

4610

**LAW OFFICES OF
TOMMY A. CONNER**
10 Monterey Blvd.
San Francisco, California 94107
415/334-0877
FACSIMILE: 415/334-9877

FACSIMILE COVER SHEET

To: BARNEY M. CHAN
HAZARDOUS MATERIALS SPECIALIST
ALAMEDA COUNTY HEALTH CARE SERVICES AGENCY

Facsimile: 510/337-9335

Telephone: 510/567-6765

From: TOMMY A. CONNER

Billing Number: 8060-02

Date: February 6, 2002

Cover page plus 7 page(s)

MESSAGE: Re: Hausauer: 3927 East 14th Street, Oakland.

A copy of Clearwater's March 19, 2001 letter with attachments accompanies this facsimile. Please notify me if you need any additional information, and I will attempt to secure the same from Clearwater. Thank you very much for your assistance.

CONFIDENTIALITY NOTICE

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

Please call 415/334-0877 if there is a problem with this transmission. Thank you.



March 19, 2001

Tommy Conner
Conner-Bak LLP
San Francisco, CA

VIA FAX: (415) 334-9877

RE: **Title:** **Project Completion**
 Project: Well Abandonment
 Location: Hausauer Property, 3927 East 14th Street, Oakland, California

Dear Mr. Conner:

Clearwater Group has completed well destruction activities at the above-referenced site. The four monitoring wells (HMW-1 through HMW-4) were abandoned under respective permit #'s W01-056 through W01-059 issued by Alameda County Public Works Agency, Water Resources Section. Field activities were conducted on January 30, 2001. All appropriate Well Completion Reports have been filed with Alameda County Public Works Agency, as requested on the well destruction permits.

The wells were abandoned by pressure grouting using a Portland cement slurry injected at a pressure of 25 psi for a minimum of five minutes. The surface well traffic boxes were removed and filled with concrete finished to grade.

For any further information regarding this project contact Jeff Phillips at (650) 368-1796.

Sincerely,
Clearwater Group


Jeff Phillips
Project Manager

1

CLEARWATER GROUP

1735 L Bayshore Rd., Ste. 118 Redwood City, CA 94063 (650) 368-1017 / Fax (650) 368-1797

EXAMPLE

JAN-19-01 FRI 05:04 PM ALAMEDA COUNTY PWA RM239
JAN-18-01 THU 10:08 AM ALAMEDA COUNTY PWA RM239

FAX NO. 5107821938
JAN-18-01 TU:24AM;
FAX NO. 5107821938

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ALAMEDA COUNTY PUBLIC WORKS AGENCY

WATER RESOURCES SECTION
399 ELMHURST ST. HAYWARD CA. 94541-1398
PHONE (415) 876-3534
FAX (510)782-1938

Att: Reviewer

Will I need encroachment permits, or any other kind of permits, to abandon the wells within the street

Can you Aug?

DRILLING PERMIT APPLICATION

FOR APPLICANT TO COMPLETE

FOR OFFICE USE

LOCATION OF PROJECT 3927 East 14th St.
Oakland, California

PERMIT NUMBER W01-056
WELL NUMBER
APN

CLIENT

Name Conner-Bak, LLP
Address 10000 Broadway Blvd. Phone (415) 333-9777
City San Francisco Zip 94131

APPLICANT

Name Jeff Phillips, Clearwater Group
Address 1735 W. Grand Ave. #10 Phone (650) 251-1796 x12
City Redwood City Zip 94062

TYPE OF PROJECT

Well Construction Geotechnical Investigation
Cathodic Protection General
Water Supply Contamination
Monitoring Well Destruction

PROPOSED WATER SUPPLY WELL USE

New Domestic Replacement Domestic
Municipal Irrigation
Industrial Other

DRILLING METHOD

Mud Rotary Air Rotary Auger
Cable Other

DRIILLER'S NAME Fast-Tek

DRIILLER'S LICENSE NO. C-57 024461

8-31-01

WELL PROJECTS

Drill Hole Diameter _____ in. Maximum
Casing Diameter 2 in. Depth 30 ft.
Surface Seal Depth _____ ft. Owner's Well Number None-1

GEOTECHNICAL PROJECTS

Number of Borings _____ Maximum
Hole Diameter _____ ft. Depth _____ ft.

ESTIMATED STARTING DATE 1/24/01
ESTIMATED COMPLETION DATE 1/24/01

I hereby agree to comply with all requirements of this permit and Alameda County Ordinance No. 73-66

APPLICANT'S SIGNATURE Jeff Phillips DATE 1-18-01

PLEASE PRINT NAME Jeff Phillips No. S-13-00

- PERMIT CONDITIONS
Circled Permit Requirements Apply
- A. GENERAL
 1. A permit application should be submitted so as to arrive at the ACPWA office five days prior to proposed starting date.
 2. Submit to ACPWA within 60 days after completion of permitted original Department of Water Resources Well Completion Report.
 3. Permit is void if project not begun within 90 days of approval date.
 - B. WATER SUPPLY WELLS
 1. Minimum surface seal thickness is two inches of cement grout placed by tremie.
 2. Minimum seal depth is 50 feet for municipal and industrial wells or 30 feet for domestic and irrigation wells unless a lesser depth is specially approved.
 - C. GROUNDWATER MONITORING WELLS (INCLUDING MEZOMETERS)
 1. Minimum surface seal thickness is two inches of cement grout placed by tremie.
 2. Minimum seal depth for monitoring wells is the maximum depth practicable or 30 feet.
 - D. GEOTECHNICAL

Backfill bore hole by tremie with cement grout or cement grout and mineral Upper two-thirds later replaced in kind or with compacted cuttings.
 - E. CATHODIC

Fill hole anode zone with concrete placed by tremie.
 - F. WELL DESTRUCTION

Send a map of work site. A separate permit is required for wells deeper than 45 feet.
 - G. SPECIAL CONDITIONS

NOTE: One application must be submitted for each well or well enclosure. Multiple borings on one application are acceptable for geotechnical and contamination investigations.

Attached.

APPROVED [Signature] DATE 1-18-01

JAN-18-01 FRI 05:04 PM ALAMEDA COUNTY PHA RM238

FAX NO. 5107821939
JAN-18-01 10:26AM;

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JAN-18-01 THU 10:09 AM ALAMEDA COUNTY PHA RM238

FAX NO. 5107821939

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ALAMEDA COUNTY PUBLIC WORKS AGENCY

WATER RESOURCES SECTION
399 ELMHURST ST. HAYWARD CA. 94544-1395
PHONE (510) 470-5554
FAX (510) 782-1939

Attn: Reviewer

Will I need encroachment permits, or any other kind of permits, to abandon the wells within the street

Can you Ag

DRILLING PERMIT APPLICATION

FOR APPLICANT TO COMPLETE

FOR OFFICE USE

LOCATION OF PROJECT 3927 East 14th St.
Oakland, California

PERMIT NUMBER W01-057
WELL NUMBER _____
APN _____

CLIENT
Name: Coome-Bak, LLP
Address: 10 Market Blvd Phone: (415) 324-0977
City: San Francisco Zip: 94131

APPLICANT
Name: Jeff Phillips, Elmhurst Grub
Address: 1735 Elmhurst Blvd Phone: (510) 367-1796
City: Redwood City Zip: 94062

TYPE OF PROJECT
Well Construction Geotechnical Investigation
Cathodic Protection General
Water Supply Contamination
Monitoring Well Destruction

PROPOSED WATER SUPPLY WELL USE
New Domestic Replacement Domestic
Municipal Irrigation
Industrial Other _____

DRILLING METHOD:
Mud Rotary Air Rotary Auger
Cable Other

DRILLER'S NAME East-Tek

DRILLER'S LICENSE NO. C-52 67461
8-31-01

WELL PROJECTS
Drill Hole Diameter _____ in. Maximum _____
Casing Diameter 2 in. Depth 20 ft.
Surface Seal Depth _____ ft. Owner's Well Number HMW-2

GEOTECHNICAL PROJECTS
Number of Borings _____ Maximum _____
Hole Diameter _____ in. Depth _____ ft.

ESTIMATED STARTING DATE 1/22/01
ESTIMATED COMPLETION DATE 1/22/01

I hereby agree to comply with all requirements of this permit and Alameda County Ordinance No. 33-68.

APPLICANT'S SIGNATURE _____ DATE 1-18-01

PLEASE PRINT NAME Jeff Phillips Rev 5-13-00

PERMIT CONDITIONS

Circled Permit Requirements Apply

- A. GENERAL
 1. A permit application should be submitted to us to arrive at the ACPWA office five days prior to proposed starting date.
 2. Submit to ACPWA within 60 days after completion of permitted original Department of Water Resources well Completion Report.
 3. Permit is void if project not begun within 90 days of approval date.

- B. WATER SUPPLY WELLS
 1. Minimum surface seal thickness is two inches of cement grout placed by trowel.
 2. Minimum seal depth is 50 feet for municipal and industrial wells or 20 feet for domestic and irrigation wells unless a lower depth is specially approved.

- C. GROUNDWATER MONITORING WELLS INCLUDING PIEZOMETERS
 1. Minimum surface seal thickness is two inches of cement grout placed by trowel.
 2. Minimum seal depth for monitoring wells is the maximum depth practicable or 20 feet.

- D. GEOTECHNICAL

Backfill bore hole by trowel with cement grout or cement grout/sand mixture. Upper two-three feet replaced in kind or with compacted coverings.

- E. CATHODIC

Fill hole anodic zone with concrete placed by trowel.

- F. WELL DESTRUCTION

Send a map of work site. A separate permit is required for wells deeper than 45 feet.

- G. SPECIAL CONDITIONS

NOTE: One application must be submitted for each well or well destruction. Multiple borings on one application are acceptable for geotechnical and contamination investigations.

Attached

APPROVED _____ DATE 1-19-01

JAN-19-01 FRI 05:05 PM ALAMEDA COUNTY PWA RM239

FAX NO. 5107821939

P. 04

JAN-18-01 THU 10:08 AM ALAMEDA COUNTY PWA RM239

Jan-18-01 10:24AM; FAX NO. 5107821830

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ALAMEDA COUNTY PUBLIC WORKS AGENCY

WATER RESOURCES SECTION
399 BLANCHFLET ST. HAYWARD CA. 94544-1333
PHONE (510) 670-5554
FAX (510) 782-1930

Attn: Registrar

Will I need encroachment permit, or any other kind of permits, to abandon the wells within the street

Can you say?

DRILLING PERMIT APPLICATION

FOR APPLICANT TO COMPLETE

FOR OFFICE USE

LOCATION OF PROJECT 3927 East 14th St. Redwood, California

PERMIT NUMBER W01-058
WELL NUMBER
APN

CLIENT

Name Conner-Bak, LLP
Address 100000 Blvd. Phone (916) 244-0977
City San Francisco Zip 94131

APPLICANT

Name Jeff Phillips, Clearwater Group
Address 1735 E. Colton Blvd Phone (650) 258-1776
City Redwood City Zip 94062

TYPE OF PROJECT

Well Construction
Cathodic Protection
Water Supply
Remediation
Geotechnical Investigation
General
Contamination
Well Destruction

PROPOSED WATER SUPPLY WELL USE

New Domestic
Municipal
Industrial
Replacement Domestic
Irrigation
Other

DRILLING METHOD

Mud Rotary
Cable
Air Rotary
Other
Auger

DRILLER'S NAME East-Tek

DRILLER'S LICENSE NO. C-57 52461
8-21-01

WELL PROJECTS

Orill Hole Diameter
Casing Diameter
Surface Seal Depth
Maximum Depth
Owner's Well Number

GEOTECHNICAL PROJECTS

Number of Borings
Hole Diameter
Maximum Depth

ESTIMATED STARTING DATE 1/24/01
ESTIMATED COMPLETION DATE 1/24/01

I hereby agree to comply with all requirements of this permit and Alameda County Ordinance No. 77-68

APPLICANT'S SIGNATURE DATE 1-18-01

PLEASE PRINT NAME Jeff Phillips

PERMIT CONDITIONS
Circled Permit Requirements Apply

- A. GENERAL
1. A permit application should be submitted so as to arrive at the ACPWA office five days prior to proposed starting date.
2. Submit to ACPWA within 60 days after completion of permitted original Department of Water Resources Well Completion Report.
3. Permit is void if project not begun within 90 days of approval date.

B. WATER SUPPLY WELLS

- 1. Minimum surface seal thickness is two inches of cement grout placed by tremie.
2. Minimum seal depth is 30 feet for municipal and industrial wells or 20 feet for domestic and irrigation wells unless a lesser depth is specially approved.

C. GROUNDWATER MONITORING WELLS INCLUDING PIEZOMETERS

- 1. Minimum surface seal thickness is two inches of cement grout placed by tremie.
2. Minimum seal depth for monitoring wells is the maximum depth practicable or 20 feet.

D. GEOTECHNICAL

Reinfill bore hole by tremie with cement grout or cement grout/sand mixture. Upper two-thirds seal replaced as kind or with compacted casing.

E. CATHODIC

Fill hole annular zone with concrete placed by tremie.

F. WELL DESTRUCTION

Send a map of work site. A separate permit is required for wells deeper than 65 feet.

G. SPECIAL CONDITIONS

NOTE: One application must be submitted for each well or well destruction. Multiple borings on one application are acceptable for geotechnical and contamination investigations.

Attached
APPROVED DATE 1-19-01

JAN-19-01 FRI 05:05 PM ALAMEDA COUNTY PWA RM239
Sent By: ; 6503881797;
JAN-18-01 THU 10:08 AM ALAMEDA COUNTY PWA RM239

FAX NO. 5107821939
Jan-18-01 10:24AM;
FAX NO. 5107821938

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ALAMEDA COUNTY PUBLIC WORKS AGENCY

WATER RESOURCES SECTION
390 ELMHURST ST. HAYWARD CA. 94544-1395
PHONE (415) 470-3884
FAX (415) 782-1939

Att: Reviewer

Will I need encumbrance permits, or any other kind of permits, to abandon the wells within the street

Can you Adv

DRILLING PERMIT APPLICATION

FOR APPLICANT TO COMPLETE

LOCATION OF PROJECT 3927 East 14th St
Rockland, California

FOR OFFICE USE

PERMIT NUMBER W01-059
WELL NUMBER
APN

CLIENT

Name Secon-Bak, LLP
Address 12000 Sycamore Blvd Phone (415) 334-2777
City San Francisco Zip 94132

APPLICANT

Name Jeff Phillips, Clearview Group
Address 1735 E. American Blvd Phone (415) 269-1770 x12
City Rockland, CA Zip 94062

TYPE OF PROJECT

Well Construction Geotechnical Investigation
Cathodic Protection General
Water Supply Commission
Monitoring Well Destruction

PROPOSED WATER SUPPLY WELL USE

New Domestic Replacement Domestic
Municipal Irrigation
Industrial Other

DRILLING METHOD

Mud Rotary Air Rotary Auger
Cable Other

DRILLER'S NAME East-Tek

DRILLER'S LICENSE NO. C-52 C-4461

8-31-01

WELL PROJECTS

Drill Hole Diameter 2 in. Maximum Depth 20 ft.
Casing Diameter 2 in. Owner's Well Number None-A
Surface Seal Depth _____ ft.

GEOTECHNICAL PROJECTS

Number of Borings _____ Maximum Depth _____ ft.
Hole Diameter _____ in.

ESTIMATED STARTING DATE 1/24/01
ESTIMATED COMPLETION DATE 1/24/01

I hereby agree to comply with all requirements of this permit and Alameda County Ordinance No. 77-68

APPLICANT'S SIGNATURE Jeff Phillips DATE 1-18-01

PLEASE PRINT NAME Jeff Phillips Rev 5-15-00

PERMIT CONDITIONS
Circled Permit Requirements Apply

A. GENERAL

- 1. A permit application should be submitted to us to arrive at the ACPWA office five days prior to proposed starting date.
- 2. Submit to ACPWA within 60 days after completion of permitted original Department of Water Resources (DWR) Completion Report.
- 3. Permit is void if project not begun within 90 days of approval date.

B. WATER SUPPLY WELLS

- 1. Minimum surface seal thickness is two inches of cement grout placed by tremie.
- 2. Minimum seal depth is 50 feet for municipal and industrial wells or 20 feet for domestic and irrigation wells unless a lesser depth is specially approved.

C. GROUNDWATER MONITORING WELLS INCLUDING MEZOMETERS

- 1. Minimum surface seal thickness is two inches of cement grout placed by tremie.
- 2. Minimum seal depth for monitoring wells is the maximum depth practicable on 20 feet.

D. GEOTECHNICAL

Backfill bore hole by tremie with cement grout or cement grout/sand mixture. Upper two-three feet replaced in kind or with compressed castings.

E. CATHODIC

Fill hole anode zone with concrete placed by tremie.

F. WELL DESTRUCTION

Send a map of work site. A separate permit is required for wells deeper than 45 feet.

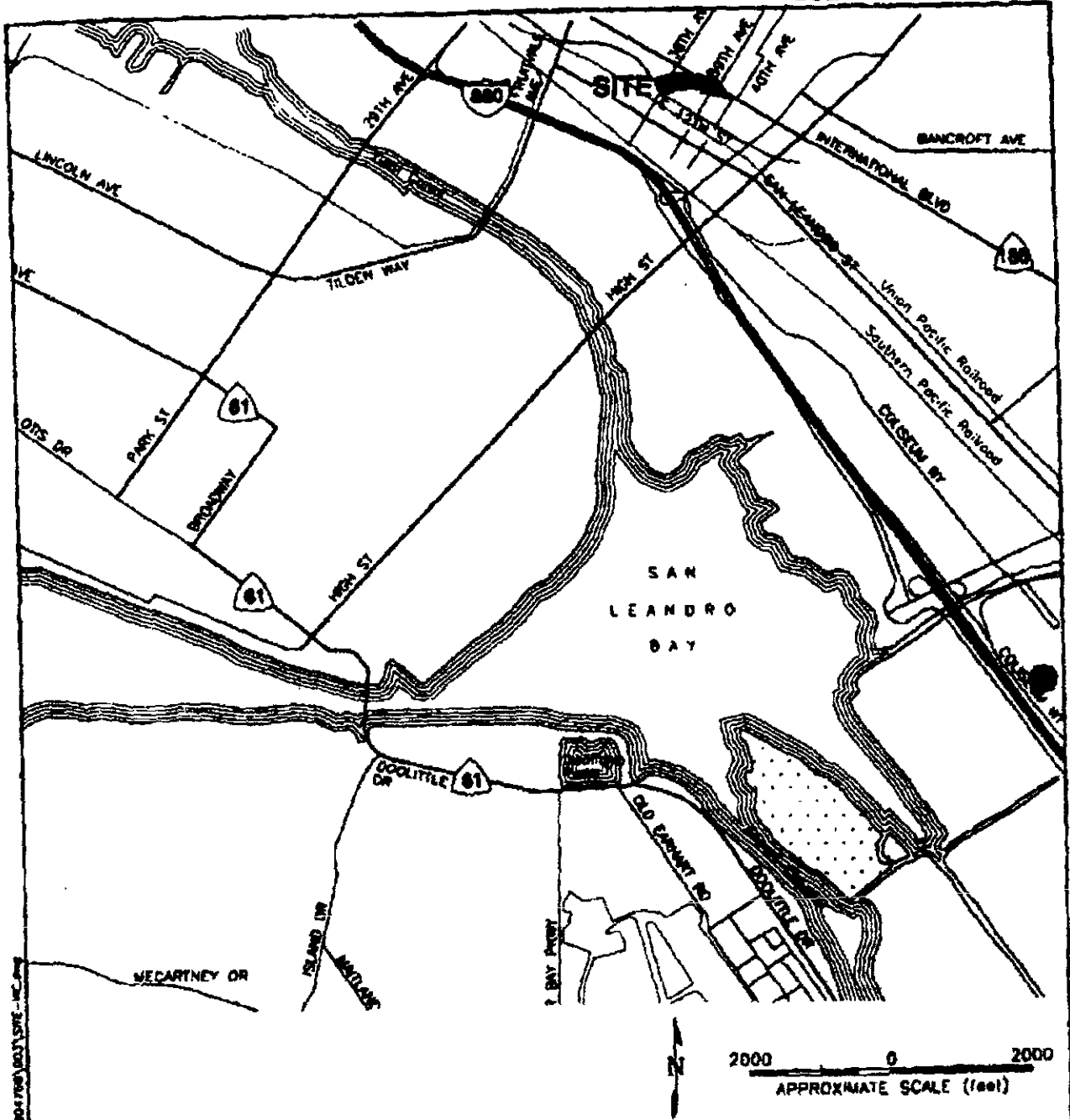
G. SPECIAL CONDITIONS

NOTE: One application must be submitted for each well or well destruction. Multiple borings on one application are acceptable for geotechnical and contamination investigations.

Attached

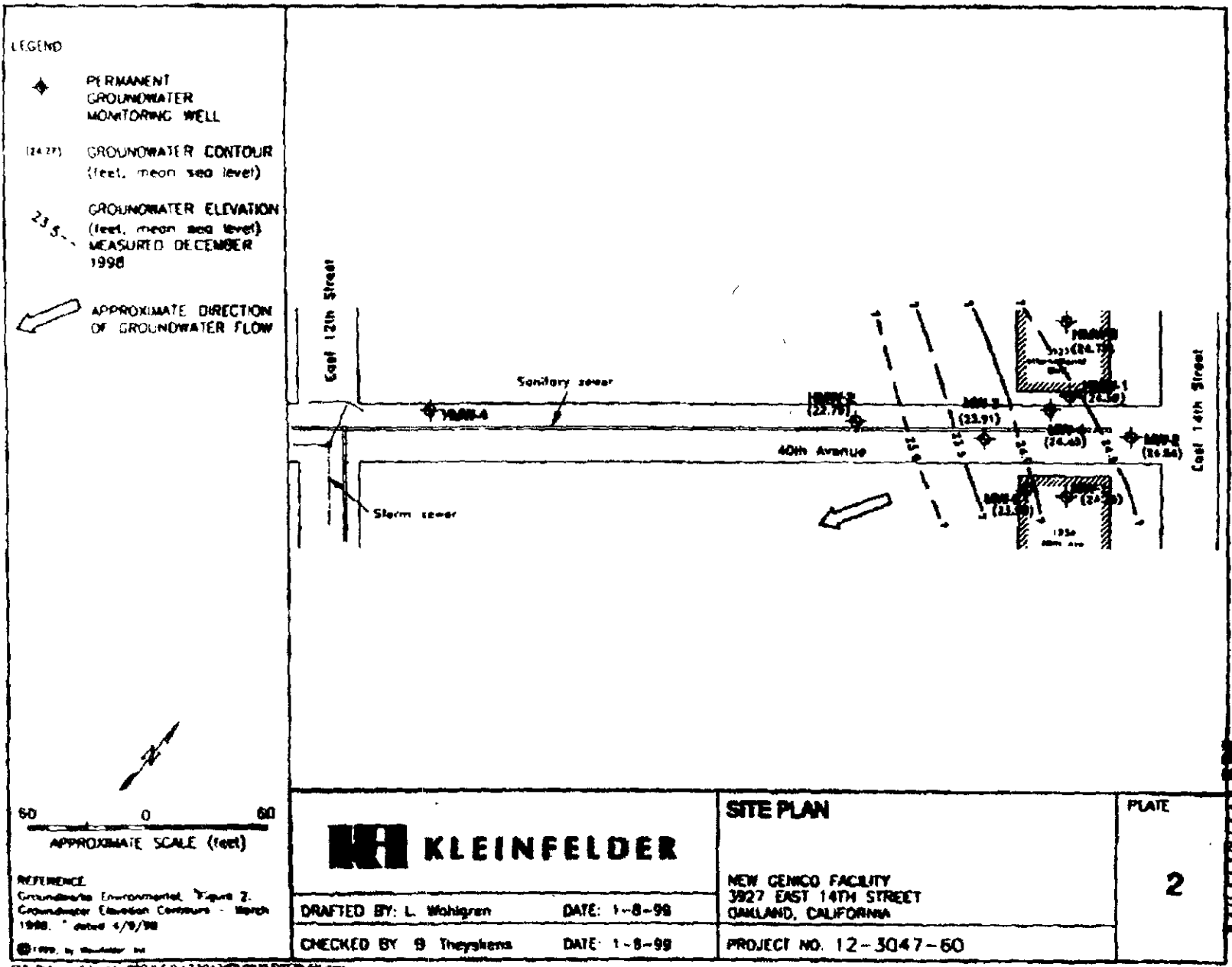
APPROVED [Signature] DATE 1/19/01

KLEINFELDER



© 1999, by Kleinfelder, Inc.

KLEINFELDER	SITE VICINITY MAP		PLATE
	NEW GENCO FACILITY 3927 INTERNATIONAL BOULEVARD OAKLAND, CALIFORNIA		1
DRAFTED BY L Sue	DATE 1-8-98	PROJECT NO 12-3047-60	
CHECKED BY B Theyskens	DATE 1-8-98		



Aug-10-00 13:46 Conner Bak LLP 4156213999 P.05



State Water Resources Control Board



Winston H. Hickox
Secretary for
Environmental
Protection

Division of Clean Water Programs
1001 I Street • Sacramento, California 95814 • (916) 341-5831
Mailing Address: P.O. Box 944212 • Sacramento, California • 94244-2120
FAX (916) 341-5806 • Internet Address: <http://www.swrcb.ca.gov/cwphome/ustcf>

Gray Davis
Governor

Closed

Ro 468

October 31, 2000

Ruben Hausauer
6017 14th St E
Oakland, CA 94621

**PRE-APPROVAL OF CORRECTIVE ACTION COSTS,
CLAIM NO. 008829, PRE-APPROVAL REQUEST NO. 12
SITE ADDRESS: 3927 14TH ST E, OAKLAND, CA 94601**

I have reviewed your request, received on October 26, 2000, 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 October 25, 2000, Conner-Bak LLP workplan approved by the Alameda County EHD (County) in their June 23, 2000 letter, is **\$3,280**; see the table below for a breakdown of costs.

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

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

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

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

COST PRE-APPROVAL BREAKDOWN

#	Task*	Amount Pre-Approved	Comments
1	Permits and Planning	\$ 500	Obtain all necessary permits for the destruction of 4 groundwater monitoring wells. Includes all time and materials.
2	Well Destruction	\$2,580	Destruction of 4 groundwater monitoring wells including one in the street. Includes removal of well boxes, drilling out of well casing, sand pack, bentonite seal and grout. Backfill the boring with cement/bentonite slurry or cement slurry, seal with a concrete plug and repatch with matching Asphalt.
3		\$ 200	Prepare a well abandonment report.
	TOTAL PRE-APPROVED	\$ 3,280	

* Task descriptions are the same as those identified in Clearwater Group's August 10, 2000 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 Clearwater Group proposal in my pre-approval above, please be aware that you will be entering into a private contract: the State of California cannot compel you to sign any specific contract. This letter **pre-approves the costs** as presented in the proposal dated August 10, 2000 by Clearwater Group for conducting the work approved by the County for implementing the October 25, 2000, Conner-Bak LLP workplan.

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

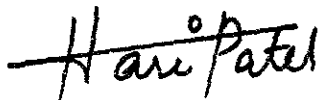
Please remember that it is still necessary to submit the actual costs of the work as explained in the Reimbursement Request Instructions to confirm that the costs are consistent with this pre-

approval before you will be reimbursed. *Please insure that your consultant prepares their invoices to include the required breakdown of costs on a time and materials basis, that invoiced tasks are consistent with the original proposal, and that reasonable explanations are provided for any changes made in the scope of work or increases in the costs. When the invoices are submitted you must include copies of all:*

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

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

Sincerely,



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

Enclosure

cc: Mr. 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

June 23, 2000
StID # 4610

Mr. Rueben Hausauer
6017 E. 14th St.
Oakland CA 94621

**Re: Request for Well Closure at former New Genico Site, 3927 E. 14th St., Oakland,
CA 94601**

Dear Mr. Hausauer:

This letter is to inform you that the Regional Water Quality Control Board has concurred with our office's recommendation for site closure regarding the former 500 gallon underground tank at the above referenced site. Prior to issuing formal closure, you are required to properly close the existing four (4) monitoring wells at this site. You may contact Mr. Frank Codel @ (510) 670-5554 or Mr. Larry Johmann @ (510) 654-6167 at Alameda County Public Works for their office's specific requirements.

Please send our office a copy of the well closure report after this work is completed.

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. Al Martinez, ATC Associates, Inc., 17321 Irvine Blvd., Suite 200, Tustin CA,
92780-3010

W1cl3927E14th

Press [ESC] for the menu

ENV. UPDATED 3/13/01

UNDERGROUND STORAGE TANK CLEANUP SITE

SITE ID: 4610 SOURCE OF FUNDS: F LOP:A--TRemov:--SLIC:--
 SITE NAME: New Genico SUBSTANCE :8006619
 SITE ADDRESS: 3927 E 14th St DATE REPORTED :11/01/1993
 CITY: Oakland DATE CONFIRMED:-0-

SITE CLOSED / UPDATED ENVISION 4/21/01
FILES @ OAKLAND

Press [ESC] for the menu

UNDERGROUND STORAGE TANK CLEANUP SITE

SITE ID: 510 SOURCE OF FUNDS: F LOP:A--TRemov:I--SLIC:--
 SITE NAME: National Car Rental SUBSTANCE :8006619
 SITE ADDRESS: 100 -0 Airport Blvd DATE REPORTED :03/21/1996
 CITY: Oakland ZIP CODE: 94621 DATE CONFIRMED:03/21/1996
 MULTIPLE RPs : Y

CASE TYPE: 0 CONTRACT STAT: 4 PRIORITY: 2A2 DATE ER:-0-

RP SEARCH : S DATE END: 03/28/1996
 PRELIM ASSESSMENT : - DATE BEGIN: -0- DATE END: -0-
 REMEDIAL INVEST : - DATE BEGIN: -0- DATE END: -0-
 REMEDIAL ACTION : - DATE BEGIN: -0- DATE END: -0-
 POST REMED MONITOR: - DATE BEGIN: -0- DATE END: -0-

ENFORCEMENT TYPE: 1 DATE ENFORCEMENT ACTION TAKEN: 03/28/1996
 LUFT CATEGORY: 3HSA CASE CLOSED: - DATE CASE CLOSED: -0-
 DT EXC START : -0- REMEDIAL ACTIONS TAKEN: -0-

[ES For ST

PgDn for Screen #2

[ESC] Done [F2] Clear field [Shift-F2] Clear to end [Shift-F10] More
 Form: SITE Table: SITE Field: Source Page: 1

STID: 510 UNDERGROUND STORAGE TANK CLEANUP SITE - SCREEN #2

IN-HOUSE MANAGEMENT:

RISK ASSESSMENT :-0- LOC-CleanUp Fund? -0-
 DATE LAST CORSP :04/02/1999 INSPECTOR INIT: BC

CONTACT/RESPONSIBLE PARTY INFORMATION:

RP #1: CONTACT: Env Coord C/o Baker RP COST: \$0.00
 RP COMPANY NAME: National Car Rental System Ph: -0-
 ADDRESS: Wash Sq, Suite 1100 1050
 CITY/ST/ZIP: Washington D C 20036

COMMENT: MTBE=ND
 the full address of new contact is: Environmental Coordinator,
 National Car Rental Systems Inc. c/o Baker & Hostetler LLP,

PgUp For Screen #1;PgDn For More RP'S

[ESC] Done [F2] Clear field [Shift-F2] Clear to end [Shift-F10] More

CONNER • BAK LLP

Tommy A. Conner
J. Timothy Bak*

* Also admitted to practice in Nevada

ENVIRONMENTAL
PROTECTION

00 MAR 24 AM 9:44

444 De Haro Street, Suite 121
San Francisco, CA 94107
tel: 415•621•3939
fax: 415•621•3999

4610

March 21, 2000

Alameda County Health Care Services
Environmental Health Services
ATTN: Mr. Barney Chan
1131 Harbor Bay Parkway, Suite 250
Alameda, California 95402-6577

Re: 3927 East 14th Street, Oakland, California 94601 (New Genico)

Dear Mr. Chan:

This confirms your recent discussion with Al Martinez (ATC Associates) regarding the status of the Alameda County Health Care Service's review of Ruben Hausauer's February 3, 2000 request for closure.

We understand that you are now conducting a concurrent file review of the New Genico and Motor Partners' sites. We further understand that Mr. Hausauer is to postpone further groundwater monitoring pending the result of your review.

Please immediately notify me if the foregoing is incorrect.

Thank you.

Sincerely yours,



Tommy A. Conner

:SYR

cc: Al Martinez
ATC Associates

CONNER • BAK LLP

Tommy A. Conner
J. Timothy Bak *

* Also admitted to practice in Nevada

**ENVIRONMENTAL
PROTECTION**

00 FEB -8 PM 2: 26

444 De Haro Street, Suite 121
San Francisco, CA 94107
tel: 415•621•3939
fax: 415•621•3999

email: conbak@sirius.com

February 4, 2000

4610
Conner's for closure

Alameda County Health Care Services
Environmental Health Services
ATTN: Mr. Barney Chan
1131 Harbor Bay Parkway, Suite 250
Alameda, California 95402-6577

Re: 3927 East 14th Street, Oakland, California 94601

Dear Mr. Chan:

We are writing regarding ATC Associates' January 21, 2000 ASTM Tier 2 RBCA Analysis/Amendment #2 to the above-referenced site, in which ATC recommends site closure for the following reasons:

- the concentration of benzene in groundwater at the site is below the calculated SSTL;
- the concentrations of petroleum hydrocarbons in groundwater are naturally attenuating, primarily as a result of intrinsic bioremediation; and
- the total TPH-G and benzene charts indicate that the overall concentrations of the contaminants at the site have declined since groundwater monitoring was initiated in August 1996.

(See also ATC's January 24, 2000 Fourth Quarter groundwater monitoring report.)

We note that, as described in the Regional Water Quality Control Board memorandum discussing low risk groundwater cases, the site is a low risk groundwater case. In addition, benzene at HMW-3 – which is located immediately down gradient from the site's "hot spot" – has tested non-detect since March 17, 1998.¹ Further, the cumulative data and the generally southeasterly groundwater flow direction at the site strongly suggest that any on-site contamination is due to migration from an off-site source.

¹ On 11/26/97 the reported benzene level at HMW-3 was 0.6 micrograms per liter. However, on 2/25/97, 5/28/97, and 9/2/97 benzene at HMW-3 was not detected above the listed detection limit.

CONNER • BAK LLP

Barney Chan
February 4, 2000
Page 2

Lastly, we note that in Aquatic & Environmental Applications' January 12, 2000 letter to you regarding Motor Partners' most recent quarterly monitoring, Dr. Gary Rogers states that the TPH and BTEX contamination at the Motor Partners site is low enough for the site to be considered a low risk groundwater site, and that Motor Partners requests closure.

We endorse ATC's recommendation for site closure at the New Genico site, and respectfully request your approval of the same. Thank you.

Sincerely yours,

A handwritten signature in black ink, appearing to be 'Tommy A. Conner', written in a cursive style.

Tommy A. Conner

:syr



#4610

Fax Transmittal

6666 Owens Drive
 Pleasanton, California 94588
 (925) 460-5300 • FAX (925) 463-2559

DATE: <u>11/18/99</u>	TIME: _____
TO: <u>Barney Cham</u>	FAX NO. _____
COMPANY: _____	
PROJECT NUMBER: _____	TASK: _____
NUMBER OF PAGES TO FOLLOW: <u>1</u>	
MESSAGE:	
<u>Hi Barney-</u>	
<u>Please find enclosed information</u>	
<u>that you requested.</u>	
Confidential:	Yes _____ No _____
Urgent Delivery Requested:	Yes _____ No _____
Reply Requested:	Yes _____ No _____
DELIVER CC TO: _____	
Thank you,	
<u>Almantos</u>	
Signature	

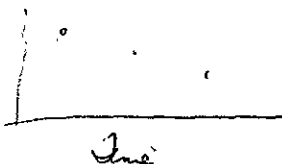
Trendlines are calculated automatically by Excel for various functions. The function type is chosen by the user, based on the data trend expected.

Exponential function trendline calculates the least squares fit through points by using the following equation:

$$Y = ce^{bx}$$

where c and b are constants, and e is the base of the natural logarithm.

x & y are (coordinates) eg time + conc.
Variables



$$\ln Y = c + b \ln X$$

I don't get this, will need to provide additl info on the application of Excel + a way to measure the likelihood of the trend (α).

4610

CONNER · BAK LLP
444 De Haro Street, Suite 121
San Francisco, California 94107
(415) 621-3939
FACSIMILE: (415) 621-3999

ATC taking over for
Kleinfelder, however, the
requested information is
was pass the Sept 7, 99
due date

FACSIMILE COVER SHEET

To: **BARNEY M. CHAN**
HAZARDOUS MATERIALS SPECIALIST
ALAMEDA COUNTY HEALTH CARE SERVICES AGENCY

Facsimile: **510/337-9335**

Telephone: **510/567-6765**

From: **SUSAN Y. RADER**
Paralegal

Billing Number: **8060-02**

Date: **September 22, 1999**

Cover page plus 8 page(s)

Re: Hausauer: 3927 East 14th Street, Oakland
MESSAGE: Attached, fyi.

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Please call (415) 621-3939 if there is a problem with this transmission Thank you.

CALIFORNIA UNDERGROUND STORAGE TANK CLEANUP FUND
COST PRE-APPROVAL REQUEST

(Complete form, enclose required items, sign, date & return)

ATTN: Mark Owens

TO: PRE-APPROVAL UNIT Fax: (916) 227-4530

I. CLAIM INFORMATION

A. CLAIM NO. 008829 B. CLAIMANT Ruben Hausauer

C. CLAIM STATUS (complete appropriate section)

- i) LOC ISSUED FOR \$62,754
- ii) ON PRIORITY LIST? YES NO IF YES, PRIORITY CLASS A B C D
- iii) NOT YET APPLIED TO THE FUND, EXPECTED APPLICATION DATE: _____

D. CONTACT PERSON: Tommy A. Conner, Esq. PHONE: 415-621-3939
 ADDRESS: Conner-Bak LLP FAX: 415-621-3999
444 De Haro, Ste. 121
San Francisco, CA 94107

II. TYPE OF REQUEST (check appropriate boxes)

- PRE-APPROVAL \$612.13 AMOUNT REQUESTED
- 3-BID REVIEW \$ _____ PREFERRED BID (if applicable)

THE FOLLOWING DOCUMENTS ARE REQUIRED FOR THE SPECIFIED REQUEST. ALL DOCUMENTS REQUESTED MUST BE SUBMITTED OR THE REQUEST(S) WILL BE RETURNED UNPROCESSED.

- A. REQUEST FOR PRE-APPROVAL OF PROPOSED COSTS-The following items are required before review and determination will be made by Fund Staff. change order dated 9/21/99
 - 1. A complete signed copy of the proposed ~~insertion~~ workplan or Corrective Action Plan (CAP) (as defined and required by Article 11, Chapter 16, California Underground Storage Tank Regulations). Corrective Action Plans must include the required feasibility study and chosen cost effective alternative.
 - 2. A signed copy of the oversight agency approval letter for the Workplan/CAP.
 - 3. A complete copy of the Request for Bids, including all attachments. A list of all firms requested to bid must be included.
 - 4. Complete copies of all bids and other correspondence submitted in response to the Request for Bids.
 - 5. A time schedule, if not part of bid documents, anticipated for project initiation and duration.
 - 6. A detailed project budget, which includes breakdowns of staff/task/hour with associated estimated totals.
- B. THREE-BID REVIEW/EVALUATION/DETERMINATION - Fund staff will assist any claimant requesting an evaluation of bids upon request. The following information must be submitted - 1,2,3 AND 4 as described in Item A above

III. CERTIFICATION

I certify under penalty of perjury that all information submitted with this request is complete and accurate and in accordance with all applicable laws and regulations. Must be signed by claimant or person designated on the Authorized Representative Designation Form

[Signature] Tommy A. Conner, Esq. September 21, 1999
 Signature Printed Name Date

IV. Authorization for the Fund to give out your name and phone number to other claimants in your region as a reference for consultants and contractors YES NO

Signature Date

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)August 3, 1999
StID # 4610Mr. Tommy Conner, Esq.
Conner Bak, LLP
444 De Haro St., Suite 121
San Francisco, CA 94107Re: New Genico Site, 3927 E. 14th St., Oakland CA 94601

Dear Mr. Conner:

Our office has received and reviewed the two documents; **ASTM Tier 2 RBCA Analysis Amendment and the Second Quarter 1999 Groundwater Monitoring Report** by ATC Associates and Kleinfelder, respectively. This letter serves to comment on both of these reports.

In regards to the RBCA Analysis, our office has the following comments:

- There have been several conversations between our office and ATC regarding the original Tier 1 and subsequent Tier 2 risk assessments. These conversations were between Ms. Dabra Sheldon of ATC and Ms. Madhulla Logan of ACEH. Unfortunately, both these individuals are no longer with these respective companies. In order to complete the RBCA analysis, please provide a revised Tier 1 Analysis. This should reflect the California slope factor for benzene of 0.1 and the acceptable risk of 1×10^{-5} .
- Please clarify your method for estimating the representative benzene concentration in groundwater beneath the site. It appears that this concentration was not estimated as stated in section 2.2 in the RBCA amendment. You may want to incorporate the groundwater data from the latest monitoring event to estimate this concentration.
- Please provide a rose diagram of the historical groundwater flow direction at this site. This will be used to support not evaluating exposure to residential properties.
- Please provide copies of the GSI input and output data sheets for all derived SSTL values.

In regards to the groundwater monitoring report, I have the following comments:

- The site apparently has not seen the expected affect from the injection of ORC (oxygen releasing compound). The dissolved oxygen concentrations and the oxidation-reduction potentials do not reflect the anticipated increase in these parameters. It is interesting that the dissolved oxygen concentration in MW-4 from the Motor Partner's site increased after the ORC injections, while DO in the Hausauer's wells did not change significantly. Is this an indication of a difference in measuring dissolved oxygen by the two consultants? Is there a need to re-inject additional ORC? Please provide a report of the ORC injection including a site map, a description of the boring, the amounts of ORC slurry added, and the calculations documenting the amount of oxygen needed to treat the plume.
- The concentration of TPHg and benzene have at times decreased, however, this may be reflective of groundwater elevation changes rather than bio-remediation.

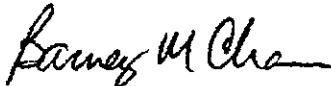
Mr. T. Conner
StID # 4610
Re: 3927 E. 14th St., Oakland 94601
August 3, 1999
Page 2.

- Our office concurs with the amended groundwater monitoring plan for this site. Therefore, HMW-1 will continue to be sampled quarterly, wells HMW-2 and HMW-4 will be monitored semi-annually, and well HMW-3 will be sampled annually. However, please continue to take groundwater elevation, dissolved oxygen and oxidation-reduction potential on all wells on a quarterly basis.

Please provide the requested technical information and reports and comment to the above observations. Please respond within 30 days or by September 7, 1999.

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. R. Hausauer, 6017 E. 14th St., Oakland CA 94621
Mr. W. Theyskins, Kleinfelder, 1362 Ridder Park Drive, San Jose, CA 95131
Mr. Al Martinez, ATC Associates Inc., 6666 Owens Drive, Pleasanton, CA 94588

RBCAmen3927



6666 Owens Drive
Pleasanton, California 94588
925 460 5300
Fax 925 463 2550

September 21, 1999

Mr. Ruben Hausauer c/o
Mr. Tommy Conner
Conner Bak LLP
444 De Haro Street, Suite 121
San Francisco, California 94107

Proposal No. S75.1999.09106

**Change Order
Installation of Oxygen Releasing Compound
New Genico/Hausauer
3927 East 14th Street
Oakland, California**

Dear Mr. Conner:

ATC Associates Inc. (ATC) is pleased to provide Ruben Hausauer with this change order to perform additional work beyond the scope of the original contract. At this time, ATC is requesting a change order to pay for additional services that are currently being completed out of the original scope of work. A description of these services and the associated fees are provided below.

SCOPE OF WORK

On August 3, 1999, the Alameda County Health Services (ACHS) issued a letter regarding ATC's ASTM Tier 2 RBCA Analysis Amendment dated July 21, 1999 and Kleinfelder's Second Quarter 1999 Groundwater Monitoring Report. This change order includes the costs to prepare a letter response to the ACHS including the following items not included in our original scope of work:

- (1) Regarding ATC's Installation of Oxygen Releasing Compound (ORC) Letter Report dated November 17, 1998. ATC will prepare a description of the soil borings, the amount of ORC slurry added, and the calculations documenting the amount of oxygen needed to treat the plume;

- (2) ATC will prepare a rose diagram of the historical groundwater flow direction at the site;
- (3) ATC will review the historical data related to the site to assess the need for re-injection of ORC;
- (4) ATC will review the historical data related to the site to assess whether the apparent lack of effect from the ORC injection is an indication of a difference in measuring dissolved oxygen by Kleinfelder and Aquatic & Environmental Application; and
- (5) ATC will review the historical data related to the site to assess whether the decrease in total petroleum hydrocarbons and benzene is related to a change in groundwater elevation or intrinsic bioremediation.

ATC has reviewed the current budget (Proposal No. S98-0542a dated September 24, 1998) and has determined that \$706.87 remains in the current budget. ATC anticipates that it will cost approximately \$1,319 to complete the above scope of work. ATC will use the remainder of the current budget for the above scope of work. Therefore, ATC is requesting a change order in the amount of \$612.13 for the balance. This cost will not be exceeded without your prior written consent. A detailed breakdown of costs is provided.

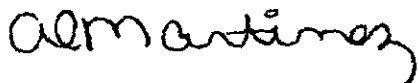
ATC appreciates the opportunity to submit this proposal and we look forward to working with you on this project. This project can be completed under the Terms and Conditions set forth in ATC's August 1, 1996 "Proposal to conduct a Soil and Groundwater Investigation", and your cancellation upon written notice.

If this is acceptable to you and you wish ATC to proceed, please sign the proposal acceptance and agreement page and return it to us.

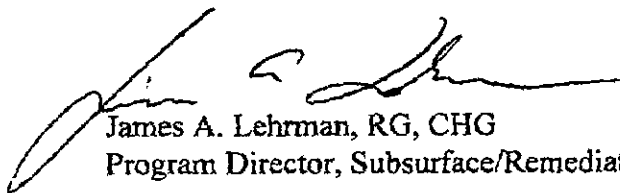
If you have any questions regarding this proposal, please do not hesitate to call Al Martinez at (925) 460-5300.

Very truly yours,

ATC ASSOCIATES INC.



Al Martinez
Project Manager



James A. Lehrman, RG, CHG
Program Director, Subsurface/Remediation

Attachments

COST ESTIMATE

**NEW GENICO/HAUSAUER
3927 EAST 14TH STREET
OAKLAND, CALIFORNIA**

Task Description	COST SUMMARY			
	Labor		Expense Costs	Estimated Total Cost
	Hours	Costs		
PHASE II				
1 Change Order No.1 (Response to comments from ACHS)	17.0	\$1,290	\$29	\$1,319
TOTAL	17.0	\$1,290	\$29	\$1,319



State Water Resources Control Board



Gray Davis
Governor

Division of Clean Water Programs

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

Winston H. Hickox
Secretary for
Environmental
Protection

99 SEP 13 PM 4:01
CALIFORNIA ENVIRONMENTAL
PROTECTION

September 9, 1999

CC
Mr. Tommy Conner, Esq.
Conner Bak, LLP
444 De Haro Street, Suite 121
San Francisco, CA 94107

PRE-APPROVAL OF CORRECTIVE ACTION COSTS, CLAIM NO. 8829, SITE ADDRESS: 3927 E. 14TH STREET, OAKLAND

I have reviewed your request, received on September 2, 1999 for pre-approval of corrective action costs; I will place these documents in your file for future reference. I have included a copy of the "Cost Pre-Approval Request" form; please use this form in the future for requesting pre-approval of corrective actions costs.

With the following provisions, the **total cost pre-approved** as eligible for reimbursement for the 3rd and 4th quarter monitoring, is **\$3,716.00**. The cost proposal for this work by ATC is approved for eligible costs as submitted.

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

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

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

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

California Environmental Protection Agency

#4610

CONNER · BAK LLP
444 De Haro Street, Suite 121
San Francisco, California 94107
(415) 621-3939
FACSIMILE: (415) 621-3999

FACSIMILE COVER SHEET

To: **BARNEY M. CHAN**
HAZARDOUS MATERIALS SPECIALIST
ALAMEDA COUNTY HEALTH CARE SERVICES AGENCY

Facsimile: **510/337-9335**

Telephone: **510/567-6765**

From: **SUSAN Y. RADER**
Paralegal

Billing Number: **8060-02**

Date: **August 26, 1999**

Cover page plus 2 page(s)

Re: Hausauer: 3927 East 14th Street, Oakland
MESSAGE: **Please see attached.**

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Please call (415) 621-3939 if there is a problem with this transmission. Thank you.

CONNER • BAK LLP

Timothy A. Conner
J. Timothy Bak

* Also admitted to practice in Nevada

444 De Haas Street, Suite 121
San Francisco, CA 94107
tel. 415•621•3939
fax 415•621•3900

email conbak@conner.com

August 26, 1999

VIA FACSIMILE

Alameda County Health Care Services
Environmental Health Services
ATTN: Mr. Barney Chan
1131 Harbor Bay Parkway, Suite 250
Alameda, California 95402-6577

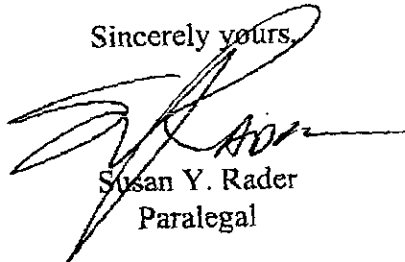
Re: 3927 East 14th Street, Oakland, California 94601

Dear Mr. Chan:

Thank you for faxing the requested consultant list to this office. Pursuant to our recent discussion, attached is Kleinfelder's August 19, 1999 letter in which Kleinfelder elects not to respond to requests for proposals for work directed in your August 3, 1999 letter.

We appreciate your suspension of the September 7, 1999 deadline to allow for reasonable time within which to complete the work directed in your August 3, 1999 letter.

Sincerely yours,



Susan Y. Rader
Paralegal

tsyr

Attachment



August 19, 1999
File: 12-304761

CONNER-BAK, LLP
444 De Haro Street, Suite 121
San Francisco, California 94107

SUBJECT: Request for Proposals for 3927 East 14th Street, Oakland, California

Dear Susan and Tommy:

We have received your letter dated August 12, 1999. We regret to inform you that Kleinfelder has elected not to respond to the requests for proposal in items 1 and 2 of your letter. While Kleinfelder may have the required experience and capabilities to perform the referenced scope of work, these types of activities are generally provided by Kleinfelder in conjunction with larger, more complex projects, and are generally not provided on a stand-alone basis. Further, as a general rule, the San Jose office of Kleinfelder is no longer proposing on projects which pay less than our full fee schedule. Our fees, per the full fee schedule, would likely not be fully reimbursable by the Fund.

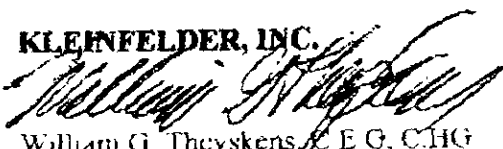
Based on a similar occurrence on another project, we understand that the quarterly monitoring contract previously in effect is now void/terminated, as a result of the Agency monitoring schedule change. Accordingly, a change order would no longer be appropriate according to Kleinfelder policy - a proposal would be required. Again, Kleinfelder has elected to not submit a proposal for this work, for the reasons stated above. Further, we understand the work is going out to bid. We typically do not bid on Fund projects unless there is a reason to believe price is not the overriding consideration, and it is judged to be a technically challenging project. The requested scope of work, in our judgement, would be more cost-effectively provided by a specialty firm oriented towards relatively simple sampling and reporting services.

Kleinfelder looks forward to future opportunities to propose on projects that would potentially utilize our professional expertise and experience.

We appreciate your consideration of Kleinfelder, and welcome an opportunity to propose on future projects. If you have any questions please feel free to call me.

Sincerely,

KLEINFELDER, INC.


William G. Theyskens, C.E.G., CHG
Environmental Group Manager

12-3047-61 (1219L139)/wgt
Copyright 1999 Kleinfelder, Inc.

August 19, 1999

#4610

CONNER · BAK LLP
444 De Haro Street, Suite 121
San Francisco, California 94107
(415) 621-3939
FACSIMILE: (415) 621-3999

FACSIMILE COVER SHEET

To: **BARNEY M. CHAN**
HAZARDOUS MATERIALS SPECIALIST
ALAMEDA COUNTY HEALTH CARE SERVICES AGENCY

Facsimile: **510/337-9335**

Telephone: **510/567-6765**

From: **SUSAN Y. RADER**
Paralegal

Billing Number: **8060-02**

Date: **August 12, 1999**

Cover page plus 2 page(s)

Re: Hausauer: 3927 East 14th Street, Oakland
MESSAGE: **Please see attached.**

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Please call (415) 621-3939 if there is a problem with this transmission. Thank you.

CONNER • BAK LLP

Tommy A. Conner
J. Timothy Bak*

* Also admitted to practice in Nevada

444 De Haro Street, Suite 121
San Francisco, CA 94107
tel: 415-621-3939
fax: 415-621-3999

August 12, 1999

Bill Theyskens
Kleinfelder, Inc.
1362 Ridder Park Drive
San Jose, California 95131

Via Facsimile

Re: 3927 East 14th Street, Oakland, California (Hausauer)

Dear Bill:

Attached for your ready reference is a copy of Barney Chan's August 3, 1999 letter ("letter") regarding the above-referenced matter. Pursuant to the letter, we ask that Kleinfelder prepare and fax to our offices no later than noon, Thursday, August 19, 1999 the following:

1. A proposal for a rose diagram of the historical groundwater flow direction at the site (pursuant to the letter's Bullet Item No. 4).
2. A second proposal for the analyses of and responses to the letter's following questions and comments (see Bullet Items No. 5 and 6).
 - a. Is the apparent lack of the expected effect from the ORC injection an indication of a difference in measuring dissolved oxygen by the two consultants?
 - b. Is there a need to re-inject additional ORC? If so, provide the calculations documenting the amount of oxygen needed to treat the plume.
 - c. "The concentration of TPHg and benzene have at times decreased, however, this may be reflective of groundwater elevation changes rather than bio-remediation".

Hausauer will submit the above-requested proposals to the UST Cleanup Fund with a request for pre-approval and waiver of the 3-bid requirement.

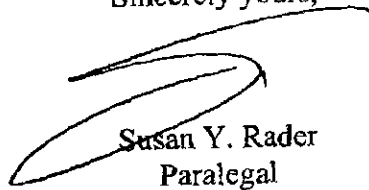
3. A change order to Kleinfelder's 2/11/99 Revised Proposal to Perform 1999 Groundwater Monitoring reflecting the amended groundwater monitoring plan (see Bullet Item No. 7). The change order must describe in full the changed scope of work and itemized fees and costs. Hausauer will be soliciting additional bids for this work.

CONNER • BAK LLP

Please note Mr. Chan's September 7, 1999 deadline. By copy of this letter to Mr. Chan we give him notice that Kleinfelder is to communicate directly with him in the event of any questions regarding the scope of work for the foregoing proposals. We also notify Mr. Chan that ATC Associates will respond to the ACHSA's requests regarding the RBCA Analysis and the ORC injection report (Bullet Items No. 1, 2, 3, 4, and 5.)

Thank you for your prompt attention to this matter.

Sincerely yours,



Susan Y. Rader
Paralegal

:syr

Attachment

cc. Mr. Barney Chan (via facsimile; w/o attachment)
Alameda County Health Care Services Agency

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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)

August 3, 1999
StID # 4610

Mr. Tommy Conner, Esq.
Conner Bak, LLP
444 De Haro St., Suite 121
San Francisco, CA 94107

Re: New Genico Site, 3927 E. 14th St., Oakland CA 94601

Dear Mr. Conner:

Our office has received and reviewed the two documents; **ASTM Tier 2 RBCA Analysis Amendment and the Second Quarter 1999 Groundwater Monitoring Report** by ATC Associates and Kleinfelder, respectively. This letter serves to comment on both of these reports.

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*p. 9 of 8/22/99
ATC Report*

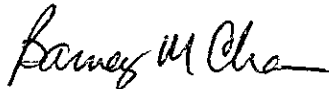
Mr. T. Conner
StID # 4610
Re: 3927 E. 14th St., Oakland 94601
August 3, 1999
Page 2.

- Our office concurs with the amended groundwater monitoring plan for this site. Therefore, HMW-1 will continued to be sampled quarterly, wells HMW-2 and HMW-4 will be monitored semi-annually, and well HMW-3 will be sampled annually. However, please continue to take groundwater elevation, dissolved oxygen and oxidation-reduction potential on all wells on a quarterly basis.

Please provide the requested technical information and reports and comment to the above observations. Please respond **within 30 days or by September 7, 1999.**

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. R. Hausauer, 6017 E. 14th St., Oakland CA 94621

Mr. W. Theyskins, Kleinfelder, 1362 Ridder Park Drive, San Jose, CA 95131

Mr. Al Martinez, ATC Associates Inc., 6666 Owens Drive, Pleasanton, CA 94588

RBCAmon3927

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

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

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

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

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

Sincerely,



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

cc: Mr. Barney Chan, Alameda County Health Care Services, Alameda



CONNER • BAK LLP

Tommy A. Conner
J Timothy Bak *

* Also admitted to practice in Nevada

444 De Haro Street, Suite 121
San Francisco, CA 94107
tel: 415•621•3939
fax: 415•621•3999

email: conbak@sirius.com

July 26, 1999

Alameda County Health Care Services
Environmental Health Services
ATTN: Mr. Barney Chan
1131 Harbor Bay Parkway, Suite 250
Alameda, California 95402-6577

Re: 3927 East 14th Street, Oakland, California 94601

Dear Mr. Chan:

We have enclosed regarding the above-named site ATC Associates' July 21, 1999 ASTM Tier 2 RBCA Analysis Amendment ("RBCA Amendment") and Kleinfelder Inc.'s July 22, 1999 Second Quarter 1999 Groundwater Monitoring Report ("Groundwater Report").

Please note that, based on the groundwater analytical results, the RBCA Amendment recommends a reduction in groundwater sampling as follows: (1) implementing a semi-annual groundwater sampling frequency program for monitoring wells HMW-2 and HMW-4; and (2) implementing an annual groundwater sampling frequency program for monitoring well HMW-3.

The Groundwater Report indicates decreasing benzene in the Hausauer wells.¹ The trend supports ATC's recommended reduction in the frequency of monitoring as an interim step in anticipation of closure.

We look forward to your response. Thank you.

Sincerely yours,



Tommy A. Conner

:syr Enclosures

cc: State Water Resources Control Board (w encl)

¹ In addition, we are informed that Dr. Rogers' most recent groundwater monitoring report indicates only slightly increased levels of benzene in Motor Partners wells

39 JUL 29 PM 4:40
RECEIVED
7-29-99

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



February 11, 1999
StID # 4610

Mr. Reuben Hausauer
6017 E. 14th St.
Oakland CA 94621

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

Re: Groundwater Monitoring Reports for 3927 E. 14th St., Oakland CA 94601

Dear Mr. Hausauer:

I have reviewed the fourth quarter 1998 groundwater monitoring report for the above site as prepared by your consultant, Kleinfelder. I noticed a few erroneous items and additional items inconsistent with what might be expected. I spoke with Mr. William Theyskens of Kleinfelder and he said a corrected version of the monitoring data would be sent. Apparently the values for dissolved oxygen (DO) were wrong as stated in this report and Mr. Theyskens gave me the correct values in our conversation. Another possible error in the report is the statement, a sheen was noted on HMW-3. The water sample from this well reported ND (non-detect) for all parameters tested.

The unexpected results are the dissolved oxygen and oxidation-reduction potential (ORP) values reported. Since the injection of oxygen releasing compound was done in November 1998, it is assumed that a significant increase in dissolved oxygen and ORP would be expected. Interestingly, monitoring well MW-4, the Motor Partner well next to the ORC injections, did exhibit increased DO and ORP values. One conclusion from the addition of ORC is that it appears to have limited extent of impact.

I mentioned to Mr. Theyskens that it would be nice to have a little more data interpretation in the monitoring reports. In addition to presenting the results and stating the obvious, the trends in concentration of gasoline and BTEX and the bio-parameter values should be plotted against the their respective values in the monitoring wells. A trend to support natural attenuation is the expected result. Please attempt to incorporate this additional interpretation in future monitoring events.

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. Conner Esq , 444 De Haro St , Suite 121, San Francisco, CA 94107
Mr W Theyskens, Kleinfelder, 1362 Ridder Park Drive, San Jose, CA 95131
Ms D Sheldon, ATC Associates, 6666 Owens Dr., Pleasanton, CA 94566

Mon-3927E 14th



State Water Resources Control Board



Division of Clean Water Programs

2014 T Street, Suite 130 • Sacramento, California 95814 • (916) 227-4519 FAX (916) 227-4530
Mailing Address: P.O. Box 944212 • Sacramento, California • 94244-2120
Internet Address: <http://www.swrcb.ca.gov/~cwphome/ustcf/fundhome.htm>

Winston Hickox
Secretary for
Environmental
Protection

Gray Davis
Governor

February 2, 1999

Mr. Tommy A. Conner, Esq.
444 De Haro Street, Suite 121
San Francisco, CA 94107

**PRE-APPROVAL OF CORRECTIVE ACTION COSTS, CLAIM NO. 8829,
SITE ADDRESS: 3927 E. 14 TH STREET, OAKLAND**

I have reviewed your request, received on January 25, 1999 for pre-approval of corrective action costs; I will place these documents in your file for future reference. I have included a copy of the "Cost Pre-Approval Request" form; please use this form in the future for requesting pre-approval of corrective actions costs.

With the following provisions, the total cost pre-approved as eligible for reimbursement for the continuation of monitoring as requested by the local regulator is \$11,965.00. The January 19, 1999 cost proposal for this work by Kleinfelder is approved for eligible costs as submitted

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

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

- The actual costs and scope of work performed must be consistent with the pre-approval for it to remain valid.
- The work products must be acceptable to the local regulator.
- 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 Kleinfelder proposal in my pre-approval above, please be aware that you will be entering into a private contract - the State of California cannot compel you to sign any specific contract

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



Recycled Paper

SWRCB is committed to enhance the quality of California's water resources and
protect the environment for the benefit of present and future generations

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. ***To make this easier, insure that your consultant prepares his invoices to match the format of the original estimate, and provides reasonable explanations for any changes made in the scope of work or increases in the costs. When the invoices are submitted you must include copies of all:***

- *subcontractor invoices (includes lab invoices)*
- *technical reports, when available, and*
- *applicable correspondence from the local regulator*

Please call if you have any questions; I can be reached at (916) 227-4519.

Sincerely,



David Hallstrom, Water Resources Control Engineer
Technical Review Unit
Underground Storage Tank Cleanup Fund

cc: Gregory Ruf, Kleinfelder, via fax

→ Barney Chan, ACHCSA
1131 Harbor Bay Parkway, 2nd floor
Alameda, CA 94502

CONNER • BAK LLP

Tommy A. Conner
J. Timothy Bak

* Also admitted to practice in Nevada

CONFIDENTIAL
PROTECTION

99 FEB --4 PM 4: 09

444 De Haro Street, Suite 121
San Francisco, CA 94107
tel. 415•621•3939
fax: 415•621•3999

email: conbak@sirius.com

January 25, 1999

Via Facsimile and U.S. Mail

California Underground Storage Tank Cleanup Fund
ATTN: Cost Pre-Approval Request Unit
2014 "T" Street
Sacramento, California 95814

Re: Claimant: Ruben Hausauer
3937 East 14th Street
Oakland, CA
Claim No.: 008829

Dear Sir or Madam:

Attached for your review is Ruben Hausauer's pre-approval request for continuing groundwater monitoring in 1999 at the above-named site.

Please fax your response to me at (415) 621-3999. If you have any questions please call me or, in my absence, Susan Rader.

Thank you.

Sincerely,



Tommy A. Conner
Authorized Representative for Ruben Hausauer

syr

Attachments

Document5

CONNER • BAK LLP

cc: ~~Barney~~ Chan (w/encl)
Alameda County Health Care Services Agency

CALIFORNIA UNDERGROUND STORAGE TANK CLEANUP FUND
COST PRE-APPROVAL REQUEST
(Complete form, enclose required items, sign, date & return)

TO: PRE-APPROVAL REVIEWER Fax: (916) 227-4530

I. CLAIM INFORMATION

A. CLAIM NO. 00829 B. CLAIMANT Ruben Hausauer

C. CLAIM STATUS (complete appropriate section) *as of 9/29/97 per S. Knieriem and
i) LOC ISSUED FOR \$50,000.00* Doug Wilson

ii) ON PRIORITY LIST? YES NO IF YES, PRIORITY CLASS A B C D

iii) NOT YET APPLIED TO THE FUND EXPECTED APPLICATION DATE: _____

D. CONTACT PERSON: Tommy A. Conner, Esq. PHONE: 415-621-3939
ADDRESS: Conner - Bak LLP FAX: 415-621-3999
444 De Haro Street, Suite 121
San Francisco, CA 94107

II. TYPE OF REQUEST (check appropriate boxes)

PRE-APPROVAL \$11,965.00 AMOUNT REQUESTED

3-BID REVIEW \$ _____ PREFERRED BID (if applicable)

THE FOLLOWING DOCUMENTS ARE REQUIRED FOR THE SPECIFIED REQUEST. ALL DOCUMENTS REQUESTED MUST BE SUBMITTED OR THE REQUEST(S) WILL BE RETURNED UNPROCESSED.

A. REQUEST FOR PRE-APPROVAL OF PROPOSED COSTS-The following items are required before review and determination will be made by Fund Staff.

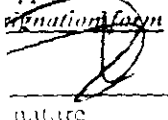
1. A complete ~~signed~~ copy of the proposed Investigation Workplan or Corrective Action Plan (CAP) (as defined and required by Article 11, Chapter 16, California Underground Storage Tank Regulations). Corrective Action Plans must include the required feasibility study and chosen cost effective alternative.
2. A signed copy of the oversight agency approval letter for the Workplan/CAP.
3. A complete copy of the Request for Bids, including all attachments. A list of all firms requested to bid must be included.
4. Complete copies of all bids and other correspondence submitted in response to the Request for Bids.
5. A time schedule, if not part of bid documents, anticipated for project initiation and duration.
6. A detailed project budget, which includes breakdowns of staff/task/hour with associated estimated totals.

THREE-BID REVIEW/EVALUATION/DETERMINATION - Fund staff will assist any claimant requesting an evaluation of bids upon request. The following information must be submitted - 1,2,3 AND 4 as described in Item A above.

CERTIFICATION

certify under penalty of perjury that all information submitted with this request is complete and accurate and in accordance with applicable laws and regulations. Must be signed by claimant or person designated on the Authorized Representative

signature

 Tommy A. Conner, Esq. 1/25/99
nature Printed Name Date

THORIZED REPRESENTATIVE

Authorization for the Fund to give out your name and phone number to other claimants in your region as a reference for consultants and contractors YES NO

nature Date

January 19, 1999
File: 12-YP9-008

Mr. Tommy A. Conner
Conner-Bak, LLP
444 De Haro Street, Suite 121
San Francisco, California 94107

**SUBJECT: Proposal to Perform 1999 Groundwater Monitoring, 3927 East 14th Street,
Oakland, California**

Dear Mr. Conner,

Kleinfelder, Inc. (Kleinfelder) is pleased to submit this proposal to Conner-Bak on behalf of Ruben Hausauer (Client), to perform the four quarterly rounds of the 1999 groundwater monitoring program (March, June, September and December 1999) for the 3927 East 14th Street, Oakland, California facility (site). The proposed services are as required by Alameda County Health Care Services (ACHCS).

Quarterly rounds will be scheduled to coincide with the quarterly sampling at the Motor Partners site. Please review the scope of work, project cost estimate breakdown, Kleinfelder's assumptions, the client responsibilities on which the cost estimate is based, limitations and authorization presented in this proposal.

INTRODUCTION

This proposal was developed based on information provided regarding previous quarterly monitoring events, from previous site investigation activities, and from information obtained while interacting with your office.

Kleinfelder is committed to providing a level of service to its clients, commensurate with their wants and needs. If a portion of this proposal does not meet the needs of Ruben Hausauer and Conner-Bak, LLP, or if those needs have changed, Kleinfelder stands ready to consider appropriate modifications, subject to the standards of care to which we adhere as professionals. Modifications such as changes in scope, and methodology, may result in changes to the risks assumed by Ruben Hausauer, as well as adjustments to our fees.

SCOPE OF WORK

Monitoring Well Sampling

The monitoring wells will be sampled following the protocol described in Appendix A. In addition to the normal procedures used, as described in Appendix A, measurement of "redox" potential (reduction/oxidation potential) and dissolved oxygen will be made immediately prior to sampling.

Prior to collecting samples, depth to water measurements will be made and converted to groundwater surface elevations following the protocol in Appendix A. One groundwater sample will then be collected from each well. In addition, one trip blank sample will be submitted to the analytical laboratory for quality assurance/quality control purposes.

Groundwater Sample Analysis

During each monitoring event a total of four groundwater samples will be submitted to AEN Analytical Laboratory for quantitative analysis. The following analyses will be performed:

- Total petroleum hydrocarbons as gasoline (TPHg), TPH as diesel (TPHd) and TPH as motor oil (TPHmo) using United States Environmental Protection Agency (USEPA) Method 8015M;
- Benzene, toluene, ethylbenzene, total xylenes (BTEX), and methyl tertiary butyl ether (MtBE) using USEPA Method 8020; and
- If elevated concentrations of MtBE are reported, the sample with the highest concentration will be analyzed using EPA Method 8260.

The trip blanks will be analyzed for TPHg, BTEX and MtBE.

The four samples will also be analyzed by the laboratory for the bioremediation indicator parameters that were specifically requested by ACHCS. Analyses will be performed on a normal turnaround time (seven working days) by the laboratory. These analyses include:

- ferrous iron;
- nitrate; and
- sulfate

Report of Findings

Kleinfelder will prepare quarterly reports of findings summarizing the information collected during the quarterly event, and provided by the analytical laboratory. Analytical data and depth to water information will be tabulated and presented on plates. The report also will include Kleinfelder's conclusions and recommendations.

A draft report will be provided to you for your review and comment no less than one week prior to the date the report is due to the ACHCS. Under the current reporting schedule, the quarterly reports will be submitted to the ACHCS within 30 days of the end of the respective calendar quarters. All final reports will be signed and stamped by a State-registered geologist (R.G.). Four copies of each of the quarterly reports will be mailed to your offices. We understand subsequent report submittals (to the ACHCS and to the State Water Resources Control Board Underground Storage Tank Cleanup Fund) will be handled by your office.

Purgewater Management

Kleinfelder will assist the Client in coordinating the pickup of purgewater resulting from the proposed sampling activities. Note that the estimated costs provided in this proposal are based on the assumption that the existing drums on site for temporary storage of purgewater will be emptied and removed from the site prior to the first sampling event of 1999. Two new drums are budgeted herein for the quarterly storage of purgewater. Furthermore, it is assumed that the licensed waste hauler will subcontract directly with the Client, and the Client will be responsible for making payment to the licensed waste hauler; actual costs for transport and recycling/disposal are not included in the cost estimate provided herein.

SCHEDULE

Kleinfelder can begin the scope of work as soon as authorized to proceed by Ruben Hausauer. Assuming authorization is received in a timely manner following issuance of this proposal, it is expected that the quarterly monitoring will proceed with sampling to occur during the third or fourth week of the month in which quarterly sampling is to be performed.

FEE ARRANGEMENTS

Kleinfelder's professional services will be provided on a time and expense basis, based on our 1999 Bay Area Fee Schedule with project-specific discounts of 10% on labor. The discount rates are contingent upon receipt of payment in net within 30 days of the invoice date. The cost estimate is based on the scope of work presented in this proposal. The estimated cost is \$11,965. A project cost estimate is presented below

Monitoring Well Sampling	\$ 4,585
Groundwater Sample Analysis	\$ 3,125
Report of Findings	\$ 3,875
Purgewater Management	<u>\$ 380</u>
Total Estimated Budget	\$11,965

The fees presented in this proposal are based on prompt payment for services presented in our standard invoicing format. Additional charges will be applied for specialized invoicing if backup documentation is needed. These special services will be charged on a time and expense basis. Late fees will be charged if payment is not received in accordance with terms contained in the attached standard form of agreement.

WORK SAFETY

The safety of our employees is of paramount concern to Kleinfelder. You will be notified if the location of your project or site conditions represent potential safety concerns to our employees. Unsafe conditions for field work will require a modification of our estimated scope of work and associated fees. We will advise you of the additional cost necessary to mitigate these unanticipated conditions, if applicable.

ASSUMPTIONS

- Adequate work space and access will be provided.
- Each sampling event will require approximately 10 hours of mobilization and field time.
- The cost estimate assumes that a total of four groundwater samples and one trip blank will be submitted for quantitative chemical analysis each quarter, as specified in this proposal. If additional samples are needed or if the total number of samples is reduced costs will be adjusted accordingly.
- The cost estimate provided includes the quantitative chemical analyses specifically stated within this proposal; no other sample analyses will be performed under the current scope of work. If additional analyses are required, a change order will be prepared for the cost of any additional sampling time, the cost of the laboratory analyses, and associated data evaluation and reporting time.

- The cost estimate provided above is based on standard analytical turnaround times requiring approximately 7 working days for the receipt of analytical results.
- Purgewater will be temporarily stored on-site in Department of Transportation (DOT)-approved 55-gallon drums. The cost estimate provided above is based on the purchase of two new drums, with the assumption that the previous year's drums will be removed by the IDW contractor hired by the Client.
- Authorization is received in a timely enough manner following issuance of this proposal that quarterly monitoring can be initiated during the third or fourth week of March.

AUTHORIZATION

The scope of services proposed above will be conducted in accordance with our standard contract. The general conditions of our contract, including the limitations clauses, are an integral part of this proposal. If this proposal is acceptable to you, please complete, sign and return both copies of the attached contracts as your authorization for us to begin work. We will sign and return one of the contracts to you for your files.

Acceptance of this proposal will indicate that Ruben Hausauer, or you as his authorized agent, has reviewed the Scope of Services and determined that you do not need, or want, more services than are being proposed at this time. Any exceptions should be noted and may result in adjustments to our fees.

All terms and conditions indicated in this proposal will be considered by both parties to be in effect from the effective date of the signed contract through completion of the project. The proposal will remain in effect for 90 days from the date shown on the proposal and thereafter shall be null and void unless our contract has been signed for the work performed.

LIMITATIONS

Kleinfelder offers a range of assessment, engineering, testing, and observation services to suit the varying needs of our clients. Although risk can never be eliminated, more detailed and extensive assessment, engineering, testing, and observation will yield more information, which may help understand and manage the degree of risk. Since such detailed services involve greater expense, our clients participate in determining the level of service which provides adequate information for their purposes at an acceptable level of risk.

Kleinfelder will perform its services in a manner consistent with the standards of care and skill ordinarily exercised by members of the profession practicing under similar conditions in the geographic vicinity and at the time the services will be performed. No warranty or guarantee, express or implied, is part of the service offered by this proposal.


Nothing contained in this cost estimate or proposal should be construed or interpreted as requiring Kleinfelder to assume the status of an owner, operator, generator, or person who arranges for disposal, transport, storage or treatment of hazardous materials within the meaning of any governmental statute, regulation or order. Ruben Hausauer will be solely responsible for notifying all governmental agencies and the public at large, of the existence, release, treatment or disposal of any hazardous materials observed at the project site, either before or during performance of Kleinfelder's services. Ruben Hausauer will be responsible for all arrangements to lawfully store, treat, recycle, dispose, or otherwise handle hazardous materials, including cuttings and samples resulting from Kleinfelder's services.

This cost estimate may be used only by the client and only for the purposes stated, within a reasonable time from its issuance. Land use, site conditions (both on site and off site) or other factors may change over time, and additional work may be required with the passage of time.

Kleinfelder appreciates your consideration. If you have any questions regarding this proposal, please do not hesitate to call.

Sincerely,

KLEINFELDER, INC.



William G. Theyskens, C.E.G., C.HG.
Environmental Group Manager



Gregory J. Ruf, C.E.
Area Manager

Attachments: Appendix A
Engineering Services Agreement
1999 Bay Area Fee Schedule

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY



January 7, 1993
StID # 4010

Mr. Ruben Hausauer
2672 Warwick Place
Hayward CA 94542

DEPARTMENT OF ENVIRONMENTAL AFFAIRS
State Water Resources Control Board
Division of Clean Water Programs
US Post Office Building
800 Franklin St.
Oakland, CA 94621
(510) 771-4530

**Re: Comment on November 15, 1993 Proposal for Monitoring Well
Installation at 3927 E. 14th St., Oakland CA 94601**

Dear Mr. Hausauer:

Our office has received and reviewed the above referenced work plan for the installation of one monitoring well at the above site. Recall, this work plan responds to my previous request for further subsurface investigation due to the evidence of a petroleum hydrocarbon release from the underground tank at this site. Please be aware that the installation of one monitoring well should be considered only the first step of your investigation. It does not constitute a **complete** characterization of this site for all **potential soil and groundwater** contamination. In fact, the previous borings identified elevated levels of gasoline and oil and grease. Generally, our office encourages soil and groundwater contamination delineation to non-detectable or low concentrations. To this end, additional borings will be required around the tank. In addition, you are reminded that unless you provide gradient information which verifies the groundwater gradient at this site, a minimum of three monitoring wells will be required. Please provide your supporting data which verifies this site's assumed gradient.

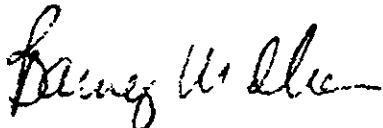
Our office recognizes that you may want to perform a phased approach to your investigation, therefore, as long as you recognize that the above additional work is required, you may proceed with the installation of the lone well with the following conditions:

1. Please run Total Oil and Grease via the GC FID method, (TPH as motor oil). You should also perform a soluble metals analysis via the WET method for all total metals samples which exceed ten times their STLC (Soluble Threshold Limit Concentration).
2. Please provide a time schedule stating when a work plan addendum will be submitted for the additional work mentioned above.
3. Please notify our office at least 48 working hours prior to performing your field activities so I may witness these activities if possible.

Mr. R. Hausauer
StID # 4610
Janurary 7, 1993
Page 2.

You may contact me at (510) 271-4530 if you have any questions.

Sincerely,



Barney M. Chan
Hazardous Materials Specialist

cc: J. P. Cummings & Associates, Mr. J. Cummings, P.O. Box 2847,
Fremont, CA 94536-2847
King, Shapiro, Mittelman & Buchman, Attorneys At Law, Mr.
Arthur Fisher, Lake Merritt Plaza, Suite 1600, 1999
Harrison St., Oakland CA 94612
E. Howell, files

2wp3927

CONNER • BAK LLP

Tommy A. Conner
J. Timothy Bak *

* Also admitted to practice in Nevada

444 De Haro Street, Suite 121
San Francisco, CA 94107
tel: 415•621•3939
fax: 415•621•3999
98 NOV 31 AM 10:39

email: conbak@sirius.com

November 24, 1998

Alameda County Health Care Services
Environmental Health Services
ATTN : Mr. Barney Chan
1131 Harbor Bay Parkway, Suite 250
Alameda, California 95402-6577

4610

Re: Ruben Hausauer/3927 E. 14th St., Oakland, CA 94601

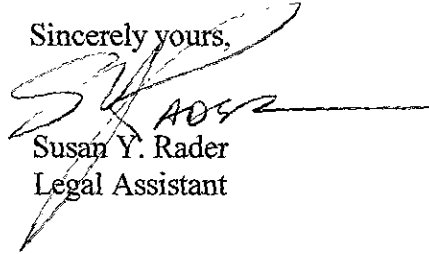
Dear Mr. Chan:

Enclosed is ATC Associates Inc.'s November 17, 1998 letter report regarding the installation of oxygen releasing compound at the above-named site.

With the exception of those items addressed in ATC's October 5, 1998 Proposal for RBCA Amendments I understand that ATC, through its project manager Dabra Sheldon, has responded to and/or fulfilled all other requests in your August 11, 1988, September 22, 1998, and October 6, 1998 correspondence to Mr. Hausauer. If this is incorrect please notify me.

Thank you, and have a happy holiday.

Sincerely yours,



Susan Y. Rader
Legal Assistant

:syr

Enclosure

cc: Gary Rogers (w/encl)
Bill Theyskens (w/encl)

Fax Transmittal

6666 Owens Drive
Pleasanton, California 94588
(925) 460-5300 • FAX (925) 463-2559

DATE:	<u>10/12/98</u>	TIME:	<u>4:30</u>
TO:	<u>Berney Chan</u>	FAX NO.:	<u>(510) 337-9335</u>
COMPANY:	<u>Alameda County Health Agency</u>		
PROJECT NUMBER:	_____	TASK:	_____
NUMBER OF PAGES TO FOLLOW:	<u>3</u>		
MESSAGE:	<u>As per your October 6, 1998 letter</u> <u>re: New Mexico Site</u> <u>here is a copy of the analytical</u> <u>report for NW1, SW1, EWI, WW1</u> <u>and Tank Pit 10 which should have</u> <u>been included in our 9/19/96 report.</u> <u>I apologize if these pages were not</u> <u>included in your copy of the report</u>		
Confidential:	Yes _____	No _____	
Urgent Delivery Requested:	Yes _____	No _____	
Reply Requested:	Yes _____	No _____	
DELIVER CC TO:	_____		
Thank you,			
<u>Debra Sheldon</u>	_____		
Signature			

Fax Transmittal

6666 Owens Drive
Pleasanton, California 94588
(925) 460-5300 • FAX (925) 463-2559

DATE: <u>10/12/98</u>	TIME: <u>3:35</u>
TO: <u>Barney Chan</u>	FAX NO. <u>(510) 337-9335</u>
COMPANY: <u>Alameda County Health Agency</u>	
PROJECT NUMBER: _____	TASK: _____
NUMBER OF PAGES TO FOLLOW: <u>1</u>	
MESSAGE:	
<u>Attached please find our</u>	
<u>Figure showing proposed ORC Slurry Injection</u>	
<u>Points for New Genico Site, 3927th E.</u>	
<u>14th Street, Oakland, CA</u>	
Confidential:	Yes _____ No _____
Urgent Delivery Requested:	Yes _____ No _____
Reply Requested:	Yes _____ No _____
DELIVER CC TO: _____	
Thank you,	
<u>Debra Sheldon</u>	
Signature	

CONNER • BAK LLP
444 De Haro Street, Suite 121
San Francisco, California 94107
(415) 621-3939
Facsimile: (415) 621-3999

FACSIMILE COVER SHEET

To: BARNEY CHAN
Facsimile: 510/337-9335
Telephone: 510/567-6765
From: SUSAN Y. RADER
LEGAL ASSISTANT
Billing Number: 8060-02
Date: October 9, 1998
Cover page plus 1 page(s)

MESSAGE: Please see attached.

CONFIDENTIALITY NOTICE

The documents accompanying this facsimile transmission contain confidential information belonging to the sender which is legally privileged. The information is intended only for the use of the individual or entity named above. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution or the taking of any action in reliance on the contents of this facsimile information is strictly prohibited. If you have received this facsimile in error, please immediately notify us by telephone to arrange for the return of the original documents to us.

Please call (415) 621-3939 if there is a problem with this transmission. Thank you.

CONNER • BAK LLP

Tommy A. Conner
J. Timothy Bak

* Also admitted to practice in Nevada

444 De Haro Street, Suite 121
San Francisco, CA 94107
tel: 415•621•3939
fax: 415•621•3999

email: conbak@conner.com

October 9, 1998

California Underground Storage Tank Cleanup Fund
ATTN: Cost Pre-Approval Request Unit
2014 "T" Street
Sacramento, California 95814

Via Facsimile and U.S. Mail

Re: Claimant: Ruben Hausauer
3927 East 14th Street
Oakland, CA
Claim No: 008829

Dear Sir or Madam:

Attached for your review is Ruben Hausauer's pre-approval request for RBCA amendments as directed by the Alameda County Health Care Services Agency.

Please call me or, in my absence, Susan Rader if you have any questions.

Thank you.

Very truly yours,



Tommy A. Conner
Authorized Representative for
Ruben Hausauer

:syr/Attachments

cc: **Barney M. Chan (w/o attachments)**
Alameda County Health Care Services Agency

Dabra Sheldon (w/o attachments)
ATC Associates Inc

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



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

October 6, 1998
StID #4610

Mr. Ruben Hausauer c/o
Ms. Susan Rader
Law Offices of Tommy Conner, Esq.
444 DeHaro St., Suite 121
San Francisco, CA 94107

Re: Status of Technical Reports for New Genico Site, 3927 E. 14th St., Oakland CA 94601

Dear Ms. Rader:

This letter serves to respond your recent inquiries and submissions in response to my September 22, 1998 letter. I would like to provide you the status of those items requested in my letter.

- Our office requested a brief work plan for the installation of borings, which will be filled with oxygen releasing compound (ORC). The July 23, 1998 ATC Corrective Action Plan (CAP) included an extensive description of the ORC addition method and is approved, however, no figure was provided showing the locations of the borings. Please supply such a figure.
- Our office requested copies of the laboratory analytical reports for tank removal samples; NW1, SW1, EW1, WW1 and Tank Pit 1. The analytical results of these samples were provided in Table 2 of ATC's September 19, 1996 Soil and Groundwater Investigation report, however, the analytical reports for the individual samples were not included. These results are used in the risk assessment and need to be verified.
- Our risk assessor requires a copy of the GSI printout for the Tier 2 RBCA.

The other items requested are addressed in your October 5, 1998 letter and included in ATC's October 5, 1998 **Proposal for RBCA Amendments**.

I hope this clarifies your questions. Please contact me at (510) 567-6765 if you have any additional.

Sincerely,

Barney M. Chan
Hazardous Materials Specialist

C B Chan, files

Ms D Sheldon, ATC Associates, 6666 Owens Dr . Pleasanton. CA 94588

Mr G Rogers. 38053 Davy Ct , Fremont. CA 94536

Clar3927

CONNER • BAK LLP
444 De Haro Street, Suite 121
San Francisco, California 94107
(415) 621-3939
Facsimile: (415) 621-3999

FACSIMILE COVER SHEET

To: BARNEY CHAN
Facsimile: 510/337-9335
Telephone: 510/567-6765
From: SUSAN Y. RADER
LEGAL ASSISTANT
Billing Number: 8060-02
Date: October 5, 1998

Cover page plus 4 page(s)

MESSAGE: See attached

CONFIDENTIALITY NOTICE

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Please call (415) 621-3939 if there is a problem with this transmission. Thank you.

CONNER • BAK LLP

Tommy A. Conner
J. Timothy Bak

Also admitted to practice in Nevada

444 De Haas Street, Suite 121
San Francisco, CA 94107
tel. 415•621•3030
fax 415•621•3000
e-mail: conbak@conner.com

October 5, 1998

Via Facsimile and U.S. Mail

Alameda County Health Care Services
Environmental Health Services
ATTN : Mr. Barney Chan
1131 Harbor Bay Parkway, Suite 250
Alameda, California 95402-6577

**Re: Request for Technical Report for New Genico Site
3927 E. 14th St., Oakland, CA 94601**

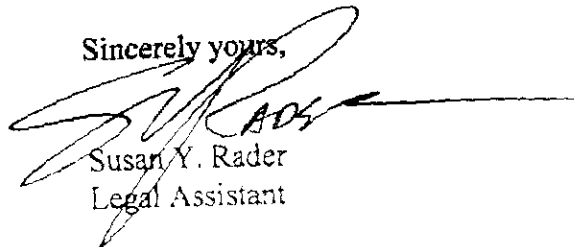
Dear Mr. Chan:

Attached re the above-named site is a copy of ATC Associate, Inc.'s October 5, 1998 Proposal for RBCA Amendments ("Proposal"). If the Proposal's scope of work satisfies the requests in your August 11, 1989 and September 22, 1998 correspondence for the recalculation of risk using the average groundwater concentration and justification for not evaluating residential-indoor air exposure pathway from groundwater volatilization please provide this office with written confirmation of same. We, in turn, will provide as required your confirming letter to the Underground Storage Tank Cleanup Fund with Mr. Hausauer's pre-approval request for this work.

Per my September 25, 1998 letter to you, we await confirmation that (1) the analyticals contained in HK2, Inc./SEMCO's September 12, 1996 Tank Removal Report satisfies your request for copies of the laboratory analyticals for the initial tank removal soil samples; and (2) ATC's September 17, 1998 ORC installation proposal satisfies your request for a brief work plan for ORC installation.

Please do not hesitate to call me or, in my absence, Tommy Conner if you have any questions. Thank you.

Sincerely yours,



Susan Y. Rader
Legal Assistant

Attachment

cc. Dabra Sheldon, ATC Associates (w/o encl; via facsimile)

ENCLOSURE 3061-0241-01 ERS CHAN1905 LTR



8666 Owens Drive
Pleasanton, California
94588
510.480.5300
Fax 510.483.2559

October 5, 1998

Mr. Ruben Hausauer
c/o Tommy A. Conner, Esq.
Conner Bak, LLP
444 De Haro Street, Suite 121
San Francisco, CA 94107

RE: Proposal for RBCA Amendments
3927 East 14th Street,
Oakland, California
ATC Proposal No. S98-0576

Dear Mr. Conner:

At your request, ATC Associates Inc. (ATC) has prepared this proposal to calculate risk at the site using an average groundwater concentration, and to justify not evaluating residential indoor-air exposure at the off-site residential homes adjacent to the site. This work will be performed in response to the Alameda County Health Care Services Agency (ACHCSA) "Request for Technical Reports for New Genico Site, 3927 East 14th Street, Oakland, California" letter dated September 22, 1998. A description of the proposed work is provided below.

SCOPE OF SERVICES

ATC will re-examine the existing groundwater data for the site. Based upon the data, an appropriate average groundwater concentration will be selected. ATC will use the selected average groundwater concentration and perform another Risk Based Corrective Action (RBCA) analysis for the site. Prior to performing the RBCA analyses, ATC will contact the ACHCSA and attempt to obtain their approval of the selected average groundwater concentration.

ATC will provide a written report summarizing the results of the new RBCA analysis. ATC will include in the report the justification for not analyzing the off-site residential indoor air exposure due to volatilization from groundwater. One draft

Proposal for RBCA Amendments
New Genico Site
3927 East 14th Street
Oakland, California

report will be submitted for your comments. Following incorporation of your comments, three final copies of the report will be submitted for distribution.

SCHEDULE AND BUDGET

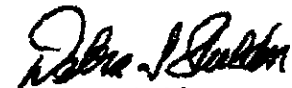
ATC is prepared to begin work on this project within one week of receiving authorization to proceed. It is anticipated that the work can be completed within two weeks of project initiation.

ATC will perform this work on a time and materials basis and our estimated budget for this work is \$1,680. A detailed breakdown of costs is provided as Attachment A.

ATC appreciates the opportunity to submit this proposal and looks forward to working with you on this project. This project can be completed under the existing terms and conditions between ATC and Mr. Hausauer. If this is acceptable to you and you wish ATC to proceed, please have Mr. Hausauer sign the proposal acceptance form and return it to us. If you have questions regarding this proposal, please do not hesitate to call me at (925) 460-5300.

Sincerely,

ATC ASSOCIATES, INC.



Dabra I. Sheldon
Senior Project Manager

Attachments: Detailed Cost Breakdown
Proposal Acceptance form

Cost Estimate
Proposal # 898-0675

ATC Associates, Inc
Proposal for RBCA Amendments
3927 East 14th Street, Oakland, California

RBCA Amendments

ATC Labor	Rate/hour	Hours	Cost
Principal	\$110.00	1	\$110.00
Senior Engineer/Scientist	\$95.00	15	\$1,425.00
Project Engineer/Scientist	\$80.00	0	\$0.00
Staff Engineer/Scientist	\$65.00	0	\$0.00
Technician	\$50.00	0	\$0.00
Drafting	\$45.00	1	\$45.00
Word Processing	\$40.00	2	\$80.00
Total Labor		19	\$1,660.00

Other Direct Costs	Unit Cost	Unit	Cost
Misc. Copying	\$0.10 /copy	0	\$0.00
Express Shipping/Courier	est.	n/a	\$0.00
Maps/Publications/Photos	est.	n/a	\$0.00
Blueprints	\$0.10 /sq.ft.	0	\$0.00
Fascimile	est.	n/a	\$10.00
Communication	est.	n/a	\$10.00
Vehicle Rental	\$75 /day	0	\$0.00
Mileage	\$0.28 /mi	0	\$0.00
Total ODCs			\$20.00

TOTAL TASK 1= \$1,680.00

CONNER • BAK LLP

Tommy A. Conner
J. Timothy Bak

* Also admitted to practice in Nevada

444 De Haro Street, Suite 121
Pacifica, CA 94107
tel: 415-621-3939
98 OCT 17 7 04 PM '98

email conbak@sirius.com

October 5, 1998

Alameda County Health Care Services
Environmental Health Services
ATTN : Mr. Barney Chan
1131 Harbor Bay Parkway, Suite 250
Alameda, California 95402-6577

Via Facsimile and U.S. Mail

**Re: Request for Technical Report for New Genico Site
3927 E. 14th St., Oakland, CA 94601**

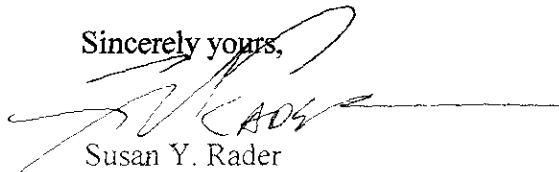
Dear Mr. Chan:

Attached re the above-named site is a copy of ATC Associate, Inc.'s October 5, 1998 Proposal for RBCA Amendments ("Proposal"). If the Proposal's scope of work satisfies the requests in your August 11, 1989 and September 22, 1998 correspondence for the recalculation of risk using the average groundwater concentration and justification for not evaluating residential-indoor air exposure pathway from groundwater volatilization please provide this office with written confirmation of same. We, in turn, will provide as required your confirming letter to the Underground Storage Tank Cleanup Fund with Mr. Hausauer's pre-approval request for this work.

Per my September 25, 1998 letter to you, we await confirmation that (1) the analyticals contained in HK2, Inc./SEMCO's September 12, 1996 Tank Removal Report satisfies your request for copies of the laboratory analyticals for the initial tank removal soil samples; and (2) ATC's September 17, 1998 ORC installation proposal satisfies your request for a brief work plan for ORC installation.

Please do not hesitate to call me or, in my absence, Tommy Conner if you have any questions. Thank you.

Sincerely yours,



Susan Y. Rader
Legal Assistant

cc: Attachment

cc: Dabra Sheldon, ATC Associates (w/o encl; via facsimile)

11/10/98 8:06:02 LETTERS CHAN 1005 LTR



6666 Owens Drive
Pleasanton, California
94588
510.460.5300
Fax 510.463.2559

October 5, 1998

Mr. Ruben Hausauer
c/o Tommy A. Conner, Esq.
Conner Bak, LLP
444 De Haro Street, Suite 121
San Francisco, CA 94107

RE: Proposal for RBCA Amendments
3927 East 14th Street,
Oakland, California
ATC Proposal No. S98-0576

Dear Mr. Conner:

At your request, ATC Associates Inc. (ATC) has prepared this proposal to calculate risk at the site using an average groundwater concentration, and to justify not evaluating residential indoor-air exposure at the off-site residential home adjacent to the site. This work will be performed in response to the Alameda County Health Care Services Agency (ACHCSA) "Request for Technical Reports for New Genico Site, 3927 East 14th Street, Oakland, California" letter dated September 22, 1998. A description of the proposed work is provided below.

SCOPE OF SERVICES

ATC will re-examine the existing groundwater data for the site. Based upon the data, an appropriate average groundwater concentration will be selected. ATC will use the selected average groundwater concentration and perform another Risk Based Corrective Action (RBCA) analysis for the site. Prior to performing the RBCA analyses, ATC will contact the ACHCSA and attempt to obtain their approval of the selected average groundwater concentration.

ATC will provide a written report summarizing the results of the new RBCA analysis. ATC will include in the report the justification for not analyzing the off-site residential indoor air exposure due to volatilization from groundwater. One draft

Proposal for RBCA Amendments
New Genico Site
3927 East 14th Street
Oakland, California

report will be submitted for your comments. Following incorporation of your comments, three final copies of the report will be submitted for distribution.

SCHEDULE AND BUDGET

ATC is prepared to begin work on this project within one week of receiving authorization to proceed. It is anticipated that the work can be completed within two weeks of project initiation.

ATC will perform this work on a time and materials basis and our estimated budget for this work is \$1,680. A detailed breakdown of costs is provided as Attachment A.

ATC appreciates the opportunity to submit this proposal and looks forward to working with you on this project. This project can be completed under the existing terms and conditions between ATC and Mr. Hausauer. If this is acceptable to you and you wish ATC to proceed, please have Mr. Hausauer sign the proposal acceptance form and return it to us. If you have questions regarding this proposal, please do not hesitate to call me at (925) 460-5300.

Sincerely,

ATC ASSOCIATES, INC.



Dabra I. Sheldon
Senior Project Manager

Attachments: Detailed Cost Breakdown
Proposal Acceptance form

RBCA Amendments

ATC Labor	Rate/hour	Hours	Cost
Principal	\$110.00	1	\$110.00
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Project Engineer/Scientist	\$80.00	0	\$0.00
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Other Direct Costs	Unit Cost	Unit	Cost
Misc. Copying	\$0.10 /copy	0	\$0.00
Express Shipping/Courier	est.	n/a	\$0.00
Maps/Publications/Photos	est.	n/a	\$0.00
Blueprints	\$0.10 /sq.ft.	0	\$0.00
Fascimile	est.	n/a	\$10.00
Communication	est.	n/a	\$10.00
Vehicle Rental	\$75 /day	0	\$0.00
Mileage	\$0.28 /mi	0	\$0.00
Total ODCs			\$20.00

TOTAL TASK 1= \$1,680.00

ENVIRONMENTAL
PROTECTION

96 SEP 29 PM 2:58

CONNER • BAK LLP

Tommy A. Conner
J. Timothy Bak *

* Also admitted to practice in Nevada

444 De Haro Street, Suite 121
San Francisco, CA 94107
tel: 415•621•3939
fax: 415•621•3999

email: conbak@sirius.com

September 25, 1998

Alameda County Health Care Services
Environmental Health Services
ATTN : Mr. Barney Chan
1131 Harbor Bay Parkway, Suite 250
Alameda, California 95402-6577

**Re: Request for Technical Report for New Genico Site
3927 E. 14th St., Oakland, CA 94601**

Dear Mr. Chan:

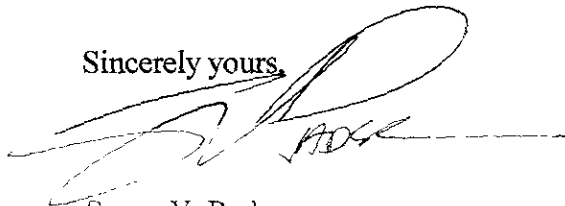
Enclosed re the above-named site is a copy of HK2, Inc./SEMCO's September 12, 1996 Tank Removal Report. Please inform me whether the analyticals contained in this report are what you require per your September 22, 1998 request for copies of the laboratory analyticals for the initial tank removal soil samples.

On September 22, 1998 we mailed to you a copy of Ruben Hausauer's pre-approval request to the Underground Storage Tank Cleanup Fund for the installation of an oxygen releasing compound ("OR") at the site and ATC's September 17, 1998 proposal and cost estimate for same. Please inform me whether your request for a brief work plan for the ORC installation is satisfied by ATC's proposal for this work.

We anticipate providing you with the balance of the documents requested in your September 22 letter no later than October 23, 1998.

Thank you.

Sincerely yours,



Susan Y Rader
Legal Assistant

:syr/Enclosure

cc: Dabra Sheldon, ATC Associates (w/o encl)

1 DOCS 8060-02 LETTERS CHAN0925 LTR

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 22, 1998
StID # 4610

Mr. Ruben Hausauer c/o
Mr. Tommy Conner, Esq.
444 DeHaro St., Suite 121
San Francisco, CA 94107

Re: Request for Technical Reports for New Genico Site, 3927 E.14th St., Oakland CA 94601

Dear Mr. Conner:

Thank you for the letter from ATC Associates clarifying the calculation for the amount of oxygen releasing compound necessary to treat the hydrocarbon plume at the above site. Please provide our office a brief work plan for this work including a map indicating the locations of the borings. Please also inform our office when this work will be done allowing us at least three (3) **working days advance notice**.

You are also requested to provide the following technical documents requested in my August 11, 1998 letter:

- Still missing
get back to
me on this*
- Copies of the laboratory analytical reports for the initial tank removal soil samples; NW1, SW1, EW1, WW1 and Tank Pit 10'.
 - Justification for not evaluating residential-indoor air exposure pathway from groundwater volatilization for this site given the proximity of residential homes.
 - Recalculation of risk using the average groundwater concentration rather than the area-weighted concentration.
 - Copies of the GSI printout for the Tier 2 RBCA.

Please provide these documents and the referenced work plan **within 30 days or by October 23, 1998**.

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

Sincerely,

Barney M. Chan
Barney M. Chan
Hazardous Materials Specialist

C: B Chan, files

Ms D. Sheldon, ATC Associates, 6666 Owens Drive, Pleasanton, CA 94588
Mr G Rogers, 38053 Davy Ct, Fremont, CA 94536

Reprq3927

CONNER • BAK LLP

Tommy A. Conner
J. Timothy Bak

* Also admitted to practice in Nevada

ENVIRONMENTAL
PROTECTION
44 De Haro Street, Suite 121
San Francisco, CA 94107
tel: 415•621•3939
fax: 415•621•3999

email: conbak@sirius.com

44610

September 22, 1998

California Underground Storage Tank Cleanup Fund
ATTN: Cost Pre-Approval Request Unit
2014 "T" Street
Sacramento, California 95814

Via Facsimile and U.S. Mail

Re: Claimant: Ruben Hausauer
3927 East 14th Street
Oakland, CA
Claim No: 008829

Dear Sir or Madam:

Attached for your review is Ruben Hausauer's pre-approval request for the installation of an oxygen releasing compound at the above-named site.

Please call me or, in my absence, Susan Rader if you have any questions.

Thank you.

Very truly yours,



Tommy A. Conner
Authorized Representative for
Ruben Hausauer

:syr/Attachments

cc: **Barney M. Chan (w/attachments)**
Alameda County Health Care Services Agency

Dabra Sheldon (w/o attachments)
ATC Associates Inc.

CALIFORNIA UNDERGROUND STORAGE TANK CLEANUP FUND
COST PRE-APPROVAL REQUEST

(Complete form, enclose required items, sign, date & return)

TO PRE-APPROVAL REVIEWER Ph: _____
Fax: (916) 227-4530

I. CLAIM INFORMATION

A. CLAIM NO. 008829 B. CLAIMANT Ruben Hausauer

C. CLAIM STATUS (complete appropriate section)

i) * LOC ISSUED FOR \$ 50,000 *as of 9/29/97 per S.Knieriern and Doug Wilson

ii) ON PRIORITY LIST? YES NO IF YES, PRIORITY CLASS A B C D

iii) NOT YET APPLIED TO THE FUND, EXPECTED APPLICATION DATE: _____

D. CONTACT PERSON: Tommy A. Conner, Esq PHONE: (415) 621-3939

ADDRESS: Conner . Bak LLP FAX: (415) 621-3999

444 De Haro St., Suite 121

San Francisco, CA 94107

II. TYPE OF REQUEST (check appropriate boxes)

PRE-APPROVAL \$ 10,207.25 AMOUNT REQUESTED

3-BID REVIEW \$ _____ PREFERRED BID (if applicable)

THE FOLLOWING DOCUMENTS ARE REQUIRED FOR THE SPECIFIED REQUEST. ALL DOCUMENTS REQUESTED MUST BE SUBMITTED OR THE REQUEST(S) WILL BE RETURNED UNPROCESSED.

A. REQUEST FOR PRE-APPROVAL OF PROPOSED COSTS - The following items are required before review and determination will be made by Fund Staff

1. X A complete ~~signed~~ copy of the proposed Investigation Workplan or Corrective Action Plan (CAP) (as defined and required by Article 11, Chapter 16, California Underground Storage Tank Regulations). Corrective Action Plans must include the required feasibility study and chosen cost effective alternative.

2. X A signed copy of the oversight agency approval letter for the Workplan/CAP.

N/A 3. A complete copy of the Request for Bids, including all attachments. A list of all firms requested to bid must be included.

N/A 4. Complete copies of all bids and other correspondence submitted in response to the Request for Bids.

5. A time schedule, if not part of bid documents, anticipated for project initiation and duration.

6. A detailed project budget, which includes breakdowns of staff/task/hour with associated estimated totals.

B. THREE-BID REVIEW/EVALUATION/DETERMINATION - Fund staff will assist any claimant requesting an evaluation of bids upon request. The following information must be submitted - 1,2,3 AND 4 as described in Item A above.

III. CERTIFICATION

I certify, under penalty of perjury that all information submitted with this request is complete and accurate and in accordance with all applicable laws and regulations. Must be signed by claimant or person designated on the Authorized Representative Designation form

Designation form

CONNER . BAK LLP
TOMMY A. CONNER, ESQ 9/22/98
Signature Printed Name Date

AUTHORIZED REPRESENTATIVE

IV Authorization for the Fund to give out your name and phone number to other claimants in your region as a

reference for consultants and contractors. YES NO

Signature Date



6666 Owens Drive
Pleasanton, California
94588
510.460.5300
Fax 510.463.2559

TRANSMITTED BY FACSIMILE & REGULAR MAIL

September 17, 1998

Proposal No. S98-0542

Mr. Ruben Hausaurer c/o
Mr. Tommy Conner, Esquire
444 DeHaro Street, Suite 121
San Francisco, California 94107

Proposal And Cost Estimate
Oxygen Releasing Compound Installation
New Genico Site
3927 East 14th Street
Oakland, California

Dear Mr. Hausaurer:

ATC Associates Inc. (ATC) is pleased to provide Mr. Hausaurer with this proposal and cost estimate to install oxygen releasing compound (ORC) at the New Genico site located at 3927 East 14th Street, Oakland, California. The proposed scope of work is based on the recommendations of ATC's Corrective Action Plan (CAP) dated July 23, 1998 (see Section 3.1.3 of CAP) and subsequent approval by the Alameda County Health Care Services Agency in a letter dated August 11, 1998. A detailed description of the work and anticipated costs follows.

TASK 1: Installation of ORC Injection Points (Including Project Set-up)

ATC will coordinate with key subcontractors including a subsurface utility locator, and a drilling contractor experienced with ORC installation. ATC will prepare and submit the required well permit application to the Alameda County Public Works Agency (no permit fee is required). ATC proposes to complete eight (8) ORC points. The ORC injection points will be installed in the sidewalk in front of 3927 East 14th Street.

Since the ORC injection points are being placed within the sidewalk, an encroachment permit and business license will need to be obtained from the City of Oakland. In addition, Mr. Ruben Hausaurer will need to provide ATC with a letter stating "that ATC is working on behalf of Mr. Ruben Hausaurer" to complete the proposed scope of work. Costs are included for ATC to visit the City of Oakland - Department of Public Works to apply for and obtain the encroachment permit. Costs are also included for ATC to visit the City of Oakland - Business License Department to apply for and obtain a business license.

The ORC injection point locations will be cleared prior to drilling by marking the locations with paint, notifying Underground Service Alert, and contracting a utility locating service. The eight (8) ORC

points will be advanced with a Geoprobe rig or equivalent, to a depth of approximately 20 feet below ground surface (bgs) in accordance with Section 3.1.3 of the CAP. The Geoprobe system has advantages over traditional hollow stem auger drilling, including lower cost, and virtually no soil cuttings for disposal. We assume that adverse drilling conditions, such as cobbles or flowing sands, will not be encountered. Soil and groundwater samples will not be obtained during this investigation. ATC anticipates that soil cuttings will not be generated during this investigation. ATC assumes that the field work can be performed during normal working hours, will not be obstructed by site work and obstructions will be moved by others.

Upon completion of the ORC injection activities, ATC will hand bail groundwater monitoring well HMW-1 in order to remove any residual ORC material that may build-up and obstruct the monitoring well screen subsequent to injecting the ORC material into the aquifer. In order to reduce the potential of obstructing the screen of MW-4, ATC will contact the consultant for the owner of MW-4 and will request permission to bail groundwater from MW-4. If permission is granted, MW-4 will be bailed. Costs are included in this proposal for the disposal of one 55-gallon Department of Transportation (DOT) approved drum containing purged groundwater. The cost for Task 1, Installation of ORC Injection Points is estimated at \$9,562.25.

TASK 2: Letter Report Preparation

A letter report will be prepared summarizing the drilling activities. We assume that no revisions to the Letter Report will be required. The cost for Task 2, Letter Report Preparation is estimated at \$645.

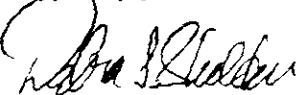
Attached are ATC's standard Terms and Conditions and a Cost Estimate. The total cost for the work described in this proposal is estimated at \$10,207.25. This work will be performed on a time-and-materials basis, based on ATC's Terms and Conditions and rate schedule, therefore, you will only be invoiced for the work effort expended for this project.

Please review attached Terms and Conditions, and sign the Proposal Acceptance and Agreement if it meets with your approval, and send the original to:

Ms. Dabra Sheldon
ATC Associates Inc.
6666 Owens Drive
Pleasanton, California 94588

If you have any questions concerning this proposal please call Dabra Sheldon at (925) 460-5300.

Very truly yours,



Dabra Sheldon
Senior Project Manager

Attachments (2)

Task 1 - Field Preparation and Investigation

ATC Labor	Rate/hour	Hours	Cost
Principal	\$110.00	1	\$110.00
Senior Engineer/Scientist	\$95.00	0	\$0.00
Project Engineer/Scientist	\$80.00	20	\$1,600.00
Staff Engineer/Scientist	\$65.00	0	\$0.00
Technician	\$50.00	0	\$0.00
Drafting	\$45.00	0	\$0.00
Word Processing	\$40.00	1	\$40.00
Total Labor		22	\$1,750.00

Other Direct Costs	Unit Cost	Unit	Cost
Misc. Copying	\$0.10 /copy	0	\$0.00
Express Shipping/Courier	est.	n/a	\$0.00
Maps/Publications/Photos	est.	n/a	\$0.00
Blueprints	\$0.10 /sq.ft.	0	\$0.00
Fascimile	est.	n/a	\$0.00
Communication	est.	n/a	\$0.00
Vehicle Rental	\$75 /day	0	\$0.00
Mileage	\$0.30 /mi	120	\$36.00
Total ODCs			\$36.00

Equipment/Supplies	Unit Cost	Unit	Cost
55 gallon drum	\$45.00 each	1	\$45.00
pH, specific cond., temp. meter	\$35 /day	0	\$0.00
2-inch sub. pump w/controller	\$100 /day	0	\$0.00
water level indicator	\$25 /day	0	\$0.00
disposable bailer	\$12.00 each	0	\$0.00
ORP meter	\$90.00 day	0	\$0.00
photo or flame ionization detector	\$100.00 /day	1	\$100.00
110-volt generator	\$30.00 /day	0	\$0.00
PPE supplies (modified "D")	\$20 /day/per.	1	\$20.00
de-ionized water	\$1.25 /gal	0	\$0.00
misc. sampling supplies	est.	1	\$50.00
Total Field Equip/Supplies			\$215.00

Subcontractor	ATCs cost	15%	Proj. Cost
Drilling Contractor	\$1,200.00 each	\$180.00	\$1,380.00
Oxygen Releasing Compound	\$4,600.00 each	\$690.00	\$5,290.00
Decon water disposal	\$95.00 each	\$14.25	\$109.25
Encroachment Permit Fee	\$250.00 each	\$37.50	\$287.50
Business License Fee	\$30.00 each	\$4.50	\$34.50
Utility Locator	\$400.00 each	\$60.00	\$460.00
Total Subcontractor			\$7,561.25

TOTAL TASK 1= \$9,562.25

Task 2 - Letter Report Preparation

ATC Labor	Rate/hour	Hours	Cost
Principal	\$110.00	1	\$110.00
Senior Engineer/Scientist	\$95.00	0	\$0.00
Project Engineer/Scientist	\$80.00	5	\$400.00
Staff Engineer/Scientist	\$65.00	0	\$0.00
Technician	\$50.00	0	\$0.00
Drafting	\$45.00	1	\$45.00
Word Processing	\$40.00	1	\$40.00
Total Labor		8	\$595.00

Other Direct Costs	Unit Cost	Unit	Cost
Misc. Copying	\$0.10 /copy	500	\$50.00
Express Shipping/Courier	est.	n/a	\$0.00
Maps/Publications/Photos	est.	n/a	\$0.00
Blueprints	\$0.10 /sq.ft.	0	\$0.00
Fascimile	est.	n/a	\$0.00
Communication	est.	n/a	\$0.00
Vehicle Rental	\$75 /day	0	\$0.00
Mileage	\$0.30 /mi	0	\$0.00
Total ODCs			\$50.00

TOTAL TASK 2 = \$645.00

TOTAL PROJECT = \$10,207.25

1002

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

August 11, 1998
StID # 4610

Mr. Ruben Hausaurer c/o
Mr. Tommy Conner, Esq
444 DeHaro St., Suite 121
San Francisco, CA 94107

Re: Corrective Action Plan for New Genico Site, 3927 E. 14th St., Oakland CA 94601

Dear Mr. Conner:

This letter responds to the July 23, 1998 Corrective Action Plan for the above site as prepared by ATC Associates, Inc. In addition, this letter requests additional information and clarification for the Tier 2 risk based corrective action (RBCA) evaluation previously prepared by your consultant, ATC.

Our office has discussed their concerns on the Tier 2 RBCA in my April 22, 1998 letter and also through discussion with Ms. Madhulla Logan of our office with Ms. Dabra Sheldon of ATC. Although our office received a response from ATC in a 5/12/98 fax, we still have the following concern/requests:

- Please provide copies of the laboratory analytical reports for the soil samples from the tank removal; NW1, SW1, EW1, WW1 and Tank Pit 10'. These results appear in ATC's September 19, 1996 Soil and Groundwater Investigation report, however, no laboratory results were provided.
- Please justify not including an evaluation for residential-indoor air exposure from groundwater volatilization in the Tier 2 RBCA. It appears that the neighboring residential properties may be partially impacted by the petroleum plume.
- As requested by Ms. Logan, please use the appropriate average groundwater concentrations instead of the area-weighted average concentration to calculate indoor and outdoor exposure risk to groundwater volatilization. Please also provide a copy of the GSI printout for the Tier 2 RBCA.

Although the specific site specific target level (SSTL) from the RBCA may change from the prior submitted number, it appears that the site may pose excessive risk to human health, therefore site remediation is necessary. Conditions at the site indicate that aerobic biodegradation would benefit by increasing dissolved oxygen. Having reviewed the July 23, 1998 ATC Corrective Action Plan, our office concurs with the proposed plan to add oxygen releasing material in the form of injection of ORC slurry. This plan is consistent with that proposed for the Motor Partner site across the street. To clarify the specific ORC treatment, please provide the calculation or tables generating the values presented in the table entitled ORC Slurry Injection.

Mr. Tommy Conner
August 11, 1998
3927 E. 14th St.
StID # 4610
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. D. Sheldon, ATC Associates Inc., 6666 Owens Drive, Pleasanton, CA 94588
Mr. G. Rogers, 38053 Davy Ct., Fremont, CA 94536

CAPap3927

SEP 18 '98 PM 3:30

CONNER • BAK LLP

Tommy A. Conner
J. Timothy Bak *

* Also admitted to practice in Nevada

444 De Haro Street, Suite 121
San Francisco, CA 94107
tel 415•621•3939
fax 415•621•3999

email: conbak@sirius.com

September 17, 1998

Alameda County Health Care Services
Environmental Health Services
ATTN : Mr. Barney Chan
1131 Harbor Bay Parkway, Suite 250
Alameda, California 95402-6577

**Re: Corrective Action Plan for New Genico Site
3927 E. 14th St., Oakland, CA 94691**

Dear Mr. Chan:

Per your request in your August 11, 1998 correspondence to Ruben Hausauer and this office, enclosed is ATC Associate's explanation of the calculations used to determine the amount of oxygen releasing compound at the above-named site.

Sincerely yours,



Tommy A. Conner

TAC:syr

Enclosure

cc: Gary Rogers, Ph.D.
Aquatic & Environmental Applications
38053 Davy Ct., Fremont, CA 94536



6666 Owens Drive
Pleasanton, California
94588
510.460.5300
Fax 510.483.2559

September 17, 1998

Mr. Ruben Hausauer
c/o Mr. Tommy A. Conner, Esq
Conner-Bak LLP
444 DeHaro Street, Suite 121
San Francisco, California 94107

RE: New Genico Site Corrective Action Plan
ATC Project Number 61137.0005

Dear Mr. Conner:

As requested by Mr. Barney Chan of the Alameda County Health Care Services Agency, the following is an explanation of the calculations used to determine the amount of oxygen releasing compound (ORC) to be used at the above referenced site.

The method used is to multiply the volume (V) of soil to be treated by the porosity (n) of the soil to estimate a pore volume (PV) in cubic feet. PV is converted to liters and is then multiplied by the concentration of dissolved hydrocarbon to estimate the dissolved phase hydrocarbon mass (M). M is converted to pounds. M is multiplied by a additional demand factor (DF) (which accounts for unknowns like the adsorbed phase hydrocarbons) which yields the loaded hydrocarbon mass (LM). The oxygen required to biodegrade this mass is determined using standard stoichiometry. Stoichiometry shows that it takes about three pounds of oxygen to bioremediate one pound of a typical hydrocarbon compound such a benzene, so LM is multiplied by 3 to estimate the oxygen required (OR). ORC is about 10% oxygen by weight, so OR is multiplied by 10 to determine the ORC required.

If you have any further questions, please call me at (925)460-5300.

Sincerely,

ATC Associates, Inc.

A handwritten signature in cursive script, appearing to read 'Dabra I Sheldon'.

Dabra I Sheldon

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

August 11, 1998
StID # 4610

Mr. Ruben Hausaurer c/o
Mr. Tommy Conner, Esq
444 DeHaro St., Suite 121
San Francisco, CA 94107

Re: Corrective Action Plan for New Genico Site, 3927 E. 14th St., Oakland CA 94601

Dear Mr. Conner:

This letter responds to the July 23, 1998 Corrective Action Plan for the above site as prepared by ATC Associates, Inc. In addition, this letter requests additional information and clarification for the Tier 2 risk based corrective action (RBCA) evaluation previously prepared by your consultant, ATC.

Our office has discussed their concerns on the Tier 2 RBCA in my April 22, 1998 letter and also through discussion with Ms. Madhulla Logan of our office with Ms. Dabra Sheldon of ATC. Although our office received a response from ATC in a 5/12/98 fax, we still have the following concern/requests:

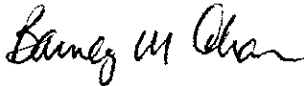
- Please provide copies of the laboratory analytical reports for the soil samples from the tank removal; NW1, SW1, EW1, WW1 and Tank Pit 10'. These results appear in ATC's September 19, 1996 **Soil and Groundwater Investigation** report, however, no laboratory results were provided.
- Please justify not including an evaluation for residential-indoor air exposure from groundwater volatilization in the Tier 2 RBCA. It appears that the neighboring residential properties may be partially impacted by the petroleum plume.
- As requested by Ms. Logan, please use the appropriate average groundwater concentrations instead of the area-weighted average concentration to calculate indoor and outdoor exposure risk to groundwater volatilization. Please also provide a copy of the GSI printout for the Tier 2 RBCA.

Although the **specific site specific target level (SSTL)** from the RBCA may change from the prior submitted number, it appears that the site may pose excessive risk to human health, therefore site remediation is necessary. Conditions at the site indicate that aerobic biodegradation would benefit by increasing dissolved oxygen. Having reviewed the July 23, 1998 ATC Corrective Action Plan, our office concurs with the proposed plan to add oxygen releasing material in the form of injection of ORC slurry. This plan is consistent with that proposed for the Motor Partner site across the street. To clarify the specific ORC treatment, please provide the calculation or tables generating the values presented in the table entitled **ORC Slurry Injection**.

Mr. Tommy Conner
August 11, 1998
3927 E. 14th St.
StID # 4610
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. D. Sheldon, ATC Associates Inc., 6666 Owens Drive, Pleasanton, CA 94588

Mr. G. Rogers, 38053 Davy Ct., Fremont, CA 94536

· CAPap3927

6666 Owens Drive
 Pleasanton, California 94588
 (510) 460-5300 FAX (510) 463-2559

LETTER OF TRANSMITTAL

DATE: 7-23-98	ATC. JOB NO.: 61137.0005
ATTENTION: MR. BARNEY CHAN	
RE:	

TO ALAMEDA COUNTY HEALTH CARE AGENCY
 DEPT OF ENVIRONMENTAL HEALTH
 1131 HARBOURWAY PARKWAY
 ALAMEDA, CA 94502

We are sending you Attached Under separate cover via: _____ the following items:

- | | | |
|--|---|--------------------------------|
| <input checked="" type="checkbox"/> Report | <input type="checkbox"/> Plans | <input type="checkbox"/> _____ |
| <input type="checkbox"/> Copy of Letter | <input type="checkbox"/> Contract Documents | <input type="checkbox"/> _____ |
| <input type="checkbox"/> Specifications | <input type="checkbox"/> Samples | <input type="checkbox"/> _____ |

COPIES	DATE	NO.	DESCRIPTION
1	7-27-98		COLLECTIVE ACTION PLAN Per NEW GONICO SITE 3927 E 14 TH STREET OAKLAND, CA
			98 JUL 24 AM 8:39 ENVIRONMENTAL PROTECTION

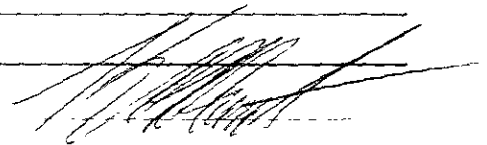
THESE ARE TRANSMITTED as check below:

<input type="checkbox"/> For Approval	<input checked="" type="checkbox"/> For Your Use	<input type="checkbox"/> As Requested	<input type="checkbox"/> For Review and Comment
---------------------------------------	--	---------------------------------------	---

REMARKS:

COPY TO

SIGNED



CONNER • BAK LLP

Tommy A. Conner
J. Timothy Bak *

* Also admitted to practice in Nevada

ENVIRONMENTAL
PROTECTION
444 De Haro Street, Suite 121
San Francisco, CA 94107
Tel: 415•621•3939
Fax: 415•621•3090

98 JUL 15 AM 8:45

email: conbak@srus.com

July 1, 1998

Bill Theyskens
Kleinfelder, Inc.
1362 Ridder Park Drive
San Jose, California 95131

Re: Hausauer (3927 East 14th Street, Oakland, California)/Motor Partners

Dear Bill:

As you know, the Alameda County Health Care Services Agency ("Agency") long ago directed Hausauer and Motor Partners to conduct concurrent groundwater monitoring. We understand that the upcoming monitoring event will not occur at the same time as Motor Partners' monitoring. Please take notice that all future groundwater monitoring events must be synchronized to occur concurrent with Motor Partners' groundwater monitoring. Kleinfelder's failure to do so will result in Hausauer's termination of its contract with Kleinfelder for this work.

Per your suggestion, at the time of each groundwater monitoring event please arrange with Motor Partners' consultant Gary Rogers for the shared use and cost of the redox meter.

Thank you.

Sincerely yours,



Tommy A. Conner

TAC/jf

cc: Barney Chan
Alameda County Health Care Services Agency



Peter M. Rooney
Secretary for
Environmental
Protection

State Water Resources Control Board

John P. Caffrey, Chairman

ENVIRONMENTAL PROTECTION
98 JUL 1
Pete Wilson
PHG: error
02

Division of Clean Water Programs

2014 T Street, Suite 130 • Sacramento, California 95814 • (916) 227-0743 FAX (916) 227-4530
Mailing Address: P.O. Box 944212 • Sacramento, California • 94244-2120
Internet Address: <http://www.swrcb.ca.gov/~cwphome/ustcf/fundhome.htm>

June 30, 1998

4610

Ruben Hausauer
6017 14th St. E
Oakland, CA 94621

PRE-APPROVAL OF CORRECTIVE ACTION COSTS, CLAIM NO. 8829,
SITE ADDRESS: 3927 14TH ST. E, OAKLAND, CA 94601

I have reviewed your request, received on June 22, 1998, for pre-approval of corrective action costs; I will place these documents in your file for future reference. I have included a copy of the "Cost Pre-Approval Request" form; please use this form in the future for requesting pre-approval of corrective actions costs.

With the following provisions, the total cost pre-approved as eligible for reimbursement for completing the May 28, 1998, ATC Associates, Inc. (ATC) proposal directed by the Alameda County Environmental Health Services (County) in their April 22, 1998 letter, is **\$2,924.50**; see the table below for a breakdown of costs. (The total amount approved for payment through request number 3 for work at your site that has been directed and approved by the is \$ 36,221.)

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

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

COST PRE-APPROVAL BREAKDOWN

Task	Amount Pre-Approved	Comments
I: Preferential Pathway Investigation	\$964.50	Vehicle rental fees will not be reimbursed in excess of \$50.00 per day (rental subinvoice must accompany reimbursement request). Use of company vehicles are considered overhead and will only be reimbursed according to mileage.
II: CAP Preparation	\$675.00	
III: Report Preparation	\$1,285.00	Without submitting three-bids, facsimile and communication charges are considered ancillary (included in overhead) and are not eligible for reimbursement. Please submit a copy of the CAP and previous Tier II RBCA with the next reimbursement request
TOTAL PRE-APPROVED	\$2,924.50	

CONNER • BAK II

Tommy A. Conner
J. Timothy Bak

Also admitted to practice in N

June 25, 1998

Bill Theyskens
Kleinfelder, Inc.
1362 Ridder Park Drive
San Jose, California 95

Re: 3927 East

Dear Bill:

Kleinfelder is authorizing
Proposal to Perform 1998 G
following provisos:

- Hausauer n equals or e;
- the Proposal changes;
- this office r
- the timely p

With respect to Klei
Potential Contaminant Pathv
of the Corrective Action Pla
ATC to do that work. Howe
Corrective Action Plan.

Thank you.

cc
Barney Chan
Alameda County He

Ruben Hausauer

-2-

June 30, 1998

- The actual costs and scope of work performed must be consistent with the pre-approval for it to remain valid.
- The work products must be acceptable to the County and the Regional Board.
- From a cursory review of the site history, it does not appear as if ATC's involvement was preceded by a three-bid procedure. Because of ATC's involvement in the prior conduit study and RBCA Analysis, it is my opinion that it is unnecessary to obtain three bids for this scope of work; the Fund's three bid requirement is waived for this scope of work. Please note, however, that remedial activities associated with the **implementation** of the Corrective Action Plan must follow the Fund's three-bid requirement.
- 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 ATC 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 28, 1998 by ATC, and amended in this pre-approval, for conducting the work directed by the County.

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. *To make this easier, insure that your consultant prepares his invoices to match the format of the original estimate, and provides reasonable explanations 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 .

Please call if you have any questions; I can be reached at (916) 227-0743.

Sincerely,



Sherry King, WRCE
Technical Review Unit
Underground Storage Tank Cleanup Fund

Enclosure

cc
Susan Y. Radar, Legal Assistant
Conner-Bak LLP
by fax (415) 621-3999

✓ Barney Chan, Hazardous Materials Specialist
Alameda County Environmental Health Services
1131 Harbor Bay Parkway, Suite 250
Alameda, CA 94502-6577

1 DOC 5 8960 02 LETTERS THEY06251 TR

FAX FAX FAX FAX FAX FAX FAX FAX FAX FAX FAX FAX FAX FAX FAX

Project Number: _____

Project Name: 3927 East 14th Street, Oakland (Hausauer)

To: Barney Chan

From: Bill Theyskens
(Name)

Alameda County Health Care Services

Kleinfelder, Inc.

**1362 Ridder Park Drive
San Jose, CA 95131**

Phone: (510) 567-6765
Fax: (510) 337-9335

**Phone: 408-436-1155
Fax: 408-436-1771**

Date: 6/15/98

Original will follow _____

Time: 5:00 PM

Original will not follow X

Total pages: 2
(Including cover sheet)

Sent by: [Signature]

Instructions/Remarks:

Re: Confirmation of our discussion regarding, and your approval of, adjustments to the scope of work and schedule for the assessment of contaminant pathways proximate to 3927 East 14th Street, Oakland, California (Hausauer project).

Barney, please call me if you feel the following is not an accurate representation of our discussion.

Kleinfelder proposes to perform the contaminant migration study, consisting of the following five tasks, by the July 11th due date, providing we get approval from the Fund in time to reasonably be able to complete the work.

- Task 1. Underground Utility Locating**
- Task 2. Data Compilation**
- Task 3. Preparation of Cross Sections**
- Task 4. Report of Findings**
- * Task 5. Preparation of Workplan for Soil and Groundwater Sampling Proximate to Identified Zones of Preferential Migration**

* Providing additional sampling is judged to be warranted.

Follow-on Work

A proposal to implement the Task 5 Workplan (assuming preparation of the workplan is judged necessary by Alameda County Health Care Services [ACHCS]) will be prepared by Kleinfelder following Workplan approval by ACHCS.

- 7. A proposal to prepare a CAP will be prepared following completion of the above activities.

Thank you for your assistance in this matter. Please call if your understanding of our conversation differs from the above, and if the schedule, as presented, is not acceptable.

Cc: Tommy Conner, Esq., Conner-Bak, LLP

FAX FAX FAX FAX FAX FAX FAX FAX FAX FAX FAX FAX FAX

May 12, 1998

Tommy A. Conner, Esq.
Law Offices of Tommy A. Conner
444 De Haro Street, Suite 121
San Francisco, CA 94107

RE: Response to Agency Comments: ASTM Tier 2 RBCA Analysis
3927 East 14th Street, Oakland, California
ATC Project No. 61137.0004

Dear Mr. Conner:

ATC Associates Inc. (ATC) has completed the Draft Response to Agency Comments: Well Survey, Conduit Study and Tier 2 Risk Based Corrective Action (RBCA) analysis for the New Genico site located at 3927 East 14th Street in Oakland, California.

1.0 INTRODUCTION

ATC Associates Inc. (ATC) is pleased to submit this letter report to present the results of additional American Society of Testing and Materials (ASTM) standard Risk Based Corrective Action (RBCA) Tier 2 evaluations for the New Genico site (site), located at 3927 East 14th Street in Oakland, California. The additional analysis was requested by the Alameda County Health Care Services (ACHCS) in a letter dated April 22, 1998. The ACHCSs requests were made following a review of ATCs "Well Survey, Conduit Study and ASTM Tier 2 RBCA Analysis for 3927 East 14th Street, Oakland, California", dated August 22, 1997 (ATC, 1997). This RBCA analysis was performed to assess the potential impact of contamination at the site and to support remedial actions that may be considered.

6666 Owens Drive
Pleasanton, California 94588
(510) 460-5300 • FAX (510) 463-2559

DATE: 5/12/98 TIME: 2:05

TO: Barney Chan FAX NO. 337-9335

COMPANY: Alameda County Health Care Services

PROJECT NUMBER: 61137.0004 TASK: _____

NUMBER OF PAGES TO FOLLOW: 6

MESSAGE:

*Here is the response to your comments
on the Hausman RBCA*

Confidential:	Yes _____	No _____
Urgent Delivery Requested:	Yes _____	No _____
Reply Requested:	Yes _____	No _____

DELIVER CC TO: _____

Thank you,
Debra Sheldon
Signature

2.0 ASTM TIER 2 RBCA EVALUATION

The ASTM standard RBCA Tier 2 evaluation was performed following Standard E 1739-95 and the Tier 2 Guidance Manual for Risk Based Corrective Action published by Groundwater Services, Inc. (GSI) of Houston, Texas.

At the request of ACHCS, ATC used the Tier 2 analysis to evaluate benzene volatilization from both subsurface soil and groundwater to outdoor and indoor air. In addition, ATC adjusted the slope factor for inhalation of benzene to be consistent with the California EPA slope factor of 0.1. At the ACHCSs suggestion, ATC used target risk values for benzene of 1.0E-5 for commercial exposure and 1.0E-6 for residential exposure.

Other input parameters remained the same as the original evaluation. The constituent of concern for the Tier 2 analysis is benzene. The representative subsurface soil concentration of benzene that was used is 0.22 milligrams per kilogram (mg/Kg). The area-weighted average of benzene dissolved in groundwater beneath the site was estimated to be 0.25 mg/L. This value was used as the representative benzene in groundwater concentration. Attachment A shows the area-weighted average calculations.

3.0 RESULTS OF RBCA MODELING

Using the above referenced representative concentrations, the indoor and outdoor air pathways were evaluated. Cleanup goals for the site, or Site Specific Target Levels (SSTL's) were estimated.

3.1 Groundwater SSTLs

Under Tier 2, the groundwater SSTL's for benzene were determined. The results are presented below in comparison to the representative benzene concentration in groundwater.

Response to Agency Comments: ASTM Tier 2 RBCA Evaluation
 New Genico Site
 3927 East 14th Street
 Oakland, California

Scenario	target risk	exposure	SSTL (mg/L)	Representative Concentration (mg/L)
volatilization from groundwater into on-site indoor air	1.0 E-5	commercial	0.55	0.25
volatilization from groundwater into on-site outdoor air	1.0 E-5	commercial	61	0.25

The applicable SSTL would be the lowest calculated SSTL which is 0.55 mg/L. As shown on the table above this SSTL is higher than the representative groundwater concentration of 0.25 mg/L. This analysis indicates that representative concentration is marginally below the SSTL for benzene dissolved in groundwater. Because the SSTL and the representative concentrations were close, ATC performed the analysis using the target risk of 1.0E-6 for these exposure scenarios. The results of this analysis is presented below.

Scenario	target risk	exposure	SSTL (mg/L)	Representative Concentration (mg/L)
volatilization from groundwater into on-site indoor air	1.0E-6	commercial	0.055	0.25
volatilization from groundwater into on-site outdoor air	1.0E-6	commercial	6.1	0.25

This indicates that using the more conservative target risk of 1.0E-6, the SSTL is significantly lower than the representative concentration.

3.2 Soil SSTLs

Using Tier 2 analyses, the soil SSTL's for benzene were determined. The results are presented below in comparison to the representative benzene concentration in soil.

Response to Agency Comments: ASTM Tier 2 RBCA Evaluation

New Genico Site
3927 East 14th Street
Oakland, California

Scenario	target risk	exposure	SSTL (mg/Kg)	Representative Concentration (mg/Kg)
volatilization from soil into on-site indoor air	1.0 E-5	commercial	4.8	0.22
volatilization from soil into outdoor off-site air	1.0 E-6	residential	39	0.22
volatilization from soil into outdoor on-site air	1.0 E-5	commercial	540	0.22

The applicable soil SSTL would be the lowest calculated SSTL which is 4.8 mg/Kg. As shown on the table above this SSTL is higher than the representative soil concentration of 0.22 mg/Kg. This indicates that the representative concentration is below the SSTL for benzene in subsurface soil.

4.0 CONCLUSIONS

Based on the information presented in this report, current regulatory guidelines, and the judgment of ATC, the following conclusions are presented:

- The SSTL for benzene in soil is more than an order of magnitude higher than the representative concentration of benzene in soil.
- Using a target risk of 1.0E-5, the SSTL for benzene in groundwater is marginally higher than the representative concentration of benzene in groundwater. Using the more conservative target risk of 1.0E-6, the SSTL for benzene is significantly lower than the representative concentration of benzene in groundwater.
- The site may be considered a low risk groundwater case as described in the RWQCB memorandum which discusses low risk groundwater cases.

5.0 RECOMMENDATIONS

Based on the data and conclusions presented in this report, and the judgment by ATC, the following recommendations are presented for your consideration:

- Implementation of interim remedial measures proximate to the former New Genico UST location should be performed.

Response to Agency Comments: ASTM Tier 2 RBCA Evaluation
New Genico Site
3927 East 14th Street
Oakland, California

- Further characterization of the plume of benzene-impacted groundwater should be performed as required by ACDEH.
- Continue quarterly groundwater monitoring as required by the ACDEH and the RWQCB.

If you have any questions regarding this report please do not hesitate to contact the undersigned.

Sincerely,

ATC ASSOCIATES INC.



Dabra I. Sheldon
Senior Hydrogeologist
Project Manager

cc: Mr. Barney Chan, Alameda County Health Care Services

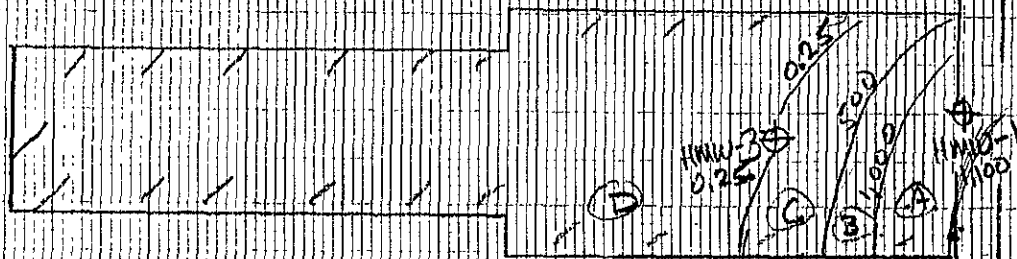
Attachment A

Hausauer Site 8/6/97

EAST 14th Street

Benzene Area-weighted Average Estimate:
Using Counting Squares Method:

- Area A \approx 150 squares, [C] Concentration = 1,000 μ g/L
- ↓ B \approx 150 squares [C] = 1,000 μ g/L
- ↓ C \approx 170 squares [C] = 500 μ g/L
- ↓ D \approx 1100 squares [C] = 0.25 μ g/L



40th Avenue

North

Area Weighted

Avg [C] =

$$\left(\frac{1100}{1570} \times 0.25 \mu\text{g/L} \right) + \left(\frac{170}{1570} \times 500 \mu\text{g/L} \right) + \left(\frac{150}{1570} \times 1000 \mu\text{g/L} \right) + \left(\frac{150}{1570} \times 1000 \mu\text{g/L} \right)$$

= 254 μ g/L

= 0.25 mg/L

170
1100

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

May 1, 1998
StID # 4610

Mr. Reuben Hausauer
6017 E. 14th St.
Oakland CA 94621

Re: Request for Revised Risk Assessment, Work Plan and Corrective
Action Plan for 3927 E. 14th St., Oakland CA 94601

Dear Mr. Hausauer:

Our office has received by fax, written comment from Mr. Tommy Conner in response to my April 22, 1998 letter. This letter requested a revised risk assessment, a work plan for investigation of utilities and a Corrective Action Plan (CAP) for the referenced site by May 25, 1998. Mr. Conner's fax requests the following changes:

- The submission of the revised work plan by May 11,
- The preparation of a cross-section of all existing wells, utility trenches and conduits and the preparation of a CAP to be submitted by July 11, 1998.

Although our office feels that this amount of time is excessive, since no additional field work is proposed, our office agrees with this extension. However, please include a work plan to sample and investigate all potential conduits for preferential pathways.

Mr. Conner also points out that there is apparently a localized release from the former underground on your property. However, because of the agreement made by Mr. William Nagle, contamination on each side of the center of 40th Ave. shall be the responsibility of that party located on that side of the street. Our office is requesting similar investigation and remediation for both sites which should be the most cost effective way to oversee them.

Because of the likelihood of using enhanced bioremediation at the site, our office recommends that the introduction of oxygen and any other supplements be done as soon as possible.

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

Mr. Reuben Hausauer
StID #4610
3927 E. 14th St.
May 1, 1998
Page 2.

Sincerely,



Barney M. Chan
Hazardous Materials Specialist

C: B. Chan, files

Mr. William Theyskens, Groundworks Environmental, Inc., 1900
Lafayette St., Suite 209, Santa Clara, CA 95050-3946
Mr. Tommy Conner, Esq., 444 De Haro St., Suite 121, S.F., CA 94107
Mr. Bill Owens, 2221 Olympic Blvd., Walnut Creek, CA 94595
Mr. Gary Rogers, 38053 Davy Ct., Fremont, CA 94536

Ext3927

CONNER • BAK LLP
444 De Haro Street, Suite 121
San Francisco, California 94107
(415) 621-3939
Facsimile: (415) 621-3999

FACSIMILE COVER SHEET

To: BARNEY CHAN
Facsimile: 510/337-9335
Telephone: 510/567-6765
From: TOMMY CONNER
Billing Number: 8060-02
Date: April 30, 1998

Cover page plus $\frac{1}{2}$ page(s)

MESSAGE: See attached

CONFIDENTIALITY NOTICE

The documents accompanying this facsimile transmission contain confidential information belonging to the sender which is legally privileged. The information is intended only for the use of the individual or entity named above. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution or the taking of any action in reliance on the contents of this facsimile information is strictly prohibited. If you have received this facsimile in error, please immediately notify us by telephone to arrange for the return of the original documents to us.

Please call (415) 621-3939 if there is a problem with this transmission. Thank you.

CONNER • BAK LLP

Tommy A. Conner
J. Timothy Bak

Also admitted to practice in Nevada.

411 De Haas Street, Suite 121
San Francisco, CA 94102
tel: 415 • 634 • 3939
fax: 415 • 634 • 3099

e-mail: connerbak@connerbak.com

April 30, 1998

***By Facsimile and
First Class U.S. Mail***

Alameda County Health Care Services
Environmental Health Services
ATTN : Mr. Barney Chan
1131 Harbor Bay Parkway, Suite 250
Alameda, California 95402-6577

***Re: Risk Assessment and On-going Subsurface Investigation at 3927 E. 14th Street,
Oakland, CA 94601, New Genico Site***

Dear Mr. Chan:

This responds to your April 22, 1998 letter to Ruben Hausauer regarding the referenced site.

In response to your request for clarification as to certain aspects of the Well Survey, Conduit Study and RBCA Analysis we have asked ATC Associates, who performed the work, to respond on Mr. Hausauer's behalf. According to ATC, the earliest date by which its response will be completed is May 11, 1998 -- two weeks before the May 25, 1998 deadline set forth in your letter for Mr. Hausauer's submittal of a corrective action plan ("CAP").

As you know, Mr. Hausauer recently contracted with Groundworks Environmental, Inc. to perform one year of quarterly groundwater monitoring. Groundworks and ATC -- both of whom will bid on the CAP -- point to the low level of contamination in Motor Partners' MW-4 (which sits approximately ten (10) feet downgradient of Mr. Hausauer's HMW-1, the hot spot on his property) as evidence of Mr. Hausauer's limited contribution to downgradient contamination, or the existence of a preferential path. A copy of a site map and a chart of benzene concentrations over time are enclosed for your convenience. In the interest of economy, Mr. Hausauer believes that his work should proceed as follows: 1) revise RBCA analysis; 2) prepare a cross-section of all existing wells, utility trenches and other potential conduits for preferential migration; and 3) based on that data, propose a CAP. We estimate that such work will take sixty days from ATC's submission of a revised RBCA on May 11.

to left not w/ respect to text, include

CONNER • BAK LLP

Barney Chan
April 30, 1998
Page 2

On the basis of the above, Mr. Hausauer requests an extension of the deadline for submission of a CAP to July 11, 1998.

Thank you for your consideration. Please call me if you have any questions.

Sincerely yours,



Tommy A. Conner

TAC/jf

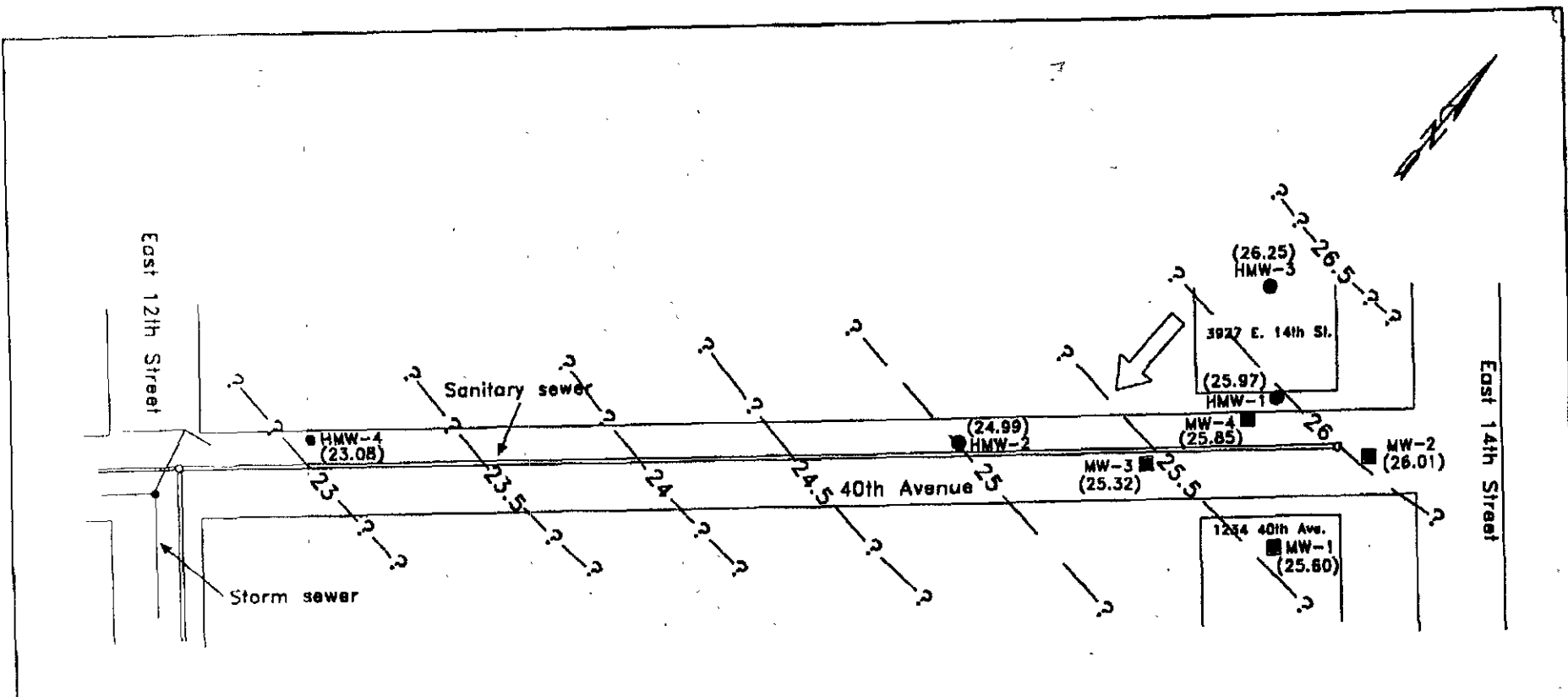
cc: William Theyskens, Groundworks Environmental, Inc.
Bill Owens, Motor Partners, Inc.
Gary Rogers, Aquatic & Environmental Applications
Dabra Sheldon, ATC Associates, Inc.
(all with enclosures)

INDOCS\80660-02\LETTERS\CHAN0429.LTR

BENZENE LEVELS OVER TIME AT HAUSAUER/MOTOR PARTNERS WELLS ($\mu\text{g/L}$)

Date Sampled	Hausauer				Motor Partners				
	HMW1	HMW2	HMW3	HMW4	MW1	MW2	MW3	MW4	MW5
6/17/94					1,200	ND			
12/7/94						2.1	380		
6/17/95 (typo?)							330		
11/29/95					860	ND	300		
2/23/96					360	ND	270	58	
5/21/96					290	ND	220	18	
8/22/96	1,200	170	3.1		270	0.58	120	8.6	
11/21/96					810	0.60	220	3.6	
2/25/97	760	150	ND		430	1.2	260	5.4	
5/28/97	1,100	170	ND		110	ND	140	5.6	
9/2/97	460	210	ND		1,300	ND	240	3.2	
11/26/97	1,000	41	0.6	4.2	760	ND	140	6.8	
3/17/98	2,100	200	ND	20	360	ND	270	4.4	320

1\DOCS\8060-02\BENZENE.TXL



Explanation:

- HMW-3 Groundwater monitoring well 3927 E. 14th St. (New Genico)
- MW-1 Groundwater monitoring well 1234 40th Ave. (Motor Partners)

- 24- Groundwater elevation contour
- ↙ Approximate direction of groundwater flow

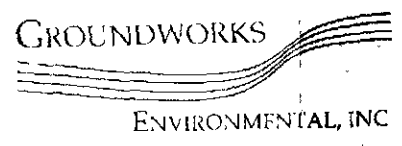
(23.74) Groundwater elevation measured on March 17, 1998. Elevation measured in feet relative to mean sea level.

Note: Locations of sanitary and storm sewers obtained from Oakland Engineering Department.



Base map modified from ATC Associates, Inc., November 1997.

HA5501\F02.DWG 4/9/98



Project HA5501
New Genico Facility
 3927 East 14th Street, Oakland, California
Figure 2. Groundwater Contours-March 1998

CONNER • BAK LLP

Tommy A. Conner
J. Timothy Bak

Also admitted to practice in Nevada

444 De Haas Street, Suite 411
San Francisco, CA 94102
tel. 415•621•3030
fax 415•621•3000

email: conbak@conner.com

April 30, 1998

***By Facsimile and
First Class U.S. Mail***

Alameda County Health Care Services
Environmental Health Services
ATTN : Mr. Barney Chan
1131 Harbor Bay Parkway, Suite 250
Alameda, California 95402-6577

***Re: Risk Assessment and On-going Subsurface Investigation at 3927 E. 14th Street
Oakland, CA 94601, New Genico Site***

Dear Mr. Chan:

This responds to your April 22, 1998 letter to Ruben Hausauer regarding the referenced site.

In response to your request for clarification as to certain aspects of the Well Survey, Conduit Study and RBCA Analysis we have asked ATC Associates, who performed the work, to respond on Mr. Hausauer's behalf. According to ATC, the earliest date by which its response will be completed is May 11, 1998 -- two weeks before the May 25, 1998 deadline set forth in your letter for Mr. Hausauer's submittal of a corrective action plan ("CAP").

As you know, Mr. Hausauer recently contracted with Groundworks Environmental, Inc. to perform one year of quarterly groundwater monitoring. Groundworks and ATC -- both of whom will bid on the CAP -- point to the low level of contamination in Motor Partners' MW-4 (which sits approximately ten (10) feet downgradient of Mr. Hausauer's HMW-1, the hot spot on his property) as evidence of Mr. Hausauer's limited contribution to downgradient contamination, or the existence of a preferential path. A copy of a site map and a chart of benzene concentrations over time are enclosed for your convenience. In the interest of economy, Mr. Hausauer believes that his work should proceed as follows: 1) revise RBCA analysis; 2) prepare a cross-section of all existing wells, utility trenches and other potential conduits for preferential migration; and 3) based on that data, propose a CAP. We estimate that such work will take sixty days from ATC's submission of a revised RBCA on May 11.

CONNER • BAK LLP

Barney Chan
April 30, 1998
Page 2

On the basis of the above, Mr. Hausauer requests an extension of the deadline for submission of a CAP to July 11, 1998.

Thank you for your consideration. Please call me if you have any questions.

Sincerely yours,



Tommy A. Conner

TAC/jf

cc: William Theyskens, Groundworks Environmental, Inc.
Bill Owens, Motor Partners, Inc.
Gary Rogers, Aquatic & Environmental Applications
Dabra Sheldon, ATC Associates, Inc.
(all with enclosures)

CONNER • BAK LLP

Barney Chan
April 30, 1998
Page 3

bcc: Ruben Hausauer

April 22, 1998
StID # 4610

Mr. Reuben Hausauer
6017 E. 14th St.
Oakland CA 94621

Re: Risk Assessment and On-going Subsurface Investigation at 3927 E. 14th St., Oakland CA, 94601, New Genico Site

Dear Mr. Hausauer:

Our office has recently completed our review of the **First Quarter 1998 Groundwater Monitoring Report and the Well Survey, Conduit Study and ASTM Tier 2 RBCA Analysis** for the above site prepared by Groundworks Environmental, Inc. and ATC Associates Inc., respectively. This letter requests clarification in regards to these reports and also requests the provision of a Corrective Action Plan (CAP) for the site.

In regards to the **Well Survey, Conduit Study and RBCA Analysis** please address the following:

- On page 9 of this report both soil and groundwater RBSL values are given. Please be aware that it appears that your consultant has used RBSL values which do not incorporate the California EPA slope factor for benzene; 0.1. This has the effect of reducing the RBSL values by 0.29. In addition, please evaluate soil and groundwater volatilization to both outdoor and indoor air scenarios. Typical acceptable risk levels are 10E-5 for commercial and 10E-6 for residential exposure.
- The area weighted average concentration for groundwater was calculated for the site and found to be 0.25 mg/l. Please provide the calculations for this determination.
- Please incorporate the California EPA slope factor when determining the SSTL (Site Specific Target Levels) and attach a complete copy of the GSI printout.
- Based on the highest depth to water value to date, this report concludes that the backfill of the sanitary and storm sewers may be acting as preferential pathways for groundwater migration. Because of this, you should provide a work plan to sample along these utilities to see if this is occurring.

Mr. Reuben Hausauer
StID # 4610
3927 E. 14th St.
April 22, 1998
Page 2.

- It was noted that MTBE was once again detected in well, HMW-1, at 1200 ppb. Please confirm elevated MTBE concentrations such as this using EPA method 8260. Even though past confirmation sampling may have not detected MTBE using EPS 8260, you cannot assume that this will always be the case.

Based upon the preliminary results of this report and the results of the recent first quarter 1998 monitoring report, it appears that remedial action is necessary. The monitoring report indicates that there are low levels of dissolved oxygen and reducing conditions in the groundwater. These conditions are not conducive for natural aerobic bio-degradation. At a minimum, your corrective action plan should consider enhanced bioremediation ie adding oxygen and other supplements.

Please provide a response to the above items, a work plan and a Corrective Action Plan (CAP) to our office **within 30 days or by May 25, 1998.**

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. William Theyskens, Groundworks Environmental, Inc., 1900
Lafayette St., Suite 209, Santa Clara, CA 95050-3946

Mr. Tommy Conner, Esq., 444 De Haro St., Suite 121, S.F., CA 94107

Mr. Bill Owens, 2221 Olympic Blvd., Walnut Creek, CA 94595

Mr. Gary Rogers, 2657 Bailey Ct., Fremont, CA 94536

cap3927

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



April 22, 1998
StID # 4610

Mr. Reuben Hausauer
6017 E. 14th St.
Oakland CA 94621

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

Re: **Risk Assessment and On-going Subsurface Investigation at 3927 E. 14th St., Oakland CA, 94601, New Genico Site**

Dear Mr. Hausauer:

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Mr. Reuben Hausauer
StID # 4610
3927 E. 14th St.
April 22, 1998
Page 2.

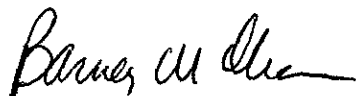
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Please provide a response to the above items, a work plan and a Corrective Action Plan (CAP) to our office **within 30 days or by May 25, 1998.**

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. William Theyskens, Groundworks Environmental, Inc., 1900
Lafayette St., Suite 209, Santa Clara, CA 95050-3946

Mr. Tommy Conner, Esq., 444 De Haro St., Suite 121, S.F., CA 94107

Mr. Bill Owens, 2221 Olympic Blvd., Walnut Creek, CA 94595

Mr. Gary Rogers, 2657 Bailey Ct., Fremont, CA 94536

Cap3927

CONNER • BAK LLP

Tommy A. Conner
J. Timothy Bak *

* Also admitted to practice in Nevada

444 De Haro Street, Suite 121
San Francisco, CA 94107
tel 415•621•3939
fax 415•621•3999

email: conbak@sirius.com

August 6, 1998

State Water Resources Control Board
P. O. Box 944212
Sacramento, California 94244-2120

**Re: *Second Quarter 1998 Groundwater Monitoring Report
New Genico Facility
3927 East 14th Street
Oakland, California***

Dear Sir or Madam:

Enclosed is a copy of the *Second Quarter 1998 Groundwater Monitoring Report* prepared for Ruben Hausauer's 3927 East 14th Street, Oakland, California site. This report documents the results of the groundwater monitoring performed at the site. Groundwater monitoring was performed on 30 June 1998 by Kleinfelder, Inc. personnel. This report was prepared by Kleinfelder at the request of Ruben Hausauer.

If you have any questions or comments, please call either Kleinfelder, Inc. at (408) 436-1155, or me at (415) 621-3939. Thank you for your time and attention.

Very truly yours,



Tommy A. Conner

TAC:syr/Enclosure

cc: Regional Water Quality Control Board (w/encl)
ATTN: Fuel Leaks
2101 Webster Street, Suite 500
Oakland, CA 94612

Barney Chan (enclosure sent under separate cover)
Alameda County Health
Care Services
1131 Harbor Bay Parkway, Suite 250
Alameda, California 95402

Routes

Fax Transmittal

**6666 Owens Drive
Pleasanton, California 94588
(925) 460-5300 • FAX (925) 463-2559**

DATE: October 14, 1998 **TIME:** _____

TO: Barney Chan **FAX NO.** (510) 337-9335

COMPANY: Alameda County Health Agency

PROJECT NUMBER: 81137.0005 **TASK:** _____

NUMBER OF PAGES TO FOLLOW: 0

MESSAGE:

This is to confirm your telephone conversation of 10/9/98 with Dabra Sheldon of our office regarding the Hausauer/New Genico Site located at 3927 E. 14th St., Oakland, CA. We understand that an extension has been granted regarding the RBCA amendment proposal. We also understand that this is an open-ended extension.

Confidential:	Yes _____	No _____	X
Urgent Delivery Requested:	Yes _____	No _____	X
Reply Requested:	Yes _____	No _____	X

DELIVER CC TO: Susan Rader, CONNER – BAK LLP, (415) 621-3999

Thank you,

Jim Lehrman
Signature



ENVIRONMENTAL
PROTECTION

PORT OF OAKLAND

98 JUL 22 PM 5:18

July 21, 1998

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

R0468

Stephen Wilson
Crowley Marine Services, Inc.
2401 Fourth Avenue
P.O. Box 2287
Seattle, Washington 98111

Subject: Request for Supplement to Crowley Risk Assessment and Site Investigation Reports

Dear Mr. Chan and Mr. Wilson:

Enclosed please find a letter addressed to me from Geomatrix Consultants (Geomatrix) regarding the reports recently submitted by Crowley Maritime Corporation (Crowley) to the Alameda County Department of Environmental Health concerning two Port-owned properties (1441 and 321 Embarcadero). The Geomatrix letter expresses concerns that the risk assessments do not contain adequately formatted and organized information that would allow a full and informed evaluation of the reports. Furthermore, the Port understands how busy county oversight agencies are; consequently, the Port has concerns that the insufficiencies of the reports will occupy too much time and not allow an efficient review.

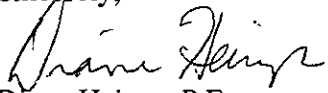
Our concern is heightened because of the recent discovery of additional contamination. Despite past characterization efforts, PCBs and two 5,000 gallon underground storage tanks were recently discovered at 321 Embarcadero.

The Port requests that prior to consideration of these risk assessment reports that Crowley and its consultants be required to supplement the reports with the information detailed in the enclosed Geomatrix letter. In addition, the Port requests that once such supplemental information is received that the county provide the Port with an adequate time to review such material and respond with its comments on the risk assessment. Finally, the Port requests an opportunity to meet with you regarding these sites after submission of the Port's comments to express the Port's position regarding these sites. We believe that these requests will aid rather than inhibit the County's review of the risk assessments.

Mr. Chan and Mr. Wilson
July 21, 1998
Page 2 of 2

If you have any questions, please contact me at 510-272-1467.

Sincerely,



Diane Heinze, P.E.
Associate Environmental Scientist

encl: Geomatrix Letter

cc: Mark O'Brien
Neil Werner
Sally Goodin, Geomatrix
Derek Lee, RWQCB

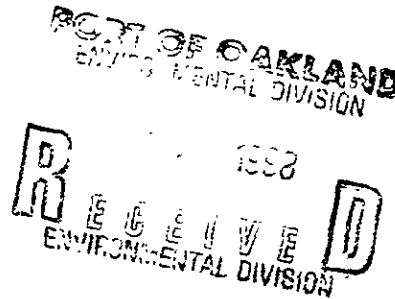
enclosure

4721 Tidewater Avenue, Suite C
Oakland, CA 94601
(510) 535-2408 • FAX (510) 535-2445



20 July 1998
Project 3999

Ms Diane Heinze
Port of Oakland
530 Water Street
Oakland, California 94607



Dear Ms Heinze:

Geomatrix Consultants, Inc. (Geomatrix), has reviewed on behalf of the Port of Oakland (Port) the following reports: a report by The Gauntlett Group, LLC (the TGG), entitled Supplemental Site Investigation Sampling and Analysis Results, Pacific Dry Dock Yards I and II, Port of Oakland, California; and two reports by Risk Based Decisions, Inc. (RBD), entitled Update to Risk Assessment Report for the Pacific Dry Dock and Repair Company Yard I Site in Oakland, California and Update to Risk Assessment Report for the Former Pacific Dry Dock and Repair Company Yard II Site in Oakland, California.

Our review of these reports has been hampered by the following:

- There are no tables summarizing the proposed scope of work and what was actually performed. Given the complex design of the sampling programs and discussions by Crowley Marine (Crowley) with Alameda County (the County) to which the Port was not a party, it would be appropriate to have a table outlining what had been originally proposed, what modifications were made based on discussions, and what was actually performed.
- There are no analytical data summary tables in the TGG's summary of investigation results. There are data tables in RBD's updated risk assessments, but these tables only include data considered in the risk assessment; preliminary review of these tables indicates that some data included in the laboratory analytical reports attached to the TGG's report are not included or not included accurately.
- RBD's updated risk assessment for Yard I references an additional sampling event on 26 February 1998 for which some data are included on the tables. There are no laboratory analytical reports for these samples in any of the reports.
- RBD's updated risk assessment for Yard I includes figures that show previous and current sampling results; however, the basis for determining which older data correlated with the new "shallow" and "deep" data is not identified.
- There are no figures that illustrate the spatial distribution of the new data for Yard II (except benzene and locally PCBs) or the new data together with the older data.
- The locations of some of the groundwater sampling points and the identity of the duplicate sample are not clear. A table summarizing the groundwater data has not been provided, nor is there any evaluation of the data together with the previous groundwater data and the current and previous soil data.

Ms Diane Heinze
Port of Oakland
20 July 1998
Page 2

- RBD's updated risk assessments are based solely on the newly collected data and do not incorporate or adequately justify the exclusion of the data collected from previous investigations.
- The chemicals included in the risk calculations are in some cases different than the chemicals included in the original risk assessments (i.e., some chemicals included previously are not considered in the updated risk assessments); however, no explanation for these differences is provided. In addition, it is unclear how the metals included in the risk calculations were selected.
- References cited in RBD's reports are not provided.

We believe these matters need to be addressed prior to County consideration of the risk assessments. Unless addressed, we believe there is not a sufficient record on which the County can evaluate the risk assessments.

Until these clarifications are provided, we cannot complete our review of the investigation results or the updated risk assessments. Therefore, we are not able to determine whether performance of the risk assessments at this time was warranted or whether the site conceptual models and chemicals of concern used in the risk assessments were appropriate.

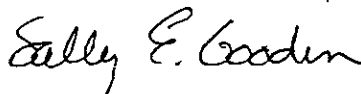
We appreciate the opportunity to work with the Port. If you have questions or need additional information, please contact either of the undersigned.

Sincerely,

GEOMATRIX CONSULTANTS, INC.

A handwritten signature in black ink, appearing to read 'Gregory P. Brorby'.

Gregory P. Brorby, DABT
Senior Toxicologist

A handwritten signature in black ink, appearing to read 'Sally E. Goodin'.

Sally E. Goodin, R.G.
Principal Geologist

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



January 2, 1998

Mr. Phil Briggs
Chevron Products Co.
6001 Bollinger Canyon Rd., Bld. L Room 1110
P.O. Box 5004
San Ramon, CA 94583-0804

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

Re: Update on Chevron sites

Dear Mr. Briggs:

I recently wrote you about several Chevron or former Chevron sites which we previously discussed in our 8/21/97 meeting. This letter serves to update you on progress and needs of those sites where a specific letter has not been written.

StID # 607 , Former Signal Bulk Plant *20630*
2001 Versailles Ave.
Alameda CA 94501

Our office has received and is currently reviewing the Risk Management Plan (RMP) for this site. Ms. Madhulla Logan, staff toxicologist, is discussing questions she has regarding the RMP with your consultant. As you may recall, groundwater monitoring should be put on hold. It is anticipated that after the approval and implementation of the approved RMP, the site will be recommended to the Water Board for closure. It appears that we are still missing the items mentioned in my September 15, 1997 letter, ie the monitoring well installation reports for all wells with the exception of the five wells installed on December 1984 and the one installed on May 1994. Please clarify the exact number and locations of all monitoring wells at this site.

StID # 838, Former Chevron Service Station, # 9-4340
2681 Fruitvale Ave.
Oakland CA 94601

Our office has received a copy of RBCA/Closure Request from Cambria. This document is currently being reviewed by Ms. Logan. Upon completion of her review, it will be determined if a Risk Management Plan will be necessary. We have been notified that the title for monitoring well MW-13 has been transferred to the City of Oakland and remains part of their monitoring schedule. When the site has been approved for closure by our office and the RWQCB, it would be advisable to resample those wells where ORC has been added to obtain the actual concentration of hydrocarbons left in-place. This information will be included in the transmittal letter for future notification purposes.

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StID # 4249, Former Chevron Station #9-4612
3616 San Leandro St.
Oakland CA 94601

R0233

Our office has written a separate letter to you regarding this site.

StID # 541, Chevron Service Station # 9-1851
451 Hegenberger Rd.
Oakland CA 94621

R0464

Our office has written a separate letter to you regarding this site.

StID # 103, Chevron Service Station #9-0076
4265 Foothill Blvd.
Oakland CA 94601

R0427

Our office has received the RBCA for this site. I have recently provided this report to Ms. Logan along with a copy of Chevron/Shell's basement and well survey for this area for her review. We have also received the raw data for the soil samples taken from the recent piping and overspill protection upgrade at this site. We received the report of the installation of ORC in monitoring wells C-2, C-4 and C-6. At this point please continue to monitor the wells according to the existing schedule, ie quarterly for all wells except wells C-5, C-8 and C-9 which are sampled annually. After County review of the RBCA either additional remediation or a modified monitoring schedule may be appropriate.

As it has become more common to measure for bioremediation parameters, please have your consultant determine the need to establish a trend in the analysis of these results. Most analytical measurements should be routinely run during each monitoring event until a trend is illustrated. Your consultant should provide interpretation of the results. The addition of ORC to each impacted well should not be assumed to be the correct approach.

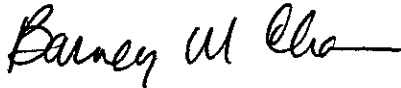
Please provide the requested information and provide a written comment to this letter within 30 days or by February 4, 1998.

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

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88 JAN 21 AM 8:23
ENVIRONMENTAL
PROTECTION
DIVISION

Sincerely,



Barney M. Chan
Hazardous Materials Specialist

c: B. Chan, files

Mr. C. Mapes, 14 Grass Valley Ct., Oakland CA 94605
John & Molly King, King Petroleum, Inc., P.O. Box 137,
Woodacre, CA 94973

Ms. M. Guensler, Exxon Co. USA, P.O. Box 4032, Concord, CA
94524-2032

Ms. G. Alie, 3032 Davis St., Oakland CA 94601

Ms. Linda M. and Laura A. Morn, c/o John Morn, 69 La Espiral
Orinda, CA 94563

Ms. T. Arrowood, Cambria Env. Tech., Inc., 1144 65th St.,
Suite B, Oakland CA 94608

Mr. A. Perez, Shell Oil Co., P.O. Box 8080, Martinez, CA 94553

Ms. B. Russell, American Stores Properties, Inc., 348 E. South
Temple St., Salt Lake City, UT 84111

updtChev