

Rene Boisvert

Ro 454

From: Rene Boisvert [rene@boulevardequity.com]
Sent: Friday, August 01, 2008 2:33 PM
To: 'Plunkett, Steven, Env. Health'
Cc: 'Drogos, Donna, Env. Health'
Subject: (RENE / CENTER ST.) RO0000484 800 Center -- 10 DAYS ??

TO: DONNA
FR: RENE

Steve -

Alameda County

Good afternoon.

AUG 11 2008

These delays are killing us !! Your letter promises 1-2 days and today is day 10.
Our meeting was a month ago. Ouch !!

Environmental Health

I'm being told this file is a "priority" but from my vantage point it sure isn't coming out that way.

Please, please help.

8-8-08

Thank you,

37 DAYS SINCE WE MET! YOUR SILENCE

Rene Boisvert
800 Center LLC

& DELAYS ARE PAINFUL. AND OUR LEADER IS FUMING

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

From: Plunkett, Steven, Env. Health [mailto:steven.plunkett@acgov.org]
Sent: Thursday, July 17, 2008 1:59 PM
To: 'Rene Boisvert'
Cc: 'IanRobb@chevron.com'; Drogos, Donna, Env. Health
Subject: RO0000484 800 Center

Hello Rene,

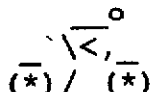
I spoke to Ian Robb on July 10. I neglected to inform you of our conversation, I apologize for the oversight. I have completed my review and have prepared a directive letter for Chevron, which Donna and I will review on July 22. You will be receiving our directive letter within a day or two of my review with Donna.

Thank you for your cooperation.

MAD.

Sincerely,
Steven Plunkett
Hazardous Materials Specialist
Alameda County Environmental Health
1131 Harbor Bay Parkway
Alameda, CA 94501
510-383-1767
510-337-9355 Fax
steven.plunkett@acgov.org

CAN I COUNT ON YOU TO HELP BRING THIS FILE ACROSS THE FINISH LINE?


(*) / (*)

*"The bicycle is a curious invention,
The passenger is its engine."*

RENE BOISVERT 4-2-08

STEVEN

FOR YOUR APRIL 9TH
MEETING WITH CHEVRON
REGARDING OUR PROPERTY.

THANKS,



Alameda County

APR 04 2008

Environmental Health

20 454

800 CENTER LLC
Rene G. Boisvert
484 Lake Park Avenue, #246
Oakland, CA 94610
510-444-8420 tel / 510-444-3030 fax
email: Rene@BoulevardEquity.com

RECEIVED
MAR 5 2008
ENVIRONMENTAL HEALTH SERVICES

March 4, 2008

TO: Steve Plunkett (via fax @ 510-337-9335 & first class mail)
copy – Donna Drogos

FROM: Rene Boisvert

RE: RECENT PROPERTY HISTORY
LOCATION: 800 CENTER STREET, OAKLAND

Dear Steve –

Yesterday I received your voice mail postponing our March 5th meeting until early April. I understand that you are new to our file, but time is the enemy to a real estate project and ours is no exception. When we meet up in April, it will have been 13 months since Chevron/CRA (aka Cambria) had asked ACEHS for an extension to further study the property. 13 months in which tens and tens of thousands of dollars have sailed from our check books. And if I were to wager, I'm believing that the November 1, 2007 Correction Action Plan that Chevron/ CRA submitted 5 months ago will ultimately be rejected by ACEHS and sent back to the drawing board. Ouch!

Our vacant parcel has a "fully approved" residential housing plan in place that was approved by Oakland's Planning Commission in June 2007. The first such plan ever to be approved for this parcel in its entire history. We feel, an incredible achievement! But if the construction is not begun by the first quarter of 2009, it all goes away.

As you review the file, I would encourage you to note that ACEHS approved a CAP submitted by Chevron/CRA in the Spring of 2006. Chevron/CRA acting on this approved CAP hired all their contractors, took out permits, hired security, and scheduled a start date for May 2006. The work never took place. Chevron had anticipated reimbursement of their out of pocket costs for this work. When they learned they would not be receiving such reimbursement, they went AWOL. Upon their return, they appealed to ACEHS that their previously submitted and approved CAP was not to their liking. That's when they asked for more time "to study" the property. Per our Consultants at Brown & Caldwell, they have never ever seen a property "studied" as much as this property (and still not have a NFA Letter).

To add to the delays and confusion, since my involvement with this property which

began in January 2005, Chevron has had 4 different responsible parties handling this property, CRA/Cambria has had 5 different responsible parties, and now ACEHS has had 2 responsible parties. It's quite easy to see why this file can generate no traction.

I have noticed that all ACEHS correspondence to Chevron states a possible fine of \$10,000 per day for non-compliance. But history shows that as long as Chevron submits paperwork, *regardless of its quality or usability*, it is in compliance. What good is holding such a huge penalty over Chevron if it is not going to be enforced?

My apologies for the grumpy tone of this letter. Chevron plays games at the expense of others and finding a way to hold them accountable seems unachievable. I look forward to our get together in April.

A handwritten signature in black ink, appearing to be 'P.B.' with a period at the end. The letters are stylized and cursive.

20454
20454

Rene Boisvert

From: Rene Boisvert [rene@boulevardequity.com]
Sent: Tuesday, November 06, 2007 1:07 PM
To: 'Drogos, Donna, Env. Health'
Subject: (RENE) 800 CENTER – CHEVRON CAP "FEEDBACK" ??

Donna –

Good afternoon.

Late yesterday we got our copy of the Corrective Action Plan. We have just begun our review.

Wondering though ?? Is there any (preliminary) feedback you can offer from your end ??
If still reviewing / digesting, any anticipated timing in letting us know your thoughts ??

Thank you.

Enjoy,

Rene
800 Center LLC

Alameda County

NOV 14 2007

Environmental Health

11-13-07

MAY I ASK FOR AN
UPDATE ?

THANK YOU

Rene B.

800 CENTER LLC

Rene G. Boisvert
484 Lake Park Avenue, #246
Oakland, CA 94610
510-444-8420 tel / 510-444-3030 fax
email: Rene@BoulevardEquity.com

October 3, 2007

TO: Donna Drogos
FROM: Rene Boisvert
RE: "APPROVED" SITE PLAN
PROPERTY: 800 CENTER STREET, OAKLAND

Dear Ms. Drogos –

Earlier this week, Barney Chan let me know that you would be taking over the file for the above referenced property. Being we are nearing significant deadlines, I wanted to once again say "hello" and share with you the Site Plan that the City of Oakland Planning Commission approved this past summer.

At this time, the only thing that keeps our company from moving forward and being to build our project is an NFA Letter from ACEHS. This upcoming November 1st is the deadline for Chevron to bring to ACEHS their CAP.

With the enclosed copy of our Site Plan, I wanted to be able to show you that a very significant portion of our overall plan will either be a concrete foundation or asphalt driveway. Six of the homes (A, B, C, D, G, H) will have front yards, side yards, and/or backyards. The only direct earth that the home owners will have access.

I'm hopeful that the Site Plan will be helpful in analyzing the forthcoming Chevron CAP.

I thank you in advance of helping us bring this project past the finish line most appreciative.

W. J. ...
OCT 10 2007
ENVIRONMENTAL HEALTH SERVICE

Rene Boisvert

From: Chan, Barney, Env. Health [barney.chan@acgov.org]
Sent: Monday, October 01, 2007 2:48 PM
To: Rene Boisvert
Cc: Drogos, Donna, Env. Health
Subject: RE: (RENE / CENTER ST.) CHEVRON REPORT ??

Rene: The County has received the most recent monitoring report and it is currently on the County's website. It has the results for 4/20/07, 6/22/07 and 8/17/07. You are correct Chevron's Feasibility Study/Corrective Action Plan is due on November 1, 2007.

FYI, I am no longer working on your site and all future contacts should be made to Donna Drogos, 510-567-6721, donna.drogos@acgov.org ✓

Sincerely,

Barney M. Chan
Sr. Hazardous Materials Specialist
Alameda County Environmental Health
510-567-6765

From: Rene Boisvert [mailto:rene@boulevardequity.com]
Sent: Monday, October 01, 2007 9:46 AM
To: Chan, Barney, Env. Health
Subject: (RENE / CENTER ST.) CHEVRON REPORT ??

Barney –

Good morning it's Rene Boisvert from the 800 Center Street (Oakland) property.

My calendar is marked in big red letters saying that today is the "final deadline" for Chevron to complete their research and studying of the property.

Have you seen anything in your mailbox ?? So far nothing in our mailbox.

And it's another 30 days for them to offer an acceptable Plan for remediation.

We're almost out of deadlines, let's keep in touch.

Thanks enjoy,

Rene
800 Center LLC
510-444-8420

ps - FYI Per your suggestion (& good old common sense) we have made numerous attempts to contact and communicate with Chevron in the last many months in our effort to work "together." Every single attempt has been ignored.

10/3/2007

800 Center Street
Oakland, CA, 94607



**KIRK E. PETERSON
& ASSOCIATE
ARCHITECTS**

52536 College Avenue, Oakland, CA 94618
ph: 510.547.0275
fx: 510.547.6179
sk: kirk@petersonarch.com

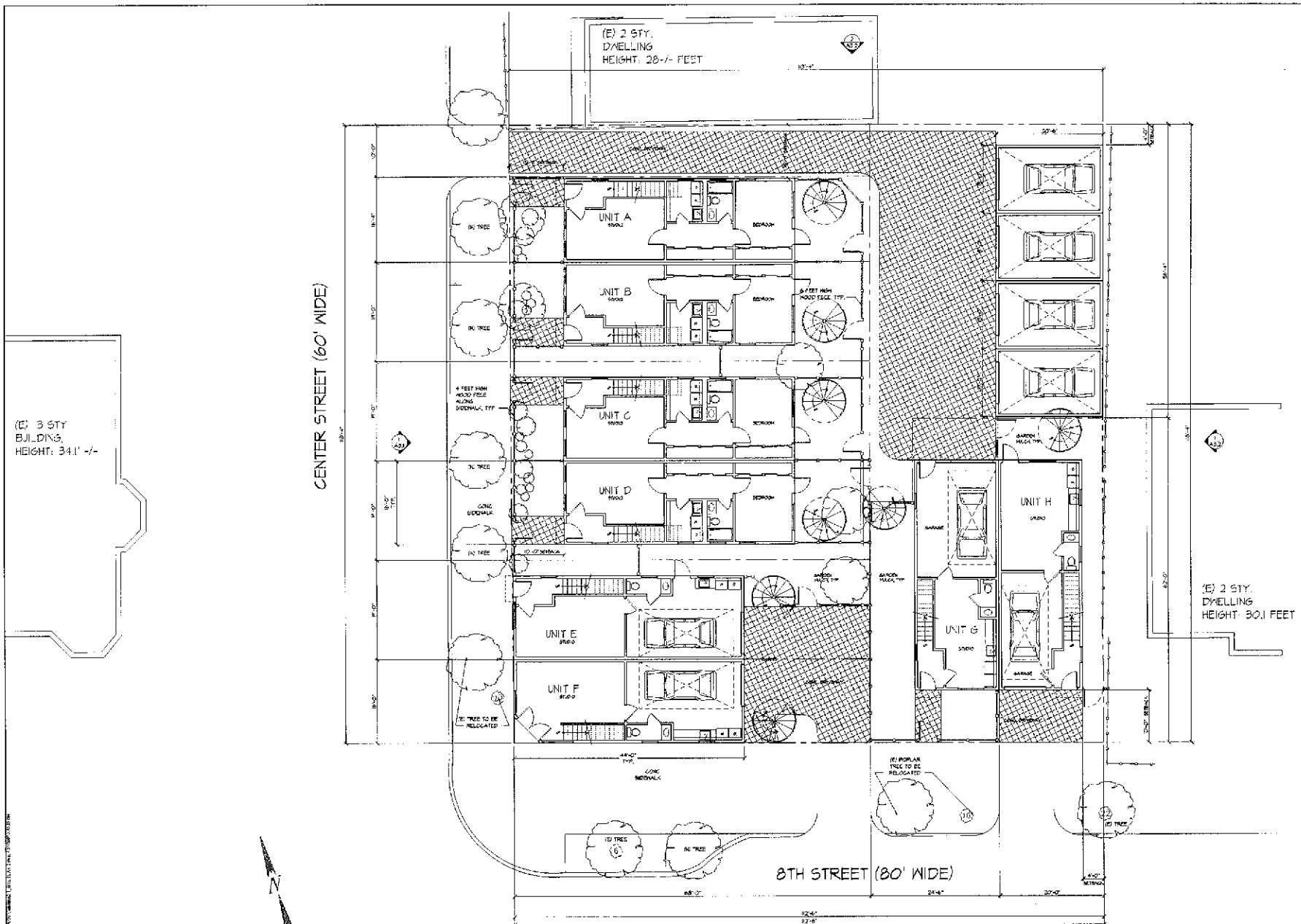
Issue & Revision	Date

Sheet Title:
SITE PLAN

Project No.	06-01
Date:	03.05.2007
Drawn by:	JP
Checked by:	SV
Scale:	A3 MARKED

Sheet #:

A2.1



CENTER STREET (60' WIDE)

8TH STREET (80' WIDE)

1 SITE PLAN
SCALE: 1/8" = 1'-0"

PO 454
Alameda County

AUG 22 2007

Environmental Health

800 CENTER LLC
Rene G. Boisvert
484 Lake Park Avenue, #246
Oakland, CA 94610
510-444-8420 tel / 510-444-3030 fax
email: Rene@BoulevardEquity.com

August 20, 2007

TO: Barney Chan
FROM: Rene Boisvert
RE: PLANNING COMMISSION "APPROVAL"
800 CENTER STREET, OAKLAND

2007 AUG 22 11 29 AM

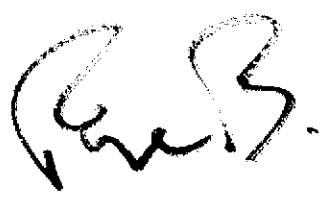
Dear Barney –

The "good" news We have an "approved plan" from the City of Oakland's Planning Commission to build 8 single family homes on the subject property. We received our approval on June 20th. We are eligible to immediately buy our permits and begin building.

We are the first company in the history of this property to have a viable, buildable, approved project for this former gas station site.

The "concerning" news As you know, we are still wrestling with Chevron / Cambria to have the property's remediation completed in a timely manner.

Our clock is now ticking quite loudly the "approval" disappears in one year.



800 CENTER LLC
484 Lake Park Avenue, #246
Oakland, CA 94610
510-444-8420 tel / 510-444-3030 fax
email: Rene@BoulevardEquity.com

454

ENVIRONMENTAL HEALTH SERVICES
AUG 20 2007
RECEIVED

August 16, 2007

TO: ✓ Satya Sinha
Curtis Peck

FROM: Rene Boisvert

FAX: 925-842-8370

PAGES: 3

RE: REQUEST FOR COPY LAB RESULTS -- THIRD SAMPLING
PROPERTY: 800 CENTER STREET, OAKLAND

Gentlemen –

Hello once again.

Could you please forward the Lab Results of the third groundwater sampling ASAP? (Per the July 31st letter from Conestoga-Rovers, the sampling is/was to be performed in mid August 2007.)

We would like to get a jump on the information in advance of your October 1st due date for the full report.

Thank you in advance.

+ 1st CLASS MAIL 8-17-07

RENE BOISVERT 8-17-07

BARNEY ~

JUST WANT TO KEEP
YOU IN THE LOOP.

THANKS.

ENJOY,

Rene

CITY OF OAKLAND



250 FRANK H. OGAWA PLAZA, SUITE 2114 • OAKLAND, CALIFORNIA 94612-2031

Community and Economic Development Agency
Planning & Zoning Services Division

(510) 238-3911
FAX (510) 238-4730
TDD (510) 839-6451

June 29, 2007

Rene Boisvert
484 Lake Park Ave. #246
Oakland, CA 94610

RE: **CASE FILE NO. CMDV07-098 & TTM-7897, 800 Center Street (004-0067-015-00, -016-00 & -017-00)**

Dear Applicant,

Your application as noted above was **approved** at the City Planning Commission meeting on: **June 20, 2007.**

Commission action is indicated below.

(X) Granted with required conditions. - (Vote: +5, -0)

An Appeal to the City Council of this decision may be submitted within ten (10) calendar days after the date of the hearing, which is Monday, Monday July 2nd, 2007 by 4:00 p.m. An appeal shall be on a form provided by the Planning and Zoning Division of the Community and Economic Development Agency, and submitted to the same at 250 Frank H. Ogawa Plaza, Suite 2114, to the attention of **Peterson Z. Vollmann, Planner III**. The appeal shall state specifically wherein it is claimed there was error or abuse of discretion by the Planning Commission or wherein their decision is not supported by substantial evidence and must include payment of \$710.31 in accordance with the City of Oakland Master Fee Schedule. The appeal itself must raise each and every issue that is contested, along with all the arguments and evidence in the record which supports the basis of the appeal; failure to do so may preclude you from raising such issues during your appeal and/or in court. If you challenge a Commission decision in court, you may be limited to issues raised at the hearing or in correspondence delivered to the Zoning Division, Community and Economic Development Agency, at, or prior to, the Appeal hearing. Any party seeking to challenge in court those decisions that are final and not administratively appealable to the City Council must do so within ninety (90) days of the date of the announcement of the Commission's final decision.

If you have any questions please contact the case planner **Peterson Z. Vollmann** at (510) 238-6167 or by email at pvollman@oaklandnet.com.

Very truly yours,

A handwritten signature in cursive script that reads "Scott Miller".

SCOTT MILLER,
Zoning Manager

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



F

May 29, 2007

Mr. Satya Sinha
Chevron Environmental Management
6001 Bollinger Canyon Rd., Room K2256
San Ramon, CA 94583

Mr. Rene Boisvert
Boulevard Equity Group
484 Lakepark Ave. #246
Oakland, CA 94610

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

Dear Messrs. Sinha and Boisvert:

Subject: Fuel Leak Case No. RO0000454, Chevron #20-6145 / SIGNAL SS,
800 Center St., Oakland CA 94607

Alameda County Environmental Health (ACEH) staff has recently reviewed the case file for the subject site including the May 14, 2007 Well Installation Report by CRA. The report describes the installation of clustered wells at the site and soil and groundwater sampling results. The results of the investigation appear to confirm the prior results from the CPT sampling done in 2004. Residual shallow soil contamination was found in some of the locations and groundwater contamination was detected in the deeper screened wells. After completion of the second and third monitoring events, we request you incorporate this data into your site conceptual model. It appears that supplemental wells will be necessary to determine the full lateral and vertical extent of the contamination in groundwater as well as remediation to reduce the on-site source conditions. Please address these items in a work plan accompanying your FS/CAP.

TECHNICAL REPORT REQUEST

Please submit the following technical reports according to the following schedule:

- August 1, 2007- 2nd Multi-level Groundwater Monitoring Report
- October 1, 2007- 3rd Multi-level Groundwater Monitoring Report
- November 1, 2007- Feasibility Study/Corrective Action Plan

ELECTRONIC SUBMITTAL OF REPORTS

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. 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).

In order to facilitate electronic correspondence, we request that you provide up to date electronic mail addresses for all responsible and interested parties. Please provide current electronic mail addresses and notify us of future changes to electronic mail addresses by sending an electronic mail message to me at barney.chan@acgov.org.

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

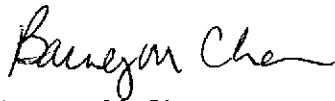
Please note that delays in investigation, later reports, or enforcement actions may result in your becoming ineligible to receive grant money from the state's Underground Storage Tank Cleanup Fund (Senate Bill 2004) to reimburse you for the cost of cleanup.

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) 567-6765.

Sincerely,



Barney M. Chan
Hazardous Materials Specialist

cc: files, D. Drogos

Ms. Charlotte Evans, Cambria Environmental, 5900 Hollis St., Suite A, Emeryville,
CA 94608

Mr. Hollis Rodgers, 215 W. MacArthur Blvd., Apt. #434, Oakland, CA 94611

Mr. Sunil Ramdass, SWRCB Cleanup Fund, 1001 I St., P.O. Box 944212,
Sacramento, CA 94244

Ms. Nancy Nadel, City of Oakland, City Hall, 1 Frank Ogawa Plaza, Oakland,
CA 94612

5_29_07 800Center St

Rene Boisvert

16454

From: Rene Boisvert [rene@boulevardequity.com]
Sent: Thursday, May 03, 2007 1:25 PM
To: 'Chan, Barney, Env. Health'
Cc: 'Sinha, Satya P'; 'cevans@cambria.env.com'
Subject: (CENTER ST.) REQUEST TO BE AT "ALL" ACEHS MEETINGS

COPY

Barney –

Alameda County

Good afternoon.

MAY 04 2007

I am in receipt today of Conestoga-Rovers letter to you of April 30th. Within this letter is a request for CRA and Chevron to meet with your offices.

Environmental Health

With this email, I would like to "request" to be invited to ALL MEETINGS held with your offices regarding 800 Center Street, Oakland.

Thank you.

Enjoy,

Rene
800 Center LLC
510-444-8420

2007 MAY 04 PM 12:40

Chan, Barney, Env. Health

To: Evans, Charlotte

Subject: chemical analysis at 800 Center St., RO454

Charlotte: It doesn't appear that MTBE and the other oxygenates were present at this site. Minor detections of EDB and EDC were observed, but not consistently found, so you can omit the analysis of MTBE, the other oxygenates and the lead scavengers in your current cluster well investigation.

Barney M. Chan
Hazardous Materials Specialist
Alameda County Environmental Health
510-567-6765

Rose

800 CENTER LLC
484 Lake Park Avenue, #246
Oakland, CA 94610
510-444-8420 tel / 510-444-3030 fax
email: Rene@BoulevardEquity.com

Alameda County

APR 05 2007

Environmental Health

April 5, 2007

TO: Barney Chan
FROM: Rene Boisvert
FAX: 510-337-9335
PAGES: 3
RE: DIFFERENCE IN THOUGHTS ?
PROPERTY: 800 CENTER STREET, OAKLAND

Dear Barney -

After our phone discussion last week I once again began reviewing my ever growing file on this property.

The paragraph I circled on the February 2007 State Water Resources Control Board letter leads me to believe that the State does not believe there is a threat to public health nor the drinking water.

Can you please help me out and let me know why ACEH disagrees?

As always, I sure appreciate your help.



ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



F

March 21, 2007

Mr. Satya Sinha
Chevron Environmental Management
6001 Bollinger Canyon Rd., Room K2256
San Ramon, CA 94583

Mr. Rene Boisvert
Boulevard Equity Group
484 Lakepark Ave. #246
Oakland, CA 94610

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

Dear Messrs. Sinha and Boisvert:

Subject: Fuel Leak Case No. RO0000454, Chevron #20-6145 / SIGNAL SS,
800 Center St., Oakland CA 94607

Alameda County Environmental Health (ACEH) staff has recently reviewed the case file for the subject site including the March 5, 2007 Workplan for Additional Subsurface Investigation by Cambria. The work plan provides a sampling method to verify the previous groundwater sampling results, which indicated petroleum contamination to depths of 72' bgs. Four nested well locations are proposed in this investigation. Two nested wells in these locations are proposed screened from 35-40' bgs and 55-60' bgs plus one additional well in the southwest portion of the site screened from 70-75' bgs. We have the following technical comments we request you address when performing this work.

TECHNICAL COMMENTS

1. Nested wells have been shown to have difficulty in installing reliable seals between the well screens by U.S. EPA. Therefore, our agency does not concur with your proposal of these wells. We recommend the installation of well clusters or Continuous Mutichannel Tubing (CMT) in order to sample groundwater at different depths. Please confirm that an alternative monitoring method will be done as requested below.
2. In an effort to expedite this evaluation, we request that groundwater sampling from the newly installed wells be performed on two-month intervals. We feel that a decision can be made after three sampling events ie four months after installation. Please submit a new Feasibility Study/Corrective Action Plan as requested below. The FS/CAP should propose cleanup levels and goals for soil and groundwater and should evaluate three alternatives besides monitored natural attenuation (MNA) and no action.

TECHNICAL REPORT REQUEST

Please submit the following technical reports according to the following schedule:

- April 6, 2007- Description of alternative monitoring method.
- May 14, 2007- Well Construction and Multi-level Groundwater Monitoring Report

- August 1, 2007- 2nd Multi-level Groundwater Monitoring Report
- October 1, 2007-3rd Multi-level Groundwater Monitoring Report
- November 1, 2007- Feasibility Study/Corrective Action Plan

ELECTRONIC SUBMITTAL OF REPORTS

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. Please do not submit reports as attachments to electronic mail.

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In order to facilitate electronic correspondence, we request that you provide up to date electronic mail addresses for all responsible and interested parties. Please provide current electronic mail addresses and notify us of future changes to electronic mail addresses by sending an electronic mail message to me at barney.chan@acgov.org.

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

Messrs. Sinha and Boisvert
March 21, 2007
Page 3

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) 567-6765.

Sincerely,



Barney M. Chan
Hazardous Materials Specialist

cc: files, D. Drogos

Ms. Charlotte Evans, Cambria Environmental, 5900 Hollis St., Suite A, Emeryville,
CA 94608

Mr. Hollis Rodgers, 215 W. MacArthur Blvd., Apt. #434, Oakland, CA 94611

Ms. Nancy Nadel, City of Oakland, City Hall, 1 Frank Ogawa Plaza, Oakland,
CA 94612

3_21_07 800Center St

20454



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 • 94244-2120
(916) 341-5424 • FAX (916) 341-5806 • www.waterboards.ca.gov/cwphome/ustcf



Arnold Schwarzenegger
Governor

FEB 16 2007

Alameda County

FEB 20 2007

Environmental Health

HOLLIS RODGERS
VICTOR E. BROWN
580 GRAND AVE
OAKLAND, CA 94610

DENIAL OF PRE-APPROVAL REQUEST OF CORRECTIVE ACTION COSTS, PA# 3
CLAIM NO. 012265, SITE ADDRESS: 800 CENTER ST, OAKLAND, CA 94607

I have reviewed your request, received on June 29, 2006, 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.

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. The proposed excavation scope is considered unnecessary and unreasonable since the proposed excavation location of interest was previously excavated to a depth of twelve feet below the ground surface and backfilled with clean soil. Any residual source of soil and groundwater contamination in the proposed location is present in the saturated zone that can be remediated using more cost effective remedial alternatives.

Further, claimant has not demonstrated threat to public health and drinking water sources due the deeper residual contamination in proposed excavation location at the subject site.

However, if you are not in agreement with the above staff decision, you may request a Fund Manager Decision (FMD) by sending in a request for reconsideration along with your justification for the proposed corrective action costs as being reasonable and necessary. The request must be sent directly to:

Mr. Ronald M Duff, Chief
Underground Storage Tank Cleanup Fund
Division of Financial Assistance
State Water Resources Control Board
P.O. Box 944212
Sacramento, CA 94244-2120

USTCF Claim No. 12265

Hollis Rodgers

-2-

Please call if you have any questions; I can be reached at (916) 341-5424

Sincerely,

Sriram Iyer

Sriram Iyer, PE
Technical Review Unit
Underground Storage Tank Cleanup Fund

SIYER@waterboards.ca.gov

Enclosure

cc: Mr. Barney M. Chan
Alameda County EHD
1131 Harbor Bay Pkway, 2nd Fl.
Alameda, CA 94502-6577

TRANSMISSION VERIFICATION REPORT

TIME : 03/27/2007 14:55
NAME : ALAMEDA COUNTY DEH
FAX : 5103379335
TEL : 5105676700
SER. # : BROK4J137311

DATE, TIME	03/27 14:55
FAX NO./NAME	4443030
DURATION	00:00:20
PAGE(S)	02
RESULT	OK
MODE	STANDARD ECM

K0454



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 • 94244-2120
(916) 341-5424 • FAX (916) 341-5806 • www.waterboards.ca.gov/cwphomc/ustof

Arnold Schwarzenegger
Governor

FEB 16 2007

Alameda County

FEB 20 2007

Environmental Health

HOLLIS RODGERS
VICTOR E. BROWN
580 GRAND AVE
OAKLAND, CA 94610

DENIAL OF PRE-APPROVAL REQUEST OF CORRECTIVE ACTION COSTS, PA# 3
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Further, claimant has not demonstrated threat to public health and drinking water sources due the deeper residual contamination in proposed excavation location at the

West Oakland Project Area Committee
c/o Oakland Redevelopment Agency
250 Frank Ogawa Plaza, Fifth Floor
Oakland, CA 94612

February 21, 2007

Mr. Curtis Peck
Mr. Satya Sinha
Chevron Environmental Management Company
6001 Bollinger Canyon Road, Suite K 2256
San Ramon, CA 94583

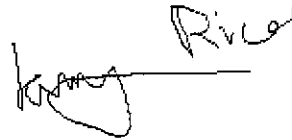
Gentlemen:

The West Oakland Project Area Committee (WOPAC) is a publicly elected organization of volunteer community representatives who live, work, own property or represent a community organization active in the West Oakland Redevelopment Project Area (Project Area). The WOPAC serves as an advisory body to the Oakland Redevelopment Agency on policy matters which affect the residents of and businesses in the Project Area. This includes the goals and objectives of redevelopment, the priority of specific projects, the planning and provision of developments should displacement be caused by West Oakland Redevelopment Project activities, the planning and provision of developments and public improvements in the Project Area and any other matters regarding the Project Area which may be submitted to the WOPAC.

The WOPAC supports Mr. Rene Boisvert's development efforts at 800 Center Street, Oakland, and has also voted at its February 14, 2007 meeting to ask Chevron to complete the County approved plan for the remediation of this site as quickly as possible so that Mr. Boisvert can proceed with the development of this site. We feel that Mr. Boisvert's project will contribute to the neighborhood by bringing a blighted site into productive use. We echo Councilmember Nancy Nadel's appeal to you in her letter dated January 2, 2007 to act as a good community partner and complete the clean-up effort. Thank you very much for your attention to this matter. Please contact WOPAC staff, Wendy Simon, at (510) 238-6430 with any questions about this letter.



STEFANIE PARROTT
Co-Chairperson



LAWRENCE RICE
Co-Chairperson

cc: Rene Boisvert
Councilmember Nancy Nadel

RW454

800 CENTER LLC
Rene G. Boisvert
484 Lake Park Avenue, #246
Oakland, CA 94610
510-444-8420 tel / 510-444-3030 fax
email: Rene@BoulevardEquity.com

February 14, 2007

Alameda County

FEB 15 2007

Environmental Health

TO: Barney Chan
FROM: Rene Boisvert
RE: CASE # -- RO0000454
LOCATION -- 800 CENTER STREET, OAKLAND

Dear Barney –

Hello and a belated happy new year to you.

- We just received a copy of your February 6th letter thank you for keeping us posted from your end.
- For your files, we would like you to have a copy of the January 2, 2007 letter from Council Person Nancy Nadel which was written to Chevron regarding the subject property.
- Lastly, to clarify, the owner of the Center Street project is 800 Center LLC (not Boulevard Equity Group).

If there is anything we can do from our end to assist the Agency, please don't hesitate to give a call.



ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



F

February 6, 2007

Mr. Satya Sinha
Chevron Environmental Management
6001 Bollinger Canyon Rd., Room K2256
San Ramon, CA 94583

Mr. Rene Boisvert
Boulevard Equity Group
484 Lakepark Ave. #246
Oakland, CA 94610

Dear Messrs. Sinha and Boisvert:

Subject: Fuel Leak Case No. RO0000454, Chevron #20-6145 / SIGNAL SS,
800 Center St., Oakland CA 94607

Alameda County Environmental Health (ACEH) staff has recently reviewed the case file for the subject site and has determined that additional work is necessary to progress the site towards closure. After our 11/9/06 meeting with both of you and Brown & Caldwell, it appeared that the proposed excavation of the site was not proceeding, however, it was unclear what direction the site investigation would be moving towards. We discussed verification sampling to confirm the original vertical contaminant profile. No other specific remediation was proposed at that time. The alternative of taking soil vapor samples and installing a vapor barrier were also discussed, however, given the residual contamination at this site, this alternative is not acceptable if residential housing is proposed. Please address the following technical comments and submit the technical reports requested below.

TECHNICAL COMMENTS

1. Assuming that confirmation sampling is still intended to verify the vertical extent of contamination, please submit a work plan to take current depth discrete soil and groundwater samples. Please include a table and figure indicating the previous data and the locations of the confirmation samples.
2. If the previously approved dewatering and excavation is not going to be done, please explain specifically the reasons why. Please keep in mind that Fund reimbursement is not an acceptable reason. Please submit a new Feasibility Study/Corrective Action Plan. The FS/CAP should be able to meet clean-up goals consistent with the future property use in a timely manner.

TECHNICAL REPORT REQUEST

Please submit the following technical reports according to the following schedule:

- March 6, 2007- Work Plan for Re-sampling Site
- March 6, 2007- FS/CAP

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

ELECTRONIC SUBMITTAL OF REPORTS

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. Please do not submit reports as attachments to electronic mail.

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In order to facilitate electronic correspondence, we request that you provide up to date electronic mail addresses for all responsible and interested parties. Please provide current electronic mail addresses and notify us of future changes to electronic mail addresses by sending an electronic mail message to me at barney.chan@acgov.org.

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.

Messrs. Inglis and Boisvert
February 6, 2007
Page 3

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) 567-6765.

Sincerely,



Barney M. Chan
Hazardous Materials Specialist

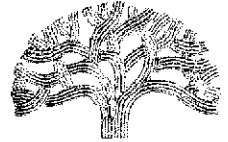
cc: files, D. Drogos

Ms. Charlotte Evans, Cambria Environmental, 5900 Hollis St., Suite A, Emeryville,
CA 94608

Mr. Hollis Rodgers, 215 W. MacArthur Blvd., Apt. #434, Oakland, CA 94611

2_6_07 800Center St

CITY OF OAKLAND



CITY HALL • 1 FRANK H. OGAWA PLAZA • OAKLAND, CALIFORNIA 94612

NANCY J. NADEL
Councilmember
District 3
January 2, 2007

(510) 238-7003
FAX (510) 238-6129
TDD (510) 238-7413

Mr. Curtis Peck
Mr. Satya Sinha
Chevron Environmental Management Company
6001 Bollinger Canyon Road, #K 2256
San Ramon, CA 94583

Gentlemen -

Rene Boisvert of 800 Center LLC has asked our office to participate in assisting him with his efforts to work with your company to complete in a timely manner the County of Alameda approved remediation work for the property located at 8th and Center Streets in Oakland. This property is located in my Council District and has been blighted for many years.

My professional background when I joined the City Council was that of an environmental engineer with the US EPA so I have much familiarity with the type of work that needs to be completed, before housing construction can begin.

Two years ago, Mr. Boisvert first met with Chevron and you promised you would remediate this vacant lot. I am pleased that Chevron is taking responsibility for cleaning the site but timeliness is also an issue. An indefinite promise to do the work is of little value to the community and the City of Oakland.

I understand that Chevron had anticipated to be reimbursed for this work from the UST Fund but this project was not funded. While that is unfortunate, Chevron still has the responsibility to clean the site and I urgently request that you move forward and complete the County approved plan for remediation. I feel it is Chevron's duty as a good community partner to bring the property back to the standard they found the property many decades ago and allow the property to be developed and be a productive asset to the neighborhood in which it resides.

I look forward to your prompt response with a clean-up timeline. Best wishes for a peaceful and productive New Year.

Sincerely,

A handwritten signature in black ink that reads "Nancy J. Nadel".

Nancy J. Nadel
Oakland City Council District 3

Rene Boisvert

From: Sinha, Satya P [SatyaSinha@chevron.com]
Sent: Thursday, October 05, 2006 5:39 PM
To: Rene Boisvert
Cc: Sinha, Satya P
Subject: Site Strategy

Rene:

Last week, I discussed the site strategy with Mr. Barney Chan of Alameda County Health Care Services (Regulatory Agency). Based upon the site history, following was discussed and agreed upon as possible steps to achieve case closure:

- 1) An assessment will be conducted to evaluate the potential for vapor intrusion at the site.
In case of potential for vapor migration, an engineered mitigation measure will be installed. The design criteria and methodologies, protective of the planned site development, will be discussed with the Regulatory Agency prior to any such installation.
- 2) The impact to deeper water bearing formation, reported during the 2005 assessment, appears to be anomalous. The Regulatory Agency confirms that there is no documentation of dissolved hydrocarbon impact in the vicinity of the site. Samples will be collected from the original locations to verify that there is no impact to deeper water bearing formation. A plan will be developed to address the impact, if any encountered.
- 3) Upon completion of the above mentioned activities, quarterly monitoring will be performed to assess the groundwater quality. If it appears that the site conditions would not adversely affect the human health and the environment, case closure will be recommended.

Please note that there was no commitment to perform an excavation at the site. It was not required by the regulatory agency and not approved as a corrective action by the UST Fund. Additionally, the said excavation would not be able to achieve the overall objective (in this case, site closure) of the project. Based on the discussions with the Regulatory Agency, it is our sincere belief that the above-referenced plan of action is a much better approach to achieving project objective.

Should you have any questions, please contact me at your convenience.

Sincerely,
Satya Sinha

10/10/2006

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



7

May 25, 2006

Mr. Mark Inglis
Chevron
Bollinger Canyon Rd., K
San Ramon, CA 94583

Mr. Rene Boisvert
484 Lakepark Ave.
Oakland, CA 94610

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

Dear Messrs. Inglis and Boisvert:

Subject: Fuel Leak Case No. [REDACTED] CHEVRON #20-6145 / SIGNAL SS,
800 Center St., Oakland CA 94607

Alameda County Environmental Health (ACEH) staff has recently reviewed the case file for the subject site including the Soil Disposal Profiling and Well Destruction Work Plan, dated May 23, 2005 prepared by Cambria Environmental. The work plan proposes additional borings to a depth of 20' feet below ground surface to better characterize the limits of the proposed excavation and the decommissioning of wells MW-1A, MW-2, MW-3 and MW-7. This action is intended to predict the limits of excavation and prepare the site for future residential development. We approve this work plan and remind you of the requirements previously stated in the County's December 19, 2005 letter, which conditionally approved the proposed additional excavation. Also, given the current groundwater concentrations detected in MW1A and MW-3, it appears that replacement wells will be required after site development.

ELECTRONIC SUBMITTAL OF REPORTS

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Messrs. Inglis and Boisvert
May 25, 2005
Page 2

In order to facilitate electronic correspondence, we request that you provide up to date electronic mail addresses for all responsible and interested parties. Please provide current electronic mail addresses and notify us of future changes to electronic mail addresses by sending an electronic mail message to me at barney.chan@acgov.org.

PERJURY STATEMENT

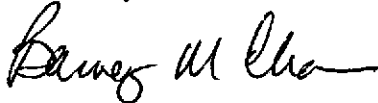
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PROFESSIONAL CERTIFICATION & CONCLUSIONS/RECOMMENDATIONS

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.

If you have any questions, please call me at (510) 567-6765.

Sincerely,



Barney M. Chan
Hazardous Materials Specialist

cc: files, D. Drogos
Mr. John Ortega, Cambria Environmental, 5900 Hollis St., Suite A, Emeryville,
CA 94608

5_25_06 800Center St

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



December 19, 2005

Mr. Mark Inglis
Chevron
Bollinger Canyon Rd., K
San Ramon, CA 94583

✓ Mr. Rene Boisvert
484 Lakepark Ave.
Oakland, CA 94610

Dear Messrs. Inglis and Boisvert:

Subject: Fuel Leak Case No. RO0000454, CHEVRON #20-6145 / SIGNAL SS,
800 Center St., Oakland CA 94607

Alameda County Environmental Health (ACEH) staff has recently reviewed the case file for the subject site including the Workplan for Site Excavation, dated November 17, 2005, prepared by Cambria Environmental. The work plan proposes additional excavation to an approximate depth of 17 feet below ground surface and pumping and treating groundwater. This action is intended to allow the residential development of the site. We request that you address the following technical comments, perform the proposed work, and send us the technical reports requested below.

TECHNICAL COMMENTS

1. Soil Excavation Proposal- The work plan correctly states that even with the proposed excavation to a depth of 17' bgs, contaminated soil may still be present at the site. We have no objection to the excavation proposal and confirmation sampling on 20 foot grids. Please provide your estimate of removal mass and mass of residual contamination present after completion of your excavation. We request that sidewall samples be collected at both the proposed depth of 10' bgs and at the pit bottom after excavation. Soil reuse criteria should meet that in the Draft November 2002 SFRWQCB document, *Characterization & Reuse of Petroleum Hydrocarbon Impacted Soil as Inert Waste*. All previous data must be included if such data is used as part of your data set used for evaluation. This request is in reference to the statement that the top seven feet of the excavation will be re-used as backfill.

2. Groundwater Removal- We agree that the dewatering proposed for the site will likely remove significant amounts of hydrocarbon-bearing groundwater. We request that groundwater sampling and testing be performed and an estimate be made of the mass of hydrocarbon removed during this action. We also request that the drainage system be designed to be able to segregate and sample groundwater from different areas of the excavation. This will allow you to identify the areas where groundwater is impacted and those areas that are not. This information may be used in your future well installation proposal.

3. Proposed Cleanup Levels- Although groundwater within the site has been designated is a zone of significant drinking water resource by the SFRWQCB, we agree with the proposed deep soil screening levels for residential land where groundwater is not a drinking water source as cleanup levels. We believe that the soil and groundwater

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

12-29-05

TO: BARNEY
FR: RENE

THANK
YOU!

Alameda County
DEC 29 2005

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



7

December 19, 2005

Mr. Mark Inglis
Chevron
Bollinger Canyon Rd., K
San Ramon, CA 94583

Mr. Rene Boisvert
484 Lakepark Ave.
Oakland, CA 94610

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800 Center St., Oakland CA 94607

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ENVIRONMENTAL PROTECTION
1131 Harbor Bay Parkway, Suite 250
Alameda, CA 94502-6577
(510) 567-6700
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remediation proposed will reduce the significant contamination sources and thus allow natural bio-attenuation to reach more the conservative levels of a drinking water resource site in the future.

4. Groundwater Monitoring- To monitor the effect of the proposed remediation, we require that additional multi-level wells be installed down-gradient and perpendicular of the source areas. This monitoring will also serve to test the hypothesis that a deep contaminant plume exists on and off-site which is not being detected by the existing shallow wells. Please provide your monitoring well work plan as requested below. We concur with the proposal to monitor the existing wells on a semi-annual basis until the newly proposed wells have been installed.

5. Soil and Groundwater Investigation Report- Please provide your SWI as requested below. Please include a map indicating residual soil concentrations in your report. Please also indicate addresses of the newly acquired properties to the north and east on your map.

TECHNICAL REPORT REQUEST

Please submit technical reports to Alameda County Environmental Health, according to the following schedule:

60 days after completion of SWI- SWI report.
60 days after completion of SWI- Monitoring well work plan
January 15, 2006- First Semi-annual monitoring report
June 15, 2006- Second Semi-annual monitoring 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

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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).

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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

Messrs. Inglis and Boisvert
December 19, 2005
Page 4

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) 567-6765.

Sincerely,



Barney M. Chan
Hazardous Materials Specialist

Enclosure: ACEH Electronic Report Upload (ftp) Instructions

cc: files, D. Drogos
Ms. Laura Genin, Cambria Environmental, 5900 Hollis St., Suite A, Emeryville,
CA 94608

12_19_05 800Center St

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



7

October 17, 2005

Mr. J. Mark Inglis
Chevron
P.O. Box 6012
San Ramon, CA 94583

Mr. Rene Boisvert
Boulevard Equity Group
484 Lake Park Ave. #246
Oakland, CA 94610

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

Dear Messrs. Inglis and Boisvert:

Subject: Fuel Leak Case [REDACTED] CHEVRON #20-6145 / SIGNAL SS, 800
Center St., Oakland, CA 94607

Alameda County Environmental Health (ACEH) staff has recently reviewed the case file for the subject site including the May 23, 2005 *Site Conceptual Model and Corrective Action Plan* prepared by Cambria Environmental. We understand that the property has recently changed ownership with the intention to develop residential buildings on this property. The site conceptual model provided contains the following components: a site background, site conditions, preferential pathway and sensitive receptor analysis, risk assessment evaluation, site conceptual model and data gap analysis, groundwater monitoring evaluation, remedial action options evaluation and a recommended approach. We find that the site conceptual model does not explain the groundwater distribution at the site and the groundwater plume is not yet defined laterally and vertically. Therefore, at this time, we believe it is premature to recommend the approach of filing a deed restriction and installing a vapor barrier at the site prior to any development.

We request that you address the following technical comments and submit the technical report requested below.

TECHNICAL COMMENTS

1. We understand from Mr. Boisvert, he is not willing to accept a deed restriction on the site and he requires a NFA (No Further Action) letter prior to site development. The recommended approach in the SCM is contrary to this, therefore, we request that Chevron and Mr. Boisvert work out their differences.
2. The inconsistency of the current site conceptual model must be investigated. Please present and test hypotheses that explain the contaminant distribution. This should be done before any type of corrective action is proposed. Significant TPHg,d and benzene concentrations have been reported in groundwater at depths much greater than the current monitoring wells maximum depth, thus, it appears the groundwater plume may not be being detected. Please provide your hypotheses for groundwater

- migration, a work plan to test the hypotheses as requested below.
3. The extent of the petroleum plume has not been adequately characterized off-site, laterally or vertically. Please provide a work plan to further characterize the plume as requested below. Note that your SCM investigation may include investigations, which also serve to delineate the contaminant plume.

TECHNICAL REPORT REQUEST

Please submit technical reports to Alameda County Environmental Health according to the following schedule:

- November 15, 2005- SCM Hypothesis and Work plan for testing SCM Hypothesis and Groundwater Characterization.

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

Messrs. Inglis and Boisvert

October 17, 2005

Page 3 of 3

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

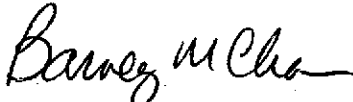
The California Business and Professions Code (Sections 6735, 6835, and 7835.1) requires that work plans and technical or implementation reports containing geologic or engineering evaluations and/or judgments be performed under the direction of an appropriately registered or certified professional. For 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.

If you have any questions, please call me at (510) 567-6765.

Sincerely,

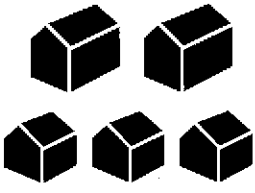


Barney M. Chan
Hazardous Materials Specialist

Enclosure: ACEH Electronic Report Upload (ftp) Instructions

cc: Mr. Terrell Sadler, 618 Brooklyn Ave., Oakland, CA 94606
Mr. Hollis Rogers, c/o Mr. Victor Brown, 580 Grand Ave., Oakland 94610
Mr. Robert Foss, Cambria Environmental, 5900 Hollis St., Suite A,
Emeryville, CA 94608

Re 454



BOULEVARD
EQUITY GROUP

Alameda County
SEP 21 2005
Environmental Health

September 19, 2005

TO: Barney Chan
FROM: Rene Boisvert, 800 Center LLC
RE: DELAYS CAUSING FINANCIAL HARDSHIP
800 CENTER STREET, OAKLAND

Dear Barney –

Thanks for giving me a call back late last week appreciated.

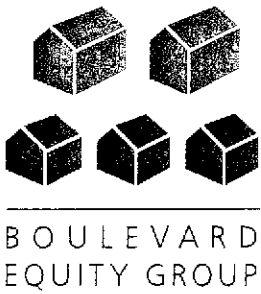
But your voice mail offered the identical words of our phone conversation of August 22nd (25 days earlier) working on the file internally, will be writing a letter to Cambria to address unfounded assumptions, and (only) then we can get together to discuss a plan.

I'm running out of time. In buying the subject parcel and the two adjoining parcels from the City of Oakland, we will have an outstanding "cash" outlay in excess of \$340,000. Being that the property is contaminated and not buildable, no lender will lend on the parcels. This is out of pocket "cash." It is **URGENT** that an executable solution be completed in the next 30 days to mitigate any further financial hardship on our company.

When may all parties meet in person?

Thank you.

cc: Nancy Nadel, Councilperson, District 2
Bob Foss, Cambria
Mark Inglis, Chevron
David Dement, ACC Environmental



9-27-05

20454
Alameda County

SEP 29 2005

Environmental Health

TIMING
VERY

IMPORTANT

September 19, 2005

TO: Barney Chan
FROM: Rene Boisvert, 800 Center LLC
RE: DELAYS CAUSING FINANCIAL HARDSHIP
800 CENTER STREET, OAKLAND

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When may all parties meet in person?

Thank you.

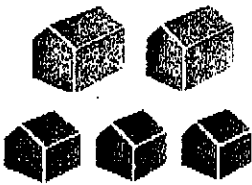
cc: Nancy Nadel, Councilperson, District 2
Bob Foss, Cambria
Mark Inglis, Chevron
David Dement, ACC Environmental

484 Lake Park Ave #246
Oakland, California 94610

Tel: (510) 444-8420
Fax: (510) 444-3030

www.boulevardequity.com

R0454



BOULEVARD
EQUITY GROUP

9-27-05

TIMING
VERY

IMPORTANT

September 19, 2005

TO: ~~Barney Chan~~ DONNA DRGOS

FROM: Rene Boisvert, 800 Center LLC

RE: DELAYS CAUSING FINANCIAL HARDSHIP
800 CENTER STREET, OAKLAND

Alameda County
OCT 07 2005
Environmental Health

Dear Barney -

Thanks for giving me a call back late last week appreciated.

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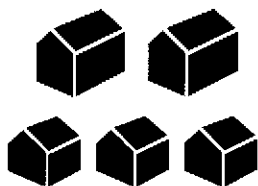
I'm running out of time. In buying the subject parcel and the two adjoining parcels from the City of Oakland, we will have an outstanding "cash" outlay in excess of \$340,000. Being that the property is contaminated and not buildable, no lender will lend on the parcels. This is out of pocket "cash." It is URGENT that an executable solution be completed in the next 30 days to mitigate any further financial hardship on our company.

When may all parties meet in person?

Thank you.

cc: Nancy Nadel, Councilperson
Bob Foss, Cambria
Mark Inglis, Chevron
David Dement, ACC Environmental

484 Lake Park Ave #246
Oakland, California 94610
Tel: (510) 444-8420
Fax: (510) 444-3030
www.boulevardequity.com



BOULEVARD
EQUITY GROUP

Ro45A

Alameda County
AUG 18 2005
Environmental Health

August 16, 2005

TO: Barney Chan
FROM: Rene Boisvert, 800 Center LLC
RE: 800 CENTER STREET, OAKLAND
NEW OWNERSHIP
TIMING & NEXT STEPS ?

Dear Mr. Chan -

At long last, as of last week (August 11, 2005), I have purchased the above referenced vacant lot on Center Street in Oakland from Mr. Terrell Sadler.

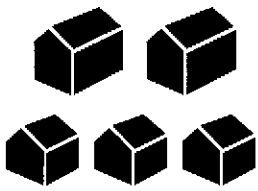
With our energetic spirit and our significant investment of time and financial resources into this property to date, we are ready to move full speed ahead!

I have been in contact with both the local City Council and City Attorney's offices regarding this property. It is now on their radar screens and they are anxious to assist in whatever way needed to see that this vacant lot moves forward and becomes new housing for the City of Oakland.

May we meet next week to discuss the necessary finishing steps?

I look forward to working together thank you.

copy(s) - Robert Foss, Cambria Environmental Technology
Mark Inglis, Chevron
David Dement, ACC Environmental Consultants



BOULEVARD
EQUITY GROUP

RECEIVED

APR 22 2005

ENVIRONMENTAL HEALTH SERVICE

April 19, 2005

TO: Barney Chan
FROM: Rene Boisvert
RE : REQUEST FOR "GET TOGETHER"
800 CENTER STREET, OAKLAND

Dear Barney –

Timing has become important for this project to take its next step. When may we schedule a time to "get together" to discuss the appropriate remaining actions?

Most appreciative thank you.

C A M B R I A

February 25, 2005

Mr. Barney Chan
ACHSA
1131 Harbor Bay Pkwy.
Oakland, CA 94502-6577

RE: 800 Center Street, Oakland
ACHSCA RO#: ~~0060454~~

Dear Mr. Chan:



This letter is to inform you of a change in management for the above-referenced site.

Effective immediately, the new ChevronTexaco project manager will be:

Mr. Mark Inglis
ChevronTexaco
6001 Bollinger Canyon Rd., K-2256
San Ramon, CA 94583
Phone: 925-842-1589

Please contact either Mr. Mark Inglis or Cambria if you have any questions.

Regards,

Cambria Environmental Technology, Inc.

cc: Mark Inglis, Chevron Texaco

**Cambria
Environmental
Technology, Inc.**

5900 Hollis Street
Suite A
Emeryville, CA 94608

Tel (510) 420-0700
Fax (510) 420-9170
Site #: 206145

Rene Boisvert

From: Rene Boisvert [rene@boulevardequity.com]
Sent: Thursday, February 10, 2005 2:22 PM
To: 'barney.chan@acgov.org'
Subject: (RENE) 8TH & CENTER ST., OAKLAND

Barney -

Good afternoon

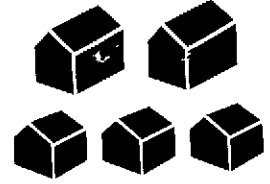
Thank you for taking my call and sharing your concerns for the lot on 8th and Center Streets in West Oakland.

As discussed, I have an executed contract with the current owner (Terrell Sadler) to purchase his property. The only logistic before closing is getting a "green light" from your offices to build as well as cleared to "close the site."

I'm here to facilitate whatever is necessary to achieve all of our goals. Please don't hesitate to ask for what you need I'd be happy to help out.

Enjoy,

Rene Boisvert
Boulevard Equity Group
484 Lake Park Avenue, #246
Oakland 94610
510-444-8420 tel
510-444-3030 fax
Rene@BoulevardEquity.com



BOULEVARD
EQUITY GROUP

RENE BOISVERT
Real Estate Broker &
Mortgage Services

484 Lake Park Ave #246
Oakland, California 94610
Tel: (510) 444-8420
Fax: (510) 444-3030
rene@boulevardequity.com
www.boulevardequity.com

RECEIVED
MAR 1 9 2005
COMMUNITY DEVELOPMENT

3-11-05
BARNEY ~
MAY WE GET
TOGETHER TO
MEET & DISCUSS?
THANKS.
RENE

Rene Boisvert

From: Rene Boisvert [rene@boulevardequity.com]
Sent: Thursday, February 10, 2005 2:22 PM
To: 'barney.chan@acgov.org'
Subject: (RENE) 8TH & CENTER ST., OAKLAND

Alameda County
FEB 23 2005
Environmental Health

Barney -

Good afternoon

Thank you for taking my call and sharing your concerns for the lot on 8th and Center Streets in West Oakland.

As discussed, I have an executed contract with the current owner (Terrell Sadler) to purchase his property. The only logistic before closing is getting a "green light" from your offices to build as well as cleared to "close the site."

I'm here to facilitate whatever is necessary to achieve all of our goals. Please don't hesitate to ask for what you need I'd be happy to help out.

Enjoy,

Rene Boisvert
Boulevard Equity Group
484 Lake Park Avenue, #246
Oakland 94610
510-444-8420 tel
510-444-3030 fax
Rene@BoulevardEquity.com

2-18-05
TO: BARNEY
FR: RENE
JUST CHECKING
IN FOR AN "UPDATE"
FROM YOUR EYE.
THANK YOU.

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

July 12, 2004

Ms. Karen Streich
Chevron Environmental Management Co.
P.O. Box 6012
San Ramon, CA 94583

Dear Ms. Streich:

Subject: Fuel Leak Case RO000454, Former Chevron Station #20-6145, 800 Center St.,
Oakland, CA 94607

Alameda County Environmental Health staff has reviewed the June 22, 2004 Addendum to Workplan for Additional Subsurface Investigation by Cambria Environmental Technology. The addendum responds to the County's May 7, 2004 letter commenting on the original April 6, 2004 work plan for the referenced site. In general, our office approves of the work plan addendum and work may proceed. Please incorporate the following technical comments when performing the proposed work.

TECHNICAL COMMENTS

1. To determine the vertical extent of petroleum contamination in soil and groundwater five CPT borings are proposed to an approximate depth of 75' bgs. Soil samples should be collected every 5 feet, at the capillary fringe, changes in lithology and at any obvious signs of contamination. Depth discrete groundwater samples will be collected at 15' intervals from 15-75' bgs as pore-water pressure and groundwater recovery permits and within permeable units below the initial water bearing zone. For the three CPT borings outside the prior excavated area, soil samples should be collected starting at 5' since no shallow soil data exists. Although the five CPT borings do not alone generate a complete 3D representation of contaminant distribution a general picture of deeper soil impact will be gained. Estimates of the deep soil impact in other areas can then be made. Samples should be analyzed for TPHd, TPHg, BTEX, MTBE and ether oxygenates (TAME, ETBE, DIPE, TBA) and lead scavengers EDB and EDC using EPA Method 8260.
2. Soil borings GP-31 through GP-40 are proposed to a depth of 20' bgs or to below the maximum depth of observed hydrocarbon contamination indicated in the CPT borings. The borings should be logged and cross-sectional diagram(s) should be included in your final report. Soil samples will be collected starting at 10' bgs and at subsequent deeper samples according to the same criteria as above. We recommend screening shallow soil for potential chemical analysis since any additional soil excavation in these areas will require analytical justification. No groundwater samples are proposed to be collected, however, our office recommends groundwater sampling in at least one of the northern and one of the eastern borings due to the absence of groundwater data in these areas.

July 12, 2004

Ms. Karen Streich

Fuel Leak Case RO000454, 800 Center St., Oakland, CA 94607

Page 2 of 2

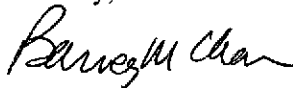
TECHNICAL REPORT REQUEST

Please submit the following technical report according to the following schedule.

- 45 days after completion of the proposed investigation- technical report submission including a summary of data, three dimensional iso-concentration plots of TPH, BTEX and MTBE in soil and groundwater, cross section(s), conclusions and recommendations for a remedial action plan and a work plan for monitoring well locations and construction.

If you have any questions, please call me at (510) 567-6765.

Sincerely,



Barney M. Chan

Hazardous Materials Specialist

C: B. Chan, D. Drogos

Mr. Terrell Sadler, 618 Brooklyn Ave., Oakland, CA 94606

Mr. Hollis Rogers, c/o Mr. Victor Brown, 580 Grand Ave., Oakland, CA 94610

Mr. Robert Foss, Cambria Environmental, 5900 Hollis St., Suite A, Emeryville,
CA 94608

Mr. Sunil Ramdass, SWRCB Cleanup Fund, 1001 I St., Sacramento, CA 95814

7_9_04 800CenterSt

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

May 11, 2004

Ms. Karen Streich
Chevron Environmental Management Co.
P.O. Box 6012
San Ramon, CA 94583

Dear Ms. Streich:

Subject: Fuel Leak Case RO000454, Former Chevron Station #20-6145, 800 Center St.,
Oakland, CA 94607

Alameda County Environmental Health staff has reviewed the case file for the subject site including the April 6, 2004 Workplan for Additional Subsurface Investigation by Cambria Environmental Technology. The objective of this work plan is to delineate the vertical and horizontal extent of soil contamination at the site. In addition, groundwater samples are proposed for sampling. Areas in the north and eastern portions of the site are targeted along with some of the locations where prior results indicated elevated petroleum concentrations at their deepest depth explored. In general, our office approves of the work plan, however, we request that you address the following technical comments when performing the proposed work.

TECHNICAL COMMENTS

1. Soil samples are proposed to be collected in the previously excavated areas starting at a depth of 12' and continuing until no evidence of hydrocarbon impact is observed. In the other areas, soil samples will be collected at five-foot intervals. A grab groundwater sample will also be collected from each borehole. Please analyze, at a minimum, the first soil sample collected from the borings from within the former excavation and the 10' sample from the borings in the other areas. Because previous borings have indicated clayey sand, silty sand and sand at the deepest depth explored, we request that depth discrete soil and groundwater samples be taken so as to better characterize the three dimensional extent of the plume. The absence of petroleum contamination in a competent impermeable zone would be an appropriate terminus.
2. Although not specified, it is assumed that total petroleum hydrocarbons impact refers to all analytes previously detected, TPHd, TPHd, BTEX and MTBE. With this in mind, it appears that locations both on and off-site which have identified elevated TPH at their deepest sample depth have not been proposed for sampling. Please explain how data will be extrapolated to these areas. The end result of this investigation is anticipated to be the three-dimensional representation of TPH in soil and groundwater.
3. The work plan states that monitoring wells will not be installed as part of this investigation. However, it appears that existing wells do not monitor a significant portion of the site, ie that area immediately up-gradient of the former USTs and dispenser islands. Therefore, as part of your investigation report, monitoring well(s) should be proposed for additional characterization of the site. Monitoring well installation should not be held up due to potential excavation for development, unless the excavation is part of an interim remediation action plan. Shallow soil samples would be necessary to document such excavation as a viable remedial action.

May 11, 2004
Ms. Karen Streich
Fuel Leak Case RO000454, 800 Center St., Oakland, CA 94607
Page 2 of 2

TECHNICAL REPORT REQUEST

Please submit the following technical reports according to the following schedule.

- June 10, 2004- Written response to above comments.
- 45 days after completion of the proposed investigation- technical report submission including summary of data, three dimensional iso-concentration plots of TPH in soil and groundwater, conclusions and recommendations for remedial action plan and monitoring well installation.

If you have any questions, please call me at (510) 567-6765.

Sincerely,



Barney M. Chan
Hazardous Materials Specialist

C: B. Chan, D. Drogos

Mr. Terrell Sadler, 618 Brooklyn Ave., Oakland, CA 94606
Mr. Hollis Rogers, c/o Mr. Victor Brown, 580 Grand Ave., Oakland, CA 94610
Mr. Robert Foss, Cambria Environmental, 5900 Hollis St., Suite A, Emeryville, CA 94608
Mr. Sunil Ramdass, SWRCB Cleanup Fund, 1001 I St., Sacramento, CA 95814

5_7_04 800CenterSt

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



February 11, 2003

Ms. Karen Streich
Chevron Texaco
P.O. Box 6012
San Ramon, CA 94583

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

Dear Ms. Streich:

Subject: Fuel Leak Site RO0000454, Former Chevron #20-6145, 800 Center St., Oakland 94607

Alameda County Environmental Health, Local Oversight Program (LOP), has recently reviewed the case for the subject site including the January 23, 2003 Delta Environmental Well Destruction, Over-Excavation and Soil Sampling Report. The report includes description of the destruction of MW-1, over-excavation of the former UST, dispenser, hydraulic lift and sump areas, confirmation soil sampling and the placement of 900 pounds of ORC into the pit. Additional borings were also proposed to further delineate the petroleum release to the east and southeast of the excavation. We request that you address the following technical comments and submit the technical reports requested below.

Technical Comments:

1. Although the former hydraulic lift and sump areas appear to have been excavated adequately, significant soil and presumed groundwater contamination remains near the former tank complex and dispenser island. Both sidewall and excavation pit floor samples reported elevated petroleum contamination. Delta Environmental proposes advancing (7) additional borings to further delineate the east and southeast areas from the dispenser island. Please analyze soil and groundwater in these borings. In addition, we request that you delineate soil and groundwater in the north and west directions.
2. In the referenced report as well as prior geoprobe investigation, elevated MTBE has been reported in soil samples, however, MTBE has not been reported nor confirmed in any groundwater samples. Our office, therefore, believes that much if not all of the reported MTBE values are a result of positive interferences occurring while analyzing the samples using EPA Method 8021. Confirmation of reported MTBE must be done using GC/MS.
3. Our office believes that the utilities near the site may be acting as preferential pathways. There has been elevated grab groundwater concentration reported in off-site boring P-2 and elevated petroleum hydrocarbons in soil samples G-12 through G-14, which are located along the property boundary and Center St. However, TPHg and BTEX has not been reported in the off-site wells, MW-5 and MW-6. You should consider soil and groundwater sampling immediately adjacent to the previously identified utilities.
4. Monitoring well MW-1 should be replaced. Given the area extent of the gasoline over-excavation area, our office recommends several wells be installed within the former excavation pit. In addition, we would expect additional well(s) to the east of the excavation. Large diameter wells should be considered for those proposed within the excavation pit for potential remediation as well as sampling.

Ms. Karen Streich
February 11, 2003
RO0000454
800 Center St., Oakland 94607
Page 2

5. Quarterly monitoring should be performed on all wells for the compounds; TPHd, TPHg, BTEX, and MTBE. Any detected MTBE must be verified using a GC/MS technique. Please have those wells that have silted up cleaned and re-developed immediately. I e-mailed you my concern in 10/02 and you informed Gettler-Ryan of this on 11/02, however, the sampling event performed on 11/30/02 had not corrected this problem. Wells MW-2, MW-4 and MW-6 were reported "dry" with total depths significantly less than the actual depth of the wells.

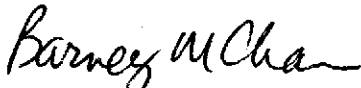
Technical Report Request

Please submit the following technical reports to our office according to the following schedule:

- March 14, 2003- Work plan to address items 1-5, mentioned above.
- April 15, 2003- Groundwater monitoring report for 1st Quarter 2003.

Please contact me at (510) 567-6765 if you have any questions.

Sincerely,



Barney M. Chan
Hazardous Materials Specialist

✓ C: B. Chan, files

Mr. Greg Gurs, Gettler-Ryan Inc., 3140 Gold Camp Drive, Suite 170, Rancho Cordova, CA 95670
Mr. Douglass Lee, Delta Environmental, 3164 Gold Camp Drive, Suite 200, Rancho Cordova, CA 95670
Mr. Terrell Sadler, 618 Brooklyn Ave., Oakland, CA 94606
Mr. Hollis Rodgers, c/o Mr. Victor Brown, 580 Grand Ave., Oakland CA 94610
Mr. Sunil Ramdass, SWRCB Cleanup Fund, 1001 I St., Sacramento, CA 95814

800Center St req

20454
BARNEY



State Water Resources Control Board



Winston H. Hickox
Secretary for
Environmental
Protection

Division of Clean Water Programs

1001 I Street • Sacramento, California 95814
P.O. Box 944212 • Sacramento, California • 94244-2120
(916) 341-5714 • FAX (916) 341-5806 • www.swrcb.ca.gov/cwphome/ustcf

Gray Davis
Governor

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.

OCT 24 2002

Hollis Rodgers
Victor E. Brown
580 Grand Ave
Oakland, CA 94610

Alameda County

OCT 29 2002

Environmental Health

UNDERGROUND STORAGE TANK CLEANUP FUND (FUND), CLAIM NO. 012265, FOR SITE ADDRESS: 800 CENTER ST, OAKLAND

The State Water Resources Control Board (State Board) is able to issue, pursuant to applicable regulations, the enclosed Letter of Commitment (LOC) in an amount not to exceed \$75,000. This LOC is based upon our review of the corrective action costs you reported to have incurred to date. The LOC may be modified by the State Board.

It is very important that you read the terms and conditions listed in the enclosed LOC. Claims filed with the Underground Storage Tank Cleanup Fund far exceed the funding available and it is very important that you make use of the funding that has been committed to your cleanup in a timely manner.

You are reminded that you must comply with all regulatory agency time schedules and requirements and you must obtain three bids for any required corrective action. Only corrective action costs *required* by the regulatory agency to protect human health, safety and the environment can be claimed for reimbursement. **You are encouraged to obtain preapproval of costs for all future corrective action work (form enclosed).** If you have any questions on obtaining preapproval of your costs or the three bid requirement, please call Sunil Ramdass, our Technical Reviewer assigned to claims in your Region, at (916) 341-5757. Failure to obtain preapproval of your future costs may result in the costs not being reimbursed.

The following documents needed to submit your reimbursement request are enclosed:

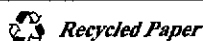
"Reimbursement Request Instructions" package. **Retain this package for future reimbursement requests.** These instructions must be followed when seeking reimbursement for corrective action costs incurred after January 1, 1988.

"Reimbursement Request" forms which you **must use to request reimbursement of costs incurred.**

"Spreadsheet" forms which you **must use in conjunction with your reimbursement request.**

➤ **THIS IS IMPORTANT TO YOU, PLEASE NOTE:**

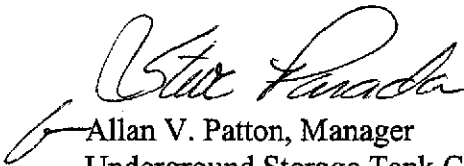
California Environmental Protection Agency



You have 90 calendar days from the date of this letter to submit your first reimbursement request for incurred corrective action costs. **NO EXTENSIONS CAN BE GRANTED.** If you fail to do so, your LOC funds will automatically be reduced to zero (deobligated). Once this occurs, any future funds for this site are subject to availability when you submit your first reimbursement request. We continuously review the status of all active claims. You must continue to remain in compliance and submit a reimbursement request every 6 months. Failure to do so will result in the Fund taking steps to withdraw your LOC.

If you have any questions regarding the enclosed documents, please contact Toru Okamoto at (916) 341-5649.

Sincerely,



Allan V. Patton, Manager
Underground Storage Tank Cleanup Fund

Enclosures

Lustis Case #: 01-2421

cc: Mr. Steve Morse
RWQCB, Region 2
1515 Clay Street, Ste. 1400
Oakland, CA 94612

Ms. Donna Drogos
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

August 7, 2002

Ms. Karen Streich
Chevron Products Co.
P.O. Box 6004
San Ramon, CA 94583

Dear Ms. Streich:

Subject: Fuel Leak Case RO0000454, 800 Center St., Oakland, CA 94607

Alameda County Environmental Health, Local Oversight Program (LOP), has received and reviewed the July 31, 2002 Soil Borings report prepared by Gettler-Ryan Inc. This report details the results of the boring investigation done to verify the extent of petroleum soil contamination at the site. The results indicate that the original proposed excavation area is indeed impacted as well as an additional area near boring G-20 estimated to be another 80 cubic yards. Our office concurs that the referenced areal extent of the proposed excavation is warranted. In addition, the soil samples confirm contamination up to the Center Street property boundary warranting excavation to the boundary.

The widespread presence of soil contamination at 10' depth indicates a widespread groundwater plume. Therefore, after the excavation has concluded, consider installing more than the one groundwater well previously proposed to monitor the plume.

Please provide our office with a schedule for your excavation as soon as it has been confirmed.

You may contact me at (510) 567-6765 if you have any questions.

Sincerely,

A handwritten signature in cursive script that reads "Barney M. Chan".

Barney M. Chan
Hazardous Materials Specialist

✓ C: B. Chan, files

Mr. Greg Gurss, Delta Environmental, 3164 Gold Camp Drive, Suite 200, Rancho Cordova, CA 95670
Mr. Terrell Sadler, 618 Brooklyn Ave., Oakland, CA 94606
Mr. Hollis Rodgers, c/o Mr. Victor Brown, 580 Grand Ave., Oakland, CA 94610
Mr. Sunil Ramdass, SWRCB Cleanup Fund, 1001 I St., Sacramento, CA 95814

Excwpap800Center St



State Water Resources Control Board



Winston H. Hickox
Secretary for
Environmental
Protection

Division of Clean Water Programs

1001 I Street • Sacramento, California 95814
P.O. Box 944212 • Sacramento, California • 94244-2120
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Gray Davis
Governor

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.

RO # 454

June 3, 2002

Hollis Rodgers
Victor E. Brown
580 Grand Ave
Oakland, CA 94610

JUN 10 2002

**PRE-APPROVAL OF CORRECTIVE ACTION COSTS,
CLAIM NO. 012265, PA # 2
SITE ADDRESS: 800 CENTER ST, OAKLAND, CA 94607**

I have reviewed your request, received on May 30, 2002, 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 August 6, 2001, Gettler - Ryan Inc. workplan approved by the Alameda County EHD (County) in their letter August 9, 2001, is \$ 13,060; 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.

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	Pre - Field Activities	\$2,500	This cost includes all time and materials associated with the preparation of a Workplan, Liaison with the County and Driller, Permitting, USA and Health and Safety Plan. Copies of all permits must be submitted to the Fund.
2	Soil Borings (21 Borings to approx. 10'-15' bgs), Analytical & Report	\$10,560	This cost includes all time, materials and markups associated with this task. (Soil Borings (21 Borings to approx. 10'-15' bgs), Analytical & Report). Copies of all reports must be submitted to the Fund.
TOTAL PRE-APPROVED		\$ 13,060	

* Task descriptions are the same as those identified in Gettler - Ryan Inc.'s May 30, 2002 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 Gettler - Ryan Inc. 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 May 30, 2002 by Gettler - Ryan Inc. 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. ***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 .

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

Enclosure

cc: Barney M. Chan
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

May 22, 2002

Ms. Karen Streich
Chevron-Texaco
P.O. Box 6004
San Ramon, CA 94583

Dear Ms. Streich:

Subject: Fuel Leak Site No. RO0000454, 800 Center St., Oakland CA 94607

Alameda County Environmental Health, Local Oversight Program (LOP), has spoke with Mr. Sunil Ramdass of the SWRCB Cleanup Fund regarding the work plan for the excavation of impacted soil at the referenced site. They would like you to refine the area and volume of soil that will be excavated. In order to do this, we request that you perform this work in a stepwise approach. Please advance your Geoprobe borings first to define the impacted area, then revise, as necessary, your excavation area based upon these results. Please let our office and the Fund know any changes from the original proposed excavation area. You are also reminded that the Fund will not reimburse investigation or excavation of the hydraulic lift and sump areas.

You may contact me at (510) 567-6765 with questions.

Sincerely,

Barney M. Chan
Hazardous Materials Specialist

✓ C: B. Chan, files

Mr. T. Sadler, 618 Brooklyn Ave., Oakland CA 94606

Mr. H. Rodgers c/o Victor Brown, 580 Grand Ave., Oakland, CA 94610

Mr. S. Ramdass, SWRCB Cleanup Fund, 1001 I St., 17th Floor, Sacramento, CA 95814-2828

Exewp2-800CenterSt

EO 454
CHAW



State Water Resources Control Board



Winston H. Hickox
Secretary for
Environmental
Protection

Division of Clean Water Programs

1001 I Street • Sacramento, California 95814
P.O. Box 944212 • Sacramento, California • 94244-2120
(916) 341-5714 • FAX (916) 341-5806 • www.swrcb.ca.gov/cwphome/ustcf

Gray Davis
Governor

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.

CERTIFIED MAIL 7000 0520 0023 5273 4761

APR 17 2002

APR 22 2002

Hollis Rodgers
Victor E. Brown
580 Grand Ave
Oakland, CA 94610

TERRIL SAGLER / SPOON

UNDERGROUND STORAGE TANK CLEANUP FUND (FUND), NOTICE OF INTENDED REMOVAL FROM PRIORITY LIST, CLAIM NUMBER 012265, SITE ADDRESS: 800 CENTER ST, OAKLAND

The Fund's letter dated February 1, 2001 notified the claimant that the Fund was going to conduct a detail review of their application to verify eligibility. The letter requested that the claimant complete and return within 10 working days three important documents. The three important documents are: (1) Non-Recovery From Other Sources Disclosure Certification, (2) Letter of Commitment Data Sheet, and (3) Claimant Data Record. On November 29, 2001 the Fund sent a final request for the three documents and requested the claimant to amend page one of the application and complete the Co-payee section of the application. To date, the Fund has not received the required documentation to continue processing claimant's application in order to issue a Letter of Commitment. Therefore, it is being proposed that your claim be removed from the Priority List based on the following reason:

Petroleum Underground Storage Tank Cleanup Fund Regulations, Section 2813.3(a)(2) Removal from the Priority List states in part... *"the claimant fails to provide necessary documentation or information..."*

If you disagree with this Staff Decision, you may appeal to the Division Chief pursuant to Section 2814.1 of the Petroleum Underground Storage Tank Cleanup Fund Regulations. If you would like review of the decision by the Fund Manager, please submit your request along with any additional documentation to:

Allan V. Patton, Fund Manager, Claim #012265
Underground Storage Tank Cleanup Fund
State Water Resources Control Board
Division of Clean Water Programs
P. O. Box 944212
Sacramento, CA 94244-2120

APR 22 2002

Hollis Rodgers

-2-

A request to the Fund Manager must include, at a minimum: (1) a statement describing how the claimant is damaged by the prior Staff Decision; (2) a description of the remedy or outcome desired; and (3) an explanation of why the claimant believes the Staff Decision is erroneous, inappropriate or improper.

If you do not request a review by the Fund Manager within thirty (30) calendar days from the date of this letter, the Staff Decision will then become final and conclusive and your claim will be removed from the Priority List at the end of the 30 day period.

If you have any questions, please contact me at (916) 341-5714.

Sincerely,



Shari Knieriem
Claims Review Unit
Underground Storage Tank Cleanup Fund

Lustis Case #: 01-2421

cc: Mr. Steve Morse
RWQCB, Region 2
1515 Clay Street, Ste. 1400
Oakland, CA 94612

Ms. Donna Drogos
Alameda County EHD
1131 Harbor Bay Pkway, 2nd Fl.
Alameda, CA 94502-6577

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



March 8, 2002
StID 5544/RO0000454

Mr. Tom Bauhs
Chevron Products Co.
P.O. Box 6004
San Ramon, CA 94583

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

**Re: Work Schedule for Investigation and Remediation at 800 Center St.,
Oakland, CA 94607**

Dear Mr. Bauhs:

This letter requests you provide and commit to a schedule for the implementation of the approved work plan to delineate soil contamination and excavate the contamination from the referenced site. Our office approved the Delta Environmental work plan for the referenced work in my August 9, 2001 letter. To date, the proposed borings and excavation has not been scheduled. Mr. Gurs of Gettler-Ryan has stated Chevron's intentions are to perform this work in the summer and fall of this year. Please clarify this with specific dates.

Our office is aware that Chevron has been designated as the lead for site remediation as part of a judgment with Mr. Terrell Sadler and Mr. Hollis Rodgers. Mr. Sadler has expressed his disappointment with the timeliness of Chevron's actions. Our office concurs that progress has been very slow. I understand, the State Clean-up Fund is also considering retracting Fund eligibility for this site.

Please provide your work plan time schedule to our office within two weeks or no later than March 22, 2002. You may contact me at (510) 567-6765 if you have any questions.

Sincerely,

Barney M. Chan
Hazardous Materials Specialist

C: B. Chan, files

Mr. G. Gurs, Gettler-Ryan Inc., 3140 Gold Camp Dr., Suite 170, Rancho Cordova,
CA 95670

Mr. Terrell Sadler, 618 Brooklyn Ave., Oakland, CA 94606

Mr. H. Rodgers, c/o Victor Brown, Esq., 580 Grand Ave., Oakland, CA 94610

Ms. S. Torrence, Alameda County District Attorney's Office

Wpsch800CenterSt

OAKLAND FIRE DEPARTMENT, OES UNDERGROUND STORAGE TANK CLOSURE/REMOVAL FIELD INSPECTION REPORT

Site Address: <u>800 CENTER ST</u>	Name of Facility: <u>LOT</u>
Inspector: <u>GRAFFORD</u>	Contact on site: <u>WA CRAIG 707 693 2929</u>
Date and Time of Arrival: <u>2:00 PM</u>	Contractor/Consultant: <u>WA CRAIG - WILLIAM CERRA</u>

General Requirements	Yes	No	N/A
Approved closure plan on site.	X		
Changes to approved plan noted.			X
Residuals properly stored/transported.	X		
Receipt for adequate dry ice noted.			X

General Requirements	Yes	No	N/A
Site Safety Plan properly signed.	X		
40B:C fire extinguisher on site.	X		
"No Smoking" signs posted.			X
Gas detector challenged by inspector.	X		

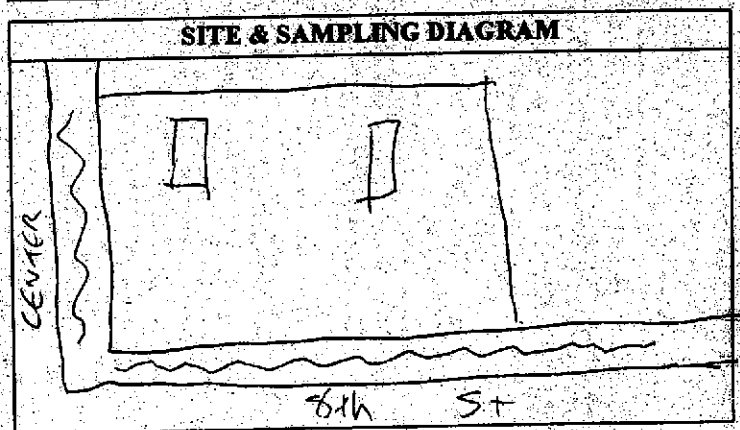
Tank Observations	T #1	T #2	T #3	T #4
Tank Capacity (gallons)	1000	550		
Material last stored	OIL	OIL		
Dry ice used (pounds)	0	0		
Combustible gas concentration as %LEL. (Note time & sampling point)				
(1)	0	0		
(2)				
(3)				
Oxygen concentration as % volume. (Note time & sampling point)				
(1)	21	21		
(2)				
(3)				
Tank Material	SL	SL		
Wrapping/Coating, if any	NA	NA		
Obvious holes?	N	N		

Tank Observations	T #1	T #2	T #3	T #4
Obvious corrosion?	N	N		
Obvious odors from tank?	N	N		
Seams intact?	Y	Y		
Tank bed backfill material	NA	NA		
Obvious discoloration?	N	N		
Obvious odors ex tank bed?	N	N		
Water in excavation?	Y	Y		
Sheen/product on water?	N	N		
Tank tagged by transporter?	N	N		
Tank wrapped for transport?	N	N		
Tank plugged w/ vent cap?	NA	NA		
Date/time tank hauled off?	2:30	2:30		
No. of soil samples taken?	2	1		
Depth of soil samples (ft. bgs)	6	8		

Piping Removal	Yes	No	N/A
All piping removed hauled off w/ tanks?	X		
Obvious holes on pipes?		X	
Obvious odors from pipes?		X	
Obvious soil discoloration in piping trench?		X	
Obvious odors from piping trench?		X	
Water in piping trench?		X	
Number & depth of soil samples from piping trench?			3
Number & depth of water samples from piping trench?			2

General Observations	Yes	No	N/A
Leak from any tank suspected?		X	
"Leak Report" form given to the operator?		X	
Obviously contaminated soil excavated?	X		
Soil stockpile sampled?	X		
Stockpile lined AND covered?		X	
Water in excavation sampled?		X	
Number/depth of water samples taken?			
All samples properly preserved for transport?	X		

Additional Observations	Yes	No	N/A
Soil/water sampling protocols acceptable?	X		
Sampling "chain of custody" noted?	X		
Tank pit filled in or covered?	X		
Tank pit fenced or barricaded?	X		
Transporter a registered HW hauler?			X
Uniform HW Manifest completed?			X
Contractor/Consultant reminded of complete UST Removal Report due within 30 days?	X		
Date/Time removal/closure operations completed?			3:30
OT hours or additional charges due from contractor?			0



Notes/Comments: _____



Alameda County
District Attorney's Office
Thomas J. Orloff, District Attorney

RO 454

Baray

#

5744

DEC 17 2001

December 11, 2001

Larry Seto
Alameda Co. Environmental Health Services
1131 Harbor Bay Pkwy., Suite 250
Alameda, CA 94502

Jon N. Robbins, Esq
Chevron Products Co.
6011 Bollinger Canyon Rd., Rm. T-4284
San Ramon, CA 94583

Stephen Craford
Hernan Gomez
Fire Services Agency
1605 Martin Luther King, Jr. Way
Oakland, CA 94612

Hollis Rodgers
c/o Victor E. Brown
580 Grand Avenue
Oakland, CA 94610

Mr. & Mrs. Terrell Sadler
618 Brooklyn Ave.
Oakland, CA 94612

Kay Hendon, Esq.
Wells Fargo Bank, Trust Legal Dept.
633 Folsom, 7th Floor
San Francisco, CA 94107

Re: **Enforcement Action: 800 Center Street, Oakland, California**

Ladies and Gentlemen:

As you will recall, this Office contacted each of you with regard to the need for enforcement for failure to close and remove certain underground storage tanks located at 800 Center Street. Following a meeting at our offices earlier this year, Mr. and Mrs. Sadler, Mr. Robbins representing Chevron, and Ms. Hendon representing Wells Fargo agreed to cooperate in having the tanks removed.

Through the City of Oakland, we have determined that the underground storage tanks have been lawfully removed and disposed of. It is our understanding that all parties, or more specifically, the Sadlers, Chevron, and Wells Fargo, cooperated in the removal process. Accordingly, we have determined that we will file no enforcement action involving the removal of the underground storage tanks.

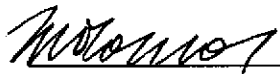
December 11, 2001

Page 2

We wish to insure that the site does not become a public nuisance because of blight conditions caused by the deposit of trash or other debris unrelated to Chevron's ongoing remediation efforts. We are satisfied that the site will not become a nuisance because Chevron has agreed to maintain the fences on site, and Mr. Sadler has agreed to remove trash or debris that is not associated with remediation.

Very truly yours,

THOMAS J. ORLOFF
DISTRICT ATTORNEY

By: 
Micheal O'Connor
Deputy District Attorney

TJO:MOC:jcr



State Water Resources Control Board



Winston H. Hickox
Secretary for
Environmental
Protection

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4524
BC

Division of Clean Water Programs

1001 I Street • Sacramento, California 95814
P.O. Box 944212 • Sacramento, California • 94244-2120
(916) 341-5757 • FAX (916) 341-5806 • www.swrcb.ca.gov/ewphome/ustef

Gray Davis
Governor

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.

October 16, 2001

OCT 19 2001

Hollis Rodgers
Victor E. Brown
580 Grand Ave
Oakland, CA 94610

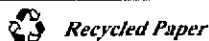
**REQUEST FOR ADDITIONAL INFORMATION FOR PRE-APPROVAL OF
CORRECTIVE ACTION COSTS, CLAIM NO. 012265, PA # 1
SITE ADDRESS: 800 CENTER ST, OAKLAND, CA 94607**

I have reviewed your request, received on October 13, 2001, for pre-approval of corrective action costs.

Your pre-approval request submittal is incomplete and cannot be processed at this time. The following marked items were not included in your submittal and must be submitted before Fund staff can review and determine the reasonableness and necessity of the costs. I will place these documents in your claim file for future reference.

- A minimum of three competitive bids is required for the proposed scope of work.** The proposed corrective action activity in your Pre-Approval Request requires a minimum of three competitive bids. If the prime consultant or the prime contractor identified in the Pre-Approval Request has not been selected utilizing a competitive bid process, then a minimum of three bids must be received for their services. Three bids are required for all corrective action work. However, we typically only require the project to demonstrate compliance at the soil and groundwater investigation phase and the remediation phase. At least one competitive bid process must occur at each of these two phases.
- A completed "Cost Pre-Approval Request" form; signed by the claimant or an authorized representative.** I have enclosed with this letter a copy of the "Cost Pre-Approval Request" form; please use this form in the future to request pre-approval of corrective action costs. If an authorized representative signs the pre-approval request form, then an authorized representative form must be on file for this claim or submitted with your request.
- A complete and signed copy of the proposed investigative work plan, corrective action plan, or other work plan, including copies of all work plan addenda.**
- A signed copy of the appropriate lead regulatory oversight agency approval letter for the proposed plan and all addenda.**

California Environmental Protection Agency



- A complete copy of the Request for Bids (RFB) and a list of all firms invited to bid.** It is strongly recommended that the RFB include a "fill-in-the-blanks" Bid Form identifying all major tasks of the proposed work along with the following minimum cost breakdown items for each task:
 - ◆ List of all staff/worker classifications and hourly rates of each to be utilized.
 - ◆ The number of hours to be utilized by each staff/worker
 - ◆ Subcontractor costs
 - ◆ Equipment costs
 - ◆ Itemized listing of estimated ancillary/incidental costs

- Complete copies of all bids and other correspondence received in response to the RFB.** All cost proposals should include the *completed* cost proposal breakdown, with task subtotals and a grand total cost for the entire scope of work.

If you need assistance in procuring contractor and consultant services or if you have any questions, don't hesitate to call me. I can be reached at (916) 341-5757.

Sincerely,

Sunil Ramdass

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

Enclosure

cc: Ms. Susan Hugo
Alameda County EHD
1131 Harbor Bay Pkway, 2nd Fl.
Alameda, CA 94502-6577



September 4, 2001

5544

3164 Gold Camp Drive
Suite 200
Rancho Cordova, California 95670-6021
916/638-2085
FAX: 916/638-8385

Mr. Barney Chan
Alameda County Health Care Services Agency
Environmental Health Department
1131 Harbor Bay Parkway, 2nd Floor
Alameda, CA 94502

SEP 07 2001

Subject: *Response to Letter of August 9, 2001*
Former Chevron Station #20-6145
800 Center Street
Oakland, CA
Delta Project No. DG26145C.4C03

Mr. Chan:

Thank you for your letter of August 9, 2001, approving the proposed excavation of hydrocarbon-impacted soil at the subject site. We are currently in the process of obtaining Cleanup Fund pre-approval, and will notify you when approval has been granted and we are ready to implement the proposed scope of work.

Your letter requested copies of the Regensis spreadsheets that were used to estimate the amount of ORC required. These are attached. Please note that for ease of calculation the excavation was subdivided into two portions, thus the two separate spreadsheets. The Regensis software indicated that 812 pounds of ORC were required for this project.

Please call me at 916.631.1300 if you have questions.

Sincerely,
DELTA ENVIRONMENTAL CONSULTANTS, INC.
Network Associate GETTLER-RYAN INC.

Stephen J. Carter, R.G.
Senior Geologist

Attachments: ORC spreadsheets (2)

- c: Mr. Hollis Rodgers, c/o Victor Brown, 580 Grand Avenue, Oakland, CA 94610
- Mr. Tom Bauhs, Chevron Products Company, P.O. Box 6004, San Ramon, CA 94583
- Mr. Terrell Sadler, 618 Brooklyn Avenue, Oakland, CA 94606
- Mr. Jim Brownell, Delta Environmental Consultants, Inc., 3164 Gold Camp Drive, Suite 200, Rancho Cordova, CA 95670-6021

TANK EXCAVATION - GROUNDWATER TREATMENT

Excavation Length (ft)
 Excavation Width (ft)
 Thickness of Saturated Treatment Zone (ft)
 Porosity
(sand = 0.3, silt = 0.35, clay = 0.4)
 Pore Volume (gallons)

FOR SOLUTE TRANSPORT MODEL ENTER VALUES BELOW

GW Velocity (ft / day)
 Compliance Pt. (ft)
 Ratio of O2 provided : O2 required (percent)
 HC Level at compliance point
 after selected ratio of O2 in ppm

Dissolved Phase Hydrocarbon Level (ppm)
(For gasoline sites use BTEX measurements)
 Dissolved Phase HC Mass (lbs)
 Additional Demand Factor
(REGENESIS recommends a factor of about 8)
 Loaded HC Mass (lbs)
 Oxygen Required (lbs)
 ORC Required (lbs)
 ORC Unit Cost
 Total Cost of ORC

680 lbs
 216 lbs

 816 lbs ORC

TANK EXCAVATION - GROUNDWATER TREATMENT

Excavation Length (ft)	70	Dissolved Phase Hydrocarbon Level (ppm)	11.4
Excavation Width (ft)	25	<i>(For gasoline sites use BTEX measurements)</i>	
Thickness of Saturated Treatment Zone (ft)	5	Dissolved Phase HC Mass (lbs)	2.5
Porosity	0.4	Additional Demand Factor	8
<i>(sand = 0.3, silt = 0.35, clay = 0.4)</i>		<i>(REGENESIS recommends a factor of about 8)</i>	
Pore Volume (gallons)	26,166	Loaded HC Mass (lbs)	20
		Oxygen Required (lbs)	60.0
		ORC Required (lbs)	600
		ORC Unit Cost	\$ 10.00
		Total Cost of ORC	\$ 6,000
 FOR SOLUTE TRANSPORT MODEL ENTER VALUES BELOW			
GW Velocity (ft / day)	0.3		
Compliance Pt. (ft)	50		
Ratio of O2 provided : O2 required (percent)	75%		
HC Level at compliance point after selected ratio of O2 in ppm	1.324		

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

August 9, 2001
StID 5544/RO0000454

Mr. Tom Bauhs
Chevron Products Company
P.O. Box 6004
San Ramon, CA 94583

Re: Work Plan to Excavate Impacted Soil at 800 Center St., Oakland CA 94607

Dear Mr. Bauhs:

Our office has received and reviewed the July 20, 2001 referenced work plan for this site in addition to the August 6, 2001 Addendum to the work plan. The addendum incorporates responses and clarification to the original work plan as discussed with Mr. Stephen Carter of Delta Environmental Consultants. In summary, the following items were discussed and resolved:

1. Instead of closing well MW-1, it will be abandoned by excavating to a depth of 16.5', below the current bottom of the casing.
2. The geoprobe borings will serve several purposes; to determine the lateral extent of contamination and excavation, to characterize what levels will be left in-place along Center Street and to characterize the spoils for the landfill disposal.
3. Additional waste oil type parameters will be added to the original list of analytes that will be tested in the soil samples taken from beneath the sump area.
4. ORC, oxygen releasing compound, will be added to the main excavation area to enhance natural bio-degradation. Please provide a copy of the Regenesis spread sheet used to determine the amount of ORC that will be added.
5. Although no specific requirements exist for the number of confirmation samples needed after excavation, the proposed one sample from 5' and 10' bgs per every 20 linear feet is acceptable.

The work plan is acceptable. Please notify our office prior to initiating this work. I may be reached at (510) 567-6765 if you have any questions.

Sincerely,

Barney M. Chan
Hazardous Materials Specialist

✓ C: B. Chan, files

Mr. T. Sadler, 618 Brooklyn Ave., Oakland CA 94606

Mr. Hollis Rodgers, c/o Victor Brown, 580 Grand Ave., Oakland CA 94610

Excwpap800Center



GETTLER-RYAN INC.

5544

July 6, 2001

JUL 10 2001

Mr. Barney Chan
Alameda County Health Care Services Agency
1131 Harbor Bay Parkway, Suite 250
Alameda, CA 94502-6577

Subject: Response to ACHCSA letter of June 7, 2001, for Former Chevron Station #20-6145, 800 Center Street, Oakland, CA.

Mr. Chan:

Delta Environmental Consultants, Inc. network Associate Gettler-Ryan Inc. (GR) prepared this response to your letter of June 7, 2001, at the request of Chevron Products Company. Your letter was written in response to GR's *Work Plan for Monitoring Well Installation* (dated May 25, 2001), which proposed installation of one off-site groundwater monitoring well to define the downgradient extent of the dissolved hydrocarbon plume. As requested in your letter, any MTBE detected by EPA Method 8020 in soil or groundwater samples will be confirmed by EPA Method 8260.

Your letter also requested additional information regarding the recent removal of the UST and hydraulic lift at the site. Soil generated during removal activities was placed back into the excavations as a temporary safety measure. Disposal confirmation samples were not collected. Chevron plans to excavate impacted soil in the vicinity of the former USTs, dispenser island, and hydraulic lift later this summer. Soil from the UST removal activities will be removed at that time. A Work Plan for these excavation activities will be submitted by July 20, 2001.

Regarding the drum and hydraulic lift, these appeared to be in good condition. Neither the drum or the hydraulic lift appeared to be overly corroded, and no holes were observed in either. As requested, a copy of the Oakland Fire Department Underground Storage Tank Closure/Removal Field Inspection Report is attached.

Please call Hagop Kevork at 925.551.7555 if you have questions regarding UST removal activities, or Steve Carter at 916.631.1300 if you have questions regarding other aspects of the site investigation or remediation activities.

Sincerely,

Gettler-Ryan Inc.

Hagop Kevork
Civil Engineer

Attachment: Oakland Fire Department Field Inspection Report

DG26145C.4C02

Response to ACHCSA letter of June 7, 2001 - Former Chevron Station #20-6145, Oakland, CA
July 6, 2001

cc: Mr. Tom Bauhs, Chevron Products Company, P.O. Box 6004, San Ramon, CA 94583
Mr. Jim Brownell, Delta Environmental Consultants, Inc., 3164 Gold Camp Drive, Suite 200,
Rancho Cordova, CA 95670
Mr. Terrell Sadler, 618 Brooklyn Avenue, Oakland, CA 94606
Mr. Hollis Rodgers, c/o Victor Brown, 580 Grand Avenue, CA 94610
Ms. Sandi Nichols, Washburn Briscoe & McCarthy, 55 Francisco Street, Suite 600,
San Francisco, CA 94133

L A W Y E R S

WASHBURN
BRISCOE &
MCCARTHY

A Professional Corporation

JUN 18 2001

June 14, 2001

Rw 454

Mr. Barney M. Chan
Hazardous Materials Specialist
Alameda County Health Care Services
Environmental Health Services
Environmental Protection
1131 Harbor Bay Parkway, Suite 250
Alameda, California 94502-6577

Re: 800 Center Street, Oakland, California

Dear Mr. Chan:

This is to request that you remove my firm from the service list as we no longer have a client associated with the site or project.

If you have any questions regarding this request, please do not hesitate to contact me. Thank you very much.

Very truly yours,



Sandi L. Nichols

SLN:gsb

88428 V01

ALAMEDA COUNTY
HEALTH CARE SERVICES



AGENCY

DAVID J. KEARS, Agency Director

June 7, 2001

Re: [REDACTED]

Mr. Terrell Sadler
618 Brooklyn Ave.
Oakland CA 94606

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

**Re: Work Plan for Off-site Monitoring Well Installation at 800 Center St.,
Oakland CA 94607**

Dear Mr. Sadler:

Our office has received and reviewed the **May 25, 2001 Work Plan for Monitoring Well Installation** prepared by Delta Environmental Consultants, Inc. (Delta). This is one of the recommendations made and concurred with in Delta's June 30, 2000 letter report *Summary of Site Conditions*. This well is proposed for installation on the southwest corner of the Center St./8th St. intersection. This work plan is approved with the condition that any MTBE detected in soil or groundwater by EPA Method 8020 be confirmed by EPA Method 8260.

Our office has also received and reviewed the May 21, 2001 soil sampling results from the recent April 12, 2001 tank removals at this site. I have the following comments and requests regarding these tank removals:

- What happened to the excavated soils generated during the removal?
- Please provide our office with a copy of the City of Oakland's tank removal inspection report.
- What observations were noticed during the removal of the hydraulic lift and 55 gallon steel drum?

Please provide the requested report and comment to the questions. Please notify our office prior to the installation of the off-site well. You may contact me at (510) 567-6765.

Sincerely,

Barney M. Chan
Hazardous Materials Specialist

C. B. Chan, files

Mr. T. Bauhs, Chevron USA Inc., P.O. Box 5004, San Ramon, CA 94583-0804

Mr. S. Carter, Delta Environmental Consultant, 3164 Gold Camp Dr., Suite 200, Rancho Cordova, CA 95670-6021

Mr. Hollis Rodgers, c/o Victor Brown, 580 Grand Ave., Oakland CA 94610

Ms. Sandi Nichols, Washburn Briscoe & McCarthy, 55 Francisco St., Suite 600, San Francisco CA 94133

Mr. S. Craford, City of Oakland Fire Services, 1650 Martin Luther King, Oakland, CA 94612

MWwpap800CenterSt

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

May 17, 2001
RO0000454

Mr. Terrell Sadler
618 Brooklyn Ave.
Oakland CA 94606

Re: Status of Subsurface Investigation at 800 Center St., Oakland CA 94607

Dear Mr. Sadler:

Our office has recently reviewed the referenced site in an attempt to determine site status and reply to the State Water Resources Control Board Underground Tank Cleanup Fund's inquiry of site compliance. Upon review of the files, it appears that the most recent correspondence from our office was the August 1, 2000 letter from Mr. Larry Seto, which commented on the recommendations in Delta's June 30, 2000 letter report *Summary of Site Conditions*. It appears, however, that these recommendations have not been met. I have discussed these items with Mr. Stephen Carter of Delta and we have come to the following conclusions and resolutions:

- Quarterly groundwater monitoring is scheduled at the site. It appears that a monitoring event occurred in December 2000 and possibly a recent sampling in 2001. Mr. Carter was going to check to see if these monitoring reports have been sent to our office. Hopefully, the other oxygenates besides MTBE, were analyzed by EPA Method 8260 as recommended. **Please confirm the submittal of these two monitoring reports and continue quarterly monitoring.**
- **A work plan for the installation of one off-site well down-gradient of the dispenser island is being prepared by Delta and should be sent to our office for approval as soon as possible.** Mr. Carter confirmed that the work plan submittal was imminent.
- The approved sensitive receptor survey, which includes wells and subsurface utilities has been performed by Delta. Mr. Carter proposes to include this information along with the upcoming monitoring well installation report. This is acceptable.
- The two discovered underground tanks, 1-1000 gallon gasoline and 1-550 gallon waste oil, were removed in April of this year. Please submit a copy of the underground tank removal reports to our office as soon as available.
- Mr. Carter stated that he is working on a work plan to perform extensive excavation of the contaminated soils. This would be done instead of the previously proposed remediation, air sparging. This is tentatively scheduled for August 2001 when groundwater levels are low and more of the contaminated soil can be removed. Mr. Carter stated that the work plan could be submitted in approximately one month. **Therefore, please submit the excavation work plan to our office by June 21, 2001.**

Our office will require that the monitoring reports and the off-site well work plan be submitted prior to confirming site compliance with the SWRCB Cleanup Fund.

Mr. Terrell Sadler
RO0000454
800 Center St.,Oakland 94607
May 17, 2001
Page 2

You may contact me at (510) 567-6765 if you have any questions.

Sincerely,



Barney M. Chan
Hazardous Materials Specialist

C: B. Chan, files

Mr. T. Bauhs, Chevron USA Inc., P.O. Box 5004, San Ramon, CA 94583-0804

Mr. S. Carter, Delta Environmental Consultants, 3164 Gold Camp Dr., Suite 200,
Rancho Cordova, CA 95670-6021

Mr. Hollis Rodgers, c/o Victor Brown, 580 Grand Ave., Oakland CA 94610

Ms. Sandi Nichols, Washburn Briscoe & McCarthy, 55 Francisco St., Suite 600,
San Francisco, CA 94133

S. Craford, City of Oakland Fire Services, 1650 Martin Luther King, Oakland 94612

Ms. S. Knieriem, SWRCB Cleanup Fund, 1001 I St., 17th Floor, Sacramento, CA
95814-2828

800CenterSt

5/16/01 Conversation w/ S Carter/Delta
• 800 Center Street

1) Quarterly monitoring:

What mon schedule, what was last
time monitored Quarterly

12/00 mon event dated 2/13/01

expect another one

GR samples wells

2) ~~was~~ plans to install OG well.
will go out soon (immediately)

3) Receptor survey - done, no report yet.
include well installation report 4/12/01

4) 2 tanks + drums removed ~ 1 mo.

ago. 1- 4000 gal gas

1- 550 gal waste oil tank

Tags on tanks did not match up w/ a Chevron
product (Signal)

• excavation work plan expect soon ^{~1 mo.}

(August 01) in place of biospaze wp.

excavation: estimated volume 1000 yd

exc. down to 12' (began in August ~~01~~)



Alameda County
District Attorney's Office
Thomas J. Orloff, District Attorney

5594

March 8, 2001

MAR 13 2001

Larry Seto
Alameda County Environmental Health Services
1131 Harbor Bay Parkway, Suite 250
Alameda, CA 94502

RE: Enforcement Action: 800 Center Street, Oakland California

Dear Mr. Seto:

As you know, this Office is considering taking an enforcement action seeking injunctive relief and civil penalties for failure to close and remove certain underground storage tanks located at 800 Center Street. We have identified Mr. and Mrs. Terrell Sadler, Mr. Hollis Rodgers, Wells Fargo Bank and Chevron as potential defendants (hereinafter referred to as "parties") in such an action. We have determined that we will not file an enforcement action if the tanks are lawfully removed and lawfully disposed of by June 15, 2001.

It is our understanding that Mr. and Mrs. Sadler, Chevron, and Wells Fargo have agreed to cooperate in having the tanks removed. More specifically, Chevron will contribute \$2,500.00 towards the cost of this removal, will sample the bottom of the pit to determine if there is any contamination, and will continue to conduct remediation of the soil and groundwater conditions on site under the supervision of Alameda County Environmental Health. Wells Fargo will contribute up to \$4,000.00 towards the cost of the removal. Mr. Sadler will hire a licensed contractor who will remove and dispose of the tanks under the supervision of the City of Oakland. He has also agreed to pay the balance of the costs for the removal after applying the combined \$6,500.00 contribution of Wells Fargo and Chevron.

Obviously, if the tanks are lawfully excavated and disposed of, there would be no need to file an action requiring their removal. Accordingly, upon receipt of proof that each participant has performed as indicated, we will issue a letter to each defendant indicating our decision not to file an enforcement action involving the removal of the underground storage tanks.

We leave it to Chevron, the Sadlers, and Wells Fargo to work out the details of effecting and financing the tank removal. Chevron, through Mr. Robbins, has indicated it is willing to pay Mr. Sadler the \$2,500.00 directly. Mr. Sadler has indicated that he has selected a contractor who is in

communication with Mr. Craford at the City of Oakland, and that upon receipt of the \$2,500.00, he will be able to make a down payment to the contractor who will then begin the work. Mr. Sadler says that the contractor will present a bill for the balance upon completion of the work. Through Ms. Hendon, Wells Fargo has indicated that it will not pay Mr. Sadler directly, but that it will make direct payments to the contractor upon receipt of invoices and supporting documentation regarding the performance of the contract. Ms. Hendon has indicated that these invoices may be mailed directly to her at the address indicated below.

We encourage any party dissatisfied with this procedure to contact the other parties and make other arrangements. Whatever procedure is followed, we ask that the parties provide us a written record of the progress of the tank removal project and of the contribution each party makes towards that project. We have every confidence that the tanks will be removed before June 15, 2001. If, however, the tanks have not been removed by the deadline, we will rely in part on this record of contribution to decide which parties, if any, we should file against.

We also have discussed the question of whether the site constitutes a public nuisance because of 1.) public safety issues relating to the security of the fences surrounding the site, and 2.) blight conditions caused by the deposit of trash or other debris unrelated to Chevron's ongoing remediation efforts. To prevent the site from becoming a public nuisance, Chevron has agreed to maintain the fences, and Mr. Sadler has agreed to remove trash or debris that is not associated with remediation. We would ask both Mr. Sadler and Chevron to continue to perform these duties as long as remediation continues.

Finally, we stress that we are expressly not considering corrective action for and remediation of soil and groundwater contamination. Liability for that issue has already been addressed in separate litigation by and among the parties. Although this Office was not a party to the prior litigation, we see no reason to revisit the issue at this time.

Very truly yours,

THOMAS J. ORLOFF
District Attorney

By:



Micheal O'Connor
Deputy District Attorney



Alameda County
District Attorney's Office
Thomas J. Orloff, District Attorney

November 20, 2000

VIA U.S. CERTIFIED MAIL:
RETURN RECEIPT #Z-185-616-944

Sandi L. Nichols, Esq.
Washburn Briscoe & McCarthy
55 Francisco Street, Suite 600
San Francisco, CA 94133

Re: 800 Center Street, Oakland

Dear Ms. Nichols:

My office has been asked to investigate conditions at 800 Center Street in Oakland, the site of a former Signal Station. After preliminary investigation, I am of the opinion that one or more violations of the Underground Storage of Hazardous Substances Act (Act) have taken place in connection with the site. As past owners of the property, First Interstate Bank and the L.B. Hoge Trust appear to be one of several responsible parties.

This office must decide whether or not to take formal enforcement action in connection with the property. Violations may result in the imposition of civil penalties amounting to between \$500 and \$5,000 per underground storage tank per day of violation. Violations for a single tank over a single month could result in penalties ranging from \$15,000 to \$150,000. Since there appears to be several tanks and several years worth of violations at the site, the potential liability is far higher in the instant case.

On November 17, 2000, representatives of this office, the City of Oakland, Chevron and Mr. Terrell Sadler met and preliminarily discussed the matter. It was agreed that all potentially responsible parties should have the opportunity to be heard at this meeting. We therefore agreed to meet again at this office at 2:00 p.m. on November 30th. Assuming that you represent First Interstate and the L.B. Hoge Trust, I invite and encourage you to attend this meeting.

Sandi L. Nichols, Esq.
November 20, 2000
Page 2

It is very possible that a consensus may be reached that would obviate the need for formal enforcement. Even if consensus is impossible, this office would prefer to hear from all parties before filing suit.

Please respond to the undersigned to confirm your attendance at this meeting.

Very truly yours,

THOMAS J. ORLOFF
DISTRICT ATTORNEY

By:



Micheal O'Connor
Deputy District Attorney

TJO:MOC:jcr

cc: Jon Robbins, Senior Counsel, Chevron
Terrell Sadler
Stephen Craford, City of Oakland, Fire Services Agency
Larry Seto, Alameda County Environmental Health



Alameda County
District Attorney's Office
Thomas J. Orloff, District Attorney

November 20, 2000

VIA U.S. CERTIFIED MAIL:
RETURN RECEIPT #Z-185-616-943

Hollis Rodgers
c/o Victor E. Brown
580 Grand Avenue
Oakland, CA 94610

Dear Mr. Rodgers:

My office has been asked to investigate conditions at 800 Center Street in Oakland, the site of a former Signal Station. After preliminary investigation, I am of the opinion that one or more violations of the Underground Storage of Hazardous Substances Act (Act) have taken place in connection with the site. You appear to be one of several responsible parties.

This office must decide whether or not to take formal enforcement action against you and certain other parties connected with the property. Violations may result in the imposition of civil penalties amounting to between \$500 and \$5,000 per underground storage tank per day of violation. Violations for a single tank over a single month could result in penalties ranging from \$15,000 to \$150,000. Since there appears to be several tanks and several years worth of violations at the site, the potential liability is far higher in the instant case.


On November 17, 2000, representatives of this office, the City of Oakland, Chevron and Mr. Terrell Sadler met and preliminarily discussed the matter. We have agreed to meet again at this office at 2:00 p.m. on November 30th. I invite and encourage you and/or your legal representative to attend this meeting. It would be unfortunate if your failure to present your side of the story led this office to conclude that you should be the target of a civil enforcement lawsuit.

Hollis Rodgers
November 20, 2000
Page 2

Please respond to the undersigned to confirm your attendance at this meeting.

Very truly yours,

THOMAS J. ORLOFF
DISTRICT ATTORNEY

By: 

Micheal O'Connor
Deputy District Attorney

TJO:MOC:jcr

cc: Jon Robbins, Senior Counsel, Chevron
Terrell Sadler
Stephen Craford, City of Oakland, Fire Services Agency
Larry Seto, Alameda County Environmental Health



Chevron

November 10, 2000

Chevron Products Company
6001 Bollinger Canyon Rd.
Building L
PO Box 6004
San Ramon, CA 94583-0904

VIA FACSIMILE 510-569-0505

Bette C. Owen
Property Specialist - Environmental
Phone 925 842-9614
Fax 925 842-8370

Thomas J. Orloff
Alameda County District Attorney
7677 Oakport Street, Suite 650
Oakland, CA 94621

Re: Former Signal Station, 800 Center Street, Oakland, CA

Dear Mr. Orloff:

I received your November 6th letter this date. Due to a conflict of scheduling on November 14th, we request that the meeting scheduled for November 14th be rescheduled at a time that would allow for representation from Chevron to be present.

The following dates are open for us: the morning of Nov. 15th, the afternoon of Nov. 16th, all day on the 17th. We are also available all day on Nov. 29th and 30th and Dec. 1st. Please let us know if any of these dates will also work for you.

Sincerely,

Bette C. Owen

cc: Tom Bauhs, office
Jon Robbins, Chevron Law Department
Terrell Sadler, 618 Brooklyn Avenue, Oakland, CA 94606
Hollis Rodgers, c/o Victor E. Brown, 580 Grand Ave., Oakland, CA 94610
Larry Seto, Alameda County Environmental Services, 1131 Harbor Bay Parkway, Suite 250
Alameda, CA 94502-6577
Steve Crawford, Hazardous Materials, Fire Services Agency, 1605 Martin Luther King Jr. Way
Oakland, CA 94612



Alameda County
District Attorney's Office
Thomas J. Orloff, District Attorney

November 6, 2000

Mr. Terrell A. Sadler
618 Brooklyn Avenue
Oakland, CA 94606

Re: Former Signal Station, 800 Center Street, Oakland, CA 94607

Dear Mr. Sadler:

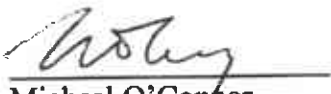
This office has recently learned of the underground storage tanks discovered at the above-mentioned property. It has also been brought to our attention that no plans have been made by any party to obtain a permit or properly close the underground storage tanks. The California Health and Safety Code imposes liability on past owner/operators as well as the current owner/operator of the underground storage tanks.

We have set aside **Tuesday, November 14, 2000 at 10:00 a.m.** in our office to meet with you, Bette Owen of Chevron and Hollis Rodgers to afford everyone the opportunity to explain why we should not bring enforcement actions against every responsible party.

Very truly yours,

THOMAS J. ORLOFF
District Attorney

By:


Micheal O'Connor
Deputy District Attorney

TJO:MOC:bal

cc: Stephen Craford
Hazardous Materials Inspector II
Fire Services Agency
1605 Martin Luther King Jr. Way
Oakland, CA 94612

Larry Seto
Alameda County Environmental Services
1131 Harbor Bay Parkway, Suite 250
Alameda, CA 94502-6577



Chevron

September 14, 2000

Chevron Products Company
6001 Bollinger Canyon Rd.
Building L
PO Box 6004
San Ramon, CA 94583-0904

Bette C. Owen
Property Specialist - Environmental
Phone 925 842-9614
Fax 925 842-8370

Mr. Terrell A. Sadler
618 Brooklyn Avenue
Oakland, CA 94606

Re: Former Signal Station, 800 Center Street, Oakland, California

Dear Mr. Sadler:

Chevron is in receipt of your August 28th letter and I am writing this response to your inquiry regarding Chevron's intentions regarding the Agreement Relating to Site Remediation. As you know, this Agreement pertains to addressing the motor fuel hydrocarbon contamination present in the soil and groundwater at the site. Paragraph 1 of this agreement states:

"Chevron agrees to assume the lead responsibility for the performance of such investigation, assessment, clean-up and remediation activities as shall be required to be performed regarding the Contamination present on the Property (hereinafter the "Activities"), by the Alameda county Department of Health or such other government agency with jurisdiction (hereinafter collectively referred to as "Agencies".) A written work plan regarding the performance of the required Activities shall be prepared by a consultant approved and employed jointly by Chevron and Rodgers. A copy of the work plan shall be provided to Sadlers. Except as otherwise provided in Paragraph 7 of the Settlement Agreement, Chevron and Rodgers' responsibilities related to the performance of the required Activities shall cease once the requirements of the work plan have been completed and a closure letter has been issued by the Agencies. As used herein, the term Contamination means motor fuel hydrocarbons, oil and grease, benzene, toluene, ethylbenzene and xylene."

In May of 1998, Chevron and Rodgers submitted a work plan that called for air sparging for enhanced biodegradation. Excavation and disposal would be used for the localized areas onsite with excessive concentrations of high boiling point hydrocarbons. At that time the service station facilities were still located on the property and you were requested to remove the facilities before the work plan could be implemented.

At some point, you had some of the facilities removed, but the concrete building pad and the pump island pad along with the hoist and the piping still remained. I called and spoke to your wife and stated

9/14/2000

Page 2

that these facilities still needed to be removed before we would begin the excavation. Phil Briggs, the Project Manager for Chevron, retired in August of 1999 and the new project manager replacing him was not aware that we were waiting for the removal of these facilities. Gettler Ryan was hired in September of 1999 to begin the excavation of the hot spots and during their work, two underground storage tanks and a 55-gallon drum were discovered. The product tank located adjacent to the street still had gasoline in the tank, which Chevron had removed. I telephoned your wife and told her that it was the owner's responsibility to have these tanks removed. I did offer to have Chevron continue with the work if you would be willing to enter into an agreement to reimburse Chevron for the cost of removing the tanks, the product in the tanks, the drum, the hoist, the piping, the concrete and any other facilities that might still be on the property. At that time, we were told "No". The possibility exists that there could be other tanks on the property that have not as yet been identified.

Steve Crawford, the Oakland Fire Marshall, has recently called to inquire about the removal of the tanks. Chevron's position was explained to him. At no time did Signal (predecessor of Chevron) own the tanks, they were leased along with the other service station facilities from 1947 to 1965. Prior to that time, another party(ies) leased the station from 1930 to 1947. Hollis Rodgers purchased the land and facilities in 1965 and ran the station until 1970 when the former owner took back the property. The former owner was a trust and a bank was the trustee. The bank removed some of the tanks in 1973. When you purchased the site in 1979, you purchased all of the facilities that were then on the property, so you are considered an owner of the tanks. In California, it is the tank owner's responsibility to comply with the Fire Marshall's directives regarding tank removal. When I spoke to Mr. Crawford, I stated that Chevron would be willing to meet with him and with you along with each of our respective attorneys in order to try to resolve this issue. We are still willing to do so. Please note the definition of Contamination in the Agreement. Removal of facilities is not included in the Agreement. Also the term Agencies in the agreement refers to those having jurisdiction over the Contamination, which are the Alameda County Health Department and the Regional Water Quality Control Board. The Fire Department has jurisdiction over the tanks.

Chevron and Rodgers are continuing to monitor the site and are in compliance with regard to the contamination issue and can continue to remediate the site without removing the tanks, however, it would take a longer period of time to do so. A work plan for additional investigation is currently being prepared by our consultant.

Please let us know of your plans. If you wish to have a meeting, give us some dates that you would be available.

Sincerely,



Bette C. Owen

9/14/2000

Page 3

cc: Mr. Hollis Rodgers, c/o Victor E. Brown, 580 Grand Ave., Oakland, CA 94610
Ms. Sandi L Nichols, Washburn Briscoe & McCarthy, 55 Francisco Street, Suite 600
San Francisco, CA 94133

Mr. Larry Seto, Alameda County Environmental Services, 1131 Harbor Bay Parkway, Suite 250
Alameda, CA 94502-6577
Steve Crawford, Oakland Fire Department, Hazardous Materials, 1650 Martin Luther King,
Oakland, CA 94612
Tom Bauhs - office
Jon Robbins - office

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

September 13, 2000

Mr. Tom Bauhs
Chevron USA Inc.
PO Box 5004
San Ramon, CA 94583-0804
STID 5544

RE: Former Signal Station, 800 Center Street, Oakland, CA 94607

Dear Mr. Bauhs:

Enclosed is a copy of my letter dated August 1, 2000 as per your phone request. The request for a workplan is in item #2.

If you have any questions, please contact me at (510) 567-6774.

Sincerely,



Larry Seto
Sr. Hazardous Materials Specialist

Enclosure(1) – Letter dated August 1, 2000 from Alameda County

Cc: Files

August 28, 2000

Terrell A. Sadler
618 Brooklyn Avenue
Oakland, CA 94606

ENVIRONMENTAL
PROTECTION
00 AUG 29 PM 4:21

Tom Bauhs
Chevron USA Inc.
P.O. Box 5004
San Ramon, CA 94583-0804

Dear Mr. Bauhs,

SUBJECT: Breach of Contract
Former Signal Station, 800 Center Street, Oakland, CA 94607

We entered into an agreement that Chevron USA and Hollis Rodgers, the previous owner, would clean and take corrective actions to the site located at 800 Center Street, Oakland, California, County of Alameda, of hazardous materials. Chevron tested the soil and monitored the hazardous materials, but no remediation of hazardous materials has started. This is in direct contradiction of the agreement that you approved and signed on May 1, 1996. In addition to this agreement, an application to the State of California Superfund was in place to help alleviate the expense of remediation.

In California, the law is clear that landlords who do not actively participate in the conduct creating a nuisance, such as the discharge of hazardous contaminants, are not liable for a nuisance created by previous owners and operators of the site. It is also clear that Mr. Hollis Rodgers owned and operated the tank system and other service station equipment and it is also clear in the settlement agreement that Mr. Rodgers with the assistance of Chevron, will keep the property in compliance with all regulations and requirement imposed by agencies during the performance of the activities.


The very long delay by Chevron in addressing this legal matter has not only been a hardship, but a continuing nuisance. This lack of attention forces me to pursue all avenues to have this site cleaned of hazardous materials, including making this information public, reimbursement for any actions placed upon me, loss of income, and other expenses. Please respond within 10 business days on your intentions of keeping this agreement.

Sincerely,

Terrell A. Sadler JS

cc: Mr. Hollis Rodgers
c/o Victor E. Brown, Esq.
580 Grand Avenue, Oakland, CA 94610

Ms. Sandra Canepa-Swan, Mr. Michael J. Canepa, Ms. Cynthia C. Burdick
c/o Ms. Sandi L. Nichols, Washburn Briscoe & McCarthy
55 Francisco Street, Suite 600, San Francisco, CA 94133


Alameda County Environmental Services, Environmental Protection
1131 Harbor Bay Parkway, Suite 250, 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

August 28, 2000

Mr. Tom Bauhs
Chevron U.S.A.
P.O. Box 6004
San Ramon, CA 94583-0904

RE: Former Chevron, 800 Center Street, Oakland, CA 94607

Dear Mr. Bauhs:

I went to the site on August 24, 2000, and noticed a 1,000 gallon underground storage tank was still in the ground. I could not see from the sidewalk whether the 500 gallon waste oil tank was still on-site. What is the timeline for removing/closing these tanks? As a reminder, a permit from the City of Oakland Fire Department is required before the tanks can be removed.

A letter dated August 1, 2000 was sent to you requesting a workplan for delineate the extent of the plume at the above address. As of this date, I have not received. Please contact this office within five (5) days of the receipt of this letter and inform me your timeline for submitting this workplan.

If you have any questions, please contact me at (510) 567-6774.

Sincerely,



Larry Beto
Sr. Hazardous Materials Specialist

Cc: Leroy Griffin, City of Oakland Fire Services, 1605 Martin Luther King,
Oakland, CA 94612
Terrell A. Sadler, Property Owner, 618 Brooklyn Avenue, Oakland, CA 94606
Files

August 24, 2000

Terrell A. Sadler
618 Brooklyn Avenue
Oakland, CA 94606

Brett Hunter
Chevron U.S.A. Products Company
P.O. Box 6004
San Ramon, CA 94583-0904

Dear Mr. Hunter,

SUBJECT: Breach of Contract

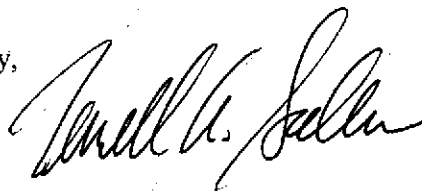
We entered into an agreement that Chevron U.S.A and Hollis Rodgers, the previous owner would clean and take corrective actions to the site located at 800 Center Street, Oakland, California, County of Alameda, of hazardous materials. Chevron tested the soil and monitored the hazardous materials, but no remediation of hazardous materials has started. This is in direct contradiction of the agreement that you approved and signed on May 1, 1996. In addition to this agreement, an application to the State of California Superfund was in place to help alleviate the expense of remediation.

In California, the law is clear that landlords who do not actively participate in the conduct creating a nuisance, such as the discharge of hazardous contaminants, are not liable for a nuisance created by previous owners and operators of said site. It is also clear that Mr. Hollis Rodgers owned and operated the tank system and other service station equipment and it is also clear in the settlement agreement that Mr. Rodgers with the assistance of Chevron, will keep the property in compliance with all regulations and requirement imposed by agencies during the performance of the activities.

The effort of clean-up has taken a very long period of time and still incomplete. This has prevented development of any kind on this property. I regret that my plans, and those who have supported me in developing this property in addition to the City of Oakland's two surrounding vacant property sites adjacent to 800 Center Street never materialized for me, the neighborhood, and the good people of West Oakland.

Please let me know when you will begin work. The very long delay by Chevron in addressing this legal matter has not only been a hardship, but a continuing nuisance. This lack of attention forces me to pursue all avenues to have this site cleaned of hazardous materials, including making this information available for public record, reimbursement for any actions placed upon me, loss of income, and other expenses.

Sincerely,



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

August 1, 2000

Mr. Tom Bauhs
Chevron USA Inc.
PO Box 5004
San Ramon, CA 94583-0804
STID 5544

RE: Former Signal Station, 800 Center Street, Oakland, CA 94607

Dear Mr. Bauhs:

I have reviewed the Summary of Site Conditions report dated June 30, 2000 that was prepared by Delta Environmental Consultants, Inc. At the end of this report, five recommendations were made by Delta Environmental. Listed below are my response to each recommendation.

- 1) Analysis for oxygenates (MTBE, DIPE, ETBE, ethanol, TBA) 1,2-dichloroethane (1,2DCA) and ethylene dibromide (EDB) may be discontinued in monitoring wells MW-2, MW-4, MW-5, MW-6 and MW-7 if they are not detected using EPA Method 8260 in the next quarterly sampling event.

Monitoring wells MW-1 and MW-3 has historically had detectable amounts of MTBE during certain monitoring events. In the next quarterly sampling, if oxygenates (same as #1 above) are not detected in MW-1 and MW-3 using EPA Method 8020 there is no need to confirm with EPA Method 8260. Sampling of groundwater from these two wells should continue ~~until~~ oxygenates are detected using EPA Method 8020, then the results should be confirmed using EPA Method 8260.

- 2) In addition to the possibility of oxygenates impacting the groundwater beneath the site, groundwater samples from monitoring well MW-3 has historically high levels of benzene. Additional monitoring well(s) should be installed downgradient to delineate the plume. Please submit a workplan to perform this work.
- 3) Okay

Mr. Tom Bauhs
Chevron USA Inc.
PO Box 5004
San Ramon, CA 94583-0804
August 1, 2000
Page 2 of 2

- 4) Okay, the City of Oakland would issue you the permit to remove the underground tanks. This office will continue overseeing the subsurface investigation and remediation.
- 5) Okay

Delta Environmental stated in their report, "Based on observations from the most recent site activities, it appears that this system (biosparge air injection) was never installed." Are there any immediate plans to install this system? If not, why not?

If you have any questions, please contact me at (510) 567-6774.

Sincerely,



Larry Seto
Sr. Hazardous Materials Specialist

CC: Terrell & Oliana Sadler, Property Owners, 618 Brooklyn Avenue, Oakland, CA
Leroy Griffin, City of Oakland Fire Services, 1605 Martin Luther King,
Oakland, CA 94612

Files

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



June 12, 2000

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

Mr. Tom Bauhs
Chevron USA
PO Box 6004
San Ramon, CA 94583-9004
STID 5544

RE: Former Signal Station, 800 Center Street, Oakland, CA 94607

Dear Mr. Bauhs:

I have received a letter from Mr. Stephen Carter with Gettler-Ryan requesting a deadline extension for the Status Report for the above site. A request was made to submit this report by June 30, 2000. This is acceptable.

If you have any questions, please contact me at (510) 567-6774.

Sincerely,



Larry Seto
Sr. Hazardous Materials Specialist

Cc: Stephen Carter, Gettler-Ryan, 6747 Sierra Court, Suite J, Dublin, CA 94568
Jim Brownell, Delta Environmental Consultants, 3164 Gold Camp Drive,
Suite 200, Rancho Cordova, CA 95670

Files



GETTLER-RYAN INC.

ENVIRONMENTAL
PROTECTION

00 JUN 8 AM 8:51

June 6, 2000

Mr. Larry Seto
Alameda County Environmental Health Services
1131 Harbor Bay Parkway, Suite 250
Alameda, CA 94502-6577

Subject: Deadline Extension for Status Report for former Signal Oil Station (Chevron #20-6145), 800 Center Street, Oakland, CA.

Mr. Seto:

Thank you for returning my telephone call regarding your letter of May 22, 2000 to Chevron about a status report for the subject site. As we discussed, the consultant that proposed and designed the biosparge system is no longer working for Chevron at this site. Gettler-Ryan Inc. (GR) has not had a chance to obtain and review the files for this site since receiving the request from Chevron on May 31, 2000, to respond to your letter. We therefore request an extension until June 30, 2000, to get the files, review the contents, and prepare a status of site conditions.

Chevron has recently re-assigned oversight of this site within their Site Remediation and Assessment group. The new Chevron Project Manager is Mr. Tom Bauhs (925.842.8898). In addition, Chevron is also redistributing site assignments among its consultants. This project has been assigned to Delta Environmental Consultants, Inc. Mr. Jim Brownell (916.638.2765) will oversee the project for Delta. GR will be working with Delta on this project. If you have questions, please feel free to discuss the site with either Gettler-Ryan (916.631.1300) or Delta.

Sincerely,
Gettler-Ryan Inc.

Stephen J. Carter, R.G.
Senior Geologist

cc: Mr. Tom Bauhs, Chevron Products Company, P.O. Box 6004, San Ramon, CA 94583
Mr. Jim Brownell, Delta Environmental Consultants, Inc., 3164 Gold Camp Drive, Suite 200, Rancho Cordova, CA 95670

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

May 22, 2000

Mr. Brett Hunter
Chevron USA
PO Box 6004
San Ramon, CA 94583-9004
STID 5544

Tom Banks - new contact

NOTICE OF LEGAL OBLIGATION

RE: Former Signal Station, 800 Center Street, Oakland, CA 94607

Dear Mr. Hunter:

A letter from this office dated April 19, 2000 requested a status report on the air injection biosparge system at the above site. A letter dated November 17, 1998 approved this system. As of this date, this office has not received the status report. Please submit this report within 15 days of this letter.

If you have any questions, please contact me at (510) 567-6774.

Sincerely,


Larry Seto
Sr. Hazardous Materials Specialist

Cc: Jim Scott, BPH Inc., 333 Hegenberger Road, Suite 209, Oakland, CA 94621
Terrrell A. Sadler, 618 Brooklyn Avenue, Oakland, CA 94606
James Perkins, Pacific Environmental Group, 2025 Gateway Place, Suite 440,
San Jose, CA 95110-1006

Files

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

April 19, 2000

Mr. Brett Hunter
Chevron U.S.A.
P.O. Box 6004
San Ramon, CA 94583-0904
STID 5544

RE: Former Signal Station, 800 Center Street, Oakland, CA

Dear Mr. Hunter:

On November 17, 1998, this office approved a workplan to remediate the site using an air injection biosparge system. As of this date, a status report has not been forwarded to this office. Please submit this report within 15 days of the receipt of this letter.

If you have any questions, please contact me at (510) 567-6774.

Sincerely,



Larry Seto
Sr. Hazardous Materials Specialist

Cc: Jim Scott, BPH Inc. 333 Hegenberger Road, Suite 209, Oakland, CA 94621
Terrell A. Sadler, 618 Brooklyn Avenue, Oakland, CA 94606
James Perkins, Pacific Environmental Group, 2025 Gateway Place, Suite 440,
San Jose, CA 95110-1006

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ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



December 14, 1999

ENVIRONMENTAL HEALTH SERVICES
ENVIRONMENTAL PROTECTION
1131 Harbor Bay Parkway
Alameda, CA 94502-6577
(510) 567-6700
(510) 337-9432

Mr. Brett Hunter
Chevron U.S.A.
P.O. Box 6004
San Ramon, CA 94583-0904

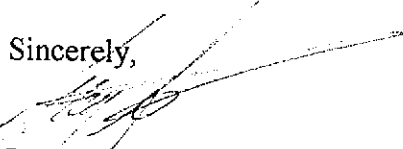
RE: Groundwater Monitoring Reports

Dear Mr. Hunter:

This letter is to confirm our telephone conversation today that future groundwater monitoring reports will include Chevron's interpretation (summary) of the data. In addition, if Chevron feels additional subsurface investigation is warranted, it should also be mentioned.

If you have any questions, please contact me at (510) 567-6774.

Sincerely,



Larry Seto
Sr. Hazardous Materials Specialist

Cc: Files

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

November 17, 1998

Mr. Phil Briggs
Chevron Products Company
6001 Bollinger Canyon Road
P.O. Box 6004
San Ramon, CA 94583-0904

RE: Former Signal Station, 800 Center Street, Oakland, CA

Dear Mr. Briggs:

Madhulla Logan and I have reviewed the response from Pacific Environmental Group for the questions we had for their workplan dated May 7, 1998 for the above site. This workplan is acceptable.

If you have any questions, please contact me at (510) 567-6774.

Sincerely,




Larry Seto
Sr. Hazardous Materials Specialist

Cc: Jim Scott, BPH Inc., 333 Hegenberger Road, Suite 209, Oakland, CA 94621
Mr. Terrell A. Sadler, 618 Brooklyn Ave., Oakland, CA 94606
James, Perkins, Pacific Environmental Group, 2025 Gateway Place, Suite 440,
San Jose, CA 95110-1006

Files



PACIFIC
ENVIRONMENTAL
GROUP, INC.

AN  COMPANY

ENVIRONMENTAL
PROTECTION

98 NOV -6 PM 3: 17

November 3, 1998

Mr. Larry Seto
Sr. Hazardous Materials Specialist
Alameda County Environmental Health Services
1131 Harbor Bay Parkway, Suite 250
Alameda, California 94502-6577

Subject: Former Signal Station
800 Center Street
Oakland, California

Mr. Seto,

As per your request, we are providing additional information on planned remediation activities at the former Signal Station. In your July 14, 1998 letter you requested the following additional information:

1. What criteria were used for choosing the ten locations for injection points?
2. What is the flow rate of the biosparge system, And will it cover the radius of the plume for effective remediation?
3. What is the bacterial count in the soil to be remediated? For biosparging to be effective, the minimum heterogenic plate count should be 10^3 Cfu/g or greater.
4. How is the effectiveness of the system going to be evaluated?
5. How often will monitoring be conducted? Note: The system should be shut off for at least a week each time before monitoring.

Our response to the aforementioned items is described below.

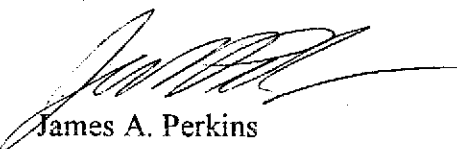
1. The distribution of hydrocarbon in soil and groundwater were the criteria used to select the locations of the injection points. Soil samples collected from borings indicate that silty/clayey sand is the dominant soil type at the site. On the basis of soil type, we estimate subsurface materials have a permeability of about 10^{-4} cm/s. A well spacing of approximately 25-foot centers will allow sufficient airflow to saturate the subsurface with O_2 .
2. The onsite area of impacted soil and groundwater measures approximately 60 ft by 100 ft. at a depth of between 5 and 15 feet below grade. This equates to a volume of $60,000 \text{ ft}^3$. Assuming a porosity of 0.3, the void space in the targeted

area is 18,000 ft³. As documented by AFCEE (Air Force Center of Environmental Excellence) in the Bioventing Principles and Practice (1995) bioremediation is most effective at ½ to 1 pore volume per day. Theoretically, a system capable of introducing 12 scfm will allow sufficient O₂ to the subsurface to enhance biodegradation. The system we propose will be capable of injecting up to 50 scfm in the subsurface to a depth of 15 ft.

3. Recent plate counts for hydrocarbon-degrading bacteria found the concentration of degraders ranged from 6.0×10^1 to 8.6×10^4 Cfu/g. The low plate counts for samples collected from some of the wells is likely a result of the fresh gasoline used as a medium for growth. Indigenous bacteria are currently degrading very weathered gasoline released into the environment years ago. **Data indicate that the indigenous bacteria consuming hydrocarbon at the site are currently oxygen-limited.** Dissolved oxygen measurements from the site range from 2.3 to 3.1 mg/l. These values are sufficiently low to prevent healthy growth of bacteria. **The air injection system should allow DO in the subsurface to increase to a minimum of 6 mg/l that will allow the indigenous site bacteria to flourish.**
- 4/5 The system will be evaluated by monitoring the DO and bacteria population on a regular basis and by bimonthly analyses of dissolved hydrocarbon levels in the wells. While the system is operating the DO levels should range from 6 to 10 mg/l and the bacteria levels should be greater than 10^5 Cfu/g. The system will be shut off for a week prior to collecting groundwater samples for analyses of dissolved hydrocarbons. If DO levels do not increase the system will be evaluated to increase air flow into the subsurface. If DO levels are elevated and plate counts show low bacteria populations, then nutrients will be added to the subsurface to enhance bacteria growth.

We trust this provides the additional information you requested. If you have any additional questions or concerns, please feel free to call me at (408) 441-7500.

Sincerely,
Pacific Environmental Group


James A. Perkins
Project Manager

cc: Mr. Phil Briggs, Chevron Products Company

should be 10⁵ Cfu/g

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

November 2, 1998

Mr. Phil Briggs
6001 Bollinger Canyon Road
Building L, Room 1110
P.O. Box 6004
San Ramon, CA 94583-0904

RE: Former Signal Station, 800 Center Street, Oakland, CA

Dear Mr. Briggs:

I have received a copy of the hydrocarbon-degrading (gasoline) bacteria enumeration results dated October 29, 1998 that was prepared by Cyto Culture. Please send me a copy of the interpretation of these data and their application to field remediation at the above site within thirty (30) days.

If you have any questions, please contact me at (510) 567-6774.


Larry Seto
Sr. Hazardous Materials Specialist

Cc: Mr. Terrell Sadler
618 Brooklyn Avenue
Oakland, CA 94606

Mr. James Scott
BPH, Inc.
333 Hegenberger Road, Suite 209
Oakland, CA 94621

Mr. Hollis Rodgers
C/o Victor E. Brown, Esq.
580 Grand Avenue
Oakland, CA 94610

Files

BLAINE
TECH SERVICES INC.



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

October 21, 1998

Christine Lillie
Project Coordinator
Blaine Tech Services, Inc.
1680 Rogers Ave.
San Jose, CA 95112

Phil Briggs
Project Manager
Site Assessment & Remediation
Chevron Products Company
P.O. Box 5004
San Ramon, CA 94583-804

Re: Former Signal Service Station #206145 (SO800)
800 Center St.
Oakland, CA

Dear Mr. Briggs,

Blaine Tech Services, Inc. requested a contaminate utilizing bacteria plate count for the third quarter monitoring event at the site referenced above. Blaine Tech Services, Inc. failed to specify on the chain of custody that this particular analysis should have been run with Gasoline degraders.

In order to rectify this we will re-sample for this analysis today and send an addendum to this report as soon as possible. I apologize for any inconvenience this may have caused.

Sincerely,

A handwritten signature in cursive script that reads 'Christine Lillie'.

Christine Lillie
Project Coordinator

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

October 20, 1998

Mr. Phil Briggs
Chevron Products Company
6001 Bollinger Canyon Road
Building L, Room 1110
PO Box 6004
San Ramon, CA 94583-0904

RE: Former Signal Station, 800 Center Street, Oakland, CA 94607

Dear Mr. Briggs:

During our phone conversation approximately six weeks ago, you stated that Chevron was going to resample, and test for hydrocarbon-degrading bacteria (gasoline) at the above site. The previous bacteria count was for petroleum hydrocarbon-degraders in the broad range of diesel and jet fuel, not gasoline. Please send me the results of your latest sampling within 10 days.

If you have any questions, please contact me at (510) 567-6774.

Sincerely,



Larry Seto
Sr. Hazardous Materials Specialist

Cc: Jim Scott, BPH, Inc., 333 Hegenberger Road, Suite 209,
Oakland, CA 94621
Mr. Terrell A. Sadler, 618 Brooklyn Avenue, Oakland, CA 94606
Files

SEP 15 '98 PM 3:26



Chevron

September 11, 1998

STIP 5544

Mr. Larry Seto
Alameda County Health Care Services
Department of Environmental Health
1131 Harbor Bay Parkway, Suite 250
Alameda, CA 94502-6577

Chevron Products Company
6001 Bollinger Canyon Road
Building L, Room 1110
PO Box 6004
San Ramon, CA 94583-0904

Philip R. Briggs
Project Manager
Site Assessment & Remediation
Phone 925 842-9136
Fax 925 842-8370

**Re: Former Signal Service Station #S0800
800 Center Street
Oakland, California**

Dear Mr. Seto:

This is to acknowledge your phone call of September 10, 1998, in which you pointed out an error of a statement that I made in my cover letter of the Third Quarter Groundwater Monitoring report, dated September 2, 1998.

I had stated that no sample was taken from well MW-5, as it was inaccessible. That was not correct, well MW-5 was accessible and a sample was taken, with all constituents below method detection limits.

On August 4, 1998, all wells were to be sampled for bacteria counts, however, well MW-5 was inaccessible at that time and no sample was taken for the bacteria counts. I had inadvertently looked at the last sampling event for MW-5, under the Table of Well Data and Analytical Results, to make my original statement.

I apologize for any confusion this may have caused. If you have any questions please call me at (925) 842-9136.

Sincerely,
CHEVRON PRODUCTS COMPANY

Philip R. Briggs
Site Assessment and Remediation Project Manager

September 11, 1998
Mr. Larry Seto
Former Signal Service Station #S0800
Page 2

cc: Ms. Bette Owen, Chevron

Ms. Ann Payne, Chevron, V-1156

Mr. Terrell A. Sadler
618 Brooklyn Avenue
Oakland, CA. 94606

Mr. James Scott
BPH, Inc.
333 Hegenberger Road, Suite 209
Oakland, CA 94621

Mr. Hollis Rodgers
c/o Victor E. Brown, Esq.
580 Grand Avenue
Oakland, CA 94610

Mr. James Perkins, R.G., C.E.M.
Pacific Environmental Group, Inc.
2025 Gateway Place, Suite 440
San Jose, CA 95110

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)

July 14, 1998

Mr. Philip Briggs
Chevron Products Company
6001 Bollinger Canyon Road
P.O. Box 6004
San Ramon, CA 94583-0904

RE: Former Signal Station, 800 Center Street, Oakland, CA

Dear Mr. Briggs:

This office has received your Letter Work Plan dated May 7, 1998 that was prepared by Pacific Environmental Group. Ms. Madhulla Logan and I reviewed your workplan, and would like your consultant to address the issues identified below within 30 days:

- 1) What criteria was used for choosing the ten (10) locations for the injection points?
- 2) What is the flow rate of the biosparge system, and will it cover the radius of the plume for effective remediation?
- 3) What is the bacterial count in the soil to be remediated? For biosparging to be effective, the minimum heterogenic plate count should be 10^3 Cfu/gram or greater.
- 4) How is the effectiveness of the system going to be evaluated?
- 5) How often will monitoring be conducted? Note: The system should be shut off for at least a week each time before monitoring.

If you have any questions, you may contact Madhulla Logan at (510)567-6764 or me at (510) 567-6774.

Sincerely,



Larry Seto
Sr. Hazardous Materials Specialist

Cc: James Perkins, Pacific Environmental Group, 2025 Gateway Place, Suite 440,
San Jose, CA 95110-1006
Terrell & Olliana Sadler, Property Owners, 618 Brooklyn Ave., Oakland, CA
Files

Larry,

I reviewed the remediation plan for 800 Center Street. Finally I got to talk to Jim Perkins. I went through all me comments with him. He agreed to provide the additional information. I would recommend writing a letter to them with the following comments. The description in the document is missing important information.

1. He needs to mention his rationale for choosing the 10 locations for the injection points. Also what is the flow rate of the biosparge system and will it cover the radius of the plume for effective remediation.?
2. For biosparging to work, enough bacteria should be present in the soil. Hence, before initiating the work, he need to provide us with bacterial count. For biosparging to be effective, the minimum heterogenic plate count should be 10^3 cfu/gram or greater .
2. How are they going to evaluate the effectiveness of the system. How often is monitoring going to be conducted? We need to let them know that the system should be shut off for at least a week each time before they conduct monitoring.

Madhulla



PACIFIC
ENVIRONMENTAL
GROUP, INC.

AN  COMPANY

ENVIRONMENTAL
PROTECTION

98 JUN 10 PM 6:42

June 4, 1998
Project 325-061.1A

Mr. Larry Seto
Alameda County Health Care Services
1131 Harbor Bay Parkway, Suite 250
Alameda, California 94502-6577

Re: **Clarification of Work Plan**
Former Signal Service Station 0800
800 Center Street
Oakland, California

Dear Mr. Seto:

As per your telephone call of June 3, 1998, Alameda County Health Care Services requests clarification of various points included in the Work Plan dated May 7, 1998. First, **the reason no confirmatory soil borings are proposed is because low concentrations of hydrocarbons have been detected in vadose zone soils - vadose zone being defined as ground surface to approximately 5 feet below grade.** The greatest concentration of total purgeable petroleum hydrocarbons calculated as gasoline (TPPH-g) found in soil between grade and 5 feet below grade was 11 parts per million (ppm) in Well MW-1, the only other sample that detected TPPH-g was Boring SV-3 at 1.4 ppm. Six others samples from this interval showed no detectable TPPH-g.

A 2,100 ppm TPPH-g concentration was detected in soil Boring SV-1 at a depth of 6 feet below grade: however, groundwater at this time was found between 5 and 7 feet below grade. As the soil sample was collected from the groundwater interface, we consider this sample to represent conditions in the saturated zone, which is best characterized by hydrocarbons dissolved in groundwater. The lack of hydrocarbons in the vadose zone was reflected in the risk-based corrective action evaluation for vadose zone soil. The evaluation showed no significant health threat resulting from hydrocarbon in vadose zone soil.

Elevated hydrocarbon was found in soil samples collected from the saturated zone at approximately 10 feet below grade. Chevron Products Company will address this

hydrocarbon with the proposed air sparging system. As the source of dissolved hydrocarbon in groundwater is sorbed hydrocarbon in soil, reductions in dissolved levels to remediation goals can only be accomplished by also removing sorbed hydrocarbon from saturated soils.

We trust this letter addresses your concerns. Please feel free to call me if you have any additional questions regarding the Work Plan.

Sincerely,

Pacific Environmental Group, Inc.



James A. Perkins
Project Manager

cc: Mr. Phil Briggs, Chevron Products Company

ENVIRONMENTAL
PROTECTION

98 MAY 14 AM 9:06



Chevron

May 8, 1998

Chevron Products Company
6001 Bollinger Canyon Road
Building L
San Ramon, CA 94583
P.O. Box 6004
San Ramon, CA 94583-0904

Marketing - Sales West
Phone 510 842-9500

Mr. Larry Seto
Alameda County Health Care Services
Department of Environmental Health
1131 Harbor Bay Parkway, Suite 250
Alameda, CA 94502-6577

**Re: Former Signal Service Station #S0800
800 Center Street
Oakland, California**

Dear Mr. Seto:

Enclosed is the Letter Work Plan, dated May 7, 1998, that was prepared by our consultant Pacific Environmental Group Inc. which presents a scope of work to address residual subsurface hydrocarbon impact at the site noted above.

This Letter Work Plan is prepared in response to your letter dated January 22, 1998 that requested Chevron remediate/remove residual hydrocarbons in the vicinity of the former underground storage tanks and pump island.

Air sparging for enhanced biodegradation (biosparging) is the selected remediation technology for the site. Excavation and disposal will be used for the localized areas onsite with excessive concentrations of high boiling point hydrocarbons.

If you have any questions, call me at (510) 842-9136 or Jim Perkins of Pacific Environmental Group Inc. at (408) 441-7500.

Sincerely,
CHEVRON PRODUCTS COMPANY

A handwritten signature in cursive script, appearing to read "Philip R. Briggs".

Philip R. Briggs
Site Assessment and Remediation Project Manager

Enclosure

May 8, 1998
Mr. Larry Seto
Former Signal Service Station #S0800
Page 2

cc: Ms. Bette Owen, Chevron (less report)

Ms. Ann Payne, Chevron, V-1156 (less report)

Mr. Terrell A. Sadler
618 Brooklyn Avenue
Oakland, CA. 94606

Mr. James Scott
BPH, Inc.
580 Market Street, Suite 400
San Francisco, CA 94104

Ms. Sandi Nichols
Washburn, Briscoe & McCarthy
55 Francisco Street, Suite 600
San Francisco, CA. 94133

Mr. Hollis Rodgers
c/o Victor E. Brown, Esq.
580 Grand Avenue
Oakland, CA 94610

Mr. Jim Perkins
Pacific Environmental Group, Inc.
2025 Gateway Place, Suite 440
San Jose, CA 95110 (less report)

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)

March 16, 1998

Mr. Phil Briggs
Chevron U.S.A.
P.O. Box 6004
San Ramon, CA 94583-0904
STID 5544

RE: Former Signal Station #S0800, 800 Center Street, Oakland, CA 94607

Dear Mr. Briggs:

I have reviewed the First Quarter Groundwater Monitoring report for 1998 that was prepared by your consultant Blaine Tech Services, Inc. for the above site. The sampling schedule for the monitoring wells can be changed as per your request in your letter dated March 7, 1998 to the following: MW_2 and MW-7 annually, MW-4 and MW-5 semi-annually and MW-1, MW-3 and MW-6 quarterly. **Note: If a well is inaccessible the quarter that it is to be monitored in as proposed in your letter dated March 7, 1998, it is to be monitored the following quarter.**

If you have any questions, please contact me at (510) 567-6774.

Sincerely,



Larry Seto
Sr. Hazardous Materials Specialist

Cc: Mr. Terrell A. Sadler, property owner
618 Brooklyn Avenue
Oakland, CA 94606

Cc: Mr. James Scott
BPH, Inc.
580 Market Street, Suite 400
San Francisco, CA 94104

Ms. Sandi Nichols
Washburn, Briscoe & McCarthy
55 Francisco Street, Suite 600
San Francisco, CA 94133

Mr. Hollis Rodgers
Mr. Victor Brown, Esq.
580 Grand Avenue
Oakland, CA 94610

RECEIVED
ENVIRONMENTAL
PROTECTION

93 MAR 16 AM 10:25



Chevron

March 9, 1998

Mr. Larry Seto
Alameda County Health Care Services
Department of Environmental Health
1131 Harbor Bay Parkway, Suite 250
Alameda, CA 94502-6577

Chevron Products Company
6001 Bollinger Canyon Road
Building L
San Ramon, CA 94583
P.O. Box 6004
San Ramon, CA 94583-0904

Marketing - Sales West
Phone 510 842-9500

**Re: Former Signal Service Station #S0800
800 Center Street
Oakland, California**

Dear Mr. Seto:

This letter is in response to our conversation of today in which you agreed to extend the date to submit a remediation plan by sixty days. Therefore, the new submittal date for the remediation plan for this site will be May 9, 1998.

As we discussed, Chevron believes that additional time is required to more fully review all aspects of the procedures to remediate this site, to insure that environmental protection is provided to the residential homeowners that are expected to reside at this location.

As Chevron reviewed the site for submittal of the remediation plan, it appeared that it was not going to be a simple case of excavating a couple of areas, but would require more detail study so that we can insure appropriate environmental protection for residential occupancy at this location.

Chevron appreciates your office granting us additional time in which to develop an appropriate method to remediate the site for the protection to the residential housing proposed.

If you have any questions, call me at (510) 842-9136.

Sincerely,
CHEVRON PRODUCTS COMPANY

A handwritten signature in black ink, appearing to read "Philip R. Briggs".

Philip R. Briggs
Site Assessment and Remediation Project Manager

01/15/98

March 9, 1998
Mr. Larry Seto
Former Signal Service Station #S0800
Page 2

cc: Ms. Bette Owen, Chevron

Ms. Ann Payne, Chevron, V-1156

Mr. Terrell A. Sadler
618 Brooklyn Avenue
Oakland, CA. 94606

Mr. James Scott
BPH, Inc.
580 Market Street, Suite 400
San Francisco, CA. 94104

Ms. Sandi Nichols
Washburn, Briscoe & McCarthy
55 Francisco Street, Suite 600
San Francisco, CA. 94133

Mr. Hollis Rodgers
c/o Victor E. Brown, Esq.
580 Grand Avenue
Oakland, CA 94610

Mr. Ross Tinline
Pacific Environmental Group, Inc.
2025 Gateway Place, Suite 440
San Jose, CA 95110

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)

January 22, 1998

Mr. Phil Briggs
Chevron USA Inc.
P.O. Box 5004
San Ramon, CA 94583-0804

STID 5544

RE: Former Signal Station, 800 Center Street, Oakland, CA 94607

Dear Mr. Briggs:

The draft report titled, Results of the Soil Vapor Investigation dated July 15, 1997, prepared by Pacific Environmental Group, Inc. has been reviewed by Madhulla Logan of this office. Residential housing has been proposed as part of redeveloping the site. The last three quarters of monitoring found the concentrations of contaminants in MW-3 increasing, therefore the impacted soil around the former underground storage tank, and the pump island should be remediated/removed. This would remove the majority of the source, and in effect should reduce and stabilize the contaminants found in the groundwater. Please submit a remediation plan to this office within 30 days of the receipt of this letter.

If you have any questions, please contact me at (510) 567-6774.

Sincerely,

Larry Seto
Sr. Hazardous Materials Specialist

Cc: Terrell & Oliana Sadler, Property Owners
Hollis Rodgers, Former operator
Michelle Gracia, Pacific Environmental Group
Jim Scott, BPH Mortgage
Roger Rapport, City of Oakland
Bob Chambers, Alameda County District Attorney's Office
Madhulla Logan, Environmental Health
Files



Chevron

FACSIMILE

Chevron Products Company
P.O. Box 5004
San Ramon, CA 94583-804

Date: 10-27-97

Philip R. Briggs
Project Manager
Site Assessment & Remediation
Phone No. 510-842-9136
Fax No. 510-842-8370

Company: ARMADA CONCRETE HOLDING CORP. SERVICES

Fax Number: 510 337-9335

To: LARRY SETO

Subject: 5800-800 CENTER ST, OAKLAND (FORMER PULP MILL SITE)
SLID # 5544

- I WENT THROUGH OUR FILES, AFTER RECEIVING YOUR PHONE CALL TODAY, TO LOCATE A COPY OF THE "UNAUTHORIZED RELEASE FORM". I WAS NOT ABLE TO FIND THIS FORM.
- IT MAY HAVE BEEN FILED BY TERRELL SANDER OR THE RWQCB OR THE STATE BOARD MAY HAVE A COPY.
- I AM ENCLOSEING COPIES OF THE "REQUIREMENT TO REIMBURSE", WHICH ARE USUALLY NOT SENT OUT WITHOUT FIRST RECEIVING THE "UNAUTHORIZED RELEASE" FORM.
- IF THIS IS NOT ACCEPTABLE, SEND ME THE ORIGINAL ^{REPORT} FORM & AND I CAN FILL IT OUT FOR YOUR FILES. - AFTER THE FACT.

Number of Pages 85

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

September 23, 1997

Attn: Phil Briggs
Chevron USA Inc.
P.O. Box 5004
San Ramon, CA 94583-0804

STID 5544, 800 Center St., Oakland, CA 94607

Dear Phil Briggs:

This office has received and reviewed a Quarterly Monitoring Report dated May 27, 1997 by Blaine Tech Services for the above site. The following are comments concerning this report:

Your cover letter stated that the contamination in MW-1 and MW-3 had risen for TPHg, BTEX, and MTBE.

2. You acknowledge in your cover letter to this report that this office approved your workplan, which was submitted by Pacific Environmental Group Inc. In a letter dated August 26, 1997, to Ms. Mee Ling Tung, our Director, you said that you were waiting for approval of a Remediation Plan. I don't see any other correspondence in the file. Please contact me if there is any other concern you have that we have not addressed concerning this site.

This case will be assigned to Larry Seto of this office. Please contact him at (510) 567-6774 if you have any questions regarding this letter.

Sincerely,

Thomas Peacock, Manager

- c: Terrell & Oliana Sadler, 618 Brooklyn Ave., Oakland, CA 94606
Hollis Rodgers C/O Victor E. Brown, Esq., 580 Grand Ave., Oakland, CA 94610
Ms. Sandi Nichols, Washburn, Briscoe & McCarthy, 55 Francisco St., Suite 600, San Francisco, CA 94133
Francis Thie, Blaine Tech, 1680 Rogers Ave., San Jose, CA 95112
James Scott, BPH, Inc., 580 Market St., Suite 400, San Francisco, CA 94104
Gordon Coleman - Files

FROM :



PACIFIC ENVIRONMENTAL GROUP, INC.

Post-it® Fax Note 7671		Date 7/29/97	# of pages 2
To LARRY VETO	From PHIL BIGGS		
Co./Dept. ACHCS	Co. CHEVRON		
Phone #	Phone # 90842-9136		
Fax # 510 337-9335	Fax #		

800 CENTRAL ST 510-5710 5544

FACSIMILE TRANSMITTAL

DATE: July 29, 1997 PROJECT #: ~~740-067-2G~~

TO: Ms. Jennifer Eberle FAX: 510-337-9335

ACHCS

FROM: Michelle Gracia

IF YOU HAVE ANY PROBLEMS RECEIVING THIS FACSIMILE, PLEASE CALL (408) 441-7500

SHEETS TO FOLLOW COVER PAGE

COMMENTS:

Dear Ms. Eberle: I am faxing you a revised copy of the Results of the Soil Vapor Investigation.

I discovered that the Averaging Time used for the children's risk from benzene was too low.

With the new value, the risk drops to 10E-6. Overall the report has not changed much, just that the benzene risk level for children has improved. Please call me if you have any questions regarding this change.

Sincerely,

Michelle Gracia



Chevron

July 24, 1997

Mr. James Scott
BPH, Inc.
580 Market Street, Suite 400
San Francisco, CA 94104

Chevron Products Company
6001 Bollinger Canyon Road
Building L
San Ramon, CA 94583
P.O. Box 6004
San Ramon, CA 94583-0904

Marketing - Sales West
Phone 510 842 9500

**Re: Former Signal Service Station # S0800
800 Center Street
Oakland, California**

Dear Mr. Scott:

Per your phone request of today, I am enclosing a "DRAFT" copy of the Soil Vapor Investigation that was conducted by our consultant Pacific Environmental Group, Inc., at the above noted site. This "DRAFT" report was sent to Jennifer Eberle of Alameda County Health Care Services (ACHCS) for review, comments and approval.

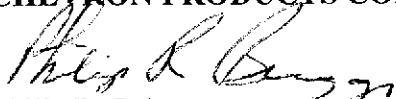
After review of the "DRAFT" report by ACHCS, they may request that revisions or modifications to the "DRAFT" report be made. These revisions and modifications would than be included in the "FINAL" report. This "FINAL" report will than be submitted to all parties and will be utilized as a basis for remediation of the site.

You had also noted that you had misplaced a report in a recent move, and it related to a remediation plan. The only report that I could find that referred to remediation was one I sent on January 30, 1997. I am enclosing a copy of this report for your files. If this isn't the correct report let me know and I will see if I can resolve it.

I can be reached at (510) 842-9136.

Sincerely

CHEVRON PRODUCTS COMPANY


Philip R. Briggs

Site Assessment and Remediation Project Manager

Enclosure

cc. ✓ Ms. Jennifer Eberle, ACHCS (Less reports)

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



May 6, 1997
STID 5544
page 1 of 3

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

Attn: Phil Briggs
Chevron USA Inc.
PO Box 5004
San Ramon CA
94583-0804

Terrell and Oliana Sadler
618 Brooklyn Ave.
Oakland CA 94606
(property owners)

Hollis Rodgers
543-42nd St.
Oakland CA 94609
(former operator)

RE: Former Signal Station, 800 Center St., Oakland CA 94607

Dear Mr. Briggs, Mr. and Mrs. Sadler, and Mr. Rodgers,

Since my last letter to you, dated April 18, 1997, the following documents have been received in this office:

- 1) letter from State Water Resources Control Board (SWRCB) to Hollis Rodgers, dated 4/25/97, requesting further documentation for the UST Cleanup Fund;
- 2) fax from Pacific Environmental Group (PEG), dated 4/30/97, including the "Work Plan," dated 4/30/97;
- 3) fax from PEG, dated 5/2/97, including a sketch of the proposed housing and site map with borings and contaminant concentrations; and
- 4) original hard copy "Work Plan," prepared by PEG, dated 4/30/97.

PEG's 4/30/97 "Work Plan" included an initial Risk-Based Corrective Action (RBCA) analysis utilizing existing soil and groundwater data. Results of the Tier 1 analysis indicated that groundwater and soil benzene concentrations exceeded the allowable Risk-Based Screening Levels (RBSLs) for volatilization to indoor air. Therefore, a Tier 2 analysis was conducted for a residential scenario. Results of the Tier 2 analysis indicated that groundwater and soil benzene concentrations still exceeded the allowable Site Specific Target Levels (SSTLs) for volatilization to indoor air.

The RBCA uses computer modeling with conservative assumptions to approximate the site-specific cleanup goals. Several staff at the Regional Water Quality Control Board (RWQCB) have suggested alternatives to the conservative indoor air inhalation pathway. These alternatives include direct soil vapor measurements, which can then be incorporated into the RBCA model to yield a more accurate cleanup goal. PEG's 4/30/97 "Work Plan" proposes collecting soil vapor samples in three locations (SV-1, SV-2, and SV-3), from depths of 3', 6', and 9' below ground

May 6, 1997
STID 5544
Phil Briggs
Terrell and Oiana Sadler
Hollis Rodgers
page 2 of 3

surface (bgs), as well as from the capillary fringe in SV-1. PEG also proposes collecting soil samples from the vadose zone and saturated zone for physical testing (organic carbon, moisture and bulk density). This is PEG's proposed scope of work. These site-specific parameters will then be incorporated into the RBCA model.

The scope of work in the 4/30/97 PEG "Work Plan" is acceptable with the following conditions, as I discussed with Phil Briggs of Chevron on 5/5/97:

- 1) **In addition to the vapor samples, soil samples will also be collected from the SV points at 3', 6', and 9' bgs and analyzed for TPH-gasoline and BTEX.**
- 2) **Proposed SV-1 will be moved to the location of the former P-3, in order to collect soil and vapor samples from the vadose zone in that location.**
- 2) **In addition to the proposed three SV points (SV-1, SV-2, and SV-3), two additional SV points (SV-4 and SV-5) will be installed. SV-4 and SV-5 will be located approximately 10' to the north and 10' to the south of SV-1. This will be a total of three SV points in the former UST area.**

This "Work Plan" also proposed remedial action, depending on the outcome of the revised risk assessment. Be advised that this agency is allowing the use of the range of 10^{-5} to 10^{-6} for both residential and commercial properties. If the calculated risk using the soil vapor flux is greater than 10^{-5} , then a vapor barrier may not be acceptable as a remedial plan. The use of a vapor barrier is a form of risk management; it is not considered remediation. If the calculated risk using the soil vapor flux is greater than 10^{-5} , then remedial options should be evaluated. Lastly, be advised that the selection of groundwater and soil data used in the revised risk assessment should be approved in advance by this office when preparing the risk assessment.

PEG is proposing to revise the risk assessment to reflect the soil vapor data (and presumably more recent groundwater data). The revised risk assessment should also evaluate the health threat to construction workers excavating to a depth of 5' bgs. If there is a health threat to construction workers, you will be requested to submit a risk management plan.

Please notify me by telephone at least 2 business days in advance of field activities so I may arrange to be present onsite.

If you have any questions, please contact me at 510-567-6761.

May 6, 1997
STID 5544
Phil Briggs
Terrell and Oliana Sadler
Hollis Rodgers
page 3 of 3

Sincerely,



Jennifer Eberle
Hazardous Materials Specialist

cc: Ross Tinline, Pacific Environmental Group, 2025 Gateway Place, Suite 440, San Jose
CA 95110
Jim Scott, BPH Mortgage, 580 Market St., Suite 400, San Francisco CA 94104
Roger Rapport, City of Oakland, Housing Development, 1333 Broadway, 4th Floor,
Oakland CA 94612
Bob Chambers, Alameda County District Attorney's Office
Kevin Graves, RWQCB
J. Eberle/file

je.5544-H



Cal/EPA

State Water Resources Control Board

Division of Clean Water Programs

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

2014 T Street, Suite 130 Sacramento, CA 95814 (916) 227-4307 FAX (916) 227-4530

4-30-97

Post-It™ brand fax transmittal memo 7671		# of pages ▶ 1
To Jim Scott	From J. Eberle	
Co.	Co.	
Dept.	Phone #	
Fax # 415-399-8715	Fax #	



Pete Wilson Governor

April 25, 1997

HOLLIS RODGERS
C/O: VICTOR E. BROWN, ESQ
580 GRAND AVE
OAKLAND, CA 94610

UNDERGROUND STORAGE TANK CLEANUP FUND PROGRAM, REQUEST FOR FURTHER DOCUMENTATION DURING CURSORY REVIEW: CLAIM NUMBER 012265; FOR SITE ADDRESS: 800 CENTER ST, OAKLAND

After reviewing your claim application to the Cleanup Fund, we find that the following additional information is needed to determine your eligibility for placement on the Priority List:

- Verification from the local regulatory agency that you have been identified as a responsible party.
- Verification that you are incurring cleanup costs. Based on the reports submitted with the claim application, it appears that Chevron is incurring the cleanup costs.
- Copies of Form 1040 federal income tax returns for you for the years 1993, 1994, and 1995, and any partnership federal income tax returns for the same years if you are a general partner in a partnership, and any corporate federal income tax returns for the same years if you are a majority shareholder in a corporation. The federal tax returns are needed to qualify you for Priority Class B.
- Your social security number.

NOTE: Failure to respond to this request within thirty (30) calendar days from the date of this letter may result in an ineligibility determination of your claim.

If you have any questions, please contact me at (916) 227-4539.

Sincerely,

ORIGINAL SIGNED BY
Cheryl Gordon, Analyst
Underground Storage Tank Cleanup Fund

Attachment

cc: Jennifer Eberle
Alameda Environmental Health Agency
1131 Harbor Bay Pkwy, 2nd Floor
Alameda, CA 94502-6577



Recycled Paper

Our mission is to preserve and enhance the quality of California's water resources, and ensure their proper allocation and efficient use for the benefit of present and future generations.

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



April 18, 1997
STID 5544
page 1 of 2

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

Attn: Phil Briggs
Chevron USA Inc.
PO Box 5004
San Ramon CA
94583-0804

Terrell and Oliana Sadler
618 Brooklyn Ave.
Oakland CA 94606
(property owners)

Hollis Rodgers
543-42nd St.
Oakland CA 94609
(former operator)

RE: Former Signal Station, 800 Center St., Oakland CA 94607

Dear Mr. Briggs, Mr. and Mrs. Sadler, and Mr. Rodgers,

Since my last letter to you, dated 8/13/96, the following documents have been received in this office:

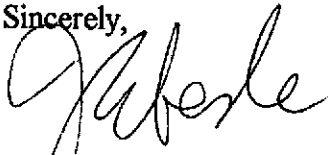
- 1) letter from James Scott of BPH Mortgage to Bette Owen of Chevron, dated 10/3/96;
- 2) fax from Pacific Environmental Group, Inc. (PEG), dated 1/3/97 (site map showing MW5 through MW8, and soil analytic results);
- 3) "Soil and Groundwater Investigation" report prepared by PEG, dated 1/24/97, under Chevron cover letter dated 1/30/97;
- 4) fax from Chevron dated 3/24/97 (cumulative table of well data and analytic results); and
- 5) "1st Quarter 1997 Monitoring at S-800" report prepared by Blaine Tech Services, dated 3/28/97, under Chevron cover letter dated 3/31/97.

I understand that the plan is to build residential housing on this vacant lot, and to include the two adjacent parcels which are owned by the City of Oakland. **Mr. Phil Briggs of Chevron has agreed to submit a remediation workplan to this office by April 30, 1996.** The groundwater concentrations have made a marked decrease as noted in the 1st quarter 1997 sampling data. However, before the housing is constructed, **a risk evaluation must be conducted (and approved by this office) in order to determine the threat to human health, based on a residential scenario.**

If you have any questions, please contact me at 510-567-6761.

April 18, 1997
STID 5544
Phil Briggs
Terrell and Oliana Sadler
Hollis Rodgers
page 2 of 2

Sincerely,



Jennifer Eberle
Hazardous Materials Specialist

cc: Ross Tinline, Pacific Environmental Group, 2025 Gateway Place, Suite 440, San Jose
CA 95110
Jim Scott, BPH Mortgage, 580 Market St., Suite 400, San Francisco CA 94104
Roger Rapport, City of Oakland, Housing Development, 1333 Broadway, 4th Floor,
Oakland CA 94612
Bob Chambers, Alameda County District Attorney's Office
Cherrill Johnson, Managing Counsel, Legal Dept, 633 West 5th St., Los Angeles CA
90071
Sandi Nichols, Esq., Washburn, Briscoe, and McCarthy, 55 Francisco St., Suite 600, San
Francisco CA 94133
J. Eberle/file

je.5544-G

1/15/97

Review of 800 Center Street, Oakland, CA

Larry,

I reviewed the soil vapor analysis and risk assessment, and quarterly monitoring report for 800 Center Street. Significant concentrations of petroleum hydrocarbons including BTEX was found near the former UST area, and the pump island. The RP is planning on re-developing the site into residential housing. So they submitted a risk assessment including the results of the vapor analysis in a report, dated July 15, 1997. Because of the high concentration of TPH in the source, they did not pass the Tier 1 RBCA for the exposure pathways "soil to indoor air" and "groundwater to indoor air". Hence, they collected actual soil vapor samples of benzene to confirm if the vapors coming out could be a problem in an indoor area (like homes etc). The highest vapor concentration of benzene in samples collected at 3 feet depth was compared to the cleanup numbers derived from modifying the equations in ASTM's Risk Based Corrective Action (RBCA) methodology (guidelines from San Francisco RWQCB), and the carcinogenic risk for benzene was between 10^{-5} to 10^{-6} . Although this risk is acceptable, the recent groundwater monitoring reports indicate that the concentrations in Monitoring well, MW-3 is increasing, i.e the plume is not stable.

Hence we can ask them for the following:

" Since residential housing has been proposed as part of re-developing the site, this Department recommends that the soil around the former UST area and the pump island be remediated. This could reduce the source concentration and in effect reducing the concentrations found in the groundwater. Hence, please submit a remediation plan to this Department within 30 days"

Madhulla

reducing or stabilizing

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



December 30, 1996
STID 5544

Mr. Terrell Sadler
618 Brooklyn Ave.
Oakland CA 94606

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

RE: Former Signal Station, 800 Center St., Oakland CA 94607

Dear Mr. Sadler,

This letter is being written to address your concerns regarding how long the environmental cleanup will take at the above referenced site. As you know, the soil and groundwater on this site is contaminated with petroleum hydrocarbons associated with the use of the site as a service station. Four groundwater monitoring wells were installed under Chevron's direction in October 1995. Since the extent of the contamination was not fully defined, additional groundwater monitoring wells were due to be installed on or around 12/18/96. Since the concentrations of contaminants are significant, cleanup of this site could easily take 4 to 5 years. It is often difficult to predict how long environmental remediation will take, due to the the subsurface lithology, changes in the subsurface, the type(s) of remediation systems used, and how fast the responsible parties can implement site characterization/remediation.

If you have any questions, please contact me at 510-567-6761.

Sincerely,

Jennifer Eberle
Hazardous Materials Specialist

cc: J. Eberle/file

je.5544-F

Aurora Company
580 MARKET STREET
SAN FRANCISCO, CA 94104

October 3, 1996

Ms. Bette Owen
Property Development Specialist
Northwest Region Chevron U.S.A.
Products Company
6001 Bollinger Canyon Road
San Ramon, Ca 94583

Re: Former Signal Service Station #S0800
800 Center Street
Oakland, California

Dear Bette,

This letter accompanies the current site plan for 800 Center St. My conversation with the City of Oakland Housing Development person Jens Hilmer indicates that the City would support our request to include the demolition cost in the pre-development grant to the buyer. Contractor bids are about 5,000 plus 2,000 for the permits.

The Seller is willing to actively re-enter sales negotiations so that the transfer and development would overlap the remediation schedule. My client has agreed to let me up date you as sale negotiations proceed. I will follow up with a telephone call to you.

Sincerely,


James C. Scott

Enclosure

cc. Terrell & Oliana Sadler

Jennifer Eberle

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



Alameda County Environmental Health Div.
Mail Code: 430-4580
Environmental Protection Services
1131 Harbor Bay Parkway, Room 250
Alameda CA 94502-6577

August 13, 1996
STID 5544
page 1 of 2

Attn: Phil Briggs
Chevron USA Inc.
PO Box 5004
San Ramon CA
94583-0804

Terrell and Oliana Sadler
618 Brooklyn Ave.
Oakland CA 94606
(property owners)

Hollis Rodgers
543-42nd St.
Oakland CA 94609
(former operator)

RE: Former Signal Station, 800 Center St., Oakland CA 94607

Dear Mr. Briggs, Mr. and Mrs. Sadler, and Mr. Rodgers,

Since my last letter to you, dated 5/20/96, we have received a work plan, prepared by Pacific Environmental Group, dated 6/26/96, under Chevron's cover letter dated 7/10/96. This work plan involves the drilling of 3 additional groundwater monitoring wells, and a 4th optional well. **This work plan is acceptable on the following conditions:**

- 1) MW8 will be completed as a well if field observations warrant that contamination is present, even if PID measurements do not indicate that contamination is present;
- 2) A minimum of 3 soil samples per boring will be analyzed, as per telecon with Mark Sullivan of PEG today; and
- 3) I will be notified at least by telephone a minimum of 4 business days in advance of field work. Please note that I will be on vacation the week of September 1st. Please do not schedule the work for that week.

If you have any questions, please contact me at 510-567-6761.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Jennifer Eberle'.

Jennifer Eberle
Hazardous Materials Specialist

August 13, 1996
STID 5544
page 2 of 2

cc: Mark Sullivan, Pacific Environmental Group, 2025 Gateway Place, Suite 440, San Jose
CA 95110
Jim Scott, BPH Mortgage, 580 Market St., Suite 400, San Francisco CA 94104
Gil Jensen, Alameda County District Attorney's Office
Cherrill Johnson, Managing Counsel, Legal Dept, 633 West 5th St., Los Angeles CA
90071
Sandi Nichols, Esq., Washburn, Briscoe, and McCarthy, 55 Francisco St., Suite 600, San
Francisco CA 94133
Acting Chief/file

je.5544-E

WASHBURN, BRISCOE & MCCARTHY
A PROFESSIONAL CORPORATION
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FACSIMILE: (916) 447-4781

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SAN FRANCISCO, CALIFORNIA 94133
TELEPHONE: (415) 421-3200
FACSIMILE: (415) 421-5044

2550 FRITZ COVE ROAD
JUNEAU, ALASKA 99801
TELEPHONE: (907) 789-6818
FACSIMILE: (907) 789-6819

May 21, 1996

via FACSIMILE

Jon N. Robbins, Esq.
Senior Counsel
Legal Department
Chevron U.S.A. Products Company
P. O. Box 4055
San Ramon, California 94583-0944

James Scott
BPH Mortgage, Inc.
580 Market Street, Suite 400
San Francisco, California 94104


Victor E. Brown, Esq.
Law Offices of Victor E. Brown
580 Grand Avenue, Suite D
Oakland, California 94610

Re: 800 Center Street, Oakland, California

Dear Messrs. Robbins, Scott, and Brown:

This is to advise you that my office has confirmed with Deputy District Attorney Gil Jensen that the Pre-Enforcement Review Panel Meeting scheduled for Wednesday, May 22, 1996, has been cancelled in view of the settlement of this matter.

Very truly yours,



Sandi L. Nichols

SLN:wp

cc: Gil Jensen, Esq. (via Fax)
Jennifer Eberle (via Fax)

WASHBURN, BRISCOE & MCCARTHY

A PROFESSIONAL CORPORATION

LAWYERS

55 FRANCISCO STREET, SUITE 600
SAN FRANCISCO, CALIFORNIA 94133
TELEPHONE: (415) 421-3200
TELEFAX: (415) 421-5044DATE: May 21, 1996**TELEFAX TRANSMITTAL MEMORANDUM**

TO: Victor Brown TIME/INITIALS: _____
 FIRM/COMPANY: Law Offices of Victor Brown
 FAX NO: 510/444-3459
 TELEPHONE NO: 510/465-3112

TO: Jon Robbins TIME/INITIALS: _____
 FIRM/COMPANY: Chevron U.S.A. Products Company
 FAX NO: 510/842-3365
 TELEPHONE NO: 510/842-2642

TO: James C. Scott TIME/INITIALS: _____
 FIRM/COMPANY: Aurora Company/BPH, Inc.
 FAX NO: 415/399-8715
 TELEPHONE NO: 415/399-1797

TO: Jennifer Eberle TIME/INITIALS: _____
 FIRM/COMPANY: Alameda County Health Care Services Agency
 FAX NO: 510/337-9335
 TELEPHONE NO: 510/567-6700

TO: Gil Jensen
 FIRM/COMPANY: Alameda County District Attorney's Office
 FAX NO: 510/569-0505
 TELEPHONE NO: 510/569-9281

FROM: Sandi L. Nichols
 TELEPHONE NO: (415) 421-3200 FAX NO: (415) 421-5044

RE: 800 Center Street, Oakland, California (L.B. Hoge Trust)
 NUMBER OF PAGES (INCLUDING COVER SHEET): 2
 CLIENT/MATTER NO: 1060-007

If you do not receive all pages or experience any difficulty in receiving this transmission, please call (415) 421-3200 immediately.

COMMENTS: Letter to Jon Robbins, James Scott and Victor Brown dated May 21, 1996, from Sandi Nichols.

THIS TRANSMITTAL IS INTENDED FOR THE USE OF THE INDIVIDUAL OR ENTITY TO WHICH IT IS ADDRESSED AND MAY CONTAIN INFORMATION THAT IS PRIVILEGED, CONFIDENTIAL AND EXEMPT FROM DISCLOSURE UNDER APPLICABLE LAW. IF YOU ARE NOT THE INTENDED RECIPIENT OR AN AUTHORIZED AGENT THEREOF, THEN THIS IS NOTICE TO YOU THAT DISSEMINATION, DISTRIBUTION OR COPYING OF THIS TRANSMITTAL IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS TRANSMITTAL IN ERROR, PLEASE CALL US AT ONCE AND DESTROY ALL PAGES RECEIVED. THANK YOU.

ALAMEDA COUNTY
HEALTH CARE SERVICES



AGENCY

DAVID J. KEARS, Agency Director

Alameda County
Environmental Protection Division
1131 Harbor Bay Parkway, Room 250
Alameda CA 94502-6577
CC4580

May 20, 1996
STID 5544
page 1 of 2

Attn: Phil Briggs
Chevron USA Inc.
PO Box 5004
San Ramon CA
94583-0804

Terrell and Oliana Sadler
618 Brooklyn Ave.
Oakland CA 94606
(property owners)

Hollis Rodgers
543-42nd St.
Oakland CA 94609

RE: Former Signal Station, 800 Center St., Oakland CA 94607

Dear Mr. Miller, Mr. and Mrs. Sadler, and Mr. Rodgers,

I am in receipt of the "Soil and Groundwater Investigation" report, prepared by Pacific Environmental Group, dated 4/18/96, under Chevron's cover letter dated 4/19/96. The report was received in this office on 4/22/96. This report documents the installation of nine Geoprobe borings both on and off site in March 1996. Both soil and grab water samples were collected.

Maximum soil concentrations include 13,000 mg/kg TPHg and 41 mg/kg benzene (P3). Maximum groundwater concentrations include 800,000 ug/L TPHg and 13,000 ug/L benzene (P2). The former UST complex and the area offsite to the west appear to be the areas with the highest concentrations. These are significant concentrations.

Soil contaminants have been defined to the Southeast (ND in MW2 and MW4 boreholes), North (ND in P7, P1, and P8), and to the West (ND in P2); however, soil was not analyzed to the Southwest (P4, P5, P6, and P9). Groundwater contaminants have been defined to the North (P8), East-Southeast (MW2), and Southwest (P9). However, the extent of the hydrocarbon contamination is not yet fully defined, particularly groundwater contaminants to the West, East, and Northeast.

Therefore, you are requested to submit a workplan for remediation/further groundwater plume delineation, within 50 days, or by July 10, 1996. Remediation and further delineation may occur simultaneously. The benzene concentrations in groundwater are too high to warrant further delineation in the absence of remediation.

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

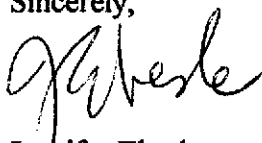
May 20, 1996
STID 5544
page 2 of 2

ENVIRONMENTAL
PROTECTION
96 JUN -5 PM 2:08

I would also like to acknowledge receipt of the signed "Agreement Relating to Site Remediation," and "Settlement Agreement," under cover letter from Sandi Nichols, dated 5/17/96, received today. The receipt of this document precludes the need for a further Pre-Enforcement Review Panel, previously scheduled for 5/22/96.

If you have any questions, please contact me at 510-567-6761.

Sincerely,



Jennifer Eberle
Hazardous Materials Specialist

cc: Mark Sullivan, Pacific Environmental Group, 2025 Gateway Place, Suite 440, San Jose
CA 95110
Jim Scott, BPH Mortgage, 580 Market St., Suite 400, San Francisco CA 94104
Gil Jensen, Alameda County District Attorney's Office
~~Cherrill Johnson~~, Managing Counsel, Legal Dept, 633 West 5th St., Los Angeles CA
90071
Sandi Nichols, Esq., Washburn, Briscoe, and McCarthy, 55 Francisco St., Suite 600, San
Francisco CA 94133
Acting Chief/file

je.5544-D

WASHBURN, BRISCOE & MCCARTHY

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JUNEAU, ALASKA 99801
TELEPHONE: (907) 789-6818
FACSIMILE: (907) 789-6819

May 17, 1996

via FEDERAL EXPRESS

Gil Jensen, Esq.
Senior Deputy District Attorney
Alameda County
7677 Oakport Street, Suite 400
Oakland, California 94621

Jennifer Eberle
Alameda County Health Care Services
Agency
Department of Environmental Health
Environmental Protection Division
1131 Harbor Bay Parkway, Suite 250
Alameda, California 94502-6577

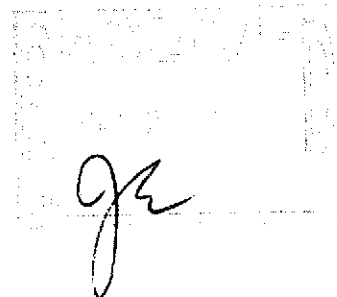
Re: 800 Center Street, Oakland (L.B. Hoge Trust)

Dear Mr. Jensen and Ms. Eberle:

Enclosed are copies of the fully-executed Settlement Agreement and Agreement Relating to Site Remediation regarding the above-referenced site.

In view of this resolution, it is our understanding that the May 22, 1996 Pre-Enforcement Panel Review meeting will be cancelled, and that no further pre-enforcement meeting will be scheduled, pending Chevron's completion of the investigation and remediation of the subject site.

Additionally, as you will note from the enclosed agreements, neither First Interstate Bank (now Wells Fargo Bank) nor the L.B. Hoge Trust, have any further responsibility or liability with regard to the contamination at, under, or emanating from this site. Rather, Chevron, the Sadlers and Mr. Rodgers have indemnified the Bank and Trust for those matters. Accordingly, we ask that you delete the Bank and Trust as alleged discharges with respect to this site.



Gil Jensen, Esq.
Jennifer Eberle
May 17, 1996
Page 2

Please do not hesitate to call me if you have any questions.

Very truly yours,

Sandi L. Nichols

Sandi L. Nichols *gsb*

SLN:gsb
Enclosures

cc: Jon N. Robbins, Esq. (w/o enclosures--via Fax)
James Scott (w/o enclosures--via Fax)
Victor E. Brown, Esq. (w/o enclosures--via Fax)

[DICTATED--BUT NOT READ]

WASHBURN, BRISCOE & MCCARTHY

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2550 FRITZ COVE ROAD
JUNEAU, ALASKA 99801
TELEPHONE: (907) 789-6818
FACSIMILE: (907) 789-6819

April 23, 1996

via FACSIMILE

Jon N. Robbins, Esq.
Senior Counsel
Legal Department
Chevron U.S.A. Products Company
P. O. Box 4055
San Ramon, California 94583-0944

Re: 800 Center Street, Oakland, (L.B. Hoge Trust)

Dear Jon:

As I mentioned to Cindi Young of your office, because we were unable to complete the settlement documentation before the merger of First Interstate Bank with Wells Fargo Bank, it became necessary for us to have the legal department at Wells Fargo review the documents.

We do not anticipate any problem in proceeding with the settlement, although Wells Fargo Bank will likely need to be identified as a signatory to the agreement as the successor to First Interstate. I hope to hear by tomorrow from Wells Fargo as to what modifications, if any, will be required to complete the final documentation.

As I am unable to appear at the meeting tomorrow morning with the County, I understand you will communicate this information to Jennifer Eberle on my behalf, and assure her that my client intends to continue to fully cooperate toward moving this settlement to a quick close. I will also send her a copy of this letter for her records. I also understand that you will confirm Chevron's commitment to proceed with the site investigation/remediation and the settlement agreement.

Thank you for your courtesies in this matter.

Very truly yours,

Sandi L. Nichols

Sandi L. Nichols *gsb*

SLN:gsb

cc: Jim Scott (by fax)
Victor Brown, Esq. (by fax)
Jennifer Eberle (by fax)

4-25-96

Post-It™ brand fax transmittal memo 7671 # of pages 2

To	<i>G. Jensen</i>	From	<i>J. Eberle</i>
Co.		Co.	
Dept.		Phone #	
Fax #		Fax #	

WASHBURN, BRISCOE & MCCARTHYA PROFESSIONAL CORPORATION
LAWYERS55 FRANCISCO STREET, SUITE 600
SAN FRANCISCO, CALIFORNIA 94133
TELEPHONE: (415) 421-3200
TELEFAX: (415) 421-5044DATE: April 23, 1996**TELEFAX TRANSMITTAL MEMORANDUM**

TO: Jon Robbins TIME/INITIALS: _____
 FIRM/COMPANY: Chevron U.S.A. Products Company
 FAX NO: 510/842-3365
 TELEPHONE NO: 510/842-2642

TO: Jennifer Eberle TIME/INITIALS: _____
 FIRM/COMPANY: Alameda County Health Care Services Agency
 FAX NO: 510/337-9335
 TELEPHONE NO: 510/567-6700

TO: Victor Brown TIME/INITIALS: _____
 FIRM/COMPANY: Law Offices of Victor Brown
 FAX NO: 510/444-3459
 TELEPHONE NO: 510/465-3112

TO: James C. Scott TIME/INITIALS: _____
 FIRM/COMPANY: Aurora Company/BPH, Inc.
 FAX NO: 415/399-8715
 TELEPHONE NO: 415/399-1797

FROM: Sandi L. Nichols
 TELEPHONE NO: (415) 421-3200 FAX NO: (415) 421-5044

RE: Former Signal Oil Station, 800 Center Street, Oakland, California

NUMBER OF PAGES (INCLUDING COVER SHEET): 2

CLIENT/MATTER NO: 1060-007

If you do not receive all pages or experience any difficulty in receiving this transmission, please call (415) 421-3200 immediately.

COMMENTS:

Letter to Jon Robbins, Chevron U.S.A. Products Company, dated April 23, 1996, from Sandi L. Nichols.

THIS TRANSMITTAL IS INTENDED FOR THE USE OF THE INDIVIDUAL OR ENTITY TO WHICH IT IS ADDRESSED AND MAY CONTAIN INFORMATION THAT IS PRIVILEGED, CONFIDENTIAL AND EXEMPT FROM DISCLOSURE UNDER APPLICABLE LAW. IF YOU ARE NOT THE INTENDED RECIPIENT OR AN AUTHORIZED AGENT THEREOF, THEN THIS IS NOTICE TO YOU THAT DISSEMINATION, DISTRIBUTION OR COPYING OF THIS TRANSMITTAL IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS TRANSMITTAL IN ERROR, PLEASE CALL US AT ONCE AND DESTROY ALL PAGES RECEIVED. THANK YOU.

ENVIRONMENTAL
PROTECTION
96 MAR 25 PM 2:36



Chevron

March 21, 1996

Ms. Jennifer Eberle
Hazardous Materials Specialist
Alameda County Health Care Services Agency
Department of Environmental Health
Environmental Protection Division
1131 Harbor Bay Parkway, Suite 250
Alameda, CA 94502-6577

Chevron Products Company
6001 Bollinger Canyon Rd.
San Ramon, CA 94583-2398
P.O. Box 5044
San Ramon, CA 94583-0944

Jon N. Robbins
Senior Counsel
Law Department
Phone (510) 842-2642
Fax (510) 842-3365

Re: 800 Center Street, Oakland, CA

Dear Ms. Eberle:

As you have already been made aware, First Interstate Bank as Trustee of the L. B. Hoge Trust, Chevron, Terrell Sadler and Hollis Rogers, have reached an agreement in principal, whereby Chevron will agree to proceed with site assessment and required remedial activities at the above-referenced site. The agreement requires the negotiation and completion of two written Agreements, one of which is close to being finalized, with the other still in the drafting stage.

The Project Manager previously assigned to this site within Chevron's Site Assessment and Remediation Group, Mr. Mark Miller, has taken a new job within Chevron and is in the process of moving out of California. His successor, Mr. Phil Briggs is in the process of coming into his new job and is attempt to familiarize himself with the facts and issues presented by this site and others. I am informed by Mr. Briggs that Pacific Environmental Group plans to be on site to perform its assessment activities early next week. We anticipate that laboratory data from these assessment activities will not be available for at least two weeks after the completion of site activities.

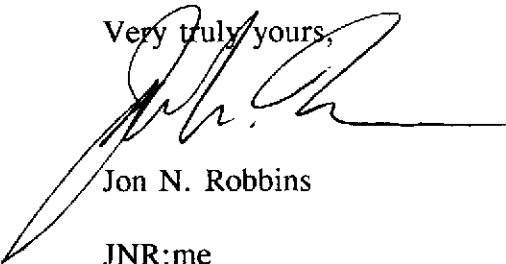
I believe that the parties are continuing to work together in good faith and are making progress toward consummating in writing their agreement in principal. They are also proceeding to perform the assessment work consistent with the commitment made to Alameda County. Although you previously granted a continuance, it is our understanding that you desire to proceed with a Pre-Enforcement Review Panel hearing.. We request that the hearing scheduled for March 27, 1996, be continued again for a period of at least two weeks to permit the parties to complete the written settlement agreements and to receive data

March 21, 1996
Page 2

from the assessment activities. We believe that such continuance would make meaningful information available to the County which would not otherwise be available if the hearing proceeds as scheduled on March 27th.

Please let me know if you will accommodate our request for a further continuance of the meeting. I will make certain that your response will be communicated to the other parties.

Very truly yours,



Jon N. Robbins

JNR:me

cc: Victor Brown, Esq. (via Fax)
Terrell Sadler
Sandi L. Nichols (via Fax)
Jim Scott

WASHBURN, BRISCOE & MCCARTHY

A PROFESSIONAL CORPORATION

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TELEPHONE: (415) 421-3200
FACSIMILE: (415) 421-5044

2550 FRITZ COVE ROAD
JUNEAU, ALASKA 99801
TELEPHONE: (907) 789-6818
FACSIMILE: (907) 789-6819

February 26, 1996

via FACSIMILE

Jennifer Eberle
Hazardous Materials Specialist
Alameda County Health Care
Services Agency
Department of Environmental Health
Environmental Protection Division
1131 Harbor Bay Parkway, Suite 250
Alameda, California 94502-6577

Re: Former Signal Station, 800 Center Street,
Oakland, California

Dear Ms. Eberle:

This will confirm your voice mail message to me of today. The County has declined the request of First Interstate Bank and Chevron to vacate the Pre-Enforcement Review Panel hearing. Instead, it has continued the hearing from February 28, 1996 to March 27, 1996, at 10:30 a.m., to proceed if necessary.

If I have misunderstood your message, please let me know immediately. Otherwise, we will not be appearing this Wednesday, February 28.

Very truly yours,

Sandi L. Nichols
Sandi L. Nichols *gsb*

SLN:gsb

cc: Victor Brown, Esq. (via Fax)
Terrell Sadler
Jon Robbins, Esq. (via Fax)
Tomilee Tilley Gill (via Fax)

[DICTATED--BUT NOT READ]

WASHBURN, BRISCOE & MCCARTHY

A PROFESSIONAL CORPORATION

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FACSIMILE: (916) 447-4781

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SAN FRANCISCO, CALIFORNIA 94133
TELEPHONE: (415) 421-3200
FACSIMILE: (415) 421-5044

2550 FRITZ COVE ROAD
JUNEAU, ALASKA 99801
TELEPHONE: (907) 789-6818
FACSIMILE: (907) 789-6819

February 22, 1996

via FACSIMILE

Thomas Peacock
Manager, Local Oversight Program
Alameda County Health Care Services
1131 Harbor Bay Parkway, No. 250
Alameda, California 94502-6577

Re: Former Signal Station #S0800
800 Center Street, Oakland, California 94607

Dear Mr. Peacock:

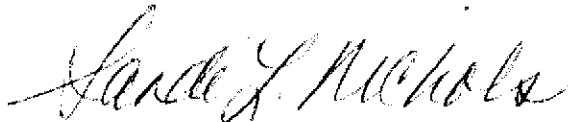
As we discussed this afternoon, I just received a copy of the letter from Mark Miller at Chevron, directed to you, dated February 21, 1996. A copy is attached for your reference.

Based on the representations made by Chevron in the letter, we ask that the Pre-Enforcement Panel Review be vacated.

As we also discussed, if you call me this afternoon to confirm that the Panel Review will indeed be vacated, I will circulate a letter to all alleged responsible parties to that effect.

Thank you very much for your immediate attention to this matter.

Very truly yours,



Sandi L. Nichols

SLN:gsb
Attachment



Chevron

96 FEB 23 PM 11 12

February 21, 1996

Chevron U.S.A. Products Company

6001 Bollinger Canyon Rd., Bldg. L
P.O. Box 5004
San Ramon, CA 94583-0804

Mr. Thomas Peacock
Alameda County Health Care Services
Department of Environmental Health
1131 Harbor Bay Parkway, Suite 250
Alameda, CA 94502-6577

Mark A. Miller
SAR Engineer
Phone No. 510 842-8134
Fax No. 510 842-8252

**Re: Former Signal Service Station #S0800
800 Center Street, Oakland, CA**

Dear Mr. Peacock:

We have recently received a letter dated February 5, 1996, from your office approving the Work Plan of January 29, 1996, prepared by our consultant Pacific Environmental Group, Inc. for the above referenced site. This approval was given by Jennifer Eberle of your office subject to the receipt of an acceptable interparty agreement showing full cooperation between the parties involved.

It is clearly the intent of all parties involved to reach an agreement regarding responsibility for hydrocarbon contamination present and associated costs for investigation and remediation. All responsible parties have diligently pursued such an agreement and a plausible avenue to settle the outstanding differences has been identified. While this avenue will continue to be pursued and will likely be finalized in the coming months, it is unlikely that a firm agreement will be reached by the February 23, 1996, date specified by Ms. Eberle as necessary to vacate the February 28, 1996, Pre-Enforcement Panel Review.

Regardless of the ongoing negotiations, it is Chevron's intent that all parties involved remain in compliance with directives issued by your office. To that extent, Chevron proposes to move forward with the Work Plan as approved in order to meet these compliance directives and vacate the Pre-Enforcement Panel Review date. As directed in Ms. Eberle's letter, we will instruct our consultant to begin the necessary steps to initiate field work by March 20 and have a report documenting field activities to your office by April 20. We will notify your office in writing of any potential delays to this schedule which may include additional time required for permitting boring locations in the City of Oakland right-of-way.

I understand from a conversation you had with Ms. Sandi Nichols of Washburn, Briscoe, and McCarthy, that this proposed course of action will be sufficient to allow the Pre-Enforcement Panel Review to be vacated. We would appreciate your written concurrence with this course of



Mr. Thomas Peacock
February 21, 1996
Page 2

action and that the February 28, 1996 date has been vacated. If you have any questions or comments, please feel free to contact me at (510) 842-8134.

Sincerely,
CHEVRON U.S.A. PRODUCTS COMPANY



Mark A. Miller
Site Assessment and Remediation Engineer

cc: Ms. Jennifer Eberle
Alameda County Health Care Services
Department of Environmental Health
1131 Harbor Bay Parkway, Suite 250
Alameda, CA 94502-6577

Ms. B.C. Owen

Mr. J.N. Robbins

Mr. Terrell A. Sadler
618 Brooklyn Avenue
Oakland, CA 94606

Mr. James Scott
BPH, Inc.
580 Market Street, Suite 400
San Francisco, CA 94104

Ms. Sandi Nichols
Washburn, Briscoe & McCarthy
55 Francisco Street, Suite 600
San Francisco, CA 94133

WASHBURN, BRISCOE & MCCARTHY

A PROFESSIONAL CORPORATION

LAWYERS

770 L STREET, SUITE 990
SACRAMENTO, CALIFORNIA 95814
TELEPHONE: (916) 447-0700
FACSIMILE: (916) 447-4781

55 FRANCISCO STREET, SUITE 600
SAN FRANCISCO, CALIFORNIA 94133
TELEPHONE: (415) 421-3200
FACSIMILE: (415) 421-5044

2550 FRITZ COVE ROAD
JUNEAU, ALASKA 99801
TELEPHONE: (907) 789-6818
FACSIMILE: (907) 789-6819

ST 10 5544

February 16, 1996

Tom Peacock
Manager, Local Oversight Program
Alameda County Environmental
Health Services
1131 Harbor Bay Parkway, No. 250
Alameda, California 94502-6577

Re: Former Signal Station, 800 Center Street,
Oakland, California 94607

Dear Mr. Peacock:

As we have discussed, I received the February 5, 1996 letter from Jennifer Eberle to the alleged responsible parties with respect to the above-referenced site.

In her letter, Ms. Eberle sets forth her approval of the workplan submitted by Chevron, and requires implementation of the workplan by March 20, 1996. Additionally, she requests a copy of a "finalized agreement" between the alleged responsible parties by February 23, 1996.

As I discussed with you last week, the parties met on February 1, 1996 at my office, to discuss their respective positions concerning their alleged responsibility for the contamination at and under the subject site. They are diligently working toward a settlement agreement. However, it is doubtful that a "finalized agreement" can be provided to your office by February 23, 1996.

In the interim, however, we have been assured by Chevron that it intends to implement the workplan, and comply with the regulatory requirements. Given this, and given that there is no pending non-compliance in view of the submittal of the workplan, there is no reason to proceed with the Pre-Enforcement Panel Review on February 28, 1996.

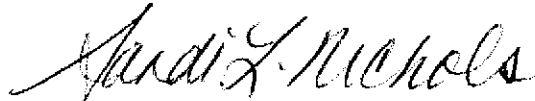
Instead, I suggest another continuance of that hearing, to proceed if necessary at the end of March, 1996. This will allow the parties to continue their settlement discussions in

Tom Peacock
February 16, 1996
Page 2

hopes of finalizing an agreement, and will permit Chevron to implement the workplan to demonstrate ongoing site compliance.

I would appreciate receiving a response to this request for a continuance at your earliest opportunity.

Very truly yours,



Sandi L. Nichols

SLN:gsb

cc: Jon Robbins, Esq., Chevron
Mark Miller, Chevron
Terrell Sadler
Hollis Rodgers
Tomilee Tilley Gill

ALAMEDA COUNTY
HEALTH CARE SERVICES



AGENCY

DAVID J. KEARS, Agency Director

ARNOLD PERKINS, DIRECTOR

February 5, 1996
STID 5544
page 1 of 2

ALAMEDA COUNTY CC4580
ENVIRONMENTAL HEALTH SERVICES
1131 HARBOR BAY PKWY., #250
ALAMEDA CA 94502-6577

Attn: Mark Miller
Chevron USA Inc.
PO Box 5004
San Ramon CA 94583-0804

Terrell Sadler
618 Brooklyn Ave.
Oakland CA 94606
(property owner)

Attn: Tomilee Tilley Gill
First Interstate Bank
707 Wilshire Blvd., W7-22
Los Angeles CA 90017

L.B. Hoge Trust
First Interstate Bank
707 Wilshire Blvd., W7-22
Los Angeles CA 90017

Hollis Rodgers
543-42nd St.
Oakland CA 94609

Attn: Tomilee Tilley Gill
First Interstate Bank
Successor in interest to
United California Bank
707 Wilshire Blvd., W7-22
Los Angeles CA 90017

RE: Former Signal Station, 800 Center St., Oakland CA 94607

Dear Mr. Miller, Mr. Sadler, and Ms. Tilley Gill,

I am in receipt of the "Work Plan," prepared by Pacific Environmental Group, dated 1/29/96, under Chevron's cover letter dated 1/30/96. This workplan was received via facsimile on 1/30/96. The workplan involves the installation of approximately five to seven Geoprobe borings, and the collection of soil and grab water samples. **The workplan is acceptable with the following understandings:**

- 1) Soil and water from the boring located near the station building will be analyzed for Oil and Grease via EPA Method 5520. The rationale for this is that Oil and Grease was previously detected in boring 5, drilled near the hydraulic lift, at 16,000 ppm at a depth of 3.7' bgs (see the SCI 10/13/89 report).
- 2) If the boring from the corner of Center and 8th Streets appears to have low levels or no contamination, then another boring will be drilled approximately 20' to the east, in 8th St.
- 3) It has been noted that the soil lithology is actually predominantly sand, ranging from fine sand to clayey sand. The first bullet on page 2 should be corrected.

These items were discussed with Mark Sullivan of PEG on 2/5/96.

Lastly, please understand that the workplan approval is subject to the receipt of an acceptable interparty agreement, showing full cooperation between the parties involved. Please forward a copy of the finalized agreement to Tom Peacock of this office by 2/23/96. I will be on vacation from 2/9/96 through 2/23/96; Mr. Peacock is the Manager of the LOP group.

February 5, 1996
STID 5544
page 2 of 2

Upon receipt of an acceptable interparty agreement, the 2/28/96 date set for the Pre-Enforcement Panel Review will be vacated. **The workplan should be implemented within 45 days, or by March 20, 1996. A report detailing the workplan activities should be submitted to my attention within 30 more days, or by April 20, 1996.** This report should include a section on conclusions and recommendations.

If you have any questions, please contact me at 510-567-6761, or in my absence, Tom Peacock at 510-567-6782.

Sincerely,

Jennifer Eberle
Hazardous Materials Specialist

- cc: Mark Sullivan, Pacific Environmental Group, 2025 Gateway Place, Suite 440, San Jose CA 95110
- Jim Scott, BPH Mortgage, 580 Market St., Suite 400, San Francisco CA 94104
- Gil Jensen, Alameda County District Attorney's Office
- Cherrill Johnson**, Managing Counsel, Legal Dept, 633 West 5th St., Los Angeles CA 90071
- Sandi Nichols, Esq., Washburn, Briscoe, and McCarthy, 55 Francisco St., Suite 600, San Francisco CA 94133
- Acting Chief/file

je.5544-C

ALAMEDA COUNTY
HEALTH CARE SERVICES AGENCY
Department Of Environmental Health
Environmental Protection Division
1131 Harbor Bay Parkway, Suite 250
Alameda, CA 94502-6577



FEB 06 1996

Eberle

Cherrill Johnson
Managing Counsel
Legal Dept.
633 West 5th St.
Los Angeles CA 90071





Chevron

January 30, 1996

Chevron U.S.A. Products Company
6001 Bollinger Canyon Rd., Bldg. L
P.O. Box 5004
San Ramon, CA 94583-0804

Mark A. Miller
SAR Engineer
Phone No. 510 842-8134
Fax No. 510 842-8252

Ms. Jennifer Eberle
Alameda County Health Care Services
Department of Environmental Health
1131 Harbor Bay Parkway, Suite 250
Alameda, CA 94502-6577

**Re: Former Signal Service Station #S0800
800 Center Street, Oakland, CA**

Dear Ms. Eberle:

Thank you for your letter of December 13, 1995, requesting a work plan for a soil and water investigation for the above referenced site. Your request follows our submittal of the Additional Site Assessment Report dated November 14, 1995, prepared by our consultant Groundwater Technology, Inc. (GTI). We agree that elevated levels of hydrocarbons exist in soil and ground water, and further assessment is warranted.

Enclosed is a Work Plan dated January 29, 1996, prepared by our consultant Pacific Environmental Group, Inc. The proposed work includes installation of five to seven soil borings, depending on field conditions. Soil and grab ground water samples will be collected and analyzed for TPH-G and BTEX constituents. This work will be done to better define the extent to which hydrocarbons have impacted subsurface soils and ground water.

Your letter also requested that a feasibility study be performed to evaluate alternatives for mitigating the adverse effects of the unauthorized release. The process of evaluating appropriate remedial alternatives for this site has been underway for some time. The wells installed during the GTI investigation were installed with a short screened interval so that they could easily be abandoned should excavation be the appropriate alternative. Additional data regarding grain size distribution and horizontal and vertical permeability were also gathered to determine the appropriateness of in-situ remedial technologies. Based on the existing site conditions and shallow depth to ground water, it appears that the two feasible remedial alternatives are excavation or an in-situ technology such as dual vacuum extraction. Data gathered from the currently proposed investigation should assist in finalizing the appropriate remedial approach.

If you have any questions or comments, please feel free to contact me at (510) 842-8134.



Ms. Jennifer Eberle
January 30, 1996
Page 2

Sincerely,
CHEVRON U.S.A. PRODUCTS COMPANY



Mark A. Miller
Site Assessment and Remediation Engineer

cc: Ms. B.C. Owen

Mr. Terrell A. Sadler
618 Brooklyn Avenue
Oakland, CA 94606

Mr. James Scott
BPH, Inc.
580 Market Street, Suite 400
San Francisco, CA 94104

Ms. Sandi Nichols
Washburn, Briscoe & McCarthy
55 Francisco Street, Suite 600
San Francisco, CA 94133

ALAMEDA COUNTY
HEALTH CARE SERVICES



AGENCY
DAVID J. KEARS, Agency Director

ARNOLD PERKINS, DIRECTOR

January 22, 1996
STID 5544

ALAMEDA COUNTY CC4580
ENVIRONMENTAL HEALTH SERVICES
1131 HARBOR BAY PKWY., #250
ALAMEDA CA 94502-6577

Attn: Ms. Sandi Nichols
Washburn, Briscoe & McCarthy
Lawyers
55 Francisco St., Suite 600
San Francisco CA 94133

Dear Ms. Nichols,

I am in receipt of your fax dated 1/22/96. The Pre-Enforcement Review Panel (PERP) scheduled for 1/24/96 at 10:30 am has indeed been postponed, upon your request, to a further date. Please note that the new date is **February 28, 1996 at 9:45 am**. You were apparently given an erroneous date of February 21st. Please correct your schedule.

I understand that the February PERP may not ensue if the issues of workplan submittal and identification of responsible parties (RPs) are cleared up beforehand. Please understand that the reason the January PERP was called in the first place was due to your challenging First Interstate Bank's designation as a RP, and not the submittal of the workplan. When RPs challenge their designation as such, it often delays the submittal of the workplan.

If you have any further legal questions, please contact Gil Jensen of the District Attorney's Office of Environmental and Consumer Protection, at 510-569-9281. If you have any environmental technical questions, please contact me at 510-567-6761.

Sincerely,

Jennifer Eberle
Hazardous Materials Specialist

cc: Gil Jensen
Acting Chief/file

je.5544-B

WASHBURN, BRISCOE & MCCARTHY

A PROFESSIONAL CORPORATION

LAWYERS

770 L STREET, SUITE 990
SACRAMENTO, CALIFORNIA 95814
TELEPHONE: (916) 447-0700
FACSIMILE: (916) 447-4781

55 FRANCISCO STREET, SUITE 600
SAN FRANCISCO, CALIFORNIA 94133
TELEPHONE: (415) 421-3200
FACSIMILE: (415) 421-5044

2550 FRITZ COVE ROAD
JUNEAU, ALASKA 99801
TELEPHONE: (907) 789-6818
FACSIMILE: (907) 789-6819

January 22, 1996

via FACSIMILE

Jennifer Eberle
Hazardous Materials Specialist
Alameda County Health Care
Services Agency
Department of Environmental Health
Environmental Protection Division
1131 Harbor Bay Parkway, Suite 250
Alameda, California 94502-6577

Re: Former Signal Station, 800 Center Street,
Oakland, California 94607

Dear Ms. Eberle:

This will confirm, pursuant to my telephone conversation with Gil Jensen of the District Attorney's Office this afternoon, that the Pre-Enforcement Review Panel hearing presently set for January 24, 1996, at 10:30 a.m., will be postponed at my request, on behalf of First Interstate Bank. As you know, we did not receive written Notice of this hearing until today. I have also confirmed with Jon Robbins and Bette Owen, at Chevron, and with Jim Scott, on behalf of Mr. Sadler, that the hearing will not go forward on January 24, 1996. Mr. Scott has agreed to contact Mr. Hollis Rodgers and inform him of this.

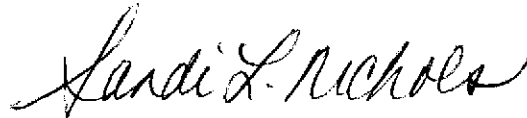
Instead, the parties are agreeing to meet informally to discuss this matter on February 1, 1996, at my office. We assume that if the workplan and investigatory work being required by the County is performed in accordance with applicable time lines, no Pre-Enforcement Review Panel hearing will be necessary. Indeed, we were all surprised to receive the Notice given that the date for submittal of the workplan is January 28, 1996, and any enforcement proceeding was premature. In the event a Pre-Enforcement Review Panel hearing is needed, we understand it will be held on February 21, 1996, at 10:30 a.m.

I would appreciate receiving written confirmation from you as to the postponement of the January 24, 1996 Pre-Enforcement Review Panel hearing for this site by facsimile so I can circulate the same to the alleged responsible parties.

Jennifer Eberle
January 22, 1996
Page 2

Thank you very much.

Very truly yours, .

A handwritten signature in cursive script that reads "Sandi L. Nichols". The signature is written in dark ink and is positioned above the printed name.

Sandi L. Nichols

SLN:gsb

cc: Gil Jensen, District Attorney's Office (via Fax)
Jon Robbins, Esq. (via Fax)
James Scott (via Fax)

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

In Re The Property Known As :)	NOTICE OF
)	PRE-ENFORCEMENT
<i>Former Signal Service Station</i>)	REVIEW PANEL
<i>800 Center St.</i>)	
<i>Oakland CA 94607</i>)	

Notice is hereby given that upon the motion of the Alameda County Environmental Protection Division and the San Francisco Bay Regional Water Quality Control Board, a **Pre-Enforcement Review Panel** will convene on **Wednesday, January 24, 1996 at 10:30 am** in the offices of the Alameda County Hazardous Materials Division located at 1131 Harbor Bay Parkway, Room 200, Alameda CA 94502. This **Pre-Enforcement Review Panel** will convene for the purpose of determining responsible parties as well as appropriate closure, site assessment, clean-up and mitigation of contamination at the above location.

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

- | | |
|--|--|
| 1. Mr. Terrell Sadler
Property owner
618 Brooklyn Ave.
Oakland CA 94606 | 2. Attn: Mr. Mark Miller
Chevron USA
PO Box 5004
San Ramon CA 94583-0804 |
| 3. Attn: Tomilee Tilley Gill
First Interstate Bank of California
707 Wilshire Blvd., W7-22
Los Angeles CA 90017 | 4. Mr. Hollis Rodgers
543-42nd St.
Oakland CA 94609 |
| 5. Attn: Tomilee Tilley Gill
First Interstate Bank of California
Successor in interest to United
California Bank
707 Wilshire Blvd., W7-22
Los Angeles CA 90017 | 6. L.B. Hoge Trust
First Interstate Bank of California
707 Wilshire Blvd., W7-22
Los Angeles CA 90017 |

Dated:

1-18-96



Jennifer Eberle, Hazardous Materials Specialist

cc: Gil Jensen, Alameda County District Attorney Office
John Kaiser, Regional Water Quality Control Board
Sandi Nichols, Washburn, Briscoe and McCarthy, 55 Francisco St., Suite 600, San
Francisco CA 94133
Jim Scott, BPH Mortgage, 580 Market St., Suite 400, San Francisco CA 94104

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

In Re The Property Known As :

Former Signal Service Station
800 Center St.
Oakland CA 94607

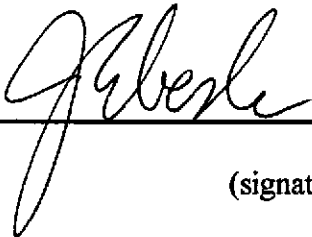
)
)
)
)

Proof of Service of
Notice of
Pre-Enforcement
Review Panel

I Jennifer Eberle, do hereby certify that I served First Interstate Bank as successor in interest to United California Bank

with a copy of the attached **Notice of Pre-Enforcement Review Panel** to be held on
January 24, 1996 at 10:30 am by certified mailer #P 368 729 279

Dated: 1/18/96



(signature)

JE P 368 729 279

US Postal Service
Receipt for Certified Mail
 No Insurance Coverage Provided.
 Do not use for International Mail (See reverse)

Sent to: Attn: Tomilee Tilley Gill First Interstate Bank of CA	
Street: Successor in interest to United Calif. Bank	
Post Office, State, & ZIP Code: 707 Wilshire Blvd., W7-22 Los Angeles CA 90017	
Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, & Addressee's Address	
TOTAL Postage & Fees	\$
Postmark or Date	

PS Form 3800, April 1995

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

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

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

- Addressee's Address
- Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:
 J. Eberle
 Attn: Tomilee Tilley Gill
 First Interstate Bank of CA
 Successor in interest to United California Bank
 707 Wilshire BLvd., W7-22
 Los Angeles, CA 90017

4a. Article Number
 P 368 729 279

4b. Service Type

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

7. Date of Delivery
 1-22-96

5. Received By: (Print Name)

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

6. Signature: (Addressee or Agent)
 X

PS Form 3811, December 1994

Domestic Return Receipt

Thank you for using Return Receipt Service.

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

In Re The Property Known As :

Former Signal Service Station
800 Center St.
Oakland CA 94607

)
)
)
)

Proof of Service of
Notice of
Pre-Enforcement
Review Panel

I Jennifer Eberle, do hereby certify that I served Tomilee Tilley Gill

with a copy of the attached **Notice of Pre-Enforcement Review Panel** to be held on

January 24, 1996 at 10:30 am by certified mailer #P 368 729 277

Dated: 1/18/96



(signature)


JE P 368 729 277

US Postal Service
Receipt for Certified Mail
 No Insurance Coverage Provided.
 Do not use for International Mail (See reverse)

Sent to Tomilee Tilley Gill	
Street & Number 707 Wilshire Blvd., W7-22	
Post Office, State, & ZIP Code Los Angeles CA 90017	
Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, & Addressee's Address	
TOTAL Postage & Fees	\$
Postmark or Date	

PS Form 3800, April 1995

Is your RETURN ADDRESS completed on the reverse side?

SENDER: ■ Complete items 1 and/or 2 for additional services. ■ Complete items 3, 4a, and 4b. ■ Print your name and address on the reverse of this form so that we can return this card to you. ■ Attach this form to the front of the mailpiece, or on the back if space does not permit. ■ Write "Return Receipt Requested" on the mailpiece below the article number. ■ The Return Receipt will show to whom the article was delivered and the date delivered.		I also wish to receive the following services (for an extra fee): 1. <input type="checkbox"/> Addressee's Address 2. <input type="checkbox"/> Restricted Delivery Consult postmaster for fee.
3. Article Addressed to: J. Eberle Tomilee Tilley Gill First Interstate Bank of Calif. 707 Wilshire Blvd., W7-22 Los Angeles CA 90017	4a. Article Number P 368 729 277	
	4b. Service Type <input type="checkbox"/> Registered <input checked="" type="checkbox"/> Certified <input type="checkbox"/> Express Mail <input type="checkbox"/> Insured <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> COD	
	7. Date of Delivery 1-22-96	
5. Received By: (Print Name)	8. Addressee's Address (Only if requested and fee is paid)	
6. Signature: (Addressee or Agent) X 		

Thank you for using Return Receipt Service.

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

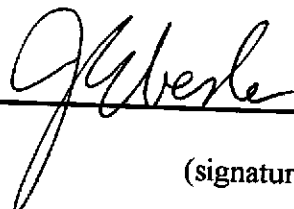
In Re The Property Known As :

Former Signal Service Station
800 Center St.
Oakland CA 94607

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

I Jennifer Eberle, do hereby certify that I served L. B. Hoge Trust, First Interstate Bank with a copy of the attached Notice of Pre-Enforcement Review Panel to be held on January 24, 1996 at 10:30 am by certified mailer #P 368 729 280

Dated: 1/18/96



(signature)

JE P 368 729 280

US Postal Service
Receipt for Certified Mail

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

Sent to L.B Hoge Trust	
Street & Number 707 Wilshire Blvd., W7-22	
Post Office, State, & ZIP Code Los Angeles CA 90017	
Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, & Addressee's Address	
TOTAL Postage & Fees	\$
Postmark or Date	

PS Form 3800, April 1995

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

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

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

- 1. Addressee's Address
- 2. Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to: J. Eberle

L. B. Hoge Trust
First Interstate Bank of CA
707 Wilshire Blvd., W7-22
Los Angeles CA 90017

5. Received By: (Print Name)

6. Signature: (Addressee or Agent)
X

4a. Article Number
P 368 729 280

4b. Service Type
 Registered Certified
 Express Mail Insured
 Return Receipt for Merchandise COD

7. Date of Delivery
1-22-96

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

Thank you for using Return Receipt Service.

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

In Re The Property Known As :

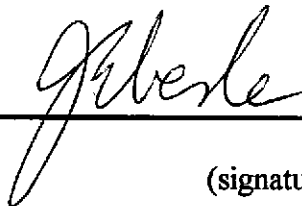
Former Signal Service Station
800 Center St.
Oakland CA 94607

)
)
)
)

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

I **Jennifer Eberle**, do hereby certify that I served **Mr. Hollis Rodgers**
with a copy of the attached **Notice of Pre-Enforcement Review Panel** to be held on
January 24, 1996 at 10:30 am by certified mailer #**P 368 729 278**

Dated: **1/18/96**



(signature)

JE

P 368 729 278

US Postal Service
Receipt for Certified Mail
 No Insurance Coverage Provided.
 Do not use for International Mail (See reverse)

Sent to Mr. Hollis Rodgers	
Street & Number 543 42nd Street	
Post Office, State, & ZIP Code Oakland CA 94609	
Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, & Addressee's Address	
TOTAL Postage & Fees	\$
Postmark or Date	

PS Form 3800 April 1995

Is your RETURN ADDRESS completed on the reverse side?	SENDER: ■ Complete items 1 and/or 2 for additional services. ■ Complete items 3, 4a, and 4b. ■ Print your name and address on the reverse of this form so that we can return this card to you. ■ Attach this form to the front of the mailpiece, or on the back if space does not permit. ■ Write "Return Receipt Requested" on the mailpiece below the article number. ■ The Return Receipt will show to whom the article was delivered and the date delivered.	I also wish to receive the following services (for an extra fee): 1. <input type="checkbox"/> Addressee's Address 2. <input type="checkbox"/> Restricted Delivery Consult postmaster for fee.	
	3. Article Addressed to: J. Eberle Mr. Hollis Rodgers 543 42nd Street Oakland CA 94609	4a. Article Number P 368 729 278	
		4b. Service Type <input type="checkbox"/> Registered <input checked="" type="checkbox"/> Certified <input type="checkbox"/> Express Mail <input type="checkbox"/> Insured <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> COD	
	5. Received By: (Print Name) <i>J. Eberle</i>	7. Date of Delivery 11/20/96	
6. Signature: (Addressee or Agent) X	8. Addressee's Address (Only if requested and fee is paid)		

Thank you for using Return Receipt Service.

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

In Re The Property Known As :

Former Signal Service Station

800 Center St.

Oakland CA 94607

)
)
)
)

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

I **Jennifer Eberle**, do hereby certify that I served **Mr. Mark Miller**

with a copy of the attached **Notice of Pre-Enforcement Review Panel** to be held on

January 24, 1996 at 10:30 am by certified mailer #**P 368 729 276**

Dated: **1/18/96**



(signature)

JE

P 368 729 276

US Postal Service

Receipt for Certified Mail

No Insurance Coverage Provided.

Do not use for International Mail (See reverse)

Sent to	
Mark Miller	
Street & Number	
P.O. Box 5004	
Post Office, State, & ZIP Code	
San Ramon CA 94583-0804	
Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, & Addressee's Address	
TOTAL Postage & Fees	\$
Postmark or Date	

PS Form 3800, April 1995

SENDER:

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

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

- Addressee's Address
- Restricted Delivery

Consult postmaster for fee.

is your RETURN ADDRESS completed on the reverse side?

3. Article Addressed to:

J. Eberle

Mark Miller
Chevron USA
PO Box 5004
San Ramon CA 94583

4a. Article Number

P 368 729 276

4b. Service Type

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

7. Date of Delivery

JAN 22 1996

5. Received By: (Print Name)

6. Signature: (Addressee or Agent)

X *Mark Miller*

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

PS Form 3811, December 1994

Domestic Return Receipt

Thank you for using Return Receipt Service.

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

In Re The Property Known As :

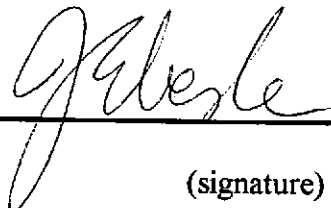
Former Signal Service Station
800 Center St.
Oakland CA 94607

)
)
)
)

Proof of Service of
Notice of
Pre-Enforcement
Review Panel

I Jennifer Eberle, do hereby certify that I served Mr. Terrell Sadler
with a copy of the attached Notice of Pre-Enforcement Review Panel to be held on
January 24, 1996 at 10:30 am by certified mailer #P 368 729 275

Dated: 1/18/96



(signature)

JE P 368 729 275

US Postal Service
Receipt for Certified Mail
No Insurance Coverage Provided.
Do not use for International Mail (See reverse)

Sent to	
Mr. Terrell Sadler	
Street & Number	
618 Brooklyn Ave.	
Post Office, State, & ZIP Code	
Oakland CA 94606	
Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, & Addressee's Address	
TOTAL Postage & Fees	\$
Postmark or Date	

PS Form 3800, April 1995

Is your RETURN ADDRESS completed on the reverse side?

SENDER: ■ Complete items 1 and/or 2 for additional services. ■ Complete items 3, 4a, and 4b. ■ Print your name and address on the reverse of this form so that we can return this card to you. ■ Attach this form to the front of the mailpiece, or on the back if space does not permit. ■ Write "Return Receipt Requested" on the mailpiece below the article number. ■ The Return Receipt will show to whom the article was delivered and the date delivered.		I also wish to receive the following services (for an extra fee): 1. <input type="checkbox"/> Addressee's Address 2. <input type="checkbox"/> Restricted Delivery Consult postmaster for fee.
3. Article Addressed to: J. Eberle Terrell Sadler 618 Brooklyn Avenue Oakland CA 94606	4a. Article Number P 368 729 275	7. Date of Delivery 1/20/96
5. Received By: (Print Name)	4b. Service Type <input type="checkbox"/> Registered <input checked="" type="checkbox"/> Certified <input type="checkbox"/> Express Mail <input type="checkbox"/> Insured <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> COD	
6. Signature: (Addressee or Agent) X Terrell Sadler	8. Addressee's Address (Only if requested and fee is paid)	

Thank you for using Return Receipt Service.

WASHBURN, BRISCOE & MCCARTHY

A PROFESSIONAL CORPORATION

LAWYERS

770 L STREET, SUITE 990
SACRAMENTO, CALIFORNIA 95814
TELEPHONE: (916) 447-0700
FACSIMILE: (916) 447-4781

55 FRANCISCO STREET, SUITE 600
SAN FRANCISCO, CALIFORNIA 94133
TELEPHONE: (415) 421-3200
FACSIMILE: (415) 421-5044

2550 FRITZ COVE ROAD
JUNEAU, ALASKA 99801
TELEPHONE: (907) 789-6818
FACSIMILE: (907) 789-6819

January 8, 1996

via FACSIMILE

Jennifer Eberle
Hazardous Materials Specialist
Alameda County Health Care
Services Agency
Department of Environmental Health
Environmental Protection Division
1131 Harbor Bay Parkway, Suite 250
Alameda, California 94502-6577

Re: Former Signal Station, 800 Center Street,
Oakland, California 94607

Dear Ms. Eberle:

This letter is intended to respond to the Notice of Requirement to Reimburse, dated December 1, 1995, as well as the December 13, 1995 letter sent to my client, First Interstate Bank, by your office.

As I mentioned to you in our recent telephone conversation, First Interstate Bank is inappropriately identified as a Responsible Party with respect to this site.

First, First Interstate Bank's relationship to this property is merely as a trustee of a trust that formerly included the 800 Center Street site as an asset. First Interstate Bank had no corporate ownership interest in this property. The documents of record in the County Recorder's Office identify First Interstate Bank's corporate predecessors (including Central Bank and United California Bank) as the Lessor or Grantor of the property. Apparently, confusion has been created by the fact that there was no express reference to the Bank "as trustee." However, some of those documents do expressly note that the parties executing the documents were trust officers, which is reflective of the Bank's capacity as a trustee. For example, the Memorandum of Lease dated January 5, 1942, between Central Bank and Signal Oil Company, the lessee, notes that the lease had been executed by the Vice President of the Bank and the Assistant Trust Officer on behalf of the lessor. Similarly, the Memorandum of Lease dated October 9, 1961, notes that United California Bank

Jennifer Eberle
January 8, 1996
Page 2

executed the lease through its trust officers. We have confirmed that the other conveyancing instruments were also executed by trust personnel whose titles in the Bank's Trust Department were Vice President and Assistant Vice President, etc. Additionally, other Bank records also document the fact that this property was included within a trust and, at the time of the sale of the property, the proceeds were paid into a trust at the Bank.

Consequently, there is absolutely no legal or legitimate basis upon which the County can hold First Interstate Bank liable as a Responsible Party with respect to this site. Moreover, we know of no authority that would permit the Bank to be named, since it was acting merely as a trustee over this asset and did not own or operate the service station at the site. As you already know, the site was operated for more than 20 years by Chevron or its corporate predecessor, Signal Oil Company.

Additionally, the site was owned and operated by Hollis Rodgers. Hollis Rodgers owned the property from approximately 1965 to 1970, when he apparently operated it as a service station. Neither the Bank nor the trust were involved with the site other than as a secured lender during that time. In 1970, the trust reacquired the property by non-judicial foreclosure. In 1972, the underground storage tanks were removed.

Thus, there was never any operation of the underground storage tanks or the service station by the Bank as trustee. There is, thus, no legal basis upon which to hold the Bank liable as trustee, or otherwise.

Furthermore, there is absolutely no evidence that any contamination occurred during the trust's ownership of this property. The "Date First Reported" of June 1, 1972, that the County has set forth in its December 1, 1995 Notice of Requirement to Reimburse, is plainly mistaken. There was no contamination identified, much less reported, on June 1, 1972. To the contrary, the date the contamination was reported was apparently some time recently by Terrell Sadler or his agent. Please set forth any documentary or other evidence that you have that would indicate that there was a report of contamination made on June 1, 1972. The fact that the tanks were removed on that date is not at all supportive of an identification or a report of contamination at that time.

Next, Chevron, having been the long-term operator of the service station at this site, is the appropriate Responsible Party to be undertaking any further investigation of soil and

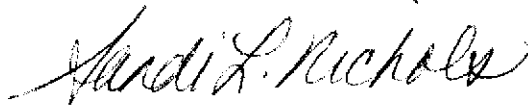
Jennifer Eberle
January 8, 1996
Page 3

groundwater associated with this site. Additionally, Hollis Rodgers, the other operator, would be a Responsible Party. The Bank is not.

We would welcome the opportunity to discuss the foregoing with you in more detail if you believe it would be useful. For now, however, we ask that First Interstate Bank be deleted as a Responsible Party from the Notice of Requirement to Reimburse, and from the December 13, 1995 letter requiring a soil and groundwater investigation.

Please contact me at your earliest opportunity with respect to this request.

Very truly yours,



Sandi L. Nichols

SLN:gsb

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY

DAVID J. KEARS, Agency Director



RAFAT A. SHAHID, Director

December 13, 1995
STID 5544

DEPARTMENT OF ENVIRONMENTAL HEALTH
Environmental Protection Division
1131 Harbor Bay Parkway, #250
Alameda, CA 94502-6577
(510) 567-6700

Attn: Mark Miller
Chevron USA Inc.
PO Box 5004
San Ramon CA 94583-0804

Terrell Sadler
618 Brooklyn Ave.
Oakland CA 94606
(property owner)

Attn: Tomilee Tilley Gill
First Interstate Bank
707 Wilshire Blvd., W7-22
Los Angeles CA 90017

RE: Former Signal Station, 800 Center St., Oakland CA 94607

Dear Mr. Miller, Mr. Sadler, and Ms. Tilley Gill,

I am in receipt of the 11/14/95 "Additional Site Assessment Report," prepared by Groundwater Technology, Inc., under Chevron's cover letter dated 11/30/95. This report documents the installation of seven soil borings, four of which were converted to groundwater monitoring wells. Maximum concentrations of contaminants were detected in MW-1; soil contaminants were as high as 14,000 ppm TPHg and 120 ppm benzene; groundwater contaminants were as high as 170,000 ppb TPHg and 19,000 ppb benzene.

These are significantly elevated concentrations! The extent of the soil and groundwater contamination is unknown. **Therefore, you are required to conduct a Soil and Water Investigation (SWI)**, as per Sect. 2724 of Chapter 16, Division 3, Title 23, California Code of Regulations. Rapid site assessment methods (i.e. cone penetrometer testing, geoprobe, hydropunch, etc.) are suggested to qualitatively assess impacts and to define the extent of the plume, as a first step of the SWI. The SWI should include a "feasibility study to evaluate alternatives for . . . mitigating the . . . adverse effects of the unauthorized release," as per Sect. 2725 of Chapter 16, Division 3, Title 23, California Code of Regulations. The SWI will be used to later implement corrective action, as per a Corrective Action Plan, as defined in Sect. 2726 of Chapter 16, Division 3, Title 23, California Code of Regulations. **Please submit a workplan for a SWI within 45 days, or by January 28, 1996.**

Please note that I am in receipt of the 12/8/95 letter from Sandi Nichols to Chevron.

If you have any questions, please contact me at 510-567-6761.

Sincerely,

Jennifer Eberle
Hazardous Materials Specialist

December 13, 1995

STID 5544

Attn: Mark Miller

Terrell Sadler

Attn: Tomilee Tilley Gill

page 2 of 2

cc: Cherrill Johnson, Managing Counsel, Legal Dept, 633 West 5th St., Los Angeles CA
90071

Sandi Nichols, Esq., Washburn, Briscoe, and McCarthy, 55 Francisco St., Suite 600, San
Francisco CA 94133

Michael Chamberlain, Groundwater Technology, Inc., 4057 Port Chicago Highway,
Concord CA 94520

 Acting Chief/file

je.5544-A

BPH MORTGAGE
580 Market Street Suite #400
San Francisco, CA 94104
PH(415) 399-1797 FAX(415)399-8715

FAX COVER LETTER

DATE 13 Dec 95 TIME 1:05 pm
TO Ms Jennifer Eberley RE: 800 Centev st
COMPANY Alameda County Genl Health REF: Responsible Parties
TEL # 510-567-6761
FAX # 510-337-9335
FROM: JAMES C. SCOTT #OF PAGES 1 INC COVER

MESSAGE

Per our last conversation:

Mr. Hollis Rodgers was the last operator of the tanks for the subject property. His last known address is 543 42nd St Oakland Ca ph. 510-653-2127.

She is the party mentioned the the letter from 1st Interstate's Trust Manager, Tommiee Jilly Gill.

phone book.

2801 Summit St

5763-1212 94609

Hollis Rodgers

WASHBURN, BRISCOE & MCCARTHY

A PROFESSIONAL CORPORATION

LAWYERS

770 L STREET, SUITE 990
SACRAMENTO, CALIFORNIA 95814
TELEPHONE: (916) 447-0700
FACSIMILE: (916) 447-4781

55 FRANCISCO STREET, SUITE 600
SAN FRANCISCO, CALIFORNIA 94133
TELEPHONE: (415) 421-3200
FACSIMILE: (415) 421-5044

2550 FRITZ COVE ROAD
JUNEAU, ALASKA 99801
TELEPHONE: (907) 789-6818
FACSIMILE: (907) 789-6819

December 8, 1995

CERTIFIED--RETURN RECEIPT REQUESTED

Bette C. Owen
Property Development Specialist
Chevron U.S.A. Products Company
2410 Camino Ramon
P. O. Box 5004
San Ramon, California 94583-0804

Re: Former Signal Oil Station Located at
8th and Center Street, Oakland, California

Dear Ms. Owen:

Enclosed is a Notice of Requirement to Reimburse, dated December 1, 1995, which my client, First Interstate Bank of California, received from the Alameda County Health Care Services Agency, Department of Environmental Health.

As I believe you are aware, First Interstate Bank's relationship to this property is as a former trustee of a trust that owned the site, and leased it to others for use as a service station. One of its tenants was Signal Oil Company, Chevron's corporate predecessor. At no time did the trustee operate the site as a service station. To the contrary, it was merely an absentee commercial landlord.

In California, the law is clear that absentee commercial landlords who do not actively participate in the conduct creating a nuisance, such as the discharge of gasoline, are not liable for a nuisance created by their tenants. (See Resolution Trust Corp. v. Rossmoor (1995) 34 Cal.App.4th 93.) Thus, neither the trustee nor the trust is liable for any contamination at this site generated by its independently-operated tenants.

Chevron, on the other hand, is plainly responsible for any discharges of gasoline during its tenancy at this property, and owes First Interstate Bank, as trustee, and the trust that owned the property, equitable, if not contractual, indemnity for its acts in relationship to any contamination caused during its operation. First Interstate Bank, as trustee, on behalf of

Bette C. Owen
December 8, 1995
Page 2

itself, the L.B. Hoge Trust, and the beneficiaries of that trust, hereby tenders to Chevron the defense of any obligations with respect to the enclosed Notice of Requirement to Reimburse, and any other costs associated with the remediation of contamination at this site. Moreover, we ask that Chevron produce to this office a copy of all records, documents, microfilm, computer files and other information related to this site.

In the event Chevron fails to indemnify First Interstate Bank, the trust, and beneficiaries, in accordance with this demand, please be advised that each will hold Chevron liable for all resulting damages.

Very truly yours,

Sandi L. Nichols
Sandi L. Nichols *gsb*

SLN:gsb
Enclosure

cc: Terrell Sadler (Certified Mail)
Jennifer Eberle, Hazardous Materials Specialist
Alameda County Environmental Protection Division
1131 Harbor Bay Parkway, No. 250
Alameda, California 94502-6577



Chevron

November 30, 1995

Chevron U.S.A. Products Company
6001 Bollinger Canyon Rd., Bldg. L
P.O. Box 5004
San Ramon, CA 94583-0804

Mark A. Miller
SAR Engineer
Phone No. 510 842-8134
Fax No. 510 842-8252

Ms. Jennifer Eberle
Alameda County Health Care Services
Department of Environmental Health
1131 Harbor Bay Parkway, Suite 250
Alameda, CA 94502-6577

Re: Former Signal Service Station #S0800
800 Center Street, Oakland, CA

95 DEC -5 PM 1:01
MAGNETIC
RECORDING

Dear Ms. Eberle:

Enclosed is the Additional Site Assessment Report dated November 14, 1995, prepared by our consultant Groundwater Technology, Inc. for the above referenced site. Seven soil borings were advanced with four of the borings completed as ground water monitor wells (MW-1 through MW-4). This work was done to further characterize soil and ground water conditions at the site and assist in evaluating appropriate remedial alternatives.

Soil samples collected were submitted to Sequoia Analytical (SA) for analysis. Laboratory results indicate that TPH-G and BTEX were present at concentrations ranging from below method detection limits to 14,000 ppm and 120 ppm, respectively.

Ground water samples collected were also submitted to SA. Laboratory results indicate that TPH-G and BTEX were present at concentrations ranging from below method detection limits to 170,000 ppb and 19,000 ppb, respectively.

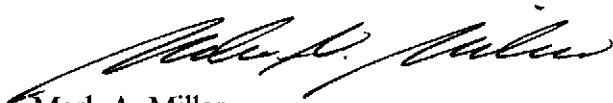
This information provides a better understanding of the extent of hydrocarbon impact at the site. It appears that additional assessment work will ultimately be required to define the extent of hydrocarbon contamination in soil and ground water. At this time it also appears appropriate to begin evaluating feasible remedial alternatives. I will contact you by telephone next week to discuss these issues.

If you have any questions or comments, please feel free to contact me at (510) 842-8134.



Ms. Jennifer Eberle
November 30, 1995
Page 2

Sincerely,
CHEVRON U.S.A. PRODUCTS COMPANY



Mark A. Miller
Site Assessment and Remediation Engineer

cc: Ms. B.C. Owen

Ms. Terrell A. Sadler
618 Brooklyn Avenue
Oakland, CA 94606

Mr. James Scott
BPH, Inc.
580 Market Street, Suite 400
San Francisco, CA 94104

BPH MORTGAGE
580 Market Street Suite #400
San Francisco, CA 94104

PH (415) 399-1797 FAX (415) 399-8715

FAX COVER LETTER

DATE 30 Nov 95

TIME 4:30pm

TO Jennifer Eversly

COMPANY Alameda County

FAX # 510 337 9335

FROM: JAMES C. SCOTT

OF PAGES 2 +COVER SHEET

MESSAGE

① Title Transfer from
1st Interstate to Terrell Sadler

② Chain of Ownership Timeline

AND WHEN RECEIVED MAIL

Name: Terrall A. Sadler
Street Address: 618 Brooklyn Avenue
City & State: Oakland, CA.

Name: The above addressee

RECORDED at REQUEST OF
Title Insurance & Trust Co.
At 10:30 A.M.
APR - 4 1979
OFFICIAL RECORDS OF
ALAMEDA COUNTY, CALIFORNIA
RENE C. DAVIDSON
COUNTY RECORDER

TRANSFER
TAX PAID
ALAMEDA COUNTY

CITY
TAX
PAID

4.00

SPACE ABOVE THIS LINE FOR RECORDER'S USE

Corporation Quitclaim Deed

THIS FORM FURNISHED BY TICOR TITLE INSURERS

A.P.N. 4-87-16

The undersigned grantor(s) declare(s):

Documentary transfer tax is \$ 7.20 City of Oakland \$52.50

() computed on full value of property conveyed, or

() computed on full value less value of liens and encumbrances remaining at time of sale.

() Unincorporated area: () City of Oakland, and

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, UNITED CALIFORNIA BANK,

a corporation organized under the laws of the State of California,

hereby REMISES, RELEASES AND QUITCLAIMS to TERRELL A. SADLER, a married man as his separate property,

the following described real property in the City of Oakland
County of Alameda, State of California:

CODE 165 MAT'L SUPPORT ID:707-646-0647 MAR 01 '94 9:19 No.002 P.02

Commonly known as 800 Center Street, Oakland, California

In Witness Whereof, said corporation has caused its corporate name and seal to be affixed hereto and this instrument to be executed by its Vice President and Asst. Vice President thereunto duly authorized.

Dated: March 28, 1979

UNITED CALIFORNIA BANK
By: Wm. S. Hogan Vice President
By: Alba James Assistant Vice President

STATE OF CALIFORNIA } ss.
COUNTY OF San Francisco
On March 28, 1979 before me, the undersigned, a Notary Public in and for said State, personally appeared WM. S. HOGAN known to me to be the Vice President, and ALBA JAMES known to me to be the Asst. V. President

Secretary of the Corporation that executed the within instrument, known to me to be the persons who executed the within instrument on behalf of the Corporation therein named, and acknowledged to me that such Corporation executed the within instrument pursuant to its by-laws or a resolution of its board of directors. WITNESS my hand and official seal.

BERNICE SADALLA
NOTARY PUBLIC - CALIFORNIA
PRINCIPAL OFFICE IN
City and County of SAN FRANCISCO
My Commission Expires July 8, 1979

Signature: Bernice Sadalla

(This area for official notarial seal)

Title Order No. _____ Escrow or Loan No. _____

MAIL TAX STATEMENTS AS DIRECTED ABOVE

DRAFT

Ownership Time Line

*JIM SCOTT
(agent for prop. owner)*

1973 TR

Client contracts with Central Bank for trust services. Acting as trustee, Central Bank negotiates a lease with Signal Oil. Lease may or may not have indemnifying language

United California Bank, successor to Central Bank, contracts with Signal Oil to operate the site. Terms of the agreement, including possible indemnifying language, unavailable at this time.

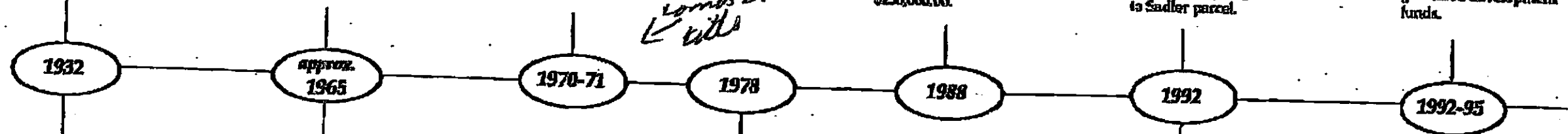
Leases of Contract for Dead Participant defaults. Acting as Trustee, 1st Interstate obtains trustee's Deed. Original owner returns to title. No record of operating station. Tanks are removed. Owner's liability begins here.

First Interstate comes on title

City of Oakland attempts eminent domain purchase of the property for the public good. Negotiations fail when cost to remediate is estimated at \$250,000.00.

Sadler's contract with James C. Scott, dba Aurora Co. as consultant for development and sale of site. New negotiations with the City of Oakland and nonprofit developer to bring low income family or senior housing to the site. Community and staff approval obtained. Contract with prior owners and operators begins. New site clean-up costs of \$96,000 are received from Chemical Waste Management. City of Oakland agrees to add L-shaped parcel to Sadler parcel.

Ongoing attempts to obtain information and commitment from 1st Interstate. Responsibility for responding transferred from Office of Environmental Manager, Stu Watson, to Legal Department, to Trust Department, to Outside Counsel, Sandi Nichols, Esq. Total Community Lending Office contacted for possible interest as conduit for Tax Credit generated development funds.



Chevron U.S.A., successor to Signal Oil, assumes lease responsibility for this segment. Original documents lost.

Chevron U.S.A. not party to any lease agreement for this site.

Acting as trustee, 1st Interstate sells to Terrell Sadler in as-is sale. No disbursement of possible extent of costs to remediate. Mr. & Mrs. Sadler's claim against 1st Interstate begins here.

Chevron U.S.A. contacted. Negotiations begun and offer to remediate put forward. Costs of remediation to be shared with other liable parties.

Chevron keeps open its offer to remediate. Obtains permission for Phase II examination of the site. Cooperates with local government on Phase II effort.

Jennifer May I have bl 95

*file for 90
THANKS JB*

WASHBURN, BRISCOE & MCCARTHY
A PROFESSIONAL CORPORATION
LAWYERS

770 L STREET, SUITE 990
SACRAMENTO, CALIFORNIA 95814
TELEPHONE: (916) 447-0700
FACSIMILE: (916) 447-4781

55 FRANCISCO STREET, SUITE 600
SAN FRANCISCO, CALIFORNIA 94133
TELEPHONE: (415) 421-3200
FACSIMILE: (415) 421-5044

2850 FRITZ COVE ROAD
JUNEAU, ALASKA 99801
TELEPHONE: (907) 788-6818
FACSIMILE: (907) 788-6819

June 9, 1995

Via Facsimile and Regular Mail

Juliet Blake
Alameda County Health Care Agency
Hazardous Materials Division
1131 Harbor Bay Parkway
Alameda, California 94502

J Re: Public Records Act Request Update for Files
Pertaining to 800 Center Street, Oakland

*STID# JB
5544*

Dear Ms. Blake:

The purpose of this letter is to update our Public Records Act Request (made last November) to inspect all County files pertaining to 800 Center Street, Oakland, California (former Signal Oil Station). Please telephone me if there are any additional records in the file received since our November request.

We also request copies of the records produced for inspection under this request. We will pay for all reasonable standard charges or statutorily-prescribed fees for duplication of these documents.

Please telephone me at my San Francisco office to let me know what the fees for such services will be. Thank you for your assistance.

Very truly yours,

Matt Lavine

Matt Lavine
Legal Assistant

:ml

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY

DAVID J. KEARS, Agency Director



RAFAT A. SHAHID, DIRECTOR

May 26, 1995
STID 5544

Mark Miller
Chevron USA Inc.
PO Box 5004
San Ramon CA 94583-0804

DEPARTMENT OF ENVIRONMENTAL HEALTH
State Water Resources Control Board
Division of Clean Water Programs
UST Local Oversight Program
1131 Harbor Bay Parkway
Alameda, CA 94502-6577
(510) 567-6700

RE: Former Signal Station, 800 Center St., Oakland CA 94607

Dear Mr. Miller,

I am in receipt of the 3/27/95 Workplan for Additional Site Assessment, prepared by Groundwater Technology, Inc. As you know, this workplan involves seven soil borings, and converting four to monitoring wells. I am also in receipt of your letter dated 5/9/95, and the attached laboratory reports. These reports help to complete the 10/13/89 Preliminary Hydrocarbon Contamination Assessment report, prepared by Subsurface Consultants, Inc., a copy of which has also been received by this office.

The workplan is acceptable, on the condition that MW1 be moved approximately 10 feet West, so as to be situated South (and thus likely downgradient) of the former fuel USTs. Please include a copy of the survey report with your report of findings. As stated on page 3 of the workplan, field work should begin "immediately after approval by Chevron," Alameda County, and the City of Oakland.

Please notify me at least 2 business days in advance of field activities, so I may be present onsite if possible. If you have any questions, please contact me at 510-567-6761.

Sincerely,

Jennifer Eberle
Hazardous Materials Specialist

cc: Terrell Sadler, 618 Brooklyn Ave., Oakland CA 94606
Michael Chamberlain, Groundwater Technology, Inc., 4057 Port Chicago Highway,
Concord CA 94520
Mee Ling Tung/file

je.5544

6-20-95

Post-It™ brand fax transmittal memo 7671 # of pages ▶ 1

To	Jim Scott	From	J. Eberle
Co.		Co.	
Dept.		Phone #	
Fax #		Fax #	



Chevron

Date: 5/25/95

To: JENNIFER EBELLE
ACHCS

Chevron U.S.A. Products Company
6001 Bollinger Canyon Road
Building L
San Ramon, CA 94583
P.O. Box 5004
San Ramon, CA 94583-0804

Marketing - Northwest Region
Voice 510 842-8134
Fax 510 842-8252

From: Mark Miller
Site Assessment and Remediation Engineer

Re: SOPROD: 800 CENTRAL ST., OAKLAND

Message: REMAINDER OF ANALYTICAL DATA
FROM SCI INVESTIGATION AS REQUESTED.

ENVIRONMENTAL
PROTECTION
AGENCY
5/25/95 10 21 31 AM '95

Stid 5544

DATE: 4-14-95
TO : Local Oversight Program
FROM: J. Eberle
SUBJ: Transfer of Eligible Local Oversight Case

Site name: Former Signal Serv. Stat.
Address: 800 Center St city Oak zip 607

TO BE ELLIGIBLE FOR LOP A CASE MUST MEET 3 QUALIFICATIONS:

- 1. Number of Tanks: 4 removed? Y N Date of removal ~1973
- 2. Samples received? Y N Contamination level: 31,000 ppm TPH-g
(ppm and type of test) 500 ppm benzene
- 3. Petroleum Y N Types: Avgas Jet gasoline unleaded Diesel
fuel oil waste oil kerosene solvents

Contamination should be over 100 ppm TPH to qualify for LOP

DepRef remaining \$ there was never a dep ref acct Closed with Candace/Leslie? Y N
(If no explain why?)

IF YOUR SITE MEETS ALL OF THE ABOVE QUALIFICATIONS YOU SHOULD DO THE FOLLOWING TO TRANSFER THE SITE:

- 1. YOU MUST CLOSE THE DEPOSIT REFUND CASE AT THIS TIME. YOU MUST ACCOUNT FOR ALL TIME YOU HAVE SPENT ON THE CASE AND TURN IN THE ACCOUNT SHEET TO LESLIE. IF THERE ARE FUNDS STILL REMAINING IT IS STILL BETTER TO TRANSFER THE CASE TO LOP AS THE RATE FOR LOP ALLOWS THE ADDITION OF MANAGEMENT AND CLERICAL TIME. DO NOT ATTEMPT TO CONTINUE TO OVERSEE THE SITE SIMPLY BECAUSE THERE ARE FUNDS REMAINING!
- 2. COMPLETE THE A AND B PERMIT APPLICATION FORMS AND GIVE TO CONNIE/ELAINE
- 3. GIVE THE ENTIRE CASE TO THE PROPER LOP STAFF UPSTAIRS FOR THEM TO DO THE REST OF THE TRANSFER AND YOU ARE DONE!



Chevron

April 10, 1995

Chevron U.S.A. Products Company
6001 Bollinger Canyon Rd., Bldg. L
P.O. Box 5004
San Ramon, CA 94583-0804

Mr. Scott Seery
Alameda County Health Care Services
Department of Environmental Health
1131 Harbor Bay Parkway, Suite 250
Alameda, CA 94502-6577

Site Assessment & Remediation Group
Phone (510) 842-9500

Re: **Former Signal Service Station #S0800**
800 Center Street, Oakland, CA

Dear Mr. Seery:

This letter is to follow up our recent conversation regarding the above referenced site. According to available information, a service station facility operated at this site from the 1930's to the 1970's. Signal Oil Company, a division of Standard Oil Company, operated a facility for a portion of this time period.

Enclosed is a copy of the Preliminary Hydrocarbon Contamination Assessment report dated October 13, 1989, prepared by Subsurface Consultants. I understand this report was prepared for use by the City of Oakland may not have been submitted to your agency. The results of the investigation indicate that soil and ground water beneath the site have been impacted by hydrocarbons.

Also enclosed is a Work Plan for Additional Site Assessment dated March 27, 1995, prepared by our consultant Groundwater Technology, Inc. The proposed work includes advancing seven soil borings and completing four of the borings as ground water monitor wells. This work will be done to further characterize soil and ground water conditions at the site and assist in evaluating appropriate remedial alternatives.

We appreciate any efforts your office can provide to review this material in a timely fashion. I will contact you by telephone next week to discuss the site. We would be more than willing to meet with you to discuss our work plan and any other issues that may be unclear. Please feel free to contact me at (510) 842-8134 if I can be of further assistance.

Sincerely,
CHEVRON U.S.A. PRODUCTS COMPANY

Mark A. Miller
Site Assessment and Remediation Engineer

Enclosure

cc: Ms. B.C. Owen

Ms. Terrell A. Sadler
618 Brooklyn Avenue
Oakland, CA 94606

→ prop. owner

ENVIRONMENTAL
PROTECTION
95 APR 11 PM 12:03

Page 2
April 10, 1995
Former SS#S0800

Mr. James C. Scott
Aurora Company
580 Grand Avenue, Suite K
Oakland, CA 94610

File: S0800WP1

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

ENVIRONMENTAL PROTECTION DIV.
1131 HARBOR BAY PKWY., #250
ALAMEDA CA 94502-6577

February 21, 1995

Dear Sir:

The attached "Notice of Reimbursement" is not a bill. It is required by our contract with the State Water Resources Control Board that we send this letter to all responsible parties involved in a leaking petroleum underground tank site. A responsible party may be the operator of the tank or the property owner. You fall into the following category:

The site is contaminated and the Alameda County Local Oversight Program will be overseeing the cleanup through to a closure of the case. This letter says that you will be billed for the time that our technical staff spends on your case after the work has been accomplished.

We will work with you to expedite the remediation of your site.

If you have any questions please call this office at 567-6700 and ask for the specialist noted in the accompanying notice.

Sincerely,

Thomas F. Peacock, Supervising HMS
Environmental Protection Division



First Interstate Bank of California
707 Wilshire Blvd., W7-22
Los Angeles, CA 90017

Terrence Tilley Gill
Vice President and Manager

Sudden & accidental release

ATTN: JIM SCOTT

TAX No. (415) 399-8715

WORK No. 399-1797

October 18, 1994

Mr. and Mrs. Terrell Sadler
618 Brooklyn Avenue
Oakland, California 94606

FAX TRANSMITTAL		# of pages <u>2</u>
To: <u>JIM SCOTT</u>	From: <u>OLIVIA SAHLER</u>	
Co: <u>FIRST INTERSTATE</u>	Co: <u>CSSF Controller's ISD</u>	
Dept:	Phone # <u>(415) 554-0899</u>	<u>51</u>
Fax # <u>(415) 399-8715</u>	Fax # <u>(415) 554-0899</u>	

Re: Former Signal Oil Station
800 Center Street, Oakland, California

Dear Mr. and Mrs. Sadler:

This letter responds to your request that First Interstate Bank execute the Environmental Agreement proposed on or about August 24, 1994, by Chevron U.S.A. Inc.

Although we are continuing to investigate the ownership and lease history of the site, at this time it does not appear that First Interstate has any liability to participate in the environmental investigation or remediation of this site. First, as Chevron makes clear, its predecessor operated the service station at the property from on or about January 5, 1942 until 1965. Thereafter, the site was owned and operated by Hollis Rodgers, who owned the underground storage tanks and other service station equipment. The Bank acquired the property, by Trustee's Deed upon sale, on February 13, 1970. No service station operations were ongoing. In June, 1972, the underground storage tanks were removed. In 1979, the site was sold by the Bank to Mr. Sadler on an "as is" basis i.e. in its then present condition.

Consequently, we do not presently possess any facts that would suggest that First Interstate Bank, or its predecessor, Central Bank, are liable for the contamination alleged to exist at the site. Instead, it appears that the environmental agreement between you and Chevron, without participation by the Bank, is appropriate.

Was the Bank held liable?

5

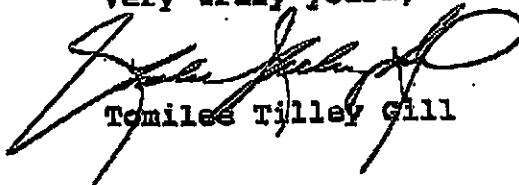
*Olivia Sahlers
2. William Rodgers
2. Chevron U.S.A. Inc.*

*5.2 Bay Regional
Washburn*

October 18, 1994
Page 2

By copy of this letter to Chevron, I am requesting that copies of each of the leases referenced in the draft Environmental Agreement be submitted to me for further analysis. Additionally, if you have any information that would suggest that the Bank is somehow liable for remediation of the alleged contamination, please send it to me at your convenience.

Very truly yours,



Tomiles Tilley Gill

cc: Sandi L. Nichols, Esq. 421-3210
Anita Alston
Alba James
Janis Penton

BPH MORTGAGE
580 Market Street Suite #400
San Francisco, CA 94104

T Spiller
263.4636

28 Aug. PH (415) 399-1797 FAX (415) 399-8715
~~27 Oct.~~ FAX COVER LETTER

DATE ~~24 Aug 95~~ TIME 2:20

TO Jennifer Edgerly Re: 800 Center St.

COMPANY Alameda County Ref: _____

FAX # 510 337-9335

TEL # 510. 587-6761

FROM: JAMES C. SCOTT

OF PAGES 3 +COVER SHEET

MESSAGE

Per our conversation

I had to await my client's
approval to release this
information

OK per T Spiller

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

January 9, 1989

~~DEPARTMENT OF ENVIRONMENTAL HEALTH~~
~~XXXXXXXXXXXXXXXXXXXX~~
~~XXXXXXXXXXXXXXXXXXXX~~
(415) 271-4320

Mr. Terrell A. Sadler
618 Brooklyn Ave.
Oakland, CA 94606

RE: Inquiry on Hazardous Material Guidelines Regarding Construc-
tion at 800 Center St.

Dear Mr. Sadler:

The Hazardous Materials Division of the Alameda County Department of Environmental Health has no requirements per se for you to meet prior to development of your property. However, should there be contaminated soil or groundwater remaining on the site from previous service station operations, a soil/groundwater investigation would need to be conducted.

I have enclosed some background materials that describe current underground tank and hazardous materials generator requirements within Alameda County.

If you need more information about hazardous materials requirements in California, please contact the California Department of Health Services Librarian (Emeryville) at, 540-2043.

Sincerely,

Rafat A. Shahid

Rafat A. Shahid, Chief,
Hazardous Materials Program

RAS:mnc

Enclosure

cc: Gil Wistar, Hazardous Materials Specialist
Files

File
Call this person
and indicate that
there is \$56.00 fee
for the site search
Due 11/9/88

RECEIVED
JAN 6 1988

January 3, 1988

HAZARDOUS MATERIALS,
WASTE PROGRAM

Terrell A. Sadler
618 Brooklyn Ave.
Oakland, CA 94606

Oakland

Lowell Miller
Alameda County Environmental Health
Hazardous Material Division
80 Swan Way, Room 200
Oakland, CA 94621

Dear Mr. Miller,

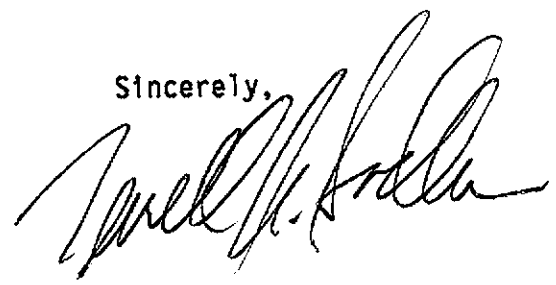
File
800 Center Street 94607

Subject: 800 Center Street 94607

I own the property located on the corner of 8th and Center Street. It used to be an old gas station. I am now planning to build on this property and I would like to know what guidelines, laws, etc., I should be aware of before I undertake this task. The four underground tanks have been removed and filled. The permit has been filed with the Fire Department back in the early 1970's.

Your immediate response would be greatly appreciated.

Sincerely,



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→