLUENE
- E - ETHYL BENZENE
- X - XYLENES
- MTBE - METHYL-T-BUTYL ETHER
- TRPH - PETROLEUM OIL AND GREASE



C56



Contractor's License #643881

Accutite Environmental Engineering

35 So. Linden Avenue, South San Francisco, CA 94080-6407 Tel: (415) 952-5551 Fax: (415) 952-7631 Tank Testing: (415) 952-0327

April 4, 1997

Ms. Eva Chu
Hazardous Materials Specialist
Alameda County Health Agency
Division of Environmental Protection
1131 Harbor Bay Parkway, 2nd Floor
Alameda, CA 94502

Subject: Work Schedule for the Installation of One Monitoring Well at 1435 Webster Street, in Alameda, California

Dear Ms. Chu:

Accutite is pleased to inform you that the installation of one monitoring well at the 1435 Webster site in Alameda is planned to be completed in June 1997. In addition to sampling the planned well, the scope of work will include sampling the existing three monitoring wells onsite. I will be on vacation from April 7 through April 18, 1997. I will call you upon my return from vacation regarding the workplan and permit application for the well installation.

Thank you for your cooperation. If you have any questions, please call me at (415) 952-5551, Ext. 209.

Sincerely,
Accutite Environmental Engineering

Sami Malaeb, P.E., R.E.A.
Project Manager

cc: David Harris, Trump, Alioto, Trump & Prescott, 2280 Union Street, San Francisco, California 94123.

Mr. Dan Koch, Olympian, 260 Michele Court, South San Francisco, CA 94080.

Rusty Firenze, Olympian, 260 Michele Court, South San Francisco, CA 94080.

TRUMP, ALIOTO, TRUMP & PRESCOTT
ATTORNEYS AT LAW

2280 UNION STREET
SAN FRANCISCO, CALIFORNIA 94123
(415) 563-7200

TELEFAX (415) 346-0679

FREMONT OFFICE CENTER
39300 CIVIC CENTER DRIVE, SUITE 360
FREMONT, CALIFORNIA 94538
(510) 790-0900

TELEFAX (510) 790-4856

October 28, 1996

PLEASE REPLY TO: San Francisco

Mr. Geoffrey Farrar
P.O. Box 1701
Chico, California 95927

Re: 1435 Webster Street, Alameda, California

Dear Mr. Farrar:

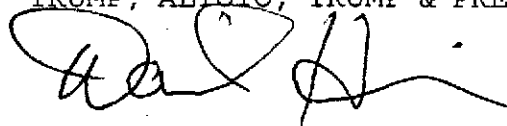
Thank you for taking the time to talk with me on Friday. As we discussed, I am in the process of obtaining bids for the work requested by the Alameda County Department of Environmental health at the referenced site. I will forward copies of the bids when they are received.

This letter is also to confirm your commitment to participate in the funding of the required work, which I hope will lead to a recommendation of closure from the County.

I appreciate your cooperation in this matter. Please telephone me if you have any question or need further information.

Very truly yours,

TRUMP, ALIOTO, TRUMP & PRESCOTT



DAVID A. HARRIS

DAH:b

cc: Ms. Eva Chu ✓
Hazardous Materials Specialist
Alameda County Department of Environmental Health

TRUMP, ALIOTO, TRUMP & PRESCOTT
ATTORNEYS AT LAW

2280 UNION STREET
SAN FRANCISCO, CALIFORNIA 94123
(415) 563-7200

TELEFAX (415) 346-0679

FREMONT OFFICE CENTER
39300 CIVIC CENTER DRIVE, SUITE 360
FREMONT, CALIFORNIA 94538
(510) 790-0900

TELEFAX (510) 790-4856

October 24, 1996

PLEASE REPLY TO: San Francisco

VIA FACSIMILE (510) 256-8998

Tim Watchers
Project Geologist
INNOVATIVE TECHNICAL SOLUTIONS, INC.
2855 Mitchell Drive, Suite 118
Walnut Creek, California 94598

Re: 1435 Webster Street, Alameda, California

Dear Tim:

As we discussed, I would like to receive from ITS a proposal for the installation and monitoring of one groundwater well, and for monitoring of the three existing wells. If you have any questions concerning the requirements of Alameda County with respect to the scope of work, I suggest you contact Eva Chu, at the County's Environmental Protection Division.

Unfortunately, I have not been able to locate groundwater monitoring and sampling reports for the property. I will, however, see what Olympian has at its corporate offices.

Please telephone me if you have any questions.

Very truly yours,

TRUMP, ALIOTO, TRUMP & PRESCOTT


DAVID A. HARRIS

DAH:b

cc: Ms. Eva Chu ✓
Hazardous Materials Specialist
Alameda County Department of Environmental Health

TRUMP, ALIOTO, TRUMP & PRESCOTT
ATTORNEYS AT LAW

2280 UNION STREET
SAN FRANCISCO, CALIFORNIA 94123
(415) 563-7200

TELEFAX (415) 346-0679

FREMONT OFFICE CENTER
39300 CIVIC CENTER DRIVE, SUITE 360
FREMONT, CALIFORNIA 94538
(510) 790-0900

TELEFAX (510) 790-4856

October 24, 1996

PLEASE REPLY TO:

San Francisco

Ms. Eva Chu
Hazardous Materials Specialist
Alameda County Departmental of Environmental Health
1131 Harbor Bay Parkway
Alameda, California 94502

Re: 1435 Webster Street, Alameda, California

Dear Eva:

This is to confirm the last known addresses for the two other owners of 1435 Webster Street. The addresses are:

Charles A. Begley
10126 Jones Avenue
Durham, California 95938
(916) 342-9886

Dorothy Crane McKee
1802 Pasto Court
Walnut Creek, California 94596

I am still trying to contact Mr. Geoffrey Farrar, the son of the third owner of the property. I was able to locate Geoffrey Farrar's telephone number. It is (916) 894-4543.

Please telephone me if you have any questions.

Very truly yours,

TRUMP, ALIOTO, TRUMP & PRESCOTT



DAVID A. HARRIS

DAH:b

TRUMP, ALIOTO, TRUMP & PRESCOTT
ATTORNEYS AT LAW

2280 UNION STREET
SAN FRANCISCO, CALIFORNIA 94123
(415) 563-7200

TELEFAX (415) 346-0679

FREMONT OFFICE CENTER
39300 CIVIC CENTER DRIVE, SUITE 360
FREMONT, CALIFORNIA 94538
(510) 790-0900

TELEFAX (510) 790-4856

October 3, 1996

PLEASE REPLY TO: San Francisco

Ms. Eva Chu
Alameda County Department of Environmental Health
1131 Harbor Bay Parkway
Alameda, CA 94502

RE: Olympian Oil Company
1435 Webster Street, Alameda

Dear Eva:

This is to confirm our telephone conversation of this morning. As we discussed, Alameda County Department of Environmental Health will attempt to identify the heir or heirs for Mr. Ed Farrar, and determine whether these individuals should be added as additional Responsible Parties for the Subject Property. In the meantime, Olympian will also attempt to contact Mr. Geoffrey Farrar, who we believe is the heir for his father's share of the partnership interest in the Subject Property. We will both attempt to conclude our investigation within the next two weeks, or sooner if possible.

Please telephone me if you have any questions.

Very truly yours,

TRUMP, ALIOTO, TRUMP & PRESCOTT


DAVID A. HARRIS

DAH/pb

10/9/96 Per D. Harris - P.O. are ① Mr. Charles Begley @ 10126 Jones Ave, Durham, CA 95938
② Mrs Dorothy C. McKee @ 1802 Pasta Ct, Walnut Cr. 94596
③ Geoffrey Farrar @ ?

Advised Harris to have Accutite submit a WP for MW. Once approved to get access agreement from P.O.s

DETAILED REVIEW CHECK LIST

Page 3

1435 Webster St. Alameda

Claim No: 001904	Claimant Name: Olympian Oil
------------------	-----------------------------

COMPLIANCE DOCUMENTATION

DATE	ACTION/RESPONSE
7/5/89	115T Closure Plan
8/3/89	County received a site safety plan
9/23/89	County received soil samples analytical results
9/12/89	Three USB were removed
12/20/89	County ltr to claimant - Define extent of contamination & submit a Workplan by Jan 20, 1990
5/26/90	Trump, Oliveira, & Alister ltr to County - state On behalf of Olympian Oil - stated the necessity of involving the former operator, Jeffrey Suber, with the well and property owner in cleanup and remediation discussion, facilitate facilitate facilitate
7/25/90	Attorneys going back and forth as to facilitating a remediation plan.
7/25/90	County ltr to claimant
8/24/90	Proposal for Remediation/Characterization prepared
8/31/90	County ltr to Ed Ferras - Response to above proposal - accepted with some changes
Jan. 11, 15, 23, 1991	Approx. 5750 cyds of contaminated soil was removed from the area of the pit. Surface of the pit was fully occupied by treatment beds constructed for biological detoxification of previously excavated soil.
9/23, 24, 25/91	Excavation was resumed. addl 300 cyds of contaminated soil was removed.
9/27/91	Four soil samples were taken
12/17/91	County ltr to Property Owners - Soil previously removed from the tank excavation and subsequently

Continued on Reverse

CONFIRMATION OF CORRECTIVE ACTION COMPLIANCE

- Claimant In Corrective Action Compliance
- Claimant NOT in Corrective Action Compliance at the Time of this Review - 90 Day Letter Required
- Claimant NOT in Corrective Action Compliance - Recommend Rejection

LEAD AGENCY SIGNATURE: *[Signature]* DATE: 6/22/95
 CLAIMS REVIEWER SIGNATURE: Cheryl Gordon DATE: 6-20-95

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



RAFAT A. SHAHID, Assistant Agency Director

StID 3568

May 24, 1995

Mr. Ed Ferrar
P.O. Box 525
Menlo Park, CA 94025

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

RE: Downgradient Well for 1435 Webster St, Alameda 94501

Dear Mr. Ferrar:

I have completed review of BT Associates' March 1995 Quarterly Groundwater Monitoring, Well Sampling Report for the above referenced site. For the last three monitoring events (Sep and Dec 1994, and Mar 1995), ground water flow direction was determined to be to the northeast/northwest. Cross-gradient well MW-1 has also detected elevated levels of TPH-G and benzene during this period.

At this time, another monitoring well is required north and within 20' of the former excavation pit. This well will better assess groundwater quality beneath the site. A workplan for this phase of the investigation is due to this office within 60 days of the date of this letter, or by July 25, 1995.

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

If you have any questions, I can be reached at (510) 567-6762.

eva chu
Hazardous Materials Specialist

cc: Bruce Tsutsui, BT Assoc., 31 Nightowl Ct, Richmond 94803
files

ferrar2

Post-It™ brand fax transmittal memo 7671		# of pages ▶ 1
To David Harris	From eva chu	
Co. King-Alto---	Co. Alameda Co. Health	
Dept.	Phone # 510/567-6762	
Fax #	Fax #	

**STATE WATER RESOURCES CONTROL BOARD
DIVISION OF CLEAN WATER PROGRAMS**

2014 T STREET, SUITE 130
P.O. BOX 944212
SACRAMENTO, CA 94244-2120



(916) 227-4325
FACSIMILE (916) 227-4349

FEB 27 1995

Joseph P. Clements
Trump, Alioto, Trump & Prescott
Attorneys at Law
2280 Union Street
San Francisco, CA 94123

Dear Mr. Clements:

UNDERGROUND STORAGE TANK (UST) LOCAL OVERSIGHT PROGRAM, SITE NO.
3568, 1435 WEBSTER STREET, ALAMEDA, CALIFORNIA, ALAMEDA COUNTY

Thank you for your recent submittal of two checks in payment of oversight costs incurred by the County. All oversight costs billed to date have now been paid; however, please be aware that Ed Ferrar is responsible for all oversight costs incurred prior to site closure. When it is determined that no further work is required, a closure document will be issued by the County and no further oversight costs will be billed. According to Eva Chu of the County, site closure cannot be considered at this time. Please contact Ms. Chu at (510) 567-6700 for further information on the status of the cleanup project.

If you have any questions, please telephone me at (916) 227-4325.

Sincerely,

A handwritten signature in cursive script that reads "Lori Casias".

Lori Casias
Local Oversight Program

cc: John V. Trump
✓ Eva Chu
Ed Ferrar

ENVIRONMENTAL
PROTECTION
95 FEB 28 PM 12:36

EC

TRUMP, ALIOTO, TRUMP & PRESCOTT

ATTORNEYS AT LAW

2280 UNION STREET
SAN FRANCISCO, CALIFORNIA 94123
(415) 563-7200
TELEFAX (415) 346-0679

FREMONT OFFICE CENTER
39300 CIVIC CENTER DRIVE, SUITE 360
FREMONT, CALIFORNIA 94538
(510) 790-0900
TELEFAX (510) 790-4856

PLEASE REPLY TO: SAN FRANCISCO

TRANSMITTAL MEMORANDUM

To: SWRCB

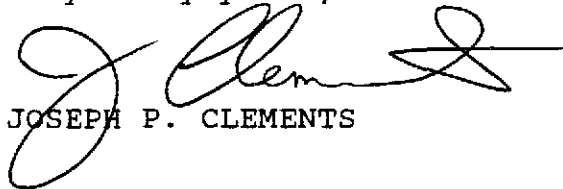
Date: January 30, 1995

Re: Site 3568
1435 Webster Street, Alameda, CA

Enclosed: Two checks, each in the amount of \$672.75, totalling \$1,345.39, in full and complete payment of the attached Invoice dated November 21, 1994.

No further invoices will be paid regarding this site by the parties hereto. By copy of this letter to the County of Alameda we are advising them of the payment of this invoice and of the parties' position regarding any future invoices regarding this site. Should they have any questions they should contact attorney John V. Trump in our San Francisco office. Otherwise, the parties will close their files on this site.

Very truly yours,



JOSEPH P. CLEMENTS

cc: Alameda County Oversight ✓
Mr. Ed Farrar

INVOICE FOR OVERSIGHT COSTS

Send Payment to: State Water Resources Control Board
Underground Storage Tank Local Oversight Program
PO Box 944212
Sacramento, CA 94244-2120

Bill Date:
11/21/94

Local Agency: COUNTY OF ALAMEDA

Site Location:

SITE # 3568

ED FERRAR
PO BOX 525
MENLO PARK, CA 94025

CLOSED JIFFY LUBE
1435 WEBSTER ST
ALAMEDA, CA
94501

Total previously billed: \$ 1,345.49
Payment(s) received: \$ 0.00

FUND: F Total amount due: \$ 1,345.49

This is your second and final notice of billing. Payment of this bill is due no later than 30 days from the date of this notice.

Failure to pay this bill WILL result in a referral of this matter to the State Attorney General for cost recovery. Amounts which are recoverable by the Attorney General in a civil action include the amount of this bill as well as prejudgment interest. In addition, state law provides that costs subject to recovery in a civil action shall include interest at 7.5 percent and an extra amount for administrative costs, equal to 10 percent of the reasonable costs actually incurred, or \$500, whichever is greater.

Petitions for review of the local agency's costs incurred from 01/01/94 through 06/30/94 must be filed with this office within 30 days of the date of this letter. Please be aware that any unpaid costs from a previous billing period are not subject to petition. To request a copy of the petition procedures, please telephone Roni Riley at (916) 227-4408.

FOR INFORMATION CALL: LORI CASIAS (916) 227-4325

If payment has been made, please disregard this notice

SECOND NOTICE OF PREVIOUS BILLING

-----cut on this line-----
Return this part with your check made payable to SWRCB. Use the enclosed envelope and send to the address above.

Local Agency: COUNTY OF ALAMEDA

Site #: 3568
Site Location:

ED FERRAR
PO BOX 525
MENLO PARK, CA 94025

CLOSED JIFFY LUBE
1435 WEBSTER ST
ALAMEDA, CA
94501

Total amount due: \$ 1,345.49
Enter amount paid: \$ _____

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



RAFAT A. SHAHID, Assistant Agency Director

StID 3568

November 29, 1994

Mr. Ed Ferrar
P.O. Box 525
Menlo Park, CA 94025

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

RE: QMR for 1435 Webster Street, Alameda 94501

Dear Mr. Ferrar:

I have completed review of BT Associates' September 1994 Quarterly Groundwater Monitoring, Well Sampling Report for the above referenced site. Laboratory analysis of the water sample collected from well MW-1 exhibited 14,000 parts per billion total petroleum hydrocarbons as gasoline (ppb TPH-G) and 44 ppb benzene. At this time, you should continue with quarterly monitoring/sampling of all onsite wells. The next sampling event should be in December 1994. Quarterly reports are due within 60 days upon completion of field work.

Groundwater flow direction calculated for September 1994 is to the northwest. If groundwater continues to flow in this direction another monitoring well will be required within 20' and downgradient from the former tank pit. Future reports should include the locations of the former tank pit and pump islands on the site plan in relation to existing monitoring wells.

If you have any questions, I can be reached at (510) 567-6762.

eva chu
Hazardous Materials Specialist

cc: Bruce Tsutsui, BT Associates, 31 Nightowl Ct, Richmond, CA
94803
files

ferrarl

Post-It™ brand fax transmittal memo 7671		# of pages ▶ 1
To Lori Casias	From Eva Chu	
Co. SWRCB	Co. Alameda Co. Health	
Dept. clean up fund	Phone # (510) 567-6762	
Fax # (916) 227-4349	Fax #	

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY

DAVID J. KEARS, Agency Director



RAFAT A. SHAHID, ASST. AGENCY DIRECTOR

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

July 13, 1994

Mr. Ed Ferrar
P.O. Box 525
Menlo Park, CA 94025

STID 3568

Re: Required investigations at 1435 Webster St., Alameda,
California

SECOND NOTICE OF VIOLATION

Dear Mr. Ferrar,

This office sent you a Notice of Violation on March 7, 1994 requiring you to resume quarterly ground water monitoring at your site by April 19, 1994. Since that date, this office has received any quarterly reports or any communication as to the status of the site.

Three monitoring wells were installed at the above site ;on January 11 and 12, 1993, in response to high levels of soil contamination identified at the site. On May 10, 1993, this office sent you a letter requiring you to sample these monitoring wells quarterly, as required by Section 2652(d), Article 5, Title 23 California Code of Regulations and the Regional Water Quality Control Board's (RWQCB) guidelines. Quarterly ground water monitoring was not conducted. On July 29, 1993, this office sent you a Notice of Violation requiring you to conduct quarterly ground water monitoring. In September 1993, a quarterly ground water monitoring report was finally submitted to this office, documenting BT Associate's monitoring work conducted in June 1993. To this date, no additional quarterly reports have been submitted to this office. As mentioned above, this office sent you another Notice of Violation on March 7, 1994 requiring you to resume quarterly ground water monitoring at the site.

Per RWQCB's guidelines and Section 2652 Title 23 California Code of Regulations, you are required to conduct quarterly ground water sampling, water level measurements and reporting for the site. Quarterly ground water monitoring is required to continue at the site until the site qualifies for closure certification.

As stated in the October 14, 1993 and March 7, 1994 letters from the County, all future quarterly reports shall include, but not be limited to, the following:

Mr. Ed Ferrar
Re: 1435 Webster St.
July 13, 1994
Page 2 of 3

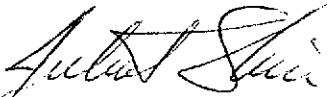
- o All reports and proposals must be submitted under the seal of a California-Registered Geologist, -Certified Engineering Geologist, or -Registered Civil Engineer. Please include a statement of qualifications for each lead professional involved with this project in the next report.
- o Figures showing the location of the former tanks.
- o The next report should include information on the surveying of the wells to an established benchmark.
- o Details and results of all work performed during the designated period of time: records of field observations and data, boring and well construction logs, water level data, chain-of-custody forms, laboratory results for all samples collected and analyzed, tabulations of free product thicknesses and dissolved fractions, etc.
- o Status of ground water contaminant characterization
- o Interpretations of results: water level contour maps showing gradients, free and dissolved product plume definition maps for each target component, geologic cross sections, etc.
- o Recommendations or plans for additional investigative work or remediation.

You are required to resume quarterly sampling at the site and submit a quarterly ground water monitoring report, including all the above information, **within 45 days of the date of this letter.** Any requests for extensions, or modifications of the required tasks, must be submitted to and approved by this office in writing.

The Alameda County Environmental Health Department has recently moved to a new location. Our new address is: 1131 Harbor Bay Parkway, Suite 250, Alameda, California 94502. Our new Fax number is (510) 337-9335. My temporary phone number, for the next four to five weeks, is (510) 337-2874. Please contact me with any questions or comments.

Mr. Ed Ferrar
Re: 1435 Webster St.
July 13, 1994
Page 3 of 3

Sincerely,



Juliet Shin
Hazardous Materials Specialist

cc: Brian Tsutsui
BT Associates
31 Nightowl Court
Richmond, CA 94803

Gil Jensen, Alameda County District Attorney's Office

Edgar Howells - File(JS)

- c. Insured: Truman Arnold Companies
Site: 102, 391 East Larrissa St.
Jacksonville, TX
Policy Number: 89 000 343
Our File Number: 6130-0-001299
- d. Insured: Marane Oil Corporation
Site: West Main Street & Hartford Pike
Upton, MA
Policy Number: 88 000 429
Our File Number: 6130-0-000114

IT IS FURTHER ORDERED, ADJUDGED AND DECREED t h a t t h e Receiver's denials of the above-referenced claims are affirmed and the above-referenced insureds may not further object to the Receiver's denials of coverage under their Petromark policy.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the above-referenced claims are dismissed with prejudice and said insureds, their agents, representatives, employees, assigns, subsidiaries and/or additional assureds shall not participate in any distribution of Petromark's assets or estate for any damages on account of personal injury, property damage, environmental injury and/or pollution clean up liability arising out of an alleged environmental impairment existing at and/or emanating from the above-referenced sites.

IT IS SO ORDERED, ADJUDGED, AND DECREED, this _____ day of March, 1994.

CHANCELLOR

APPROVED FOR ENTRY:

WILLIAMS AND DINKINS

BY 

RICHARD H. DINKINS
REG. NO. 8412
TAMMY L. KENNEDY
REG. NO. 014128
203 Second Avenue, North
Nashville, Tennessee 37201
(615) 244-3988

Counsel for Petitioner,
State of Tennessee, ex rel.,
Elaine A. McReynolds,
Commissioner of Commerce and
Insurance For The State of Tennessee

CERTIFICATE

The undersigned certifies that copy of the foregoing Order was mailed to:

1. Mr. William Holtzman
P.O. Box 8
Holtzman Oil Corp.
Mount Jackson, VA 22842
RE: Site: 15 Buck Marsh Street
Berryville, VA
EV-0-01001365
2. Ms. Janet Heikel
Administrative Coordinator
Olympian Oil Co.
260 Michele Court
S. San Francisco, CA 94080-6297
Re: Site: 1435 WEBSTER ST.
Alameda, CA
6130-0-000532

Ariu Levi,
Sr. Hazardous Material Specialist
Alameda County Department of Environmental Health
Hazardous Materials Prog.
80 Swan Way, Room 200
Oakland, CA 94621

3. Edward Miller, Esquire
1012 Olive Street
Texarkana, TX 75504
Re: Site: 102, 391 E.
Larrissa Street
Jacksonville, TX
6130-0-001399

Mr. James H. Day
Director of Administration
and Secretary
Truman Arnold Companies
P.O. Box 1481
701 S. Robinson Road
Texarkana, TX 75504

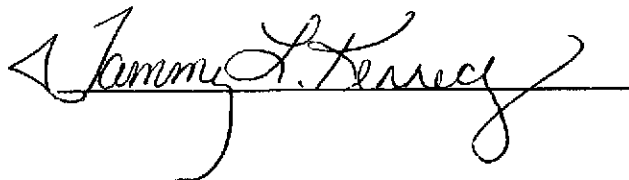
Mr. Larry Fincher
Executive Vice President
Truman Arnold Companies
803 South Robinson Rd.
Texarkana, TX 75501

Ms. Minta Matthews
Offenhauser & Co.
518 Pine Street
P.O. Box 240
Texarkana, AR/TX 75504-0240

4. Rosanna Sattler, Esquire
Posternak, Blankstein & Lund
100 Charles River Plaza
Boston, MA 02114-2723
RE: Site: West Main ST. & Hartford Pike
Upton, MA
6130-0-000114

Mr. Daniel J. Hannon
Acting Section Chief
Division of Hazardous Waste
Exec. Office of Environmental Affairs
Dept. of Environmental Quality Engineering
Central Region
75 Grove Street
Worcester, MA 01605,

this the 7th day of March, 1994.

A handwritten signature in cursive script, reading "Jimmy L. Kennedy", is written over a horizontal line. The signature is positioned to the right of the date.

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY

DAVID J. KEARS, Agency Director



RAFAT A. SHAHID, ASST. AGENCY DIRECTOR

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

March 7, 1994

Mr. Ed Ferrar
P.O. Box 525
Menlo Park, CA 94025

STID 3568

Re: Investigations at 1435 Webster St., Alameda, California

NOTICE OF VIOLATION

Dear Mr. Ferrar,

Three monitoring wells were installed at the above site on January 11 and 12, 1993, in response to high levels of soil contamination identified at the site. On May 10, 1993, this office sent you a letter requiring you to sample these monitoring wells quarterly, as required by **Section 2652(d), Article 5, Title 23 California Code of Regulations and the Regional Water Quality Control Board's (RWQCB) guidelines**. Quarterly ground water monitoring was not conducted. On July 29, 1993, this office sent you a Notice of Violation requiring you to conduct quarterly ground water monitoring. In September 1993, a quarterly ground water monitoring report was finally submitted to this office, documenting BT Associates' monitoring work conducted in June 1993.

To date, no additional quarterly ground water monitoring reports have been submitted to this office, and this office has received no communication as to the status of investigations at the site. **Quarterly ground water monitoring and reporting is required to continue until this site qualifies for RWQCB "sign-off"**.

As stated in an October 14, 1993 letter from this office, all future reports should include the following:

- o All reports and proposals must be submitted under a seal of a California-Registered Geologist, -Certified Engineering Geologist, or -Registered Civil Engineer. Please include a statement of qualifications for each lead professional involved with this project in the next report.
- o Figures showing the location of the former tanks and ground water elevation contours.
- o The next report should include the information on the surveying of the wells to an established benchmark.

Mr. Ed Ferrar
Re: 1435 Webster St.
March 7, 1994
Page 2 of 2

The next quarterly monitoring report is due to this office **within 45 days** of the date of this letter. Failure to furnish technical reports regarding documented or potential ground water contamination violates **Section 13267(b) of the California Water Code**. The RWQCB can impose civil penalties of up to **\$1,000 per day** that such a violation continues.

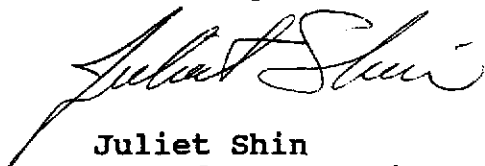
Lastly, the State Water Resources Control Board has an Underground Storage Tank Cleanup Fund available to those people who are eligible. The following lists the address and phone number where you can obtain an application package for the fund:

State Water Resources Control Board
Division of Clean Water Programs
UST Cleanup Fund
P.O. Box 944212
Sacramento, CA 94244-2120

Telephone: (916) 227-4307

If you have any questions or comments, please contact me at (510) 271-4530.

Sincerely,



Juliet Shin
Hazardous Materials Specialist

cc: Brian Tsutsui
BT Associates
31 Nightowl Court
Richmond, CA 94803

Gil Jensen, Alameda County District Attorney's Office

Edgar Howell-File(JS)

WILLIAMS AND DINKIN

ATTORNEYS-AT-LAW

203 Second Avenue North
Nashville, Tennessee 37201-1601

Telephone No. 615/244-3988
Fax 615/248-3230

ALCO
HAZMAT

94 FEB 22 PM 2:28

COPY

Avon N. Williams, Jr.
Richard H. Dinkins
Russell T. Perkins
Ronald W. McNutt
Floyd N. Price
Tammy L. Kennedy

8 December 1993

CERTIFIED MAIL WITH RETURN
RECEIPT REQUESTED

Ms. Janet Heikel
Administrative Coordinator
Olympian Oil Company
260 Michele Court
S. San Francisco, CA 94080-6297

RE: Insured: **Olympian Oil Company**
Site: **1435 Webster Street**
Alameda, CA
Policy Number: 88 000 879
Our File Number: 6130-0-000532

Dear Ms. Heikel:

Based on a review of the policy and materials relevant, the Receiver for Petroleum Marketers Mutual Insurance Company (hereinafter Petromark) has determined that coverage should be denied for the above-referenced claim.

As you know, Petromark issued to Olympian Oil Company (hereinafter Olympian), an environmental impairment liability policy for the period June 30, 1988 to June 30, 1989 as follows:

88 000 879: In the amount of \$1,000,000 per Environmental Impairment and \$2,000,000 in the aggregate with a \$100,000 deductible per Environmental Impairment.

The Insuring Agreement of the Petromark policy provided:

"The Company hereby agrees to pay on behalf of the INSURED, in excess of the applicable Deductible Amount as set forth in Items 5A and 5B of the Declarations, the following amounts:

Coverage A: All sums that the INSURED shall be legally obligated to pay for DAMAGES on account of PERSONAL INJURY, PROPERTY DAMAGE, or ENVIRONMENTAL INJURY for CLAIMS

EXHIBIT I, 2

first made against the INSURED and reported to the Company during the POLICY PERIOD, or applicable Extended Reporting Period, arising out of an ENVIRONMENTAL IMPAIRMENT emanating from an INSURED SITE.

Coverage B. All sums that the INSURED shall be obligated to pay for DAMAGES on account of POLLUTION CLEAN-UP LIABILITY arising out of an ENVIRONMENTAL IMPAIRMENT emanating from an INSURED SITE which first becomes known to the INSURED and is reported by or for the INSURED to the Company during the POLICY PERIOD."

Section IV., paragraphs A.1, B and H provided:

"This insurance does not apply to, and the Company shall have no liability hereunder in respect of, the following:

- A. any PERSONAL INJURY, PROPERTY DAMAGE, ENVIRONMENTAL INJURY, or POLLUTION CLEAN-UP LIABILITY arising from:
 - 1. any ENVIRONMENTAL IMPAIRMENT that was known or should have been known to the INSURED prior to the ORIGINAL POLICY INCEPTION DATE.
 - 2. and ENVIRONMENTAL IMPAIRMENT with respect to any location newly acquired or activated during the POLICY PERIOD if such ENVIRONMENTAL IMPAIRMENT was known or should have been known to the INSURED prior to such acquisition or activation;
- B. PERSONAL INJURY, PROPERTY DAMAGE, ENVIRONMENTAL INJURY, or POLLUTION CLEAN-UP LIABILITY that arises out of or is directly or indirectly attributable to any failure to comply with any applicable

statute, regulation, ordinance, directive, or order relating to the protection of the environment and promulgated by any governmental body, provided that failure to comply is a willful or deliberate act or omission of:

1. the INSURED; or
 2. any member, partner, or executive officer thereof, whether or not acting in the scope of their employment;...
- H. PERSONAL INJURY, PROPERTY DAMAGE, ENVIRONMENTAL INJURY or POLLUTION CLEAN-UP LIABILITY arising out of an ENVIRONMENTAL IMPAIRMENT emanating from an INSURED SITE that is not reported by or for the INSURED to the Company before the INSURED SITE, or the portion thereof from which the ENVIRONMENTAL IMPAIRMENT emanates, is sold, given away, or abandoned by the INSURED;"

Additionally, Section VII, paragraphs A and F provided:

- "A. If the INSURED becomes aware of an ENVIRONMENTAL IMPAIRMENT which could involve this Policy, the Company shall be given:
1. immediate written or oral notice containing particulars sufficient to identify the INSURED;
 2. reasonably obtainable information with respect to the time, place, and circumstances thereof; and
 3. the names and addresses of any injured, and of any available witnesses.

The above information shall be given by or for the INSURED to the Company through its representative at the following address: THE PLANNING CORPORATION, 11347

SUNSET HILLS ROAD, RESTON, VIRGINIA 22090. In the event of oral notice, the INSURED agrees to furnish a written report as soon as practicable. Failure to provide notice as required herein shall result in a forfeiture of any rights to coverage in respect of such ENVIRONMENTAL IMPAIRMENT under this Policy or any other policy issued by the Company to the INSURED. Subject to the INSURED's obligation under this Policy to take promptly all reasonable steps necessary to prevent injury or damage from arising, no costs, charges, or expenses shall be incurred without the Company's consent, which shall not be unreasonably withheld....

F. The INSURED and any of its members, partners, officers, directors, administrators, stockholders, and employees that the Company deems necessary agreed to cooperate with the Company in the investigation, settlement, or defense of any claim or suit, and, upon the Company's request, assist in (a) making settlements, (b) the conduct of suits or proceedings, and (c) enforcing any right against any person or organization that may be liable to the INSURED because of injury or damage with respect to which insurance is afforded under this Policy, all without charge to the Company. The INSURED, and any of its members, partners, officers, directors, administrators, stockholders, and employees that the Company deems necessary, shall attend hearings and trials and assist in securing and giving evidence and obtaining the attendance of witnesses, all without charge to the Company. With respect to any claim or suit, the INSURED shall not, except at the INSURED's own cost, voluntarily make any settlement or payment, assume any obligation, admit any liability, or incur any expense, without the Company's written consent."

We wish to point out with respect to the above-referenced policy provisions that the Petromark policy provided coverage for damages, in excess of the deductible, arising as the result of an environmental impairment which emanated from an insured site and which became known to the insured and reported to Petromark during the policy period. Coverage may be denied if the insured knew or should have known of the impairment prior to the original inception date of its policy, failed to cooperate with the investigation of this claim, failed to give immediate notice of the impairment, failed to comply with a statute and the pollution clean-up liability is directly or indirectly attributable to said failure and/or said environmental impairment emanated from an insured site that is not reported to Petromark before said insured site is sold, given away abandoned or otherwise transferred by the insured.

Review of our files indicates that the instant site was leased by Olympian Oil Company from John E. Farrar, Charles A. Begley and Dorothy Crane McKee on or about July 1, 1983. Olympian in turn subleased the site to Car Savers of Northern CA, LP on November 1, 1984 who assigned its sublease to Jiffy Lube International. By Olympian's own admission, this site was closed in November 1986 by Jiffy Lube. And, the on-site tanks were left in place in violation of governmental rules and regulations regarding temporary and permanent tank closures. See e.g. EPA Rules and Regulations, part 200.70.

During October 1988, CHIPS Environmental Consultants, Inc. performed field sampling and analysis of soil gases on site. In the report compiled of said sampling and analysis, the Abstract therein provided that "[t]he intent of the program was to perform a rapid screening survey of soil gases around a 1435 Webster, Alameda, California, where a gasoline station was formerly located." (emphasis added)

Said testing revealed on site petroleum contamination. Notice of the instant environmental impairment, however, was not received by The Planning Corporation until on or about May 19, 1989. This seven month and eight day delay in reporting the claim to Petromark was not immediate notice to Petromark as required under Section VII., paragraph A. of the Petromark policy. This breach has caused Petromark to suffer substantial prejudice in investigating this claim. Therefore, coverage is denied.

As additional and/or alternative bases for denial, this impairment emanated from an inactive, abandoned site and/or as the result of Olympian's failure to adhere to governmental regulations as to the temporary and permanent closure of tanks.

Ms. Janet Heikel
8 December 1993
Page Six

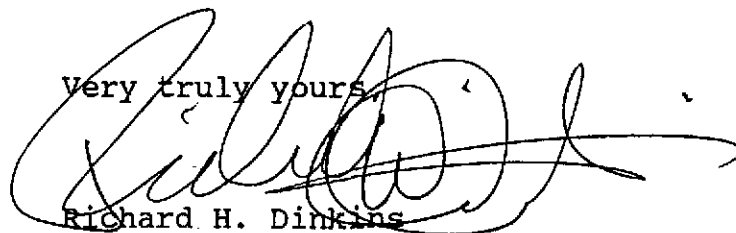
Lastly, coverage is also denied for Olympian's failure to fully or materially cooperate with Petromark and/or the Receiver's investigation of this claim. On or about March 9, 1992, Lindsey & Morden, the claims administrator for the Petromark receivership, specifically requested copies of all bills and invoices which have been incurred for site assessments and remediation. Olympian however has failed to provide said invoices, and since its January 1991 correspondence has failed to provide any additional information concerning site activities.

It should be noted that the aforementioned grounds upon which the Receiver sets forth this denial may not be exclusive. The Receiver reserves her right to later assert other grounds available to her under the terms, conditions and exclusions of the Petromark policy if and when additional information about this claim is obtained, including but not limited to Section IV. A.1. (knew or should have known).

Please be advised that Pursuant to Tennessee Cite Annotated, Section 56-9-327(a), Olympian has sixty (60) days from the mailing of this letter within which to object to the denial of coverage. If Olympian does not notify us, counsel for the Receiver, of its objection to this denial within sixty (60) days, the Receiver shall take no further action as to this claim.

With kindest regards.

Very truly yours,

A large, stylized handwritten signature in black ink, appearing to read 'Richard H. Dinkins', is written over the typed name below it.

Richard H. Dinkins

RHD/cdt
pc: Jeanne B. Bryant, Esquire
Mr. Sean M. Elliott

SENDER: Complete items 1 and 2 when additional services are desired, and complete items 3 and 4.
Put your address in the "RETURN TO" Space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested.

1. Show to whom delivered, date, and addressee's address. (Extra charge) 2. Restricted Delivery (Extra charge)

3. Article Addressed to: Ms. Janet Heikel Administrative Coordinator Olympian Oil Company 260 Michele Court S. San Francisco, CA 94080-6297	4. Article Number P 209 505 870
5. Signature - Addressee X	Type of Service: <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
6. Signature - Agent X	Always obtain signature of addressee or agent and DATE DELIVERED.
7. Date of Delivery RECEIVED DEC 13 1993	8. Addressee's Address (ONLY if requested and fee paid)

PS Form 3811, Apr. 1989

*U.S.G.P.O. 1989-238-815

DOMESTIC RETURN RECEIPT

P 209 505 870



Receipt for Certified Mail

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

Sent to	
Ms. Janet Heikel	
Administrative Coordinator	
Olympian Oil Co.	
260 Michele Court	
S. San Francisco, CA	
94080-6297	
Return Receipt 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, June 1991

94 FEB 22 PM 2:28

STATE OF TENNESSEE, ex rel.,)
ELAINE A. McREYNOLDS,)
COMMISSIONER OF COMMERCE AND)
INSURANCE FOR THE STATE OF)
TENNESSEE,)
)
Petitioner,)
)
VS.)
)
PETROLEUM MARKETERS MUTUAL)
INSURANCE COMPANY, A RISK)
RETENTION GROUP,)
)
Respondents.)

NO. 90-1102-I

MOTION TO DISMISS CLAIMS AND/OR TO AFFIRM RECEIVER'S DENIAL OF COVERAGE UNDER THE PETROLEUM MARKETERS MUTUAL INSURANCE COMPANY (PETROMARK) POLICY

Comes now the State of Tennessee, ex rel., Elaine A. McReynolds, Commissioner Of Commerce And Insurance for the State of Tennessee pursuant to Tennessee Code Annotated, Section 56-9-327(a) and moves this Court to dismiss certain claims now pending in the Petromark receivership and/or to affirm the Receiver's denial of certain claims under the Petromark policy. In support of this motion the Receiver shall show the Court as follows:

1. By certified mail with return receipt requested the Receiver denied the hereinafter listed insureds coverage under their Petromark policies for the hereinafter listed claims (See Collective Exhibit I with 4 subparts):

- a. Insured: Holtzman Oil Corporation
Site: 15 Buck Marsh Street
Berryville, VA
Policy Number: 90 001 296
Our File Number: EV-0-01001365
- b. Insured: Olympian Oil Company
Site: 1435 Webster Street
Alameda, CA
Policy Number: 88 000 879
Our File Number: 6130-0-000532
- c. Insured: Truman Arnold Companies
Site: 102, 391 East Larrissa St.
Jacksonville, TX
Policy Number: 89 000 343
Our File Number: 6130-0-001399
- d. Insured: Marane Oil Corporation
Site: West Main Street & Hartford Pike
Upton, MA
Policy Number: 88 000 429
Our File Number: 6130-0-000114

2. In said denial letter each of the above-referenced

insureds were advised that it had sixty (60) days to file an objection to the denial and that failure to file an objection would result in the Receiver taking no further action on its claim. See Collective Exhibit I with 4 subparts.

3. Over sixty (60) days have expired since the above-referenced insureds were given notice of the denial of their claims and/or notice of the requirement that they must object to the Receiver's denial of their claims within sixty (60) days.

4. None of the above-referenced insureds have submitted any objections to the Receiver's denial of the referenced claims.

WHEREFORE PREMISES CONSIDERED, the Receiver prays:

1. That this Court affirm the Receiver's denial of the above-referenced claims; and

2. That the Court order, adjudge and decree that the above-referenced insureds as to the referenced claims may not further object to the Receiver's denial of coverage under its Petromark policy; and

3. That the Court dismiss with prejudice and above-referenced claims and order, adjudge and decree that the insureds listed herein, their agents, representatives, employees, assigns, subsidiaries and/or additional assureds shall not participate in any distribution of Petromark's assets or estate for any damages on account of personal injury, property damages, environmental injury and/or pollution clean-up liability arising out of an environmental impairment existing at and/or emanating from the herein referenced sites.

Respectfully submitted,

WILLIAMS AND DINKINS

BY 

RICHARD H. DINKINS

REG. NO. 5412

TAMMY L. KENNEDY

REG. NO. 014128

203 Second Avenue, North

Nashville, Tennessee 37201
(615) 244-3988

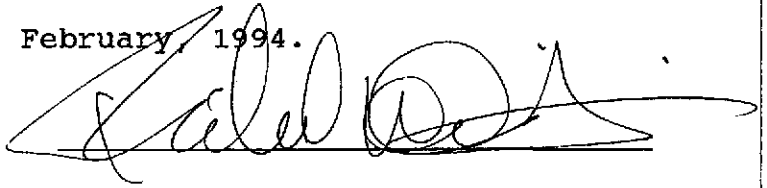
Counsel for Petitioner, State
of Tennessee, ex rel., Elaine
A. McReynolds, Commissioner
Of Commerce And Insurance For
The State Of Tennessee

CERTIFICATE


The undersigned certifies that copy of the foregoing Motion
To Dismiss Claims And/Or To Affirm Receiver's Denial Of Coverage
Under The Petroleum Marketers Mutual Insurance Company
(Petromark) Policy was mailed to:

1. Mr. William Holtzman
P.O. Box 8
Holtzman Oil Corp.
Mount Jackson, VA 22842
RE: Site: 15 Buck Marsh Street
Berryville, VA
EV-0-01001365
2. Ms. Janet Heikel
Administrative Coordinator
Olympian Oil Co.
260 Michele Court
S. San Francisco, CA 94080-6297
RE: Site: 1435 Webster St.
Alameda, CA
6130-0-000532
- Ariu Levi,
Sr. Hazardous Material
Specialist
Alameda County Department
of Environmental Health
Hazardous Materials Prog.
80 Swan Way, Room 200
Oakland, CA 94621
3. Edward Miller, Esquire
1012 Olive Street
Texarkana, TX 75504
RE: Site: 102, 391 E.
Larrissa Street
Jacksonville, TX
6130-0-001399
- Mr. Larry Fincher
Executive Vice President
Truman Arnold Companies
803 South Robinson Rd.
Texarkana, TX 75501
- Mr. James H. Day
Director of Administration
and Secretary
Truman Arnold Companies
P.O. Box 1481
701 S. Robinson Road
Texarkana, TX 75504
- Ms. Minta Matthews
Offenhauser & Co.
518 Pine Street
P.O. Box 240
Texarkana, AR/TX 75504-
0240
4. Rosanna Sattler, Esquire
Posternak, Blankstein & Lund
100 Charles River Plaza
Boston, MA 02114-2723
RE: Site: West Main St. & Hartford Pike
Upton, MA
6130-0-000114
- Mr. Daniel J. Hannon
Acting Section Chief
Division of Hazardous Waste
Exec. Office of Environmental Affairs
Dept. of Environmental Quality Engineering
Central Region
75 Grove Street
Worcester, MA 01605

this the 16th day of February, 1994.

A handwritten signature in black ink, appearing to be "Elaine Petro", written over a horizontal line.

THIS MOTION IS EXPECTED TO BE HEARD FRIDAY, 4th DAY OF March, 1994 AT 9:00 A.M.

A handwritten signature in black ink, appearing to be "Elaine Petro", written over a horizontal line.

PURSUANT TO RULE 12.02 OF THE DAVIDSON COUNTY, TENNESSEE LOCAL RULES OF PRACTICE, FAILURE TO RESPOND TO THIS MOTION MAY RESULT IN THE COURT DISPOSING OF THE MOTION AS UNOPPOSED.

Petro\Elaine18.Mot

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY

DAVID J. KEARS, Agency Director



RAFAT A. SHAHID, ASST. AGENCY DIRECTOR

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

October 14, 1993

Mr. Ed Ferrar
P.O. Box 525
Menlo Park, CA 94025

STID 3568

Re: Investigations at 1435 Webster St., Alameda, California

Dear Mr. Ferrar,

This office has received and reviewed BT Associates' Quarterly Ground Water Monitoring Report, dated August 16, 1993. All future reports should include the following:

- o All reports and proposals must be submitted under a seal of a California-Registered Geologist, -Certified Engineering Geologist, or -Registered Civil Engineer. Please include a statement of qualifications for each lead professional involved with this project in the next report.
- o Figures showing the location of the former tanks and ground water elevation contours.
- o The next report should include the information on the surveying of the wells to an established benchmark.

The next quarterly report is due into this office by October 31, 1993. If you have any questions or comments, please contact me at (510) 271-4530.

Sincerely,

A handwritten signature in cursive script, appearing to read "Juliet Shin".

Juliet Shin
Hazardous Materials Specialist

cc: Bruce Tsutsui
BT Associates
31 Nightowl Court
Richmond, CA 94803

Edgar Howell-File(JS)

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY

DAVID J. KEARS, Agency Director



RAFAT A. SHAHID, ASST. AGENCY DIRECTOR

July 29, 1993

Mr. Ed Ferrar
P.O. Box 525
Menlo Park, CA 94025

STID 3568

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

Re: Requirements for quarterly ground water monitoring at 1435
Webster St., Alameda, California

NOTICE OF VIOLATION

Dear Mr. Ferrar,

Although three monitoring wells were installed at the above site on January 11 and 12, 1993, no ground water sampling reports have been submitted to this office to date. This office has been requesting ground water monitoring reports from both you and your consultant since these wells were installed. Per **Section 2652(d), Article 5, Title 23 California Code of Regulations**, you are required to continue quarterly ground water monitoring and reporting to this office until the site qualifies for California Regional Water Quality Control Board (RWQCB) "sign-off". Failure to furnish technical reports regarding documented or potential ground water contamination violates **Section 13267(b) of the California Water Code**. The RWQCB can impose civil penalties of up to **\$1,000 per day** that such a violation continues.

At least one quarterly ground water monitoring report must be submitted within **30 days** of the date of this letter. If you have any questions or comments, please contact me at (510) 271-4530.

Sincerely,

Juliet Shin
Hazardous Materials Specialist

cc: Richard Hiett, RWQCB

Ed Marshall
Wilson Sher, Marshall, Akawie, & Blumenfeld
1 Kaiser Plaza, Ste. 1350
Oakland, CA 94612

Gil Jensen, Alameda County District Attorney's Office

Edgar Howell-File (ds)

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY

DAVID J. KEARS, Agency Director



RAFAT A. SHAHID, ASST. AGENCY DIRECTOR

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

May 10, 1993

Mr. Ed Ferrar
P.O. Box 525
Menlo Park, CA 94025

STID 3568

Re: Quarterly Groundwater Monitoring at 1435 Webster St.,
Alameda, California

Dear Mr. Ferrar,

Three monitoring wells were installed at the above site on January 11 and 12, 1993. However, at that time, ground water samples were not collected from these wells and, apparently, these wells were not surveyed as required by the Regional Water Quality Control Board's (RWQCB) guidelines. Per a conversation with one of Uriah's consultant on April 9, 1993, ground water samples had finally been collected and a quarterly ground water monitoring report would be submitted within three weeks documenting the results. To this date, this office has not received the quarterly report nor have we been contacted regarding the status of this report.

Per Section 2652(d), Article 5, Title 23 California Code of Regulations, you are required to continue quarterly monitoring and reporting to this office until the site qualifies for RWQCB "sign-off". You are required to submit a quarterly report **within 20 days** of the date of this letter.

The quarterly reports must describe the status of the investigation and must include, among others, the following elements:

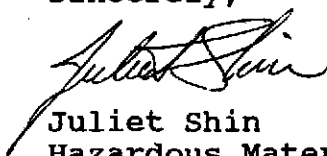
- o Details and results of all work performed during the designated period of time: records of field observations and data, water level data, chain-of-custody forms, laboratory results for all samples collected and analyzed, tabulations of free product thicknesses and dissolved fractions, etc.
- o Status of ground water contamination characterization
- o Interpretation of results: water level contour maps showing gradients, free and dissolved product plume definition maps for each target component, geologic cross sections, etc.

Mr. Ed Ferrar
Re: 1435 Webster St.
May 10, 1993
Page 2 of 2

- o Recommendations or plans for additional investigative work or remediation.

If you have any questions or comments, please contact me at (510) 271-4530.

Sincerely,



Juliet Shin
Hazardous Materials Specialist

cc: ~~Richard Hlett, [REDACTED]~~

Ed Marshall
Wilson Sher, Marshall, Akawie, & Blumenfeld
1 Kaiser Plaza, Ste. 1350
Oakland, CA 94612

Valentin Constantinescu, M.Sc.
Uriah Environmental Services, Inc.
2401 East Orangeburg Ave. #675-218
Modesto, CA 95355

Edgar Howell-File(JS)

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY

DAVID J. KEARS, Agency Director



RAFAT A. SHAHID, ASST. AGENCY DIRECTOR

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

November 3, 1992

Mr. Ed Ferrar
P.O. Box 525
Menlo Park, CA 94025

STID 3568

RE: Required investigations at 1435 Webster St., Alameda,
California

Dear Mr. Ferrar,

The case file for the above site has recently been transferred to a new Hazardous Materials Specialist, Juliet Shin, for oversight.

Per a conversation between Steve Colvin, City of Alameda, and myself on November 3, 1992, the parking lot has been completed at the site. Therefore, per the March 20, 1992 letter from this Department, you are required to install three monitoring wells at the site as outlined in Uriah, Inc.'s work plan, dated December 20, 1991.

During the installation of these wells soil samples are to be collected at five foot depth intervals and any significant changes in lithology. Subsequent to the installation of these wells, they must be surveyed to an established benchmark, with an accuracy of 0.01 foot. Additionally, ground water elevations are to be measured monthly for three consecutive months and then quarterly thereafter. Ground water samples are to be collected and analyzed quarterly.

The quarterly reports must describe the status of the investigation and must include, among others, the following elements:

- o Details and results of all work performed during the designated period of time: records of field observations and data, boring and well construction logs, water level data, chain-of-custody forms, laboratory results for all samples collected and analyzed, tabulations of free product thicknesses and dissolved fractions, etc.
- o Status of ground water contamination characterization
- o Interpretation of results: water level contour maps showing gradients, free and dissolved product plume definition maps for each target component, geologic cross sections, etc.

Mr. Ed Ferrar
RE: 1435 Webster St.
November 3, 1992
Page 2 of 2

- o Recommendations or plans for additional investigative work or remediation

Field work should commence within 60 days of the receipt of this letter. A report must be submitted within 45 days after the completion of this phase of work at the site. Per **Section 2652, Title 23, California Code of Regulations**, subsequent reports are to be submitted quarterly until this site qualifies for final RWQCB "sign-off". The quarterly reports are due the first day of the second month of each subsequent quarter.

If you have any questions or comments, please contact me at (510) 271-4530.

Sincerely,



Juliet Shin
Hazardous Materials Specialist

cc: Richard Hiett, RWQCB

Robert La Grone, Alameda Fire Dept.

Ed Marshall
Wilson Sher, Marshall, Akawie, & Blumenfeld
1 Kaiser Plaza, Ste. 1350
Oakland, CA 94612

Steve Colvin
City of Alameda
2263 Santa Clara
Alameda, CA 94501

Edgar Howell-File(JS)

WATER RESOURCES CONTROL BOARD
DIVISION OF WATER QUALITY - UST CLEANUP PROGRAM
SITE SPECIFIC QUARTERLY REPORT
01/01/92 THROUGH 03/31/92

AGENCY # : 10000 SOURCE OF FUNDS: F SUBSTANCE: 8006619
StID : 3568
SITE NAME: Closed Jiffy Lube DATE REPORTED : 09/21/89
ADDRESS : 1435 Webster St. DATE CONFIRMED: 09/21/89
CITY/ZIP : Alameda 94501 MULTIPLE RPs : N

SITE STATUS

CASE TYPE: S	CONTRACT STATUS: 3	EMERGENCY RESP:
RP SEARCH: S		DATE COMPLETED: 12/17/91
PRELIMINARY ASMNT: U	DATE UNDERWAY: 06/11/90	DATE COMPLETED:
REM INVESTIGATION:	DATE UNDERWAY:	DATE COMPLETED:
REMEDIAL ACTION:	DATE UNDERWAY:	DATE COMPLETED:
POST REMED ACT MON:	DATE UNDERWAY:	DATE COMPLETED:

ENFORCEMENT ACTION TYPE: 1 DATE ENFORCEMENT ACTION TAKEN: 12/17/91
LUFT FIELD MANUAL CONSID: 2,S,C,A
CASE CLOSED: DATE CASE CLOSED:
DATE EXCAVATION STARTED : 09/12/89 REMEDIAL ACTIONS TAKEN: ET

RESPONSIBLE PARTY INFORMATION

RP#1-CONTACT NAME: John E Ferrer Trust
COMPANY NAME: A Begiez & D. A. Crane
ADDRESS: 260 Michele Ct.
CITY/STATE: So. San Francisco, Ca 94080

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



RAFAT A. SHAHID, Assistant Agency Director

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

March 20, 1992

Mr. Steve Colvin
City of Alameda

Dear Mr. Colvin:

This is to confirm our conversation with you on March 18, 1992 concerning the site at 1435 Webster St. Alameda. As we stated the site can be used as a parking lot with the understanding that monitoring well(s) will have to be installed and quarterly samples analyzed. When 4 quarterly samples have been found to be non-detect then the site can be referred for closure to the Regional Water Quality Control Board. The wells may be installed after the paving has been completed and the downgradient direction is established.

We appreciate your patience and will work with you to accomplish the needs of the city. I have sent a letter to the owner Mr. Ferrar and you will receive a copy.

If you have any questions please call me at 271-4320.

Sincerely:

Edgar B. Howell III, Chief
Hazardous Materials Division.

cc Rafat A. Shahid, Ass't Agency Dir.
Ed. Ferrar P.O. Box 525, Menlo Park, CA. 94025
Ed. Marshall, 1 Kaiser Plaza, Suite 1350, Oakland, CA. 94612

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



RAFAT A. SHAHID, Assistant Agency Director

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

March 20, 1992

Mr. Ed. Ferrar
P.O. Box 525
Menlo Park, CA. 94025

Dear Mr. Ferrar:

This morning I spoke with Mr. Ed Marshall esq., he stated that he represented you and your interest in 1435 Webster St. Alameda. I informed him by phone and you by this letter that I have reviewed the files for your site and have determined that the soil remediation has been concluded. After speaking with Mr. Steve Colvin of the City of Alameda it is determined that the use of this site as a parking lot will provide no hazard to the people using the site. As has been previously noted monitoring well(s) will have to be installed after the paving has taken place and monitoring required (normally 4 quarters of non-detect) in order for us to request that this property be taken off of the underground leak report list of the Regional Water Quality Control Board.

Please disregard the letter dated March 3, 1992 as Mr. Marshall has responded verbally to our request for information.

If I can be of any service in expediting your needs please call me at 271-4320.

Sincerely:

Edgar B. Howell III, Chief
Hazardous Materials Division

cc Mark Thompson, Alameda Co. D.A.'s Office
Ed Marshall, Wilson Sher, Marshall, Akawie, & Blumenfeld
1 Kaiser Plaza, Suite 1350, Oakland, CA. 94612
William C. Norton, City Manager, City of Alameda
2263 Santa Clara, Alameda, CA. 94501
Steve Colvin, City of Alameda, CA.
Rafat A. Shahid, Ass't Agency Dir.
files

ALAMEDA COUNTY HEALTH CARE SERVICES AGENCY
DEPARTMENT OF ENVIRONMENTAL HEALTH

MEMORANDUM

DATE: March 20, 1992
TO: Steven C. Szalay, County Administrator
FROM: Rafat A. Shahid, Asst. Agency Director, DEH
SUBJECT: 1435 Webster Street, Alameda, CA. 94501

This is in response to your request for information regarding the site remediation at 1435 Webster Street in Alameda.

I directed the staff to take immediate action to respond to the needs of the owner of the property and the City of Alameda, and to advise the City that they can proceed with their plans to construct a municipal on-grade parking lot on the site. Contact with the City officials ~~and the property owner~~ ^{was} conducted on March 18, 1992. Because of the residual contamination of total hydrocarbons in the remediated soil (<100 ppm), a monitoring well has to be installed and samples analyzed for total hydrocarbons on a ~~quantitative~~ ^{only} basis in accordance with the State Regional Water Quality Control Board requirements. The latter requirement will not impede the plans to construct the parking lot. Please let me know if I can be of further assistance.

RAS:fh

c: David J. Kears, Agency Director, HCSA
Jon Orellana, CAO's Office
Ed Howell, Chief of Hazardous Materials

CAO *The property owner rep. Mr Ed Marshall on March 20 and the issue noted in previous letter was resolved.*

M E M O R A N D U M

ALAMEDA COUNTY ENVIRONMENTAL HEALTH DEPARTMENT
HAZARDOUS MATERIALS DIVISION

DATE: March 19, 1992
TO: Ed Howell, Chief
FROM: ⁴⁹⁵ Scott Seery, Senior Hazardous Materials Specialist
SUBJ: 1435 Webster Street, Alameda - LOP case #3568

This memorandum is in response to inquiries made by Jon Orellana on behalf of Steve Szalay, CAO, as to the status of our oversight of the referenced Local Oversight Program (LOP) site in the City of Alameda.

Tom Peacock, Supervising Hazardous Materials Specialist in LOP, addressed a letter on December 17, 1991 to the property owner(s), identified in Alameda County assessor's records as John E. Ferrar Trust and Charles A. Begley and D.A. Crane. In this letter the owners were advised, among other points, that soil previously removed from the tank excavation and subsequently treated using bioremediation techniques could be place back into the excavation only if such soil was analyzed for the appropriate target compounds, and found to be below laboratory detection limits. The owners were further advised that an appropriate array of ground water monitoring wells was still required to be installed. A copy of this letter is attached.

Prior to the transmittal of this letter, Ms. Pam Evans of this office, the interim case worker on this site prior to its transfer into LOP, spoke with someone by the name of Valentin on November 19, 1991. "Valentin" works for Uriah, Inc., the firm contracted to clean up this site, and report the results. Valentin indicated their desire to backfill the excavation at this site with "clean soil." Ms. Evans advised him that the only soil which may be placed back into the excavation must have been analyzed and found to be below detection, or "nondetect" (ND).

3/19/92 memo

RE: 1435 Webster Street, Alameda

On December 23, 1991, a letter was received from the City of Alameda regarding the remediation at this site (copy attached). This letter advises us that the City intends to begin construction on the site, unless written notice barring such activity is submitted from us by January 17, 1992. This letter continues to say that their decision to begin construction is "...based on the County's findings that the site has been cleaned of all contaminants to an acceptable level."

Mr. Peacock spoke with Mr. Steve Colvin, assistant to the City Manager (Alameda), on or around February 21, 1992 regarding the status of the cleanup occurring at this site. Following this conversation, Mr. Peacock composed a letter (attached) to the property owners, John E. Ferrar Trust, et al, on March 3, 1992. The noted correspondence essentially "accepted" the remediation work, with some comments regarding the continued need for monitoring wells, the subject of dissolved tank wrapping contributing to latent soil contamination, and a request for clarification regarding discrepancies in the apparent volume of soil placed back into the excavation, versus that which was originally removed. Mr. Colvin's name appeared on the list of copy recipients of this letter. Other issues included the reiteration for the need to install wells, and a request for a clarification regarding the relationship between Olympian Oil and the listed property owners.

You and I, along with Ms. Juliet Shin of LOP, the current case worker for LOP cases in the City, spoke with Mr. Colvin on March 17, 1992. Mr. Colvin was awaiting receipt of Mr. Peacock's March 3 letter, and had not received it. It appears that, although written, the letter may not have been sent as an oversight. The original was promptly sent, and a copy forwarded to Mr. Colvin.

This site has not been given a "clean bill of health," as suggested in Mr. Orellana's inquiry, nor was any inspector present at the site within the last 3 - 4 months. It appears only that verbal approval for backfilling the excavation was given, with the caveat that soils be ND for target compounds, as is consistent with RWQCB requirements, and that the requisite monitoring wells be installed.

Please contact me should you have any additional questions.

ALAMEDA COUNTY HEALTH CARE SERVICES AGENCY
DEPARTMENT OF ENVIRONMENTAL HEALTH

*Scott
see me
immed
Ed*

MEMORANDUM

DATE: March 18, 1992
TO: Rafat A. Shahid, Asst. Agency Director
FROM: *JH* Fay Hudson
SUBJECT: 1435 Webster Street, Alameda, CA.

1345 Webster Street

Jon Orellana called at 4:35 P.M., 3-18-92 to report that the owner of property at 1435 Webster Street, Alameda, CA. called Steve Szalay, CAO to complain that:

An underground storage tank had been removed.
He wanted to make a parking lot out of the property.
Inspector from Environmental Health gave the property a "clean bill of health".

Owner stated that inspector had been out to inspect the property three weeks ago and that he wants to have an answer soon as to when he can start building the parking lot.

Checked with Susan Hugo, Senior HMS at Local Oversight Program, who stated that this was Scott Seery's jurisdiction and to check with him regarding the message received from Jon Orellana.

Jon Orellana advised that Steve Szalay needs a response in a proper amount of time, and would like a written report.

I am sending a copy of this memo to Scott Seery.

HM03

c: Scott Seery, LOP



March 3, 1992
STID# 3568

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

John E. Ferrar Trust & Charles A. Begley & D.A. Crane
260 Michele Ct.
So. San Francisco, CA 94080

Dear Sirs:

You were written a letter dated December 17, 1991 in which several comments were made concerning your site at 1435 Webster St. in Alameda (former Jiffy Lube). Apparently the City of Alameda desires to have a parking area on the site. Surface activity should not be affected by the subsurface contamination. Wells can be properly located to enable their being used, to give meaningful information, and where they will not hamper surface use of the property in most cases.

Apparently the bioremediated soil was already placed back into the hole. Verification samples were taken which appear acceptable with the following comments:

1. There is a reference to 550 cu. yds. of soil and then an additional 300 cu. yds. of soil coming out of the hole. Yet for confirmation samples only 12 (at 1/ 50 cu. yds.) were taken for what looks like 850 cu. yds. At the proper rate there should have been 17 samples taken. These numbers don't add up. It is very unclear how much soil was bioremediated and how much was put back into the hole. Also, it seems that additional soil would have to be imported for the hole to be filled. It is not clear if this has occurred.
2. Even though diesel contamination may have come from a dissolved tank wrap (and maybe not), that alone is not justification for its remaining as a soil contaminant. Any petroleum product that has migrated through the environment to some other location is not suitable for being left in place as though it were immobile.
3. Monitoring wells need to be installed. There has been no groundwater investigation which is required given the levels of TPHg, TPGd, and Benzene which were found in the native soil after the excavation. There is no reason to think that over-excavation removed all contaminated soil before such contaminants impacted ground water. There is also no reason why the installation of wells, with subsequent monitoring, would preclude other surface activities such as a parking lot.

John E. Ferrar Trust, et al STID 3568
RE: 1435 Webster St Alameda
March 3, 1992
Page 2 of 2

Your attention is directed to the December 20, 1989 correspondence from this Department (attached), addressed to Ms. Janet Heikel of Olympian Oil Company, which directed Olympian Oil to submit a proposal to assess the extent of contamination at this site. Such an investigation includes the evaluation of both ground water and soil contamination. The required work includes the installation of an appropriate number of ground water monitoring wells to assess the impact the confirmed release at this site has had upon ground water underlying this site. Although a proposal outlining plans to install monitoring wells was received during August 1990, to date, no such wells have been installed.

Further, it is still not clear what the relationship is between Olympian Oil, Jiffy Lube, and the John E. Ferrar Trust. Public records maintained in the Alameda County Assessor's Office identify the owners of the subject property as John E. Ferrar Trust (Trust) and Charles A. Begley and D.A. Crane. These same records indicate the mailing address for the Trust is identical to that indicated on past Olympian Oil Company correspondence letterhead, 260 Michele Court, South San Francisco. Please clarify the relationship between these parties.

Please be advised that under California law, both property owners and facility operators where leaking underground ground storage tanks are or were located, are responsible for assessing and remediating any contamination resulting from such tank leaks. As a result, this Department expects the submittal of a Preliminary Site Assessment (PSA) work plan forthwith.

Please be advised that this is an official request for technical reports pursuant to Water Code Section 13267(b). Failure to adequately respond to this request may subject responsible parties to civil penalties. Extension to stated deadlines must be confirmed in writing by either this agency or the Regional Water Quality Control Board.

If you have any questions concerning this matter please contact this office.

Sincerely,



Thomas F. Peacock, Supervising HMS
Hazardous Material Division

cc: Mark Thompson, Alameda Co. District Attorney's Office
Ed Ferrar, P.O. Box 525, Menlo Park, CA 94025
Ed Marshall, Wilson, Sher, Marshall, Akawie, & Blumumenfeld,
1 Kaiser Plaza, Suite 1350, Oakland, CA 94612
T. D. Edwards, City Engineer, City of Alameda, City Hall,
Santa Clara at Oak St., Room 207, Alameda, CA 94501

State Water Resources Control Board
Division of Clean Water Programs
UST Local Oversight Program

March 3, 1992
STID# 3568

John E. Ferrar Trust & Charles A. Begley & D.A. Crane
260 Michele Ct.
So. San Francisco, CA 94080

Dear Sirs:

You were written a letter dated December 17, 1991 in which several comments were made concerning your site at 1435 Webster St. in Alameda (former Jiffy Lube). Apparently the City of Alameda desires to have a parking area on the site. Surface activity should not be affected by the subsurface contamination. Wells can be properly located to enable their being used, to give meaningful information, and where they will not hamper surface use of the property in most cases.

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John E. Ferrar Trust et al STID 3568
RE: 1435 Webster St., Alameda
March 3, 1992
Page 2 of 2

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Further, it is still not clear what the relationship is between Olympian Oil, Jiffy Lube, and the John E. Ferrar Trust. Public records maintained in the Alameda County Assessor's Office identify the owners of the subject property as John E. Ferrar Trust (Trust) and Charles A. Begley and D.A. Crane. These same records indicate the mailing address for the Trust is identical to that indicated on past Olympian Oil Company correspondence letterhead, 260 Michele Court, South San Francisco. Please clarify the relationship between these parties.

Please be advised that under California law, both property owners and facility operators where leaking underground ground storage tanks are or were located, are responsible for assessing and remediating any contamination resulting from such tank leaks. As a result, this Department expects the submittal of a Preliminary Site Assessment (PSA) work plan forthwith.

Please be advised that this is an official request for technical reports pursuant to Water Code Section 13267(b). Failure to adequately respond to this request may subject responsible parties to civil penalties. Extension to stated deadlines must be confirmed in writing by either this agency or the Regional Water Quality Control Board.

If you have any questions concerning this matter please contact this office.

Sincerely,



Thomas F. Peacock, Supervising HMS
Hazardous Material Division

cc: Mark Thompson, Alameda Co. District Attorney's Office
Ed Ferrar, P.O. Box 525, Menlo Park, CA 94025
Ed Marshall, Wilson, Sher, Marshall, Akawie, & Blumumenfeld,
1 Kaiser Plaza, Suite 1350, Oakland, CA 94612
T. D. Edwards, City Engineer, City of Alameda, City Hall,
Santa Clara at Oak St., Room 207, Alameda, CA 94501



91 DEC 26 PM 2:45

December 23, 1991

Alameda County Health Care Services Agency
Hazardous Material Department
80 Swan Way, Room 200
Oakland, CA 94621
Attn: Pamela Evans

Subject: Site Remedial Activities at 1435 Webster Street

Dear Ms. Evans:

The City of Alameda proposes to construct a municipal on-grade parking lot at 1435 Webster Street. Our records indicate that Uriah Inc., of Livermore, has been undertaking soil remediation measures for the owner based upon a workplan approved by the Alameda County Health Care Services Agency.

Telephone conversations by the City with John Rapp of Uriah indicate that all excavations have been backfilled upon receiving verbal approval from you to do so and the site is now buildable. This was further verified per telephone conversation by the City with you on December 19, 1991.

Unless expressly directed otherwise in writing from the County's Hazardous Materials Department staff by Friday, January 17, 1992 the City will commence construction of the lot based on the County's findings that the site has been cleaned of all contaminants to an acceptable standardized level.

Very truly yours,

A handwritten signature in dark ink, appearing to read "T.D. Edwards", with a horizontal line extending to the right.

T.D. Edwards
City Engineer

Public Works Department, Room 207
Engineering Division

City Hall
Santa Clara Avenue at Oak Street · 94501
415.748 4510

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



State Water Resources Control Board
Division of Clean Water Programs
UST Local Oversight Program

DEPARTMENT OF ENVIRONMENTAL HEALTH
Hazardous Materials Program
80 Swan Way, Rm. 200
Oakland, CA 94621
(415)
XXX(510) 271-4320

December 17, 1991
STID# 3568

John E. Ferrar Trust & Charles A.
Begley & D.A. Crane
(Olympic Oil Co)
260 Michele Ct.
So. San Francisco, CA 94080

Responsible Party
Property Owner

Olympic Oil Co.(Jiffy Lube)
1435 Webster St.
Alameda, CA 94501

SITE

Date First Reported 09/21/89
Substance: gasoline
Petroleum (X)Yes

Dear Sirs:

This office has reviewed a proposal for remediation/
characterization (dated August 24, 1990) and an Interim Report of
Remedial Activities (dated October 1991), both by Uriah Inc. The
following are comments concerning activities on the above site:

1. This office has not received any results from
sampling that was done on December 2. If results show
ND for the proper analyzed constituents then the
bioremediated soil could be placed back in the hole.
2. The original proposal called for **3 monitoring wells**
to be installed on the site. To date none of these are
in place. This must be done within the next quarter in
order to define the lateral and vertical extent of any
groundwater contamination.
3. After installation it is required that samples be
taken from the monitoring wells for 4 consecutive
quarters. These requiremtns have all been elaborated
in a letter from this office dated December 20, 1989.

If you have any questions concerning this matter please contact
this office.

Sincerely,

Thomas Peacock, Supervising HMS
Hazardous Material Division

cc: Ed Ferrar, P.O. Box 525, Menlo Park, CA 94025
Eddie So, RWQCB
D. Rapp, Uriah Inc., 464 Lindbergh Ave., Livermore, CA
94550
Mark Thompson, Alameda Co. District Attorney's Office

Kevin McNamara - 455-4991
4993

7/16/91

Uriah ~~8~~

1435 Webster St. Alameda

sampled soil 6/25/91
(700 yd 3 +)

ND on all cont. except

"tar" - ppmms in diesel

d - 19 + 28 ppm -

g -

BTEX -

OG -

think its from tar paper, not a leak
do another test on tar paper to see if
ranges match.

Is it OK to use another sampling frequency
since the pile is so big? After reading WET, SVI
Regml + Consulting w/ other specs - I said OK to
statistical sampling as long as SWS guidelines followed

DATE:
TO : Local Oversight Program
FROM:
SUBJ: Transfer of Eligible Oversight Case

Site name: Olympian Oil Co (Tuffy Lube)
Address: 1435 Webster St. City Alameda zip 94501
Closure plan attached? Y N DepRef remaining \$ 154.75
DepRef Project # 01552812 (612A) STID #(if any) -0-
Number of Tanks: 3 removed? Y N Date of removal 9/12/89
Samples received? Y N Contamination: TPHg, TPHd, TCG
Petroleum Y N Types: Avgas Jet leaded unleaded Diesel
fuel oil waste oil kerosene solvents
Monitoring wells on site No Monitoring schedule? Y N
LUFT category 1 2 3 * H S C A R W G ^{0,500mg?}
Briefly describe the following: 21 Sep 89
Preliminary Assessment Routine Tank removal samples = 100's of ppm in soil
Remedial Action Soil excavation w/ confirmatory sampling
Post Remedial Action Monitoring _____
Enforcement Action Letters from this office, no NOVs

Since July, 1991, when Ulrich took ~~complex~~ confirmatory samples on 2 different occasions, they have not sent us any results. Cynthia went out on the 1st sampling event. They picked up some organics they think ~~are~~ due to tar paper that's shredded up at this site. They sampled again, they say, during the last two weeks.

- 2) Section 2632(d)(2), Title 23, CCR - Please submit a site specific spill/leak response plan. Per the above section, you are required to submit this plan to our office. The written spill/leak response plan should demonstrate that in the event of an unauthorized release, product would be removed from the secondary container within the shortest possible time. It should include at least the following:
 - a) A description of the proposed methods and equipment to be used for removing the gasoline or waste oil, including the location and availability of the required equipment, if not permanently on-site, and an equipment maintenance schedule for the equipment located on-site.
 - b) The name(s) or title(s) of the person(s) responsible for authorizing the work to be performed.

- 3) Section 2635, Title 23, CCR - Submit as-built documents to our office. Per the above section, you are required to submit these documents to our office and should include at least the following:
 - a) Drawings that show the locations of all tanks, piping, sumps, overfill basins, etc. Label all drawings shown;
 - b) Materials used for tank and piping (i.e. brands, single or double-walled, steel or PVC, etc.)
 - c) Locations and type of equipment used for continuous leak detection. Include types of probes and probe positions.

Please note that records must be kept on-site for at least three (3) years. In addition to the written monitoring plan and spill leak response plan, this should include precision tests, leak detector tests, records for equipment repair and any other pertinent record.

ALAMEDA COUNTY HEALTH CARE SERVICES
 HAZARDOUS MATERIALS PROGRAM/ENVIRONMENTAL HEALTH SERVICES

0551812 62A

SERVICE REQUESTED: Removal / Remediation
 NAME OF SITE : Tuffy Lube (Columbian Oil Co)
 ADDRESS : 1435 Webster St.,
Alameda 94501
 CONTRACTOR : Uniah
 ADDRESS : _____
 PHONE # : _____
 CONTACT PERSON : Kevin McNamara PHONE # : 455-4993

DATE OF DEPOSIT : 800 7/5/89 AMOUNT OF DEPOSIT 272.00

DATE	ACTION TAKEN	IN	OUT	HRS.	X ⁶⁷	SUB/TOT	BALANCE
7-18-91	Call from Uniah, discuss case			.5		33.50	238.50
7-22-91	Site visit to observe stockpile sampling (cc)			1.0		67.00	171.50
9-26-91	Phone call from consultant			.25		16.75	154.75
10/11/91	2 BILLING						
10-29-91	Review case for transfer to LOP			.5		33.50	121.25
11-14-91	Review Remediation Report			.5		33.50	
11-19-91	Call from Consultant re: backfilling			.5		33.50	
Under LOP 12-2-91	Site visit - sampling stockpiles			1.0			

PROJECT COMPLETED BY : _____
 DATE OF COMPLETION : _____ DATE SENT TO BILLING: _____
 TOTAL COST OF PROJECT: _____ REFUND AMOUNT : _____

TO BE REPORTED WEEKLY TO THE ACCOUNTING DEPARTMENT FOR CASHFLOW ADJUSTMENT

ALAMEDA COUNTY HEALTH CARE SERVICES
HAZARDOUS MATERIALS DIVISION/ENVIRONMENTAL HEALTH SERVICES

SERVICE REQUESTED: removal
 NAME OF SITE: (closed service station)
 ADDRESS: 1435 Webster St
Alameda 94501
 CONTRACTOR: Acontite Tank Testing + Maintenance
 ADDRESS: 35 S. Linden Ave
S. San Francisco TELEPHONE # _____
 CONTACT PERSON: Eddy Tabet TELEPHONE # 952-5351
 DEPOSIT AMOUNT: \$800 DATE OF DEPOSIT: 7/5/89

DATE:	ACTION TAKEN	IN	OUT	x \$56	SUB/TOT	BALANCE
						800.00
<u>7/15/89</u>	<u>Removal review</u>	<u>5.00</u>	<u>5.45</u>	<u>(56)</u>	<u>42.00</u>	<u>758.00</u>
<u>7/15/89</u>	<u>REMOVED</u>	<u>5.00</u>		<u>(56)</u>	<u>28.00</u>	<u>730.00</u>
<u>7/15/89</u>	<u>SITE VISIT</u>	<u>1.25</u>	<u>2.15</u>	<u>(56)</u>	<u>98.00</u>	<u>632.00</u>
<u>12/20/89</u>	<u>LETTER & SITE VISIT</u>	<u>1.0</u>	<u>11.45</u>	<u>(56)</u>	<u>98.00</u>	<u>534.00</u>
<u>5/2/90</u>	<u>PHONE CALLS</u>	<u>3.00</u>	<u>3.15</u>	<u>(60)</u>	<u>45.00</u>	<u>489.00</u>
<u>8/31/90</u>	<u>REVIEW w/ LETTER</u>	<u>1.30</u>	<u>3.30</u>	<u>(60)</u>	<u>120.00</u>	<u>369.00</u>
<u>9/4</u>		<u>3.30</u>	<u>4.00</u>	<u>(60)</u>	<u>30.00</u>	<u>339.00</u>
				<u>X 67</u>		
<u>7/16/91</u>	<u>Call from Unizh, file research</u>				<u>33.50</u>	<u>305.50</u>
<u>7/17/91</u>	<u>Research, call to Unizh</u>				<u>33.50</u>	<u>272.00</u>

PROJECT COMPLETED BY: _____
 DATE OF COMPLETION: _____ DATE SENT TO BILLING: _____
 TOTAL COST OF PROJECT: _____ REFUND AMOUNT: _____

TO BE REPORTED WEEKLY TO THE ACCOUNTING DEPARTMENT FOR CASHFLOW ADJUSTMENT

On 12-2-91 @ 1:00 pm I met Gene Painter of Uniah at 1435 Webster St to observe re-sampling of stockpiled soil prior to its replacement in the former tank pit.

All but two of the piles were resampled at a rate of 1 sample / 20 yd³. There had been detectable levels of TPHd (or K) found in some of the soil in earlier sampling events.

PE

10/3/90

TARRANT'S ATT

ED MARSHALL:

- 1) MENTIONED TALKS W/ J. TRUMP & SAID
 - A) OLY. HAS CLEANUP RESPONSIBILITY
 - B) OLY WILL HANDLE COST OF CLEANUP.
 - C) AGREEMENT PREPARED & PENDING OLY

WRITE NOV TO BE SENT 10/10

notes for the file

Pam -

Went to ~~1548~~ 1435 (Lot 200) ~~1000~~ Webster Ave, Alameda, to check out the stockpile sampling and stuff. Put down 1.00 hours on the time sheet.

This is a small site physically. ~~Nothing~~ I observed the soil to be all sandy. Water in the pit at 18 feet, no sheen, but it is an interesting shade of green. The place is all grown over w/ vegetation. Olympia Oil (the lessee) and the property owner have worked out who's responsible for what. City of Alameda plans to lease property as a parking lot.

Uriah plans to reuse soil on-site if it comes up clean.

Some of the tar wrapping from the tanks is mixed in w/ all the excavated soil. They have had the tar wrapping analyzed separately so that they can identify those particular constituents as they go along in the stockpile sampling.

There's water in the pit. May or may not be worth sampling.

No wells yet. Kevin said that will be the final act. They will need to take out a couple of pump & islands; this will result in some more excavation and possible stockpiling.



OLYMPIAN OIL COMPANY

260 MICHELE COURT • SOUTH SAN FRANCISCO, CALIFORNIA 94080-6297
(415) 873-8300 • (800) 683-6100 • TELEEX 171513

FAX COVER SHEET

DATE: 9-6-90

TO: Karin Williams

FROM: George Channaras

NUMBER OF PAGES: 2 (INCLUDES THIS COVER PAGE)

COMMENTS: Letter to Consol.

Please call us if you have any problems receiving and we will re-send.

Office Fax Number (415) 871-2264.

EXHIBIT A

LEASED EQUIPMENT RECEIPT - KAYO
3 & NO 001 CITY ALHEDA SP 12 CODE 5 601 ADD 185 STATE CA ADDRESS 1425 WESLTON

THIS WILL ACKNOWLEDGE RECEIPT FROM KAYO OIL COMPANY OF THE BUILDINGS, EQUIPMENT AND PERSONAL PROPERTY DESCRIBED BELOW, WHICH HAS BEEN RECEIVED IN GOOD ORDER AND CONDITION IN CONNECTION WITH DRAFTY EXECUTION OF THAT CERTAIN SERVICE STATION LEASE WITH KAYO OIL COMPANY DATED EXPIRATION DATE COVERING THE ABOVE SERVICE STATION, SAID BUILDINGS, EQUIPMENT AND PERSONAL PROPERTY BEING DESCRIBED AS FOLLOWS: TO WIT

TYPE	NO	YR	TAX	ITEM DESCRIPTION
602	12	63	63	STORAGE TANK 10,000 GAL./YR
602	12	63	63	STORAGE TANK 200 GAL.
602	12	63	63	STORAGE TANK 2000 GAL.
602	5	71	80	LANDSCAPING
602	12	63	63	PAVING
602	12	63	63	SERVICE STATION BUILDING
602	12	74	68	TWO STEEL DOORS
602	4	80	60	1 INST SIGN ON INTERIOR
602	10	78	60	1 LSH CONVERT TO SELF-SRV
602	11	78	60	0 ALARMING SECURITY SERVICE
602	8	78	64	0 SIGNING AND INSTALLATION
602	7	77	62	0 LANDSCAPING
602	11	74	62	0 TAY-WINDOW & PANEL
602	12	63	63	CHAMPION COMPRESSOR 1 1/2
602	12	62	63	COXON BRING LIFT 600
602	12	62	63	TORCHER BURNER/THREE
602	12	73	73	1 SIX-WAYE CONDENS
602	8	71	71	INSTALL AIR AND WATER HEAT
602	8	71	71	INSTALL DOORS FACES IN ST
602	8	71	71	LABOR TO INSTALL SIGNS
602	8	71	71	REIN LABOR NOT UNDER CON
602	1	82	62	1 ALAC L & W-TAPE
602	11	74	74	1 DELIVERY OF REPAIRS
602	8	80	60	1 INSTALL SIGN
602	8	76	76	1 INSTALL TURNING
602	10	73	73	1 INSTALLATION OF CONDENS
602	11	74	74	1 INSTALLATION OF SUPPLY
602	8	75	75	1 PHASE 1 OF VAPOR RECOVER
602	7	74	74	0 INSTALL SAFE
602	11	74	74	0 S A P V/A TIRE
602	11	74	74	0 LABOR & MATERIAL TO INS
602	8	71	71	0 REINSTALL CONDUIT
602	8	71	71	ELECTRICAL HEATER
602	8	72	71	INSTALL MUST PAY SYSTEM
602	12	63	63	LIGHTS AND PICTURES
602	12	63	63	RFC EQUIPMENT
602	8	71	71	THREE FIRE EXTINGUISHERS
602	10	79	79	TWO RECORD 1 FT & 12 FT PA
602	11	74	74	1 201 BURPER PANEL TO DO
602	8	73	73	1 BARR REFRIGERATION THERM
602	10	60	60	1 CAPS, TUBES & ADAPTERS
602	1	74	74	1 CLOAKS SAFE HIDEOUT
602	1	82	62	1 SHELVEING
602	7	76	76	1 O-VEEDER W/ COMPS W/DIA
602	11	74	74	1 BINGLAR ALARM SYS
602	8	74	74	1 ELECTRIC WATER HEATER
602	12	63	63	1 FAN & INSTALLATION
602	10	61	61	2 VAPOR RECOVERY LSH
602	10	76	76	3 VAPOR RECOVERY SYSTEM
602	1	77	77	3 HEAT ELEC HEATER 5/11
602	1	74	74	0 DOOR CLOSER
602	1	63	63	CANOPY
602	1	63	63	REVOLVING SIGN
602	1	80	80	1 SECOND 3 PRODUCT PRICE 3
602	1	71	71	GARY SAFE 3847 A
602	1	76	76	1 VICTOR CASE NO 300 S/M
602	1	76	76	1 VICTOR CASE NO 305 S/M
602	1	76	76	3 GARY SAFE



KAYO OIL COMPANY

1221 EAST MAIN STREET CHATTANOOGA, TENNESSEE 37408 TELEPHONE 615-756-5770

FEDERAL EXPRESS

May 31, 1983

Mr. John E. Ferrar
P. O. Box 525
Menlo Park, CA 94025

RE: Alameda, CA Store #05601 (Douglas)
(Formerly Station #725)
1435 Webster Street - Lease Expiration

Dear Mr. Ferrar:

Pursuant to our most recent telephone conversation, this letter confirms that we will leave the bulk of our equipment in place to help facilitate a smooth transition with your new incoming tenant.

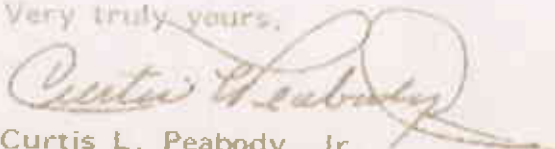
We have an aggregate depreciated investment of \$18,306 in subject demised premises. Our abandonment of the equipment is contingent upon your acceptance of the attached Bill of Sale. Please sign one copy and return it to me in the stamped, self-addressed envelope.

As discussed, we (our Douglas people) discovered a leak in one of the product lines, but this line was not replaced because of the short period remaining on our lease. As a precautionary measure, four test holes were made in the vicinity of the underground storage tanks with no evidence of leaks. The storage tanks, however, are 20 years old and should be considered for replacement within the not too distant future.

Pursuant to that certain lease dated April 28, 1963, the effective expiration date is today, May 31, 1983. We have made arrangements for the keys to be sent to you.

We wish you well in the future and express appreciation for our past business relationship.

Very truly yours,


Curtis L. Peabody, Jr.

enclosures

cc: G. E. Hopwood
J. G. Fuqua
W. L. Herring



OLYMPIAN OIL COMPANY

260 MICHELE COURT • SOUTH SAN FRANCISCO, CALIFORNIA 94080-0237
(415) 373-8300 • (800) 683-8100 • TELEX 171512

George N. Chammas
Senior Vice President
Finance

July 10, 1989

1158FTN

Ms. Joyce Miley
Conoco
900 S. Cherokee Lane
Lodi, CA. 95240

*9.6.90
fax from
JH/GNC*

RE: 1435 Webster Street, Alameda, CA.

Dear Ms. Miley:

As discussed at your meeting in February 1989 with Fred Beretta, Jr., the results of a soil test conducted at 1435 Webster Street, Alameda by CHIPS Environmental Consultants, Inc. showed Total Petroleum Hydrocarbon (TPH) levels above acceptable limits.


We refer to a letter dated May 31, 1983 (copy enclosed) from Kayo Oil Company to Mr. Farrar, the property owner, regarding a leak in the underground pipe. Since Kayo is a subsidiary of Conoco, we request Conoco to defend and indemnify Olympian and to notify your insurance carriers of this demand.

Mr. Farrar has also expressed interest in Conoco's response. Please contact Mr. Farrar at the address below to discuss this matter directly with him.

Mr. John E. Farrar
P.O. Box 525
Menlo Park, CA. 94025
Tel: 415-325-9881

Sincerely,

OLYMPIAN OIL COMPANY


George N. Chammas
Sr. Vice President - Finance

GNC/jh

cc: John Farrar

TRUMP, ALIOTO & TRUMP

Herlinda Gonzalez
CONOCO, Inc.
September 7, 1990
Page 2 of 2

Pursuant to the requirement of Alameda County authorities, Mr. John E. Ferrar, owner of the premises and KAYO's master lessor, obtained three site characterizations and remediation proposals; from Uriah, Inc., GeoTech, and Acquitte. Uriah, Inc. estimated that remediation costs would total \$40,635.00. I have enclosed a copy of this report for your review and records. Mr. Ferrar accepted Uriah, Inc.'s proposal and Uriah is in the process of commencing remediation of the site. The other two reports estimated the remediation cost to be \$97,000 and \$99,000.

Mr. Ferrar, however, is prepared to pay only for the costs of demolition and removal of the canopy and building on the site. He looks to former occupants of the site for payment of the cost of remediation.

On behalf of Olympian, we request CONOCO's full cooperation in defraying the cost of remediation at the referenced site.

In addition, we request that you provide us with the name of CONOCO's agent for service of process in the State of California in the event litigation to resolve this matter should be required.

Kindly respond to the contents hereof on or before September 17, 1990 so that we may adjust our course of conduct accordingly.

Very truly yours,

TRUMP, ALIOTO & TRUMP

By: 
John V. Trump

JVT/dw

Enclosures as noted

cc: Mr. George N. Chammas,
Senior Vice President
Olympian Oil Company

TRUMP, ALIOTO & TRUMP
ATTORNEYS AT LAW

FILE COPY

2200 UNION STREET
SAN FRANCISCO, CALIFORNIA 94123
(415) 363-7300

TELEFAX (415) 363-8277

FREMONT OFFICE CENTER
3580 CIVIC CENTER DRIVE, SUITE 360
FREMONT, CALIFORNIA 94538
(415) 790-0900

TELEFAX (415) 790-4554

PLEASE REFER TO: **San Francisco Office**

September 7, 1990

Herlinda Gonzalez
Attorney at Law
Room # ML 2144
CONOCO, Inc.
P.O. Box 4784
Houston, Texas 77210

RE: 1435 Webster Street, Alameda, California

Dear Ms. Gonzalez:

Please be advised that these law offices are General Counsel for Olympian Oil Company (hereinafter "Olympian").

Olympian has learned that, on the basis of tests which have been performed, the referenced premises are considered by the Alameda County Department of Environmental Health Hazardous Materials Program to have experienced a confirmed release of petroleum hydrocarbons that has impacted subsurface soil and groundwater; and that this contamination must be remediated.

KAYO Oil Company (hereinafter "KAYO") leased said premises from April 29, 1963 through May 31, 1983. We understand that KAYO was acquired by CONOCO several years ago.

Our records also reflect that during its tenancy, KAYO discovered that at least one of the product lines was leaking, but failed to repair it. On this basis, and for reason of its long tenancy, we regard KAYO as the party primarily responsible for the contamination which occurred, since KAYO is the only known discharger of petroleum hydrocarbons. CONOCO is, accordingly responsible for the cost of remediating the site. Enclosed herein is a copy of (KAYO Oil Company representative) Curtis Peabody, Jr.'s May 31, 1983 correspondence to Mr. John E. Ferrar, owner of the subject property, the contents of which are self-explanatory.

TRUMP, ALIOTO & TRUMP

Mr. Curtis L. Peabody, Jr.
September 7, 1990
Page 2 of 2

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Kindly respond to the contents hereof on or before September 17, 1990 so that we may adjust our course of conduct accordingly.

Very truly yours,

TRUMP, ALIOTO & TRUMP

By: 

John V. Trump

JVT/dd/dw

Enclosures as noted

cc: Mr. George N. Chammas,
Senior Vice President
Olympian Oil Company

FILE COPY

TRUMP, ALIOTO & TRUMP
ATTORNEYS AT LAW

2280 UNION STREET
SAN FRANCISCO, CALIFORNIA 94123
(415) 563-7200

TELEFAX (415) 346-0679

FREMONT OFFICE CENTER
39300 CIVIC CENTER DRIVE, SUITE 300
FREMONT CALIFORNIA 94538
(415) 790-0900

TELEFAX (415) 90-4856

PLEASE REPLY TO **San Francisco Office**

September 7, 1990

Mr. Curtis L. Peabody, Jr.
KAYO Oil Company
1221 East Main Street
Chattanooga, Tennessee 37406

RE: 1435 Webster Street, Alameda, California

Dear Mr. Peabody:

Please be advised that these law offices are General Counsel for Olympian Oil Company (hereinafter "Olympian").

Olympian has learned that, on the basis of tests which have been performed, the referenced premises are considered by the Alameda County Department of Environmental Health Hazardous Materials Program to have experienced a confirmed release of petroleum hydrocarbons that has impacted subsurface soil and groundwater; and that this contamination must be remediated.

Our records reflect that KAYO Oil Company (hereinafter "KAYO") leased said premises from April 29, 1963 through May 31, 1983. Our records also reflect that during its tenancy, KAYO discovered that at least one of the product lines was leaking, but failed to repair it. Enclosed herein is a copy of your May 31, 1983 correspondence to Mr. John E. Ferrar, owner of the subject property, the contents of which are self-explanatory. On this basis and for reason of its long tenancy, we regard KAYO as the party primarily responsible for the contamination which occurred, since KAYO is the only known discharger of petroleum hydrocarbons. KAYO is, accordingly responsible for the cost of remediating the site.

Pursuant to the requirement of Alameda County, Mr. John E. Ferrar, owner of the premises and KAYO's master lessor, obtained three site characterizations and remediation proposals: from Uriah, Inc., GeoTech, and Accutite. Uriah, Inc. estimated that remediation costs would total \$40,635.00. I have enclosed a copy of this report for your review and records. Mr. Ferrar accepted Uriah, Inc.'s proposal and Uriah is in the process of commencing remediation of the site. The other two reports estimated the remediation cost to be \$97,000 and \$99,000.

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



August 31, 1990

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

Mr. Ed Ferrar
P.O. Box 525
Menlo Park, CA 94025

Subject: Work Plan for Contamination Assessment
1435 Webster Street, Alameda, CA

Dear Mr. Ferrar:

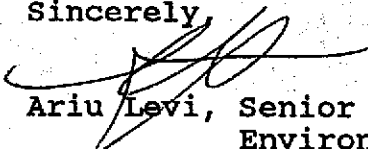
This letter records the recent conversation between Denise Rapp of Uraih Inc. and the Alameda County Environmental Health Department, Hazardous Materials Division concerning the Work Plan for the site shown above. As discussed, the Plan is acceptable to the Department with the following points of clarification or change.

1. The lateral spread of soil contamination will be identified to the 100 ppm isoconcentration line.
2. A soil gas study will include the submittal of a field determined number of samples to a state certified lab. Sampling and sample containers will conform with SW846 standards for the analyses intended.
3. The county has not at this time set minimum QA/QC standards for sample analyses. The SFRWQCB does follow the rule of 10% of samples submitted be QA/QC samples. The county currently follows this ratio of field to QA/QC samples.
4. On-site reuse of remediated soils is an option provided proper documentation occurs, and the level of total petroleum hydrocarbon is below required detection limits. In general, soils to be reused must be evaluated at the rate of one discrete sample for every twenty cubic yards of soil, and the TPH level must be below 10 ppm.

Provided the above changes are made to the Work Plan, site assessment work can begin without further notice from this office.

If you have any questions concerning the contents of this letter please feel free to call.

Sincerely,


Ariu Levi, Senior Hazardous Materials Specialist
Environmental Health Department

cc: Rafat Shahid, Alameda County Environmental Health
Gil Jensen, Alameda County District Attorney's Office
Consumer and Environmental Protection
Lester Feldman, SFRWQCB
Denise Rapp, Uraih Inc.

11-25-91

Call re:

Olympian oil
attorney

John Trump

5677 7200

1435 WEBSTER
Alameda

Discussed

- ① Cont. in native
- ② Some dirty stockpiles still exist
- ③ Can be cleaned up
- ④ MWS? When
- ⑤ Letter in next 2 weeks

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



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

FACSIMILE TRANSMITTAL

TO:

748 4504 Floor/Room # _____
Fax Phone Number

Name: STEVE COLVIN Title/Section

Agency: ALAMEDA CITY

Address: _____

Phone #: () _____

FROM:

568 3706 Floor/Room # _____
Fax Phone Number

Date: _____ Time Sent: _____

Sender: A. COLVIN Title/Section

Phone #: () _____

Number of Pages Including Transmittal Sheet: 2

Special Instructions/Comments:

Mr. Bacharach & Ms. Gorsuk
August 27, 1990
Page 2 of 2

Until cleanup is complete, the operator or permittee shall submit reports to the local agency and the regional board every 3 months or at a more frequent interval specified by a responsible agency. The reports shall include the information requested in 2, 3, and 4 above.

The reporting requirements of this section are in addition to any reporting requirements specified by Section 13271 of Division 7 of the Water Code and other laws and regulations.

You are requested to conduct an assessment (within 5 days of the receipt of this letter) of the extent of the contamination which has occurred at the above site. You are also requested to set a schedule within 10 days for the completion of the various phases of the remediation; including the identification of the number of tanks on the property and a schedule for tank removal or permitting.

Cases are prioritized by our department based upon the potential threat to human health and the environment to which they pose. This case is given a high priority for investigation/remediation due to the potential for the presence of free petroleum product and the contamination to groundwater.

Should you have any questions, please contact me at (415) 271-4320.

Sincerely,

Paul M. Smith

Paul M. Smith,
Hazardous Materials Specialist

PMS:mnc

cc: Gil Jensen, Alameda County District Attorney, Consumer and
Environmental Protection Agency
Lester Feldman, SFBRWQCB
Robert Buchman, King, Schapiro, Mittleman & Buchman
Steve Davis, Leasee
Jonathan Redding, Fitzgerald, Abbot & Beardley
Files

1435 WBSB TEN

7/27/90

Farrar's ATT.

↓ SAN.

OLY = RP

JITTY LAB = SUB TENANT.

OWNER WILLING TO CONTRIBUTE PORTION OF

TRANSACT PROCEEDING W/ OTHER BIDS.

WILL HAVE WORK PLAN TO OFFICE
BY AUG 25 DEAD LINE!

MAKE AWARE TO HOLD THAT WILL BE
ISSUED IF WORK PLAN IS NOT ISSUED TO
OFFICE

TRUMP, OLIVEIRA & ALIOTO

ATTORNEYS AT LAW

2280 UNION STREET
SAN FRANCISCO, CALIFORNIA 94123
(415) 563-7200

TELEFAX (415) 346-0679

COPY
FREMONT OFFICE CENTER
39300 CIVIC CENTER DRIVE, SUITE 360
FREMONT, CALIFORNIA 94538
(415) 790-0900

TELEFAX (415) 790-4856

PLEASE REPLY TO: San Francisco Office

July 25, 1990

Edward T. Marshall, Esq.
WILSON SHER MARSHALL & PETERSON
1 Kaiser Plaza, Suite 1350
Oakland, California 94612

RE: 1435 Webster Street, Alameda, California

Dear Mr. Marshall:

You will recall that on June 11, 1990 I directed correspondence to you suggesting a plan whereby the remediation of the above-referenced property could be completed. To date, I have not had a response from you.

Yesterday (July 24, 1990), Ariu Levi, Senior Hazardous Materials Specialist with the County of Alameda Hazardous Materials Program telephoned me to inform me that unless an acceptable remediation plan is in his office by August 10, 1990, he will issue additional citations against all parties involved and assess fines in connection herewith.

It is absolutely essential that we meet and confer to facilitate the presentation of a remediation plan to Mr. Levi within the time frame set forth.

Would you kindly address your immediate attention the request herein set forth and contact me after you have had an opportunity to discuss this correspondence with your client.

Very truly yours,

TRUMP, OLIVEIRA & ALIOTO

By: John V. Trump
John V. Trump *dw*

JVT/dw

cc: George N. Chammas
Ariu Levi ✓
Ed Tabet, Accutite
Paul Howald, Jiffy Lube

~~THE REPORTS SUBMITTED BY YOUR ENVIRONMENTALISTS, ET,~~

JOHN TARRAN
PO BOX 525
MENLO PARK
94025

415 325-9881

ED MARSHALL
415
ATTN: 415-0555

JIFFY LUBE INT INC.
PO BOX 17223
BALT. MARYLAND
21203-7223

ATTN: PAUL HOWARD
DIR. PROPERTY DISTRICTION
301-298-8200

7/24/90 TALKED TO TRUMP. TOLD MARSHALL HAS
BEEN CONTACTED & INTERVIEWED

CALLED MARSHALL & LEFT MESSAGE.

TRUMP, OLIVEIRA & ALIOTO

ATTORNEYS AT LAW

2280 UNION STREET
SAN FRANCISCO, CALIFORNIA 94123
(415) 563-7200
TELEFAX (415) 346-0679

FREMONT OFFICE CENTER
39300 CIVIC CENTER DRIVE, SUITE 360
FREMONT, CALIFORNIA 94538
(415) 790-0900
TELEFAX (415) 790-4856

PLEASE REPLY TO: San Francisco Office

May 26, 1990

Ariu Levi
Senior Hazardous Materials Specialist
Alameda County Hazardous Materials Program
Dept. of Environmental Health
80 Swan Way, Room 200
Oakland, California 94621

RE: 1435 Webster Street, Alameda/
Jiffy-Lube Facility

Dear Mr. Levi:

This will serve to confirm our telephone conference of May 25, 1990 wherein I indicated that our law firm is general counsel for Olympian Oil Company.

You will recall that I mentioned that in view of the recent death of the wife of one of the owners of the property, and which owner is of advanced age himself, the discussions concerning the clean-up and remediation of the above-referenced property had been somewhat delayed.

You will also recall that I mentioned the necessity of involving the former operator of the property, Jiffy-Lube International, Inc., as well as the property owner, in our clean-up and remediation discussions.

Please rest assured that Olympian Oil Company, although neither the owner nor the operator of the property, will do all it possibly can in attempting to resolve these matters within ninety (90) days from the date hereof. Your patience and consideration in regard hereto are sincerely appreciated.

Very truly yours,

TRUMP, OLIVEIRA & ALIOTO

By: 
John V. Trump

JVT/dw

cc: George N. Chammas



OLYMPIAN OIL COMPANY

260 MICHELE COURT • SOUTH SAN FRANCISCO, CALIFORNIA 94080-6297
(415) 873-8200 • (800) 682-6100 • TELEX 171513

January 31, 1990

1292FIN

Mr. Ariu Levi
Alameda County
Department of Environmental Health
80 Swan Way, Room 200
Oakland, Ca. 94621

90 FEB -2 AM 11:19

RE: 1435 Webster Street, Alameda
Jiffy Lube Facility

Dear Mr. Levi:

We are in receipt of your letter dated December 20, 1989 and refer to your telephone conversation with Eddy Tabet of Accutite on December 22, 1989.

As you may know, Olympian Oil is neither the owner nor the operator of the property. We have been in contact with one of the owners, Mr. John E. Farrar, and the sublessee, Jiffy Lube, in order to coordinate the recommendations in the Accutite report dated October 2, 1989. We are actively pursuing this matter and will keep you updated as to its progress.

Sincerely,

OLYMPIAN OIL COMPANY

Janet Heikel
Administrative Coordinator

p.o.

cc: John E. Farrar
Paul E. Howald, Jiffy Lube International

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



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

Certified Mail P 062 127 729

December 20, 1989

Ms. Janet Heikel
Olympian Oil Company
260 Michele Court
South San Francisco, CA 94080-6297

Subject: Unauthorized Release
Removal of Underground Fuel and Waste Oil Tanks
Jiffy Lube Facility
1435 Webster, Alameda, CA

Dear Ms. Heikel:

Thank you for submitting the results for analysis of subsurface soil samples taken in response to the underground tank removals from the above shown facility. Because of the degree of contamination found, this facility is considered to have experienced a confirmed release of petroleum hydrocarbons that has impacted subsurface soil and ground water. The extent of this contamination must be assessed and remediated.

Our office will be the lead agency overseeing both the soil and groundwater remediation of this site. The Regional Water Quality Control Board (RWQCB) is currently unable to oversee the large number of contamination cases within Alameda County and has delegated the handling of this case to our Division. We will be in contact with the RWQCB in order to provide you with guidance concerning the RWQCB's remediation requirements. However, please be aware that you are responsible for diligent actions to protect waters of the State.

To complete contaminant assessment and begin remediation, we require that you submit a work plan which, at a minimum, addresses the items listed below and presents a timetable for their completion. Please submit this workplan within 30 days of the date of this letter.

I. Introduction

- A. Statement of scope of work
- B. Site map showing location of existing and past underground storage tanks
- C. Site History
 - provide historical site use and ownership information. Include a description of types and locations of hazardous materials used on site.

II. Site Description

- A. Vicinity description including hydrogeologic setting
- B. Initial soil contamination and excavation results
 - provide sampling procedures used
 - indicate depth to ground water
 - describe soil strata encountered
 - provide soil sampling results, chain of custody forms, identity of sampler
 - describe methods for storing and disposal of all soils

III. Plan for determining extent of soil contamination on site

- A. Describe approach to determine extent of lateral and vertical contamination
 - identify subcontractors, if any
 - identify methods or techniques used for analysis
 - provide sampling map showing all lines of excavation and sampling points
 - if a step out procedure is used, define action level for determination of "clean" isopleth
 - provide chain of custody forms, lab analysis results, all receipts and manifests, & identity of sampler
- B. Describe method and criteria for screening clean versus contaminated soil. If onsite soil aeration/bioremediation is to be utilized, then provide a complete description of method that includes:
 - volume and rate of aeration/turning
 - method of containment and cover
 - wet weather contingency plans
 - permits obtained
- C. Describe security measures

IV. Plan for determining ground water contamination

- Construction and placement of wells should adhere to the requirements of the "Regional Board Staff Recommendations for Initial Evaluation and Investigation of Underground Tanks". Provide a description of placement and rationale for the location of monitoring wells including a map to scale.
- The placement and number of wells must be able to determine the extent and magnitude of the free product and dissolved product plumes.

A. Drilling method for construction of monitoring wells

- expected depth and diameter of monitoring wells
- date of expected drilling
- casing type, diameter, screen interval, and pack and slot sizing techniques
- depth and type of seal
- development method and criteria for adequacy of development
- plans for cuttings and development water

B. Ground water sampling plan

- method for free product measurement, observation of sheen
- well purging procedures
- sample collection procedures
- chain of custody procedures
- procedures for determining ground water gradient

D. Sampling schedule

- measure free product weekly for first month following well installation
- measure free product and dissolved constituents monthly for first three months.
- after first three months monitor quarterly.
- monitoring must occur a minimum of one year.

V. Provide a site safety plan

VI Development of a remediation Plan.

- A. The remediation plan is to include a time schedule for remediation, and, at minimum, must address the following issues:
- removal of all free product. Manual bailing is not acceptable as a recovery system. Actual amount of free product removed must be monitored and tabulated.
 - remediation of contaminated soils and dissolved constituents must follow RWQCB's resolution No. 68-16.
 - soils containing 1,000+ ppm of hydrocarbons must be remediated. Soils containing between 100 and 1,000 ppm must be remediated unless sufficient evidence is provided which indicates no adverse effects on groundwater will occur. Clean up of soils to 100 ppm is strongly recommended.
 - design of remedial action system should be based on a review of hydrogeologic and water quality data and on an evaluation of mitigation alternatives. The determination of probable capture zone(s) of extraction system(s) should be based on aquifer characteristics as determined by aquifer test data

VII Reporting

- A. Technical reports should be submitted with a cover letter from Olympian Oil. The letter must be signed by a an authorized representative.
- B. Monthly reports must be submitted for the next three months with the first report due 90 days from the above letter date.
- C. Quarterly reports must be submitted with the first report due 90 days after the final monthly report. These reports should describe the status of the investigation and cleanup.
- D. All reports and proposals must be signed by a California-Certified Engineering Geologist, California Registered Geologist or a California-Registered Civil Engineer (see page 2, 2 June 1988 RWQCB document). A statement of qualifications should be included in

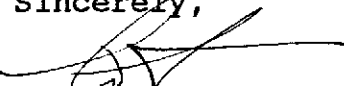
Olympian Oil
December 20, 1989
Page 5

all reports. Initial tank removal and soil sampling does not require such expertise; however, borehole and monitoring well installation and logging, and impact assessments do require such a professional.

All proposals, reports and analytical results pertaining to this investigation and remediation must be sent to our office and RWQCB. You should be aware that this Division is working in conjunction with the RWQCB and that this is a formal request for technical reports pursuant to California Water Code Section 13267 (b). Failure to respond or a late response may result in referral of this case to the RWQCB for enforcement and may subject Olympian Oil to civil liabilities imposed by the RWQCB to a maximum amount of \$1,000 per day. Any extensions of agreed upon time deadlines must be confirmed in writing by either this Division of the RWQCB.

Should you have any questions concerning the contents of this letter or the status of this case please feel free to contact me.

Sincerely,



Ariu Levi, Senior Hazardous Materials Specialist
Alameda County Hazardous Materials Program

cc: Gil Jensen, Alameda County District Attorney, Consumer &
Environmental Protection
Rafat Shahid, Assistant Agency Director
Ed Howell, Chief HazMat Unit
Lester Feldman, SFRWQCB
Howard Hatayama, DOHS
Lt. McKinley, AFD
Eddie Tabet, Accutite Tank Testing
Files

P 062 127 729

RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED
NOT FOR INTERNATIONAL MAIL

(See Reverse)

Sent to	
HEIKEL	
Street and No.	
P.O., State and ZIP Code	
Postage	\$
Certified Fee	
Special Delivery Fee	
Registered Delivery Fee	
Return Receipt (allowing for return and delivery contact)	
Return Receipt (allowing date and address of delivery)	
TOTAL Postage and Fees	\$
Postmark or Date	

PS Form 3800, June 1981



OLYMPIAN OIL COMPANY

Resent 12/8/89

260 MICHELE COURT • SOUTH SAN FRANCISCO, CALIFORNIA 94080-6297
(415) 873-8200 • (800) 682-6100 • TELEX 171513

November 15, 1989

259ADM

Mr. Ariu Levi
Alameda County Health Agency
Division of Hazardous Materials
Department of Environmental Health
80 Swan Way, Room 200
Oakland, Ca. 94621

Re: 1435 Webster Street, Alameda (JIFFY Lube)

Dear Mr. Levi:

Please find enclosed a copy of the soil sampling report for the above referenced property.

Sincerely,

OLYMPIAN OIL COMPANY

Janet Heikel
Administrative Coordinator

ACCUTITE TANK TESTING & MAINTENANCE SERVICES

SITE SAFETY PLAN (SSP)

1435 Webster Street
Oakland, California

PURPOSE:

This Site Safety Plan (SSP) established the general safety requirements necessary to protect the public, contractor, employees, owner/operator and properties involved in this project.

SCOPE OF WORK:

Excavate, remove and dispose of four (4) underground storage tanks.

ACCUTITE PERSONNEL:

Foreman (designated Health & Safety Coordinator (HSC)
Excavator Operator
Laborer
Environmental Engineer

The HSC will be on site during all work to verify adherence with the SSP. He HSC will also coordinate all work with local and State Health & Safety Representative as needed.

SAFETY & PROTECTIVE PROCEDURES:

1. The HSC will monitor the site during all work for the presence of gasoline vapors utilizing a combustible Gas Detector (Riken Keiki Model SP-237H).
2. No smoking, drinking or eating will be allowed in work areas.
3. All personnel are properly trained and will wear half-mask air purifying cartridge respirators (organic cartridge with dust prefilter) when significant detector readings are recorded, or if a significant gasoline odor is detected.
4. Should gasoline or diesel fuel pooling be observed during the project, all work will stop until a plan of action can be developed and regulatory agencies notified:
 - (1) Alameda County Dept. of Public Health
Hazardous Materials Division (415) 271-4320
 - (2) Port of Oakland - Hazardous Materials Division
(415) 839-2656
 - (3) California Regional Water Quality Control Board
San Francisco Region (415) 464-1036
 - (4) Oakland Fire Department
(415) 273-3856

Personnel required to work in the area of gasoline pooling will wear neoprene rubber gloves, chemical goggles, protective clothing, chemical resistant safety boots and a cartridge respirator.



Hospital to be used for this location: Alameda Hospital-2070 Clinton Ave
(415) 522-3700

ALAMEDA COUNTY
DEPT. OF ENVIRONMENTAL HEALTH
HAZARDOUS MATERIALS
8-5-87

**ALAMEDA COUNTY HEALTH CARE SERVICES AGENCY
DEPARTMENT OF ENVIRONMENTAL HEALTH
HAZARDOUS MATERIALS DIVISION
80 SWAN WAY, ROOM 200
OAKLAND, CA 94621
PHONE NO. 415-271-4320**

ACCEPTED

DEPARTMENT OF ENVIRONMENTAL HEALTH
470 - 2715 Street, Third Floor
Oakland, CA 94612
Telephone: (415) 874-7237

These plans have been reviewed and found to be acceptable and sufficiently meet the requirements of State and local health laws. Changes to your plans indicated by this Department are to ensure compliance with State and local laws. The permit application herein is now released for issuance of any and all building permits for construction.

One set of these accepted plans must be on the job and available to all contractors and craftsmen involved with the removal.

A change or alteration of these plans and specifications must be submitted to this Department and to the Fire and Building Inspection Department to determine if changes meet the requirements of State and local laws. Notify this Department at least 48 hours prior to following required inspections:

- _____ Removal of Tank and Piping
- _____ Sampling
- _____ Final Inspection

Issuance of a permit to operate is dependent on compliance with accepted plans and all applicable laws and regulations.

THERE IS A FINANCIAL PENALTY FOR NOT OBTAINING THESE INSPECTIONS.

8/19/89


Project # U552812
Fee Paid \$800.00
Date 7/5/89

UNDERGROUND TANK CLOSURE/MODIFICATION PLANS

1. Business Name Closed Service Station
Business Owner Jiffy Lube International
2. Site Address 1435 Webster Street
City Alameda Zip _____ Phone _____
3. Mailing Address 260 Michele Court
City South San Francisco Zip 94080 Phone (415) 873-8200
4. Land Owner John Farrar, Arch Begley & Dorothy McKee
Address P. O. Box 525 City, State Menlo Park, CA Zip 94025
5. EPA I.D. No. CAC000 172717
6. Contractor ACCUTITE TANK TESTING & MAINTENANCE SERVICES
Address 35 South Linden Avenue
City South San Francisco, CA Phone (415) 952-5551
License Type B, C36, C61 ID# 247322
7. Consultant Accutite Tank Testing & Maintenance Services
Address 35 South Linden Avenue
City South San Francisco, CA Phone (415) 952-5551

8. Contact Person for Investigation

Name Eddy Tabet Title Project Engineer
Phone (415) 952-5551

9. Total No. of Tanks at facility 4

10. Have permit applications for all tanks been submitted to this office? Yes [] No []

11. State Registered Hazardous Waste Transporters/Facilities

a) Product/Waste Tranporter

Name Refineries Service EPA I.D. No. CAD0083166728
Address P. O. Box 1171
City Patterson State CA Zip 95363

b) Rinsate Transporter

Name Refineries Service EPA I.D. No. CAD0093166728
Address P. O. Box 1171
City Patterson State CA Zip 95363

c) Tank Transporter

Name H & H Ship Service EPA I.D. No. CAD0004771168
Address 220 China Basin Street
City San Francisco State CA Zip 94107

d) Tank Disposal Site

Name H & H Ship Servcie. EPA I.D. No. CAD0004771168
Address 220 China Basin Street
City San Francisco, State CA Zip 94107

e) Contaminated Soil Transporter

Name North State Environmental EPA I.D. No. CAD0006603738
Address PO Box 5624
City South San Francisco State CA Zip 94080

12. Sample Collector

Name Eddy Tabet
 Company Accutite Tank Testing & Maintenance Services
 Address 35 South Linden Avenue
 City South San Francisco State CA Zip 94080 Phone (415) 952-5551

13. Sampling Information for each tank or area

Tank or Area		Material sampled	Location & Depth
Capacity	Historic Contents (past 5 years)		
10,000	Regular Gasoline	Soil & Ground water if present	opposite ends of tank at soil/water interface into 2' of the native soil
10,000	Unleaded Gasoline		
7,500	Diesel Fuel		
280	Waste Oil		

14. Have tanks or pipes leaked in the past? Yes [] No [X]

If yes, describe. Not aware of any leaks

15. NFPA methods used for rendering tank inert? Yes [X] No []

If yes, describe. Residual materials to be pumped out, tank rinsed, and 30 pounds of dry ice per 1,000 gallons of tank volume, placed in each tank by Accutite
An explosion proof combustible gas meter shall be used to verify tank inertness.

16. Laboratories

Name Sequoia Analytical
 Address 680 Chesapeake Drive
 City Redwood City State CA Zip 94063
 State Certification No. 145

17. Chemical Methods to be used for Analyzing Samples

Contaminant Sought	EPA, DHS, or Other Sample Preparation Method Number	EPA, DHS, or Other Analysis Number
Total Petroleum Hydrocarbons as Gasoline with BTX & E distinction	Soil EPA 5030 Water EPA 5030 Soil Water	EPA 8015/Modified EPA 8015/Modified EPA 8020 EPA 602
For Diesel and Waste Oil see Table	# 2 attached	<i>Waste Oil - VOC's must be tested using EPA 8240 or 8010 and 8020</i>

18. Submit Site Safety Plan

19. Workman's Compensation: Yes No

Copy of Certificate enclosed? Yes No On File

Name of Insurer State Compensation Insurance Fund

20. Plot Plan submitted? Yes No

21. Deposit enclosed? Yes No

22. Please forward to this office the following information within 60 days after receipt of sample results.

- a) Chain of Custody Sheets
- b) Original Signed Laboratory Reports
- c) TSD to Generator copies of wastes shipped and received
- d) Attachment A summarizing laboratory results

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 and safety.

I will notify the Department of Environmental Health at least two (2) working days (48 hours) after approval of this closure plan in advance to schedule any required inspections. 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.

Signature of Contractor

Name (please type) Dan Koch

Signature *Dan Koch*

Date 7/3/89

Signature of Site Owner or Operator

Name (please type) John E. Farrar, Arch Begley & Dorothy Mc Kee

Signature *(John E. Farrar) Arch Begley Dorothy McKee*

Date _____

NOTES:

1. Any changes in this document must be approved by this Department.
2. Any leaks discovered must be submitted to this office on an underground storage tank unauthorized leak/contamination site report form within 5 days of its discovery.
3. Three (3) copies of this plan must be submitted to this Department. One copy must be at the construction site at all times.
4. After approval of plan, notification of at least two (2) working days (48 hours) must be given to this Department prior to removal of tank(s).
5. A copy of your approved plan must be sent to the landowner.
6. Triple rinse means that:
 - a) Final rinse must contain less than 100 ppm of Gasoline (EPA method 8020 for soil, or EPA method 602 for water) or Diesel (EPA method 418.1). Other methods for halogenated volatile organics (EPA method 8010 for soil, EPA method 601 for water) may be required. The composition of the final rinse must be demonstrated by an original or facsimile report from a laboratory certified for the above analyses.
 - b) Tank interior is shown to be free from deposits or residues upon a visual examination of tank interior.
 - c) Tank should be labelled as "tripled rinsed; laboratory certified analysis available upon request" with the name and address of the contractor.

If all the above requirements cannot be met, the tank must be transported as a hazardous waste.

7. Any cutting into tanks requires local fire department approval.

UNDERGROUND TANK CLOSURE/MODIFICATION PLANS

ATTACHMENT A
SAMPLING RESULTS

Tank or Area	Contaminant	Location & Depth	Results (specify units)

INSTRUCTIONS

2. SITE ADDRESS

Address at which closure or modification is taking place.

5. EPA I.D. NO.

This number may be obtained from the State Department of Health Services, 916/324-1781.

6. CONTRACTOR

Prime contractor for the project.

7. OTHER

List professional consultants here.

12. SAMPLE COLLECTOR

Persons who are collecting samples.

13. SAMPLING INFORMATION

Historic contents - the principal product(s) used in the last 5 years.

Material sampled - i.e., water, oil, sludge, soil, etc.

16. LABORATORIES

Laboratories used for chemical and geotechnical analyses.

17. CHEMICAL METHODS:

All sample collection methods and analyses should conform to EPA or DHS methods.

Contaminant - Specify the chemical to be analyzed.

Sample Preparation Method Number - The means used to prepare the sample prior to analyses - i.e., digestion techniques, solvent extraction, etc. Specify number of method and reference if not an EPA or DHS method.

Analysis Method Number - The means used to analyze the sample - i.e., GC, GC-MS, AA, etc. Specify number of method and reference if not a DHS or EPA method.

NOTE:

Method Numbers are available from certified laboratories.

18. SITE SAFETY PLAN

A plan outlining protective equipment and additional specialized personnel in the event that significant amount of hazardous materials are found. The plan should consider the availability of respirators, respirator cartridges, self-contained breathing apparatus (SCBA) and industrial hygienists.

19. ATTACH COPY OF WORKMAN'S COMPENSATION

20. PLOT PLAN

The plan should consists of a scaled view of the facility at which the tank(s) are located and should include the following information:

- a) Scale
- b) North Arrow
- c) Property Line
- d) Location of all Structures
- e) Location of all relevant existing equipment including tanks and piping to be removed
- f) Streets
- g) Underground conduits, sewers, water lines, utilities
- h) Existing wells (drinking, monitoring, etc.)
- i) Depth to ground water
- j) All existing tanks in addition to the ones being pulled

rev. 9/88
mam

**STATE
COMPENSATION
INSURANCE
FUND**

P.O. BOX 807, SAN FRANCISCO, CA 94101-0807

CERTIFICATE OF WORKERS' COMPENSATION INSURANCE

DECEMBER 28, 1988

POLICY NUMBER 233-89 UNIT 0000129
CERTIFICATE EXPIRES: 1-1-90

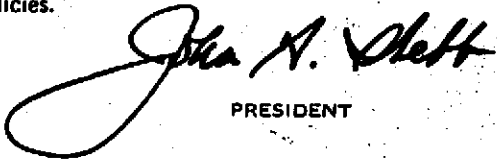
COUNTY OF ALAMEDA
BLDG. INSPT. DEPT.
399 ELMHURST ST., RM. 141
HAYWARD
CA 94544

This is to certify that we have issued a valid Workers' Compensation insurance policy in a form approved by the California Insurance Commissioner to the employer named below for the policy period indicated.

This policy is not subject to cancellation by the Fund except upon ten days' advance written notice to the employer.

We will also give you TEN days' advance notice should this policy be cancelled prior to its normal expiration.

This certificate of insurance is not an insurance policy and does not amend, extend or alter the coverage afforded by the policies listed herein. Notwithstanding any requirement, term, or condition of any contract or other document with respect to which this certificate of insurance may be issued or may pertain, the insurance afforded by the policies described herein is subject to all the terms, exclusions and conditions of such policies.


PRESIDENT

EMPLOYER'S LIABILITY LIMIT: \$3,000,000 PER OCCURRENCE.

EMPLOYER

OLYMPIAN OIL COMPANY
DBA: ACCUTITE
260 MICHELE CT.
SO. SAN FRANCISCO
CA 94080