



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

January 12, 2001

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

**RE:** January 11, 2001 Meeting re: 800 Center Street

**Attendees:** Micheal O'Connor, Deputy District Attorney  
Mary Wilke, Environmental Law Clerk  
Jon Robbins, Esq. for Chevron Products Company  
Stephen Craford, Hazardous Materials Inspector II, City of Oakland  
Terrell and Oliana Sadler, owners of site  
Kay Hendon, Esq. for Wells Fargo Bank  
Heather K. Fairfull, Vice President, Manager, Wells Fargo Bank

Dear Ladies and Gentlemen:

This letter summarizes the meeting held in our offices on January 11, 2001 regarding 800 Center Street. The above-listed persons attended the meeting. The meeting covered the following points.

**(1) Identification of any remaining USTs.**

Testing done by Chevron reveals that there are two UST's and a 55 gallon drum remaining on the site. The tests revealed no other magnetic anomalies which would signal the presence of a large metallic structure such as steel tanks or drums.

**(2) Current status of underground storage tanks remaining on site.**

Chevron provided proof that its contractor removed and disposed of roughly 1100 gallons of flammable liquid (probably waste oil and other petroleum products) from the tanks. Presumably the tanks are empty at this time.

**(3) Site access and security.**

The District Attorney's Office visited the site on January 11, 2001 and presented photographs showing the present conditions of the site. The District Attorney's Office is dissatisfied with the conditions of the site. There are three significant hazards. The pipes protruding from one

of the excavation pits and the two excavation pits with the exposed USTs. Sufficient fences and locks should secure the site, currently, and while the USTs are being removed.

**(4) Blight conditions and site cleanup.**

The blight conditions at the site have improved. Mr. Sadler indicated that he has previously disposed of trash from the site and will continue doing so.

**(5) Removal of USTs remaining on site.**

All parties present agreed that the USTs must be removed. None of the parties present were willing to take sole responsibility for removal.

All parties present acknowledged that there had been previous litigation involving Mr. Sadler, Mr. Rodgers, Wells Fargo and its predecessors in interest, and Chevron. All parties present acknowledged that the settlement was not binding as against the People of the State of California.

Although the District Attorney's Office prefers not to bring a lawsuit in this matter, it has the legal authority to do so if necessary. The District Attorney is authorized to sue the responsible parties pursuing minimum civil penalties of \$500 per UST, per day, and will do so if this matter can not be resolved between the responsible parties. It is the position of this office that Chevron, Wells Fargo, Mr. Rodgers and Mr. Sadler are responsible parties.

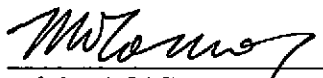
Chevron offered to contribute \$2,500 to the cost of the UST removal and to cover the cost of excavating the pit and soil sampling after the UST removal. In addition, Chevron offered to provide for site security through reliable fences and locks. Wells Fargo indicated that it is willing to contribute to the cost of the UST removal but did not tender a specific offer. Mr. Sadler has not yet indicated a willingness to contribute to the UST removal. Mr. Rodgers was not present.

In conclusion, Chevron stated that it will get an estimate on the cost of the UST removal and distribute it to all the attendees. All attendees agreed to meet January 30<sup>th</sup> at 2 p.m. to further discuss funding the UST removal.

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