### **Estate of Michael Dolan**

Ms. Noreen Fitzpatrick, Trustee 3215 Deer Park Dr. Walnut Creek, CA 94598

RECEIVED

11:57 am, Aug 03, 2010

Alameda County Environmental Health

2010

Mr. Paresh Khatri Alameda County Health Care Services Agency Environmental Protection Division 1131 Harbor Bay Parkway, Suite 250 Alameda, CA 94502-6577

Re: Perjury Statement Dolan Property, 6393 Scarlett Court, Dublin, California; RO-210

Dear Mr. Khatri,

"I declare under penalty of perjury, that the information and / or recommendations contained in the attached report is true and correct to the best of my knowledge."

5 palaid Moreen Fitzpatrick, Trustee

cc. Peter MacDonald, Esquire Wanden Treanor, Esquire

## STATE WATER RESOURCES CONTROL BOARD GEOTRACKER ESI

UPLOADING A GEO\_REPORT FILE

### SUCCESS Your GEO\_REPORT file has been successfully submitted! GEO\_REPORT Submittal Type: **WELLABANDONMENTREPORT**

Report Type: Report Date: Facility Global ID: Facility Name: File Name: **Organization Name:** Username: IP Address: Submittal Date/Time: **Confirmation Number:** 

Report Title:

Well Destruction Report 8/2/2010 T0600101601 **DUBLIN ROCK & READY MIX** RO-210\_Dolan Trust\_Well Abandonment Report\_7.29.2010.pdf Trinity Source Group, Inc. TRINITY SOURCE GROUP 69.198.129.110 8/2/2010 1:33:19 PM 4313050627

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July 29, 2010 Trinity Project: 306.001.001

Mr. Paresh Khatri Alameda County Environmental Health Services 1131 Harbor Parkway, Suite 250 Alameda, CA 94502-6577

Re: Well Abandonment Report Dolan Trust Former Dublin Rock & Ready Mix 6393 Scarlett Court Dublin, California

Dear Mr. Khatri:

Trinity Source Group, Inc. (Trinity) has prepared this *Well Abandonment Report (Report)* on behalf of Dolan Trust, for the referenced site (Figure 1). Dolan Trust has obtained permission from the Alameda County Environmental Health Services (ACEHS) in a letter dated May 20, 2010, to destroy existing Wells MW-1, and MW-3 through MW-9, as part of the case closure process for the site underground storage tank investigation. A copy of the ACEHS letter is included in Attachment A of this *Report.* A former monitoring well location map is presented on Figure 1. The certified list of record fee title owners requested by ACEHS is included in Attachment B.

This *Report* was prepared to document the activities involved in abandoning the groundwater monitoring wells at the above-referenced site. The work performed followed the *Well Destruction Permit* issued on June 21, 2010 from the Zone 7 Water Agency.

#### SCOPE OF WORK

The scope of work completed for completing the well abandonment is described below. The well abandonment work and oversight was performed by Trinity, a California-licensed drilling contractor.

#### **Prefield Activities**

Trinity obtained well destruction permits from Zone 7 Water District. Permits are included in Attachment C.

A site-specific Health and Safety Plan (HASP) was prepared, and reviewed with field personnel prior to beginning onsite work.

Mr. Paresh Khatri Dolan Trust Well Abandonment Report July 29, 2010

Trinity informed Zone 7 Water District staff of the field work schedule at least three days before work was conducted.

#### Well Destruction

On June 30 through July 2, 2010, Trinity abandoned Wells MW-1 and MW-3 through MW-9. Site repaving by the property owner's contractor was in progress when Trinity arrived at the site on June 30, 2010. The paving company worked around the wells during abandonment, and finished up well areas after abandonment was completed.

The well abandonment process included the following tasks. Portland cement was tremied into the wells up to 0.5 feet from the ground surface. Each well was pressure grouted for five minutes at 25 pounds per square inch (psi) pressure. Afterwards, the wells were topped off with additional Portland cement. The remaining well vault and surface concrete/asphalt was removed at each well, and the well casing was exposed and cut two feet below grade. The resulting holes were backfilled and compacted with approved backfill material. Well Completion Reports for the abandoned monitoring wells have been submitted to the California Department of Water Resources, and are included in Attachment D.

#### Inspections

An inspector from the Zone 7 Water District was present for abandonment of Wells MW-1 and MW-3 through MW-9, and for the backfill and compaction of the abandoned wells.

#### Investigation-Derived Wastes

The concrete and metal removed from well abandonment areas was stockpiled with the paving company's waste materials.

On July 27, 2010, Trinity picked up two drums labeled "Non-Hazardous Waste" from the site and delivered them to Filter for disposal. One drum contained used oxygen-releasing compound socks, and the other drum contained approximately 12 gallons of water. The disposal documentation for these drums is included in Attachment E.

#### CONCLUSION

The site monitoring wells, were abandoned following state and local guidelines. The UST case associated with the former Dublin Rock and Ready Mix plant should be closed.

Should you have any questions regarding this *Report*, please call Trinity at (831) 426-5600.

Mr. Paresh Khatri Dolan Trust Well Abandonment Report July 29, 2010

Sincerely,

#### TRINITY SOURCE GROUP, INC.



Grullioi

Eric Choi Staff Scientist

Debra J. Moser, PG, CEG, CHG Senior Geologist

#### DISTRIBUTION

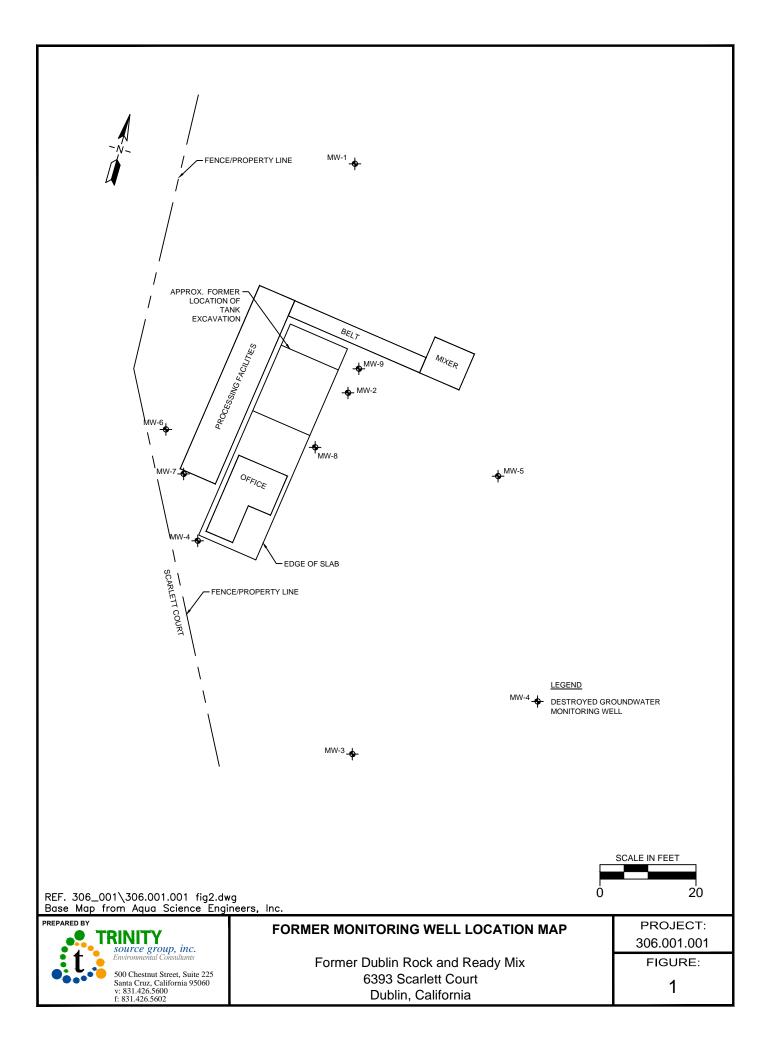
Wyman Hong Zone 7 Water District 100 North Canyons Parkway Livermore, CA 94551

Peter MacDonald Law Office of Peter MacDonald 400 Main Street, Suite 210 Pleasanton, CA 94566 Noreen Fitzpatrick Mr. Michael Fitzpatrick Trustee 3215 Deer Park Drive Walnut Creek, CA 94598

Ken Harvey KBH Investments LLC, a California Limited Liability Group 6300 Dublin Blvd Dublin, CA 94568

Attachments:

Figure 1 – Former Monitoring Well Location Map Attachment A – ACEHS Correspondence Attachment B – Certified List of Record Fee Title Owners Attachment C -- Well Abandonment Permit Attachment D – Well Completion Reports Attachment E – Disposal Documentation FIGURE



### ATTACHMENT A

### ACEHS CORRESPONDENCE

### RECEIVED MAY 2 4 2010

#### ALAMEDA COUNTY HEALTH CARE SERVICES



AGENCY

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

May 20, 2010

Estate of Michael Dolan Mr. Michael Fitzpatrick, Trustee 3215 Deer Park Drive Walnut Creek, CA 94598

ALEX BRISCOE, Agency Director

#### Subject: Monitoring Well Destruction and Landowner Notification for Case Closure of Fuel Leak Case No. RO0000210 and Geotracker Global ID T0600101601, Dublin Rock & Ready Mix, 6393 Scarlett Court, Dublin, CA 94568

Dear Mr. Fitzpatrick:

Final approval of a case closure for the underground storage tank investigation at the subject site is almost complete. A case summary report proposing closure has been forwarded to the Regional Water Quality Control Board (RWQCB) for their thirty (30) day review period. The RWQCB has until Monday, June 14, 2010 to comment on the proposed closure action. Following the thirty (30) day review period and if no comments opposing closure are received, the monitoring wells installed at the site must be properly destroyed, per California Water Code and all current record owners of fee title to the site must be notified by the primary or active responsible party of the proposed closure action, prior to issuance of a remedial action completion certificate.

ACEH requests that you address the following technical comments, <sup>7</sup>perform the proposed work, and send us the technical reports requested below. Upon receipt of the requested documents a remedial action completion certificate will be sent to the responsible party.

#### **TECHNICAL COMMENTS**

- Monitoring Well Destruction ACEH is requesting that you contact Zone 7 Water Agency at (925) 454-5056, obtain the necessary permits, destroy the wells, and electronically upload the monitoring well destruction report to ACEH's FTP server and the State Water Resources Control Board's GeoTracker website within ninety (90) days from the date of this letter (August 11, 2010). Electronic reporting is described in detail below.
- 2. Landowner Notification Form As you may be aware, an investigation resulting from underground storage tank leaks was performed at the subject property to which you are named as the primary or active responsible party. Pursuant to Section 25297.15 (a), Alameda County Environmental Health (ACEH), the local agency, shall not consider cleanup or site closure proposals from the primary or active responsible party, issue a closure letter, or make a determination that no further action is required with respect to a site upon which there was an unauthorized release of hazardous substances from an underground storage tank subject to this chapter unless all current record owners of fee title to the site of the proposed action have been notified of the proposed action by the primary or active responsible party. ACEH is required to notify the primary or active responsible party of their requirement to certify in writing to the local agency that the notification requirement in the

#### LIST OF LANDOWNERS FORM

County of Alameda Environmental Health Services Environmental Protection 1131 Harbor Bay Parkway, Suite 250 Alameda, CA 94502-6577

#### CERTIFIED LIST OF RECORD FEE TITLE OWNERS FOR:

Site Name: Dublin Rock & Ready Mix	
Address: 6393 Scarlett Court	
City, State, Zip: Dublin, CA 94568	
Record ID #: R00000210	

Please fill out item 1 if there are multiple site landowners (attach an extra sheet if necessary). If you are the sole site landowner, skip item 1 and fill out item 2.

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

Name:						
Address:						
Olto Otata Zini	· · · · · · · · · · · · · · · · · · ·					
🗖 us all A dalamanı						
Name:	a de la compansión de la c					
E-mail Address:	·····					
Name:					-	
Address:		•		······································		
City, State, Zip:						
In accordance with Section	on 25297.15(a) of	Chapter 6.7 o	f the California	Health &	Safety C	ode. I

\_\_\_\_\_, certify that I am the sole landowner for the above site.

Sincerely,

2.

Alameda County Environmental Cleanup	ISSUE DATE: July 5, 2005
Oversight Programs	REVISION DATE: March 27, 2009
(LOP and SLIC)	PREVIOUS REVISIONS: December 16, 2005, October 31, 2005
SECTION: Miscellaneous Administrative Topics & Procedures	SUBJECT: Electronic Report Upload (ftp) Instructions

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 <u>dehloptoxic@acgov.org</u>
      - Or
    - ii) Send a fax on company letterhead to (510) 337-9335, to the attention of My Le Huynh.
  - 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 <u>ftp://alcoftp1.acgov.org</u>
    - (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 <u>dehloptoxic@acgov.org</u> 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 @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) If site is a new case without an RO# use the street address instead.
  - d) If your document meets the above requirements and you follow the submission instructions, you will receive a notification by email indicating that your document was successfully uploaded to the ftp site.

### ATTACHMENT B

### **CERTIFIED LIST OF RECORD FEE TITLE OWNERS**

#### LIST OF LANDOWNERS FORM

County of Alameda Environmental Health Services Environmental Protection 1131 Harbor Bay Parkway, Suite 250 Alameda, CA 94502-6577

1

#### CERTIFIED LIST OF RECORD FEE TITLE OWNERS FOR:

Site Name:	Dublin Rock & Ready Mix	
Address:	6393 Scarlett Court	
City, State, 2	Zip: Dublin, CA 94568	
Record ID #	R00000210	 •

Please fill out item 1 if there are multiple site landowners (attach an extra sheet if necessary). If you are the sole site landowner, skip item 1 and fill out item 2.

1. In accordance with Section 25297.15(a) of Chapter 6.7 of the California Health & Safety Code, I, <u>Noreen Fitzpatrick, as trustee</u> (name of primary responsible party), certify that the following is a complete list of current record fee title owners and their mailing addresses for the above site:

$\rightarrow$	Name:	KBH Investments LLC, a California limited liability comp	any
	Address:	6300 Dublin Blvd.	
	City, State, Zip:	Dublin, CA 94568	
	E-mail Address:	kenharvey88@aol.com	
	Name:		
	Address:		
	City, State, Zip:		
	E-mail Address:		
	Name:		
	Address:		
	City, State, Zip:		<u></u>
	E-mail Address:		/
2.		with Section 25297.15(a) of Chapter 6.7 of the California Health & Sa H Investments LLC, certify that KBH Investments LLC is the sole lan	downer for the above site.
		Kemneth C. Harvey, Mar	nager, KBH Investments LLC
e	of the Mic	reen Fitzpatrick,as trustee chael P. Dólan 2001 Living Trust The Datch Noreen Fitzpatrick 5,38-2010	
:		ary Responsible Party Printed Name Date	E-mail Address

### ATTACHMENT C

WELL ABANDONMENT PERMIT

ZONE 7 WATE	
	CALIFORNIA 94551 VOICE (925) 454-5000 FAX (925) 245-9306 E-MAIL whong@zone7water.com
FOR APPLICANT TO COMPLETE	FOR OFFICE USE
	PERMIT NUMBER 2010060
6393 Sarlet Cart 6300 Dublin Blud	WELLNUMBER MW-1 to MW-9
Dublin, (A 94568 / Dublin, (A 94568 (address on Pro. letter) (actual streaderss)	APN <u>941-0550-074-00.8.941-0550-075-00</u>
Coordinates Sourceft. Accuracy∀ft. LAT:ft.LONG; ft.	PERMIT CONDITIONS
LAT:	(Circled Permit Requirements Apply)
	(A) GENERAL
CLIENT Norcen Fitzpatrick, Tustee, Dokun Trust Address 3215 Deer Park Dr. Phond 9251 426-0191 Cily Walnut Creek ZIP 94598 APPLICANT	<ol> <li>A permit application should be submitted so as to arrive at the Zone 7 office five days prior to your proposed starting date.</li> <li>Submit to Zone 7 within 60 days after completion of permitted work the original <u>Department of Water Resources Water Well</u> <u>Drillers Report (DWR Form 188), signed by the driller.</u></li> </ol>
Name TRINITY SOURCE GROUP, INC.	<ol> <li>Permit is void if project not begun within 90 days of epproval</li> </ol>
Email <u>esc etsgcorp. vet</u> Fax (831) 426-5602	dale.
Address Soo CHESTNUTST. Ste225 Phone (831) 426-5600	<ol><li>Notify Zone 7 at least 24 hours before the start of work.</li></ol>
CILY SANTA (RM2 ZID CA GSOGO	B. WATER SUPPLY WELLS
TYPE OF PROJECT:	<ol> <li>Minimum surface seal diameter is four inches greater than the well casing diameter.</li> </ol>
Well Construction       Geolechnical Investigation         Well Destruction       Contamination Investigation         Cathodic Protection       Other Mu - 1 + hrugh 9	<ol> <li>Minimum seal depth is 50 feet for municipal and industrial wells or 20 feet for domestic and irrigation wells unless a lesser depth is specially approved.</li> <li>Grout placed by tremia.</li> </ol>
PROPOSED WELL USE:	<ol><li>An access port at least 0.5 inches in diameter is required</li></ol>
Domestic Irrigation Municipal Remediation	on the wellhead for water level measurements.
Industrial Groundwater Monitoring X	<ol><li>A sample port is required on the discharge pipe near the wellhead.</li></ol>
Dewatering Other	
DRILLING METHOD: Mud Rolary Air Rolary Hollow Stem Auger	C. GROUNDWATER MONITORING WELLS INCLUDING PIEZOMETERS
Cable Tool Direct Push Other Pressure Smith	<ol> <li>Minimum surface seal diameter is four inches greater than the well or piezometer casing diameter.</li> </ol>
DRILLING COMPANY TRINITY SOURCE GROUP, INC	<ol> <li>Minimum seal depth for monitoring wells is the maximum</li> </ol>
	depth practicable or 20 feet.
DRILLER'S LICENSE NO. 13407 C-57	<ol><li>Grout placed by tremie,</li></ol>
WELL SPECIFICATIONS:	D. GEOTECHNICAL. Backfill bore hole with compacted cultings or
Drill Hole Diameter in, Maximum	heavy bentonite and upper two feet with compacted material In-
Casing Diameter in. Depthft. Surface Seal Depth ft. Number	areas of known or suspected contamination, tremied cement
	grout shall be used in place of compacted cuttings.
SOIL BORINGS:	E. CATHODIC. Fill hole above anode zone with concrete placed by
Number of Borings Maximum Hole Diameter in. Depth ft.	tremie.
	(F.) WELL DESTRUCTION. See attached.
ESTIMATED STARTING DATE (0/2/0/10) ESTIMATED COMPLETION DATE (0/2/0/20)	
	G. SPECIAL CONDITIONS. Submit to Zone 7 within 60 days after
	completion of permitted work the well installation report including all soil and water laboratory analysis results.
I hereby agree to comply with all requirements of this permit and Alameda County Ordinance No. 73-68.	menuoniq an son and water laboratory analysis results.
	Warman about
APPLICANT'S	Approved
SIGNATURE	Wyman Hong
ATTACH SITE PLAN OR SKETCH	· (/
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0 ≪ <sup>1</sup>7 <sup>1</sup>

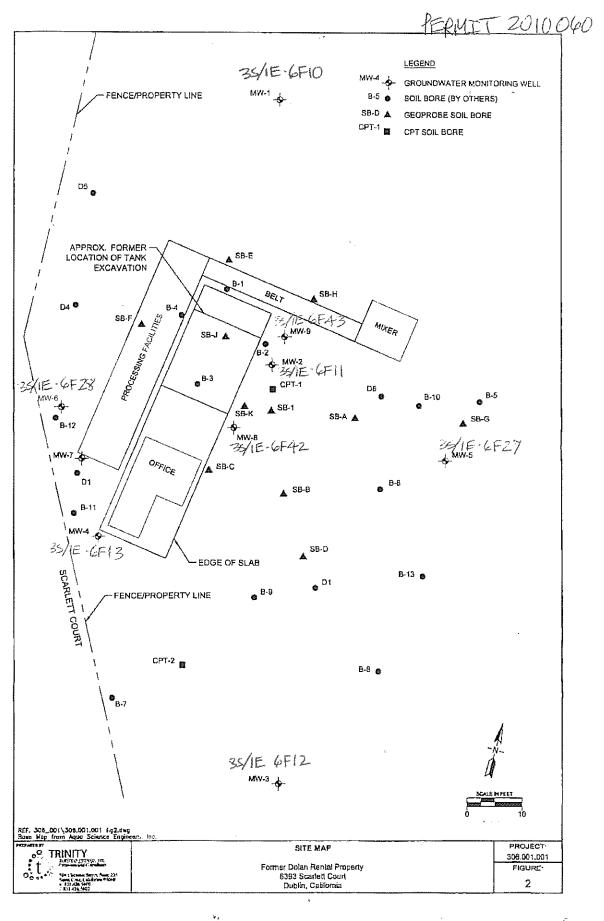
Revised: January 4, 2010

### Zone 7 Water Resources Engineering Groundwater Protection Ordinance

### Noreen Fitzpatrick – Dolan Trust 6393 Scarlett Court/6300 Dublin Boulevard Dublin Wells MW-1 to MW-9 Permit 2010060

#### Preliminary Destruction Requirements:

- 1. Remove from the well any pump, appurtenances, debris, or other materials.
- 2. Sound the well as deeply as practicable and record for your report.
- 3. Fill casing with neat cement or cement grout sealing material to two feet below the finished grade and pressurize to 25 psi and maintain for 5 minutes, forcing the sealing material through the existing perforations and into the surrounding formation.
- 4. Release the pressure and refill the empty portion of the casing with grouting material allowing it to spill over the top of the casing to form a cap.
- 5. Cut and remove any casing(s) to two feet below the finished grade or original ground, whichever is the lower elevation.
- 6. After seal has set, backfill the remaining hole with compacted material.



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### ATTACHMENT D

### WELL COMPLETION REPORTS

## STATE OF CALIFORNIA DWR WELL COMPLETION REPORT (WELL LOGS)

STATE OF CALIFORNIA DWR WELL COMPLETION REPORT (WELL LOGS)

STATE OF CALIFORNIA DWR WELL COMPLETION REPORT (WELL LOGS)

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STATE OF CALIFORNIA DWR WELL COMPLETION REPORT (WELL LOGS)

### ATTACHMENT E

### DISPOSAL DOCUMENTATION

NON-HAZARDOUS 1. Generator ID Number WASTE MANIFEST	2,	Page 1 of 3. Eme			4. Waste	Tracking N	umber 42 XJ	
5. Generator's Name and Mailing Address DOLAN THUST GBOO DUBLIN BLUD DUBLIN CA. 94568					than mailing add		-	
DUBLIN, CA. 94568 Generator's Phone: 925 462-0191 6. Transporter 1 Company Name ENUIRENMEMOTAL LOCUS	STELS, Inc				U.S. EPA IE		17247	F
7. Transporter 2 Company Name					U.S. EPA IE			
8. Designated Facility Name and Site Address FILTER RECYCLINGS SEAULCES, 180 CU MONTE ANE. RIACTO, CA. 92316 Facility's Phone: 909 421-2012	InC.				U.S. EPA ID			191
Facility's Phone:       909       421-2012         9. Waste Shipping Name and Description			10. Co No.	ntainers Type	11. Total Quantity	12. Unit Wt./Vol.	29444	0 /
1. Non HAZARDOUS WAST	ESOLID		1	Dm		P		
NON HAZANDONS CULSTE	LIQUID		l	Dan	12	G		
3.								
4	· · · · · · · · · · · · · · · · · · ·							
	) PROFICE # PROFICE #			In	v # 13	×464	2~	
13. Special Handling Instructions and Additional Information 91) ORC FILTER So CH-S (1KSS 92) WELL WATER (1K-SS) 14. GENERATOR'S/OFFEROR'S CERTIFICATION: 1 hereby dec marked and labeled/placarded, and are in all respects in proper c	sare that the contents of this consi	gnment are fully and applicable internati	l accurately di	eperihed above				sified, packaş
<ul> <li>13. Special Handling Instructions and Additional Information</li> <li>91) OEC FILTER Society (1655)</li> <li>92) WELLWATER (1 K-55)</li> <li>14. GENERATOR'S/OFFEROR'S CERTIFICATION: I hereby dec marked and labeled/placarded, and are in all respects in proper c</li> <li>Generator's/Offeror's Printed/Typed Name</li> <li>CLUCETO</li> </ul>	sare that the contents of this consi	gnment are fully and applicable internati Signature	l accurately di gal and natio	eperihed above				
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13. Special Handling Instructions and Additional Information         91) ORC FILTER Society (1) (1) (1) (1) (1) (1) (1) (1) (1) (1)	Clare that the contents of this consigned according to condition for transport according to	applicable international signature of the second se	Port of a Date lea	escribed above malyovernment entry/exit: aving U.S.:	by the proper sh al regulations.	ipping name	a, and are clas	h Day 27 h Day h Day
13. Special Handling Instructions and Additional Information         91) ORC FILTER Sock-S (1KSS)         92) WELL WATER (1K-SS)         14. GENERATOR'S/OFFEROR'S CERTIFICATION: 1 hereby decomarked and labeled/placarded, and are in all respects in proper c         Generator's/Offeror's Printed/Typed Name         15. International Shipments         Inport to U.S.         Transporter Signature (for exports only):         16. Transporter Acknowledgment of Receipt of Materials         Transporter 1 Printed/Typed Name         17. Discrepancy         17a. Discrepancy Indication Space	Clare that the contents of this consigned according to condition for transport according to	applicable international signature of the second se	Port of o Date lea	escribed above malyovernment entry/exit: aving U.S.:	by the proper sh al regulations.	ipping name	a, and are clas	h Day  27  h Day  27 h Day   Full Reject
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169-BLC-O 5 11977 (Rev. 9/09)

4) #