

CT101211

WOP RD #515CL

CLOSED

board p
20515

UNDERGROUND STORAGE TANK UNAUTHORIZED RELEASE (LEAK) / CONTAMINATION SITE REPORT

EMERGENCY <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		HAS STATE OFFICE OF EMERGENCY SERVICES REPORT BEEN FILED? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		FOR LOCAL AGENCY USE ONLY I HEREBY CERTIFY THAT I HAVE DISTRIBUTED THIS INFORMATION ACCORDING TO THE DISTRIBUTION SHOWN ON THE INSTRUCTION SHEET ON THE BACK PAGE OF THIS FORM.	
REPORT DATE 07/28/98		CASE # RB Case #01-0833		SIGNED: _____ DATE: _____	
REPORTED BY	NAME OF INDIVIDUAL FILING REPORT Aldo Guidotti		PHONE (925)254-3450	SIGNATURE <i>Aldo Guidotti</i>	
	REPRESENTING <input checked="" type="checkbox"/> OWNER/OPERATOR <input type="checkbox"/> REGIONAL BOARD <input type="checkbox"/> LOCAL AGENCY <input type="checkbox"/> OTHER		COMPANY OR AGENCY NAME Guidotti & Lee Attorneys at Law		
	ADDRESS One Bates Blvd., Suite 300 Orinda CA 94563				
RESPONSIBLE PARTY	NAME Estate of Jean L. Josephian <input type="checkbox"/> UNKNOWN		CONTACT PERSON Aldo Guidotti	PHONE (925)254-3450	
	ADDRESS One Bates Blvd., Suite 300 Orinda CA 94563				
SITE LOCATION	FACILITY NAME (IF APPLICABLE) Pacific Cryogenics		OPERATOR NA	PHONE (510)444-8081	
	ADDRESS 2311 Magnolia Street Oakland Alameda 94502				
	CROSS STREET Union Street				
IMPLEMENTING AGENCIES	LOCAL AGENCY AGENCY NAME Alameda Co. Envir. Health Services		CONTACT PERSON Larry Seto	PHONE (510)567-6774	
	REGIONAL BOARD NA		NA	PHONE () NA	
SUBSTANCES INVOLVED	(1) NAME Gasoline, BTEX			QUANTITY LOST (GALLONS) <input checked="" type="checkbox"/> UNKNOWN	
	(2) NAME Diesel			<input checked="" type="checkbox"/> UNKNOWN	
DISCOVERY/ABATEMENT	DATE DISCOVERED 1/02/90		HOW DISCOVERED <input type="checkbox"/> INVENTORY CONTROL <input type="checkbox"/> SUBSURFACE MONITORING <input type="checkbox"/> NUISANCE CONDITIONS <input type="checkbox"/> TANK TEST <input checked="" type="checkbox"/> TANK REMOVAL <input type="checkbox"/> OTHER		
	DATE DISCHARGE BEGAN <input checked="" type="checkbox"/> UNKNOWN		METHOD USED TO STOP DISCHARGE (CHECK ALL THAT APPLY) <input type="checkbox"/> REMOVE CONTENTS <input checked="" type="checkbox"/> CLOSE TANK & REMOVE <input type="checkbox"/> REPAIR PIPING <input type="checkbox"/> REPAIR TANK <input type="checkbox"/> CLOSE TANK & FILL IN PLACE <input type="checkbox"/> CHANGE PROCEDURE <input type="checkbox"/> REPLACE TANK <input checked="" type="checkbox"/> OTHER <u>Remove Piping, Overexcavate</u>		
	HAS DISCHARGE BEEN STOPPED? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO IF YES, DATE 06/30/99				
SOURCE/ CAUSE	SOURCE OF DISCHARGE <input type="checkbox"/> TANK LEAK <input checked="" type="checkbox"/> UNKNOWN <input type="checkbox"/> PIPING LEAK <input type="checkbox"/> OTHER		CAUSE(S) <input type="checkbox"/> OVERFILL <input type="checkbox"/> RUPTURE/FAILURE <input type="checkbox"/> SPILL <input type="checkbox"/> CORROSION <input checked="" type="checkbox"/> UNKNOWN <input type="checkbox"/> OTHER		
	CASE TYPE CHECK ONE ONLY <input type="checkbox"/> UNDETERMINED <input type="checkbox"/> SOIL ONLY <input checked="" type="checkbox"/> GROUNDWATER <input type="checkbox"/> DRINKING WATER - (CHECK ONLY IF WATER WELLS HAVE ACTUALLY BEEN AFFECTED)				
CURRENT STATUS	CHECK ONE ONLY <input type="checkbox"/> NO ACTION TAKEN <input type="checkbox"/> PRELIMINARY SITE ASSESSMENT WORKPLAN SUBMITTED <input type="checkbox"/> POLLUTION CHARACTERIZATION <input type="checkbox"/> LEAK BEING CONFIRMED <input type="checkbox"/> PRELIMINARY SITE ASSESSMENT UNDERWAY <input checked="" type="checkbox"/> POST CLEANUP MONITORING IN PROGRESS <input type="checkbox"/> REMEDIATION PLAN <input type="checkbox"/> CASE CLOSED (CLEANUP COMPLETED OR UNNECESSARY) <input type="checkbox"/> CLEANUP UNDERWAY				
	REMEDIAL ACTION CHECK APPROPRIATE ACTION(S) <input checked="" type="checkbox"/> EXCAVATE & DISPOSE (ED) <input type="checkbox"/> REMOVE FREE PRODUCT (FP) <input type="checkbox"/> ENHANCED BIO DEGRADATION (IT) <input type="checkbox"/> CAP SITE (CD) <input type="checkbox"/> EXCAVATE & TREAT (ET) <input type="checkbox"/> PUMP & TREAT GROUNDWATER (GT) <input type="checkbox"/> REPLACE SUPPLY (RS) <input type="checkbox"/> CONTAINMENT BARRIER (CB) <input type="checkbox"/> NO ACTION REQUIRED (NA) <input type="checkbox"/> TREATMENT AT HOOKUP (HU) <input type="checkbox"/> VENT SOIL (VS) <input type="checkbox"/> VACUUM EXTRACT (VE) <input type="checkbox"/> OTHER (OT)				
COMMENTS					

FILE OR ENVELOPE No. of	PLAN REVIEW Rec'd. No. Plans Rec'd.	By Date	By Date
PER NO.			
<input type="checkbox"/> OWNER Pacific Cryogenic Address 2311 Magnolia St. Oak 607 Phone			
<input type="checkbox"/> Contractor Address Phone			
<input type="checkbox"/> OTHER (Specify) Hageman-Aguilar Address 284-1661 Gary Aguilar Phone			
<input checked="" type="checkbox"/> CONTACT FOR INVESTIGATION			

LOP 1211 B →

closed

REMARKS		Date	By	LOCATION
4-20-93	JE	7-23	JE	Centered around the piping leak. Spoke w/ Gary Aguilar. No plan for in-situ remed. yet. SE gw flow. They just sampled gw this wk. I should get QR in ~ 3 wks. SP still onsite.
		6-4	JE	Reviewed 5-24-93 QR by HA. Gw sampled on 4-23-93 flowed SE. Gw has up to 21,500 ppb TPH-g + 23 ppb benz (MW-3). Both ex. pits, altho water table dropped in MW 3.
		8-23		Reviewed 8-2 QR by H-A. Gw sampled on 7-16-93 flowed E. Up to 16,000 ppb TPHg + 19 ppb benz (MW-3). Spoke w/ Gary Aguilar. No same plan. RP needs a letter. SP still onsite. Wrote letter to RP.

2311 MAGNOLIA ST
OAKLAND CA 94607
PACIFIC CRYOGENIC

818

FILE OR PER NO.	ENVELOPE No. of	PLAN REVIEW	By	Date	By	Date	By	Date
		\$	Rec'd.					
<input type="checkbox"/> OWNER	Pacific Cryogenic	No.	Plans Rec'd.					
Address	2311 Magnolia St. Oak 607	Plans Approved						
<input type="checkbox"/> Contractor		Layout Made						
Address	H-A 284-1661	Rejected						
<input type="checkbox"/> OTHER (Specify)		Applicant Notified						
Address		Plans Returned						
Phone		Permit Issued						
<input checked="" type="checkbox"/> CONTACT FOR INVESTIGATION		CONSTRUCTION PROGRESS ACCEPTANCE						
		Pre-Plaster/drywall						
		Pre-Final						
		Final						

LOP 1211 C

XR		REMARKS	
		Date	By
		see inside notes	
REMARKS			
Date	By		
3-23-94	JF	Reviewed 2-3-94 OR by H-A. Gw sampled on 1-28-94. Gw flowed E on 2-2-94. Must follow up on disposal of purge water. DF MW3 has biggest hits (7500 ppb TPHg, 8.5 ppb benz, 312 TPHd + 370 TPH-ms).	

Vicinity Map

REMARKS		REMARKS		REMARKS	
Date	By	Date	By	Date	By
11-19-93	JE				
11-2					
2-17-94	JE				

Reviewed 10-8-93 wp
 for Hydropunches by
 H-A. Looks good.

MW/Gay. Wrote RP
 acceptance letter.

reviewed 12-8-93 QR
 + Report of subsurf.
 Invest. by H-A.

GW sampled 11-8-93
 showed SE. MW3 has
 biggest hits. They
 defined gw. contam. w/
 the HPS. (Fig 5).

FILE OR

ENVELOPE

PLAN REVIEW

By Date

By Date

PER NO.

No. of

\$ 663.

Rec'd. 4/20

Pre-Concrete/Gunite

Covering

 OWNER

Pacific Cryogenic

No. 3

Plans Rec'd.

Pre-Plaster

Final

Address 2311 Magnolia St.

Oakland 94607 444-8081 site

Phone

Plans Approved

Layout Made

Rejected

Applicant Notified

Plans Returned

Permit Issued

CONSTRUCTION PROGRESS ACCEPTANCE

Pre-Plaster/drywall

Pre-Final

Final

EXCAVATION

Septic Tank

Absorption Field

Absorption Bed

House Sewer

FINAL

Septic Tank

Absorption Field

Absorption Bed

OTHER

 Contractor

Geo-Env. Tech.

Address 1936 Camden Ave. Ste #1

San Jose 95124 408/559-1220

Phone

OTHER (Specify) Gary Aguiar

Address Car phone 284-1661

2544 408/559-1220

Phone

CONTACT FOR INVESTIGATION Stuart Solmon

REMARKS

LOCATION

REMARKS

Date By

7-21 JE

Spoke w/ Gary Aguiar (owner of Altamira) & received letter from Stuart Solmon of Geo-Env. Tech., stating that Geo-Env. Tech. no longer exists.

7-23 JE

Received letter from Stuart Solmon of Geo-Env. Tech., stating that Geo-Env. Tech. no longer exists.

9-4-92 JE

Tel con w/ Aldo Guidotti (RP's lawyer) at 254-3450. He said Aguiar has another MW report to send me (it was due 9-7). He said ^{new} mw surface boxes were installed.

9-10 JE

Rec'd faxed letter responding to my letter of 7-22-92.

by

7/12 DB

Tanks removed B/A

5-26-92 JE

Wrote ltr to RP

7-13-92 JE

" " " (this time certified - since no response last time)

7-15-92 JE

Received response (letter) from Guidotti (RP's lawyer for estate of Jean Josephian). Also rec'd RW sampling report (4-13-92) + Quarterly RW sample (6-23-92)

Vicinity Map

Project # U542377

Fee Paid \$663.00

Date 6/20/89

2311 Magnolia St
Oakland CA 94607
PACIFIC CRYOGENIC

1211

1211A →

211
LOP
P

REMARKS		REMARKS		REMARKS	
Date		Date	By	Date	By
9-10	Wrote letter to RP clarifying 3 items, + req'g boring logs by 10-10-92				
9-23	Tel con w/ RP (Guidotti). Will off haul purge water				
	2) can't get boring logs for MW 2+3, but can prob. get legible copy for MW 1	11-6-92	JZ		
	3) they're trying to determine if piping is under bldg. Will notify me of excavation	11-12	JE		
9-29	Rev'd letter response to my letter of 9-10 from Guidotti. Tel con w/G. Aguiar. I told him that we need a site-specific safety plan even tho he's only planning to remove piping. It can be abbreviated.	11-18	JZ		
10-20	Reviewed 10-19 letter from Heaman re wastewater	11-25	JE		

disposal + site safety plan. This satisfies my requests of 9-29. Tel con w/Bary Aguiar. Piping is NOT under bldg, so they're planning to remove it on 11-12. MWS last sampled on 10-9. ^{Quarterly} Report is in the mail.

Reviewed 10-15-92 @ report by H-A. MW-3 has 11,500 ppb TPHg + 87 ppb benz for MWS sampled 10-9-92.

Site visit for piping removal + sampling. See report.

Overexcavation + resampling. Sampled stockpiles also.

Rev'd letter w/lab results for piping removal from Aguiar, dated 11-23-92.



Certified Mail # ? 367 604 259

03/23/92
STID# 1211

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

Notice of Requirement to Reimburse

Aldo Guidotti
Estate Of Jean Josephin
1 Bates Blvd., #300
Orinda, C A 94536

Responsible Party
Property Owner

Pacific Cryogenic
2311 Magnolia St.
Oakland , CA 94607

SITE

Date First Reported 11/29/89
Substance: Gasoline
Petroleum: (X)Yes

The federal Petroleum Leaking Underground Storage Tank Trust Fund (Federal Trust Fund) provides funding to pay the local and state agency administrative and oversight costs associated with the cleanup of releases from underground storage tanks. The legislature has authorized funds to pay the local and state agency administrative and oversight costs associated with the cleanup of releases from underground storage tanks. The direct and indirect costs of overseeing removal or remedial action at the above site are funded, in whole or in part, from the Federal Trust Fund. The above individual(s) or entity(ies) have been identified as the party or parties responsible for investigation and cleanup of the above site. **YOU ARE HEREBY NOTIFIED** that pursuant to Title 42 of the United States Code, Section 6991b(h)(6) and Sections 25297.1 and 25360 of the California Health and Safety Code, the above Responsible Party or Parties must reimburse the State Water Resources Control Board not more than 150 percent of the total amount of site specific oversight costs actually incurred while overseeing the cleanup of the above underground storage tank site, and the above Responsible Party or Parties must make full payment of such costs within 30 days of receipt of a detailed invoice from the State Water Resources Control Board.

Please contact Susan HUGO, Hazardous Materials Specialist at this office if you have any questions concerning this matter.

Edgar B. Howell, III, Chief
Contract Project Director

cc: Sandra Malos, SWRCB

SWRCB Use:

Add: X Reason: New Case

u

SENDER: Complete items 1 and 2 when additional services are desired, and complete items 3 and 4.

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

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

3. Article Addressed to: *std 1211*
Estate of Jean Josephin
attn Aldo Guidotti
1 Bates Blvd #300
Orinda, CA 94536

4. Article Number
P 367 604 259

- Type of Service:
 Registered Insured
 Certified COD
 Express Mail Return Receipt for Merchandise

Always obtain signature of addressee or agent and DATE DELIVERED.

5. Signature - Address
 X

8. Addressee's Address (ONLY if requested and fee paid)

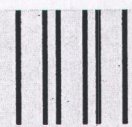
6. Signature - Agent
 X *cc [Signature]*

7. Date of Delivery
3/27/92

PS Form 3811, Mar. 1988 * U.S.G.P.O. 1988-212-865 DOMESTIC RETURN RECEIPT

UNITED STATES POSTAL SERVICE
 OFFICIAL BUSINESS

SENDER INSTRUCTIONS
 Print your name, address and ZIP Code in the space below.
 • Complete items 1, 2, 3, and 4 on the reverse.
 • Attach to front of article if space permits, otherwise affix to back of article.
 • Endorse article "Return Receipt Requested" adjacent to number.



PENALTY FOR PRIVATE USE, \$300

92 MAR 30 PM 12:41

RETURN TO

Print Sender's name, address, and ZIP Code in the space below.

DEPARTMENT OF ENVIRONMENTAL HEALTH
HAZARDOUS MATERIALS DIVISION
 80 SWAN WAY, SUITE 200
 OAKLAND, CA 94621
 430 - 4530

P 367 604 259
 RECEIPT FOR CERTIFIED MAIL
 NO INSURANCE COVERAGE PROVIDED
 NOT FOR INTERNATIONAL MAIL
 (See Reverse)

Sent to <i>Aldo Guidotti</i>	
Street and No. <i>1 Bates Blvd, #300</i>	
P.O., State and ZIP Code <i>Orinda, CA 94536</i>	
Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt showing to whom and Date Delivered	
Return Receipt showing to whom, Date, and Address of Delivery	
TOTAL Postage and Fees	\$ <i>2.29</i>
Postmark or Date	<i>MAR 26 1992</i>

std # 1211

PS Form 3800, June 1985 * U.S.G.P.O. 1989-234-555

ALDO P. GUIDOTTI, INC.
CHARLES A. LEE

GUIDOTTI AND LEE
A PARTNERSHIP INCLUDING A PROFESSIONAL CORPORATION
ATTORNEYS AT LAW
ONE BATES BOULEVARD, SUITE 300
ORINDA, CALIFORNIA 94563
TELEPHONE (510) 254-3450
FAX (510) 254-6411

RAYMOND E. MELLANA
RETIRED

92 JUL 15 PM 3:36

July 9, 1992

Alameda County
Health Care Services Agency
Department of Environmental Health
Hazardous Materials Division
80 Swan Way, Room 200
Oakland, CA 94621

Attention: Jennifer Eberle
Hazardous Materials Specialist

Re: STID #1211
Estate of Jean L. Josephian, successor to
Pacific Oxygen Company
2311 Magnolia Street, Oakland, CA 94607

Dear Ladies and Gentlemen:

This will acknowledge the letter dated May 26, 1992 from Susan L. Hugo with reference to the removal of underground storage tanks at the above location.

With reference to your request for a clarification of the items set forth in the second paragraph of said letter, I have written Mr. Stuart Solomon of Geo-Environmental Technology on June 3, 1992, and telephoned his office. I have not received a reply, however, the Progressive Report dated November 20, 1990, from Geo-Environmental (copy enclosed) appears to clarify the issues.

Enclosed for your review and consideration is a copy of the ground water sampling report of Hageman-Aguiar, Inc. dated April 13, 1992, relating to the waste oil tank removal. (The Progressive Report dated November 10, 1990 from Geo-Environmental Technology is attached thereto as Attachment "C".)

Hageman-Aguiar, Inc. has made additional water samples on June 16, 1992. As soon as the report is completed, I will furnish the same to you.

Alameda County
Health Care Services
Attention: Jennifer Eberle
July 9, 1992
Page Two

92 JUL 10 PM 12:20

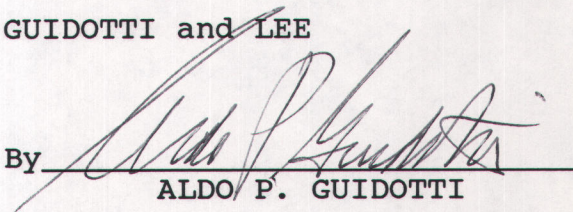
As Executor of the Estate of Jean L. Josephian, I appreciate your consideration of this matter, which has been pending for nearly three years and has been a financial burden to the estate and the final settlement thereof.

Hopefully, the present engineering firm of Hageman-Aguiar, Inc. will be of assistance in attempting to resolve the matter.

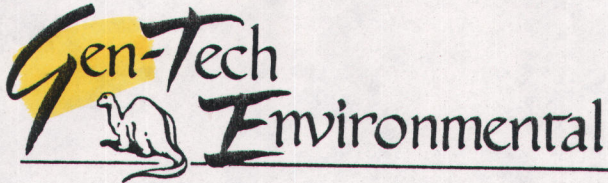
Sincerely,

GUIDOTTI and LEE

By


ALDO P. GUIDOTTI

APG:rhc
Enclosures
cc: Rich Hiatt of RWQCB



1936 Camden Ave., Suite 1
San Jose, CA 95124
Contractor's Lic. #615869

Tel. (408) 559-1220 • Fax (408) 559-1228 • 1-800-499-1220

July 21, 1992

Aldo Guidotti
Estate of Jean Joshephine
1 Bates Blvd., #300
Orinda, CA 94536

Re: Pacific Cryogenics
2311 Magnolia St.
Oakland, CA 94607

92 JUL 23 PM 2:18

Dear Mr Guidotti,

I am in receipt of the letter sent to you by the Alameda County Health Care Services Agency on July 13, 1992, concerning the subject property.

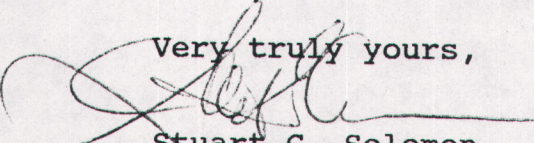
Geo-Environmental Technology was bankrupted under Chapter 7 on December 5, 1990 (please see attached document). The company no longer exists. I (Stuart Solomon) have since taken a Senior Consulting position with Gen-Tech Environmental of San Jose, CA..

The records pertaining to the subject site are in an archive file available to Gen-Tech for reference. Because I was employed by Geo-Environmental at the time of the work in question, I may have some personal knowledge that could be of help in resolving the questions relating to the Pacific Cryogenics site.

If you wish to employ Gen-Tech for assistance in this matter, we would be pleased to help you wherever we can. I have enclosed Gen-Tech's standard schedule for hourly billing.

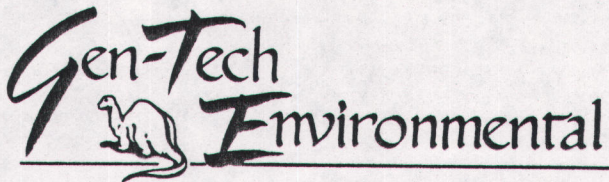
Please feel free to call if you have any questions, or to arrange for the desired consulting services.

Very truly yours,


Stuart G. Solomon
Senior Consultant

cc:

Rich Hiet, RWQCB, San Francisco Bay Region
Susan Hugo, Alameda County Health Care Services Agency



1936 Camden Ave., Suite 1
San Jose, CA 95124
Contractor's Lic. #615869

SCHEDULE FOR HOURLY BILLINGS AND SERVICES Tel. (408) 559-1220 • Fax (408) 559-1228 • 1-800-499-1220

Gen-Tech's standard billing rates are as follows:

<u>Personnel</u>	<u>Rate</u>
President -	\$120/hour
Registered Professional -	\$90/hour
Senior Management Personnel -	\$80/hour
Construction Manager or Superintendent -	\$80/hour
Project Manager -	\$78/hour
Field Technician -	\$55/hour
Secretarial -	\$50/hour

<u>Materials and Subcontractors</u>	<u>Rate</u>
Materials -	cost + 15%
Laboratory fees -	cost + 15%
Subcontractors -	cost + 22%
Equipment Rentals -	cost + 22%
Document Copies -	\$.25 per page

Insurance

A 2.5% fee is added to the gross amount of each invoice to cover the cost of liability insurance. GTE's liability coverage limits are one million dollars.

LINE
SSIONAL CORPORATION
NEY AT LAW
NORTH MARKET ST., SUITE 416
SAN JOSE, CALIFORNIA 95113

Telephone: (408) 277-0424

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA

FILED
ORDER FOR RECORD
DEC 5 2 25 PM '90
COURT
CHAPTER 7 CASE NO.

In Re:

STUART G. SOLOMON
SSN: 569-74-2208
FDBA: ENVIRONMENTAL TECHNOLOGY
EI: 77-0160466
FDBA: GEO-ENVIRONMENTAL TECHNOLOGY
EI: 77-0219894

Debtor (include here all names used
by Debtor within last 6 years)

VOLUNTARY PETITION

1. Petitioner mailing address, including County is 4761 CALLE DE TOSCA
SAN JOSE, CA 95118 (COUNTY OF SANTA CLARA)

2. Petitioner has resided [or has had his domicile or has had his principle place of
business or has had principle assets] within this district for the preceding 180 days [or for
a longer portion of the preceding 180 days than in any other district].

3. Petitioner is qualified to file this Petition and is entitled to the benefits of
Title II, United States Code as a voluntary debtor.

4. Petitioner is aware that [he or she] may proceed under Chapter 7 or 13 of Title II,
United States Code, understands the relief available under each such Chapter, and chooses to
proceed under Chapter 7 of such title.

5. A declaration in the form of Exhibit "B" is attached to and made a part of this
petition.

WHEREFORE, Petitioner prays for relief in accordance with Chapter 7 of Title II, United
States Code.

SUZANNE L. DECKER
ATTORNEY AT LAW
405 14th ST., #1130
OAKLAND, CA 94612

Signed Raymond R. Miller
ATTORNEY FOR PETITIONER

I, STUART G. SOLOMON, the Petitioner named in the foregoing
petition, declare under penalty of perjury that the foregoing is true and correct.

EXECUTED ON 12/5/90

Signed [Signature]
PETITIONER

Signed _____
PETITIONER

Pacific Cryogenic
2311 Magnolia St.
Oakland 94607

Alameda County Environmental Health

1131 Harbor Bay Pkwy., #250
Alameda CA 94502-6577
Telephone (510) 567-6700 FAX (510) 337-9335

FACSIMILE COVER SHEET

TO: A.J. Kutchins Fax # 510-891-8115

FROM: Carry Seto

DATE: 2-1-2000

Total number of pages including cover sheet _____

~~NOTES-~~ Fixed copy of consent letter to him.
He has a concern that the lender will
not give the buyer a loan without assent.
I told him a consent letter may meet
the lenders requirements

ALDO P. GUIDOTTI, INC.
CHARLES A. LEE

GUIDOTTI AND LEE
A PARTNERSHIP INCLUDING A PROFESSIONAL CORPORATION
ATTORNEYS AT LAW
ONE BATES BOULEVARD, SUITE 300
ORINDA, CALIFORNIA 94563
TELEPHONE (925) 254-3450
FAX (925) 254-6411

ENVIRONMENTAL
PROTECTION
RAYMOND B. MELLANA
RETIRED
00 MAY 11 PM 3:42

May 10, 2000

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

Re: Pacific Cryogenics, 2311 Magnolia Street,
Oakland, CA 94607

Dear Mr. Seto:


This will acknowledge and thank you for your letter of May 8, 2000. The first paragraph requests clarification of when the three tanks were removed. The 8,000 gallon diesel tank was removed on June 30, 1989 according to the report in your file which indicated a representative from your office was present during the removal. Also, the report of GEO Environmental states the 8,000-gallon tank was removed on June 30, 1989, and the 1,000-gallon gasoline tank and the 500-gallon waste oil tank were removed on July 12, 1989. Enclosed is a copy of the Uniform Hazardous Waste Manifest which appears to be identical to the copy forwarded to you by Gary Aguiar with his report of April 13, 2000, excepting the enclosed copy has item 20 completed and is dated July 12, 1989, the date the two smaller tanks were removed.

With reference to paragraph 2, I have requested that Gary Aguiar prepare and submit a work plan to you for your approval. It does appear that every report submitted since April 13, 1992 contained the statement on the bottom of page 1 "no data regarding these wells [MW-2 and MW-3] appear to be available at the present time." It would have expedited the matter had the lady overseeing the project expressed some concern so that this item could have been remedied during the past eight years.

Very truly yours,

GUIDOTTI and LEE

By


ALDO P. GUIDOTTI

APG:m
Enclosures

cc: Gary Aguiar, Hageman-Aguiar, Inc.

88228617 Job # 06882

IN CASE OF AN EMERGENCY OR SPILL, CALL THE NATIONAL RESPONSE CENTER 1-800-424-8802; WITHIN CALIFORNIA CALL 1-800-852-9650

GENERATOR

FACILITY

UNIFORM HAZARDOUS WASTE MANIFEST		1. Generator's US EPA ID No. CAC00001184846000011		Manifest Document No. 000011		2. Page 1 of 1		Information in the shaded areas is not required by Federal law.	
3. Generator's Name and Mailing Address MR. ALDO GUIDOTTI P. O. Box 3042 Oakland, CA 94609						A. State Manifest Document Number 88228617			
4. Generator's Phone (415) 652-0772						B. State Generator's ID			
5. Transporter 1 Company Name H & H Ship Service Company			6. US EPA ID Number CAD00047711168			C. State Transporter's ID 003758		D. Transporter's Phone (415) 543-4835	
7. Transporter 2 Company Name			8. US EPA ID Number			E. State Transporter's ID		F. Transporter's Phone	
9. Designated Facility Name and Site Address H & H Ship Service Company 220 China Basin Street San Francisco, CA 94107						10. US EPA ID Number CAD00047711168			
G. State Facility's ID CAD00047711168						H. Facility's Phone (415) 543-4835			
11. US DOT Description (Including Proper Shipping Name, Hazard Class, and ID Number)					12. Containers No.	13. Total Quantity	14. Unit Wt/Vol	15. Waste No.	
a. RESIDUE GASOLINE TANK (CALIFORNIA ONLY REGULATED WASTE)					001	TP 08000	P	State 512 EPA/Other	
b. RESIDUE GASOLINE TANK (CALIFORNIA ONLY REGULATED WASTE)					001	TP 00000	P	State 512 EPA/Other	
c. RESIDUE WASTE OIL TANK (CALIFORNIA ONLY REGULATED WASTE)					001	TP 00500	P	State 512 EPA/Other	
d.								State EPA/Other	
J. Additional Descriptions for Materials Listed Above PUMPED OUT 8,000, 10000 and 500 gallon tanks last containing gasoline and waste oil.						K. Handling Codes for Wastes Listed Above			
						a. 01	b. 01		
						c. 01	d.		
15. Special Handling Instructions and Additional Information APPROPRIATE PROTECTIVE CLOTHING AND RESPIRATOR.									
16. GENERATOR'S CERTIFICATION: I hereby declare that the contents of this consignment are fully and accurately described above by proper shipping name and are classified, packed, marked, and labeled, and are in all respects in proper condition for transport by highway according to applicable international and national government regulations. If I am a large quantity generator, I certify that I have a program in place to reduce the volume and toxicity of waste generated to the degree I have determined to be economically practicable and that I have selected the practicable method of treatment, storage, or disposal currently available to me which minimizes the present and future threat to human health and the environment; OR, if I am a small quantity generator, I have made a good faith effort to minimize my waste generation and select the best waste management method that is available to me and that I can afford.									
Printed/Typed Name DAVID WHITFIELD					Signature <i>David Whitfield</i>		Month Day Year 10 6 3 0 8 9		
17. Transporter 1 Acknowledgement of Receipt of Materials					Printed/Typed Name KEVIN E. JOHNSON		Signature <i>Kevin E. Johnson</i>		Month Day Year 10 6 3 0 8 9
18. Transporter 2 Acknowledgement of Receipt of Materials					Printed/Typed Name		Signature		Month Day Year
19. Discrepancy Indication Space									
20. Facility Owner or Operator Certification of receipt of hazardous materials covered by this manifest except as noted in Item 19.									
Printed/Typed Name <i>David Valley</i>					Signature <i>David Valley</i>		Month Day Year 10 7 12 8 9		

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



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

May 12, 2000

Mr. Also P. Guidotti
Attorney at Law
One Bates Boulevard
Orinda, CA 94563
STID1211

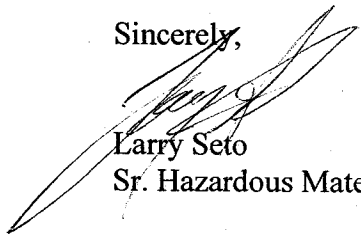
RE: Pacific Cryogenics, 2311 Magnolia Street, Oakland, CA 94607

Dear Mr. Guidotti:

Thank-you for your letter dated May 10, 2000 and a copy of the completed manifest for the removal and disposal of the three underground tanks.

I look forward to reviewing the workplan that will be submitted by Hageman-Aguiar so that we can move this case to closure.

Sincerely,



Larry Seto
Sr. Hazardous Materials Specialist

Cc: Gary Aguiar, Hageman-Aguiar Inc., 11100 San Pablo Avenue, Suite 200-A,
El Cerrito, CA 94530

Files

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



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

December 5, 2000

Estate of Jean Josephian c/o
Mr. Aldo Guidotti, Attorney at Law
One Bates Boulevard, Suite 300
Orinda, CA 94563
STID 1211

RE: Pacific Cryogenic, 2311 Magnolia Street, Oakland, CA 94607

Dear Mr. Guidotti:

This office and the San Francisco Regional Water Quality Control Board have reviewed the case closure summary for the above referenced site. We concur that no further action related to the underground tank release is required at this time. Before a remedial action completion letter is sent, the on-site monitoring well(s) should be decommissioned, if they will no longer be used for monitoring. Please notify this office upon completion of well destruction so a closure letter can be issued.

Well destruction permits may be obtained from Alameda County Public Works. They can be reached at (510) 670-5575 or 670-5248.

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

Sincerely,



Larry Seto
Sr. Hazardous Materials Specialist

Cc: Paul Discoe, O2 Artisans Aggregate, 2500 Kirkham Street, Oakland, CA 94607
Files

GUIDOTTI AND LEE

A PARTNERSHIP INCLUDING A PROFESSIONAL CORPORATION

ALDO P. GUIDOTTI, INC.
CHARLES A. LEE

ATTORNEYS AT LAW
ONE BATES BOULEVARD, SUITE 300
ORINDA, CALIFORNIA 94563
TELEPHONE (925) 254-3450
FAX (925) 254-6411

RAYMOND E. MELLANA
RETIRED

December 21, 2000

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

Re: Pacific Cryogenics, 2311 Magnolia Street,
Oakland, CA 94607

Dear Mr. Seto:

This will acknowledge and thank you for your letter of December 5, 2000. In accordance therewith, I am enclosing copy of letter of December 8, 2000, from Gary Aguiar of Hydro Analysis, Inc., successor to Hageman and Aguiar, relating to the well destruction.

As soon as pre-approval is received from the UST Cleanup Fund of the State Water Resources Control Board, we will proceed with the work so this matter and the estate can finally be closed after 11 years.

Thanking you for your courtesy and assistance in this matter.

Very truly yours,

GUIDOTTI and LEE

By 
ALDO P. GUIDOTTI

APG:m
Enclosures

cc: Gary Aguiar, Hydro Analysis, Inc.

00 DEC 26 AM 11:10

ENVIRONMENTAL
PROTECTION