

LOP - CHANGE RECORD REQUEST FORM

printed:  
10/09/96

Mark Out What Needs Changing and Hand to LOP Data Entry  
(Name/Address changes go to Annual Programs Data Entry)

Insp:

AGENCY # : 10000      SOURCE OF FUNDS: F      SUBSTANCE: 8006619  
 StID : 3574      LOC: 11/10/93  
 SITE NAME: Cliff's Forklift      DATE REPORTED : 09/22/89  
 ADDRESS : 21031 Western Blvd      DATE CONFIRMED: 09/22/89  
 CITY/ZIP : Hayward      94541      MULTIPLE RPs : Y

SITE STATUS

-----  
 CASE TYPE: G      CONTRACT STATUS: 4      PRIOR CODE:1C3      EMERGENCY RESP: -0-  
 RP SEARCH: S      DATE COMPLETED: 11/18/91  
 PRELIMINARY ASMNT: C      DATE UNDERWAY: 12/19/95      DATE COMPLETED: 12/20/95  
 REM INVESTIGATION: C      DATE UNDERWAY: 12/19/95      DATE COMPLETED: 06/12/96  
 REMEDIAL ACTION: -      DATE UNDERWAY: -0-      DATE COMPLETED: -0-  
 POST REMED ACT MON:C      DATE UNDERWAY: 12/27/95      DATE COMPLETED: 06/12/96

ENFORCEMENT ACTION TYPE: 1      DATE ENFORCEMENT ACTION TAKEN: 11/18/91  
 LUFT FIELD MANUAL CONSID: 3HSCAWG  
 CASE CLOSED: -      DATE CASE CLOSED: -0-  
 DATE EXCAVATION STARTED : 08/21/89      REMEDIAL ACTIONS TAKEN: ED

RESPONSIBLE PARTY INFORMATION

-----  
 RP#1-CONTACT NAME: W & K. Florence  
 COMPANY NAME: William G. & Kathy S. Florence  
 ADDRESS: 6316 Castle Dr.  
 CITY/STATE: Oakland CA 94611

RP#2-CONTACT NAME: Clifford Thompson  
 COMPANY NAME: Cliffs Forklift  
 ADDRESS: 21051 Western Blvd.  
 CITY/STATE: Hayward, Ca 94541

INSPECTOR VERIFICATION:

NAME _____	SIGNATURE _____	DATE _____
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DATA ENTRY INPUT:

Name/Address Changes Only	Case Progress Changes
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ANNPCMS _____	LOP _____	DATE _____		LOP _____	DATE _____
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ALAMEDA COUNTY  
HEALTH CARE SERVICES



AGENCY  
DAVID J. KEARS, Agency Director

Alameda County CC4580  
Environmental Health Services  
1131 Harbor Bay Pkwy., #250  
Alameda CA 94502-6577  
(510)567-6700 FAX(510)337-9335

StId 3574

August 16, 1996

William and Kathy Florence  
6316 Castle Dr  
Oakland CA 94611

Subject: Investigations at Cliff's Forklift Repair located at 21031 Western Blvd., Hayward, CA

Dear Mr. and Mrs. Florence:

This office has completed a review of Streamborn's report *Soil and Groundwater Investigations*, dated January 18, 1996, and quarterly groundwater monitoring reports, dated April 4 and June 27, 1996, regarding the subject site. Total Petroleum Hydrocarbons as Gasoline (TPH-G) and benzene, toluene, ethylbenzene, and xylenes (BTEX) were not identified in any of the soil or groundwater samples analyzed in the soil and groundwater investigation completed in December 1995. In addition, TPH-G and BTEX were not identified during two subsequent quarters of groundwater sampling of the three monitoring wells (MW-1, MW-2, and MW-3) at this site.

Based on this information, this office will review this site for possible case closure. Effective immediately, you may discontinue quarterly groundwater sampling and reporting until further notice.

If you have any questions or comments, please contact me at (510)567-6755.

Sincerely,

Amy Leech  
Hazardous Materials Specialist

c: Keith D. Beury, Streamborn, PO Box 8330, Albany CA 94706  
Cheryl Gordon, SWRCB  
Gordon Coleman - File(ALL)

white - env. health  
yellow - facility  
pink - files

# ALAMEDA COUNTY, DEPARTMENT OF ENVIRONMENTAL HEALTH

1131 Harbor Bay Pkwy  
Alameda CA 94502  
510/567-6700

## Hazardous Materials Inspection Form

II, III

Site ID # 3574 Site Name Cliff's Forklift Today's Date 12/19/95

Site Address 21031 Western Blvd

City Hayward Zip 94541 Phone \_\_\_\_\_

\_\_\_\_ MAX AMT stored > 500 lbs, 55 gal., 200 cft.?

**Inspection Categories:**

- \_\_\_\_ I. Haz. Mat/Waste GENERATOR/TRANSPORTER
- \_\_\_\_ II. Hazardous Materials Business Plan, Acutely Hazardous Materials
- X III. Under ground Storage Tanks (LOP Investigation)

\* Calif. Administration Code (CAC) or the Health & Safety Code (HS&C)

**Comments:**

(On-site to survey well installation) / soil boring investigation:

The 1st boring was emplaced at the south end of the former tank pit. Soil encountered to approx. 8' bgs, brown stiff clay to approx. 25' bgs, 25-30' silty clay. Water noted at 30' and stabilized @ 25' bgs. No odors detected & no reading w/ OVM. (These findings seem to be consistent w/ results of overexcavation - confirmatory samples were trace -> ND on south side)

Doug Level asked if it was necessary to install a boring on the north end of the tank pit. Since the center & southern portion of pit come back hot after overexcavation, I told him it would be helpful to have this data to confirm extent of the soil contamination.

Spoke w/ Cliff of Cliff's Forklift who said stockpiled was spread & berated out on side of building but he is not sure if it was hauled off site. He thinks tank pit was filled w/ clean fill.

Other work will continue today & tomorrow to install boring south of VST pit & 3 monitoring wells

Contact \_\_\_\_\_  
Title \_\_\_\_\_  
Signature \_\_\_\_\_

Inspector A Leech  
Signature A Leech

II, III

ALAMEDA COUNTY  
HEALTH CARE SERVICES  
AGENCY

DAVID J. KEARS, Agency Director



RAFAT A. SHAHID, ASST. AGENCY DIRECTOR

DEPARTMENT OF ENVIRONMENTAL HEALTH  
State Water Resources Control Board  
Division of Clean Water Programs  
UST Local Oversight Program

ALAMEDA COUNTY CC4580  
DEPT. OF ENVIRONMENTAL HEALTH  
ENVIRONMENTAL PROTECTION DIVISION  
1131 HARBOR BAY PKWY., #250  
ALAMEDA CA 94502-6577

January 23, 1995

William and Kathy Florence  
6316 Castle Dr  
Oakland CA 94611

StId 3574

Subject: Addendum to work plan for investigations at Cliff's  
Forklift Repair located at 21031 Western Blvd.,  
Hayward, California.

Dear Mr. and Mrs. Florence:

This office received and reviewed Streamborn's addendum to the  
work plan, dated December 22, 1994. The addendum is acceptable  
to this office.

Please notify me at least 3 business days in advance of field  
activities so that I may arrange to be on-site. If you have any  
questions, please contact me at (510)567-6755.

Sincerely,

A handwritten signature in cursive script, appearing to read "Amy Leech".

Amy Leech  
(Hazardous Materials Specialist)

cc: Keith D. Beury / *Doug Level*  
Streamborn  
900 SantaFe Ave  
Albany CA 94706

Edgar Howell

lop\3574.195

## STATE WATER RESOURCES CONTROL BOARD

## DIVISION OF CLEAN WATER PROGRAMS

2014 T STREET, SUITE 130

P.O. BOX 944212

SACRAMENTO, CALIFORNIA 94244-2120

(916) 227-4360

(916) 227-4530 (FAX)

DEC 07 1994

3574  
JMS94 DEC -9 PM 2:51  
HAZMAT

W. G. and K. A. Florence  
6316 Castle Dr.  
Oakland, CA 94611

Dear Mr. & Mrs. Florence:

UNDERGROUND STORAGE TANK CLEANUP FUND PROGRAM, NOTICE OF WITHDRAWAL OF LETTER OF COMMITMENT: CLAIM NUMBER 003588; FOR SITE ADDRESS: 21031 Western Blvd., Hayward

On September 27, 1994, a "Notice of Proposed Withdrawal of Letter of Commitment" was sent to you. The notice informed you that your Letter of Commitment (LOC) was to be withdrawn and your claim removed from the Priority List and the reason(s) for that determination. The notice also informed you that if you did not agree with the determination, you could request a review within thirty (30) calendar days of the date of the Notice.

Since you did not request a review within the time specified, I have determined that your claim is not eligible for participation in the Underground Storage Tank Cleanup Fund and your LOC is hereby withdrawn.

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

Sincerely,

Dave Deaner, Manager  
Underground Storage Tank Cleanup Fund

cc: California Regional Water Quality  
Control Board, San Francisco Bay Region  
Attn: Steve Morse  
2101 Webster Street, Suite 500  
Oakland, CA 94612

Alameda County EHD  
Attn: Tom Peacock ✓  
1131 Harbor Bay Pkwy, 2nd Floor  
Alameda, CA 94502-6577

See telephone notes 12/19/94

ALAMEDA COUNTY  
HEALTH CARE SERVICES  
AGENCY

DAVID J. KEARS, Agency Director



RAFAT A. SHAHID, ASST. AGENCY DIRECTOR

DEPARTMENT OF ENVIRONMENTAL HEALTH  
State Water Resources Control Board  
Division of Clean Water Programs  
UST Local Oversight Program

December 2, 1994

ALAMEDA COUNTY CC4580  
DEPT. OF ENVIRONMENTAL HEALTH  
ENVIRONMENTAL PROTECTION DIVISION  
1131 HARBOR BAY PKWY., #250  
ALAMEDA CA 94502-6577

William and Kathy Florence  
6316 Castle Dr  
Oakland CA 94611

StID 3574

Re: Work plan for investigations at Cliff's Forklift Repair  
located at 21031 Western Blvd., Hayward, California.

Dear Mr. and Mrs. Florence:

This office has reviewed Streamborn's work plan, dated November 14, 1994. This work plan is acceptable to this office provided that the following items are addressed and/or included:

- o Please be reminded that in order to qualify for reimbursement from the State Trust Fund, you must obtain three bids for this job. ✓
- o The proposed monitoring wells should be placed at least 20 feet apart to assist in determining the local ground water gradient. Per Juliet Shin's conversation of our office with Keith Beury on November 30, 1994, Streamborn will submit a revised "Facility Layout" showing new well and boring locations.
- o Screen placement for the monitoring wells should range from 10 feet below to 5 feet above the water table.
- o The development of monitoring wells must comply with Title 23, Article 4, Section 2649d8 of the California Health & Safety Code:  
  
72 or more hours following well construction, all ground water monitoring wells shall be adequately developed and equilibrium shall be established prior to any water sampling. Additionally, please be reminded to wait a minimum of 24 hours after development of the wells before sampling.
- o Subsequent to the installation of monitoring wells, these wells must be surveyed to an established benchmark, with an accuracy of 0.01 foot. Quarterly ground water monitoring and reporting will be required until this site qualifies for closure. Ground water elevations and corresponding gradient determinations are to be conducted monthly for 12 months and then quarterly thereafter.

Florence

Re: 21031 Western Blvd

December 2, 1994

page 2 of 2

- o All soil and water samples must be analyzed for total lead in addition to TPH-gasoline and BTEX as indicated in your plan. If lead levels are acceptable, you will not be required to test for lead in subsequent sampling events.
- o Per the "Anticipated Schedule" included in the plan, field work will begin the first week of January 1995. If any changes to this schedule are made, please contact this office.

If you have any questions or comments, please contact me at (510)567-6755.

Sincerely,



Amy L. Leech

Hazardous Materials Specialist

cc: Keith D. Beury  
Streamborn  
900 SantaFe Ave  
Albany CA 94706

Edgar Howell-File(ALL)

ALAMEDA COUNTY  
HEALTH CARE SERVICES



AGENCY  
DAVID J. KEARS, Agency Director

RAFAT A. SHAHID, Assistant Agency Director

August 24, 1994

Ms. Kathy Florence  
6316 Castle Drive  
Oakland, CA 94611

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

Re: Requirements for the State Trust Fund commitment letter  
for site located at 21031 Western Blvd., Hayward,  
California

Dear Ms. Florence,

In November 1993, you received a Letter of Commitment (LOC) from the State Trust Fund for the above site. The case files for the site were recently reviewed by the State Trust Fund, and it was determined that the site is currently not in compliance with the required investigations. Please be reminded that diligent efforts must be made to investigate and remediate contamination at the site, and if the site does not remain in compliance, steps will be taken to remove the site's claim from the State Trust Fund priority list.

The County issued you a letter on November 29, 1993 requiring the submittal of a Preliminary Site Assessment work plan addressing both soil and ground water investigations at the site. This work plan was due by February 1994. In a letter dated February 10, 1994, you requested a 30-day extension of the due date, based on difficulties you were having in obtaining three bids. Therefore, this work plan was due by the end of March 1994. To this date, this office has not received this work plan, or any communication as to the status of this work plan.

In an effort to encourage continual investigative efforts at the site and to gauge the site's status of compliance, this office is assigning a **due date of November 16, 1994** for the submittal and implementation of the referenced work plan.

Please be advised that this is a formal request for a work plan pursuant to **Section 2722 (c) (d) of Title 23 California Code of Regulations.**

If you have any questions or comments, please contact me at (510) 567-6763.

Sincerely,

  
Juliet Shin  
Hazardous Materials Specialist



Ms. Kathy Florence  
Re: 21031 Western Blvd.  
August 24, 1994  
Page 2 of 2

cc: Donna Turcotte  
State Water Resources Control Board  
Division of Clean Water Programs  
Underground Storage Tank Cleanup Fund  
P.O. Box 944212  
Sacramento, CA 94244-2120

Edgar Howell-File(JS)

STATE WATER RESOURCES CONTROL BOARD  
DIVISION OF CLEAN WATER PROGRAMS  
2014 T STREET, SUITE 130  
P.O. BOX 944212  
SACRAMENTO, CALIFORNIA 04244-2120  
(916) 227-4307  
(916) 227-4530 (FAX)



July 18, 1994

W. G. and K. A. Florence  
6316 Castle Dr.  
Oakland, CA 94611

**UNDERGROUND STORAGE TANK CLEANUP FUND PROGRAM, NO RESPONSE TO LETTER OF COMMITMENT (LOC): CLAIM NUMBER 003588; FOR SITE ADDRESS: 21031 Western Blvd., Hayward**

It has come to my attention that the LOC issued to you on November 10th, 1993 in the amount of \$20,000 has not been responded to with a request for reimbursement.

Please submit your reimbursement request with all of the required supporting documentation, or a written explanation as to the status of the cleanup and why you have not requested reimbursement to date. If a request or adequate explanation is not received within thirty (30) calendar days from the date of this letter, I will take steps to begin the withdrawal process of your LOC.

Please send your reimbursement request or explanation to:

State Water Resources Control Board  
Division of Clean Water Programs  
Underground Storage Tank Cleanup Fund Program  
Attention: Francine Aguirre, Claim No. 003588  
P. O. Box 944212  
Sacramento, CA 94244-2120

If you have any questions, please contact Donna L. Turcotte at (916) 227-4532.

Sincerely,

A handwritten signature in cursive script, appearing to read "Donna L. Turcotte".

for Francine Aguirre  
Team Leader, Regions 1 and 2  
Underground Storage Tank Cleanup Fund

cc: California Regional Water Quality  
Control Board, San Francisco Bay Region  
Attn: Steve Morse  
2101 Webster Street, Suite 500  
Oakland, CA 94612

Alameda County EHD  
Attn: Ed Howell  
80 Swan Way, Room 200  
Oakland, CA 94621

February 10, 1994

ALCO  
HAZMAT  
94 FEB 14 PM 3:23

Juliette Chin  
Alameda County  
Dept of Environmental Health  
80 Swan Way Room 200  
Oakland, Ca 94621

Re: 21031 Western Blvd

Dear Juliette:

Per our telephone conversation yesterday, We would like to request a 30 day extension to get a workplan submitted. The reason for this request is that out of nine companies that I wrote and requested bids for a workplan, only two responded and one of the two did not really give me a firm figure for the plan but wanted to do it on a time and material basis.

I have secured another list of companies to request this information /bid from but I need the extra time so that they can respond to my request.

Thank you in advance for your help and I look forward to hearing from you. You can reach me at 482-1874.

Sincerely,



Kathy Florence  
6316 Castle Dr  
Oakland, Ca 94611

cc: Blessie Torres  
State UST Fund

ALAMEDA COUNTY  
HEALTH CARE SERVICES  
AGENCY

DAVID J. KEARS, Agency Director



RAFAT A. SHAHID, ASST AGENCY DIRECTOR

November 29, 1993

Ms. Kathy Florence  
6316 Castle Drive  
Oakland, CA 94611

DEPARTMENT OF ENVIRONMENTAL HEALTH  
State Water Resources Control Board  
Division of Clean Water Programs  
UST Local Oversight Program  
80 Swan Way, Rm 200  
Oakland, CA 94621  
(510) 271-4530

STID 3574

Re: Ninety-Day letter for investigations at Cliff's Forklift,  
located at 21031 Western Blvd., Hayward, CA 94541

Dear Ms. Florence,

It is the understanding of this office that you have recently received a **Letter of Commitment (LOC)** from the State Trust Fund to assist in implementing the first phase of investigations at the site. The case file for the above site was recently reviewed by the State Water Resources Control Board staff and it was determined that you are currently not in compliance with the State's requirements for conducting investigations and remediation at the site. In order for the State to follow through with its LOC, you are required to begin implementing the investigation/remediation requirements of the State **within 90 days** of the date of this letter.

On August 21, 1989, a 1,000-gallon gasoline underground storage tank (UST) was removed from the site. Lab analysis results for soil samples collected from the UST pit identified Total Petroleum Hydrocarbons as gasoline (TPHg) as high as 9,500 parts per million (ppm). Guidelines established by the California Regional Water Quality Control Board (RWQCB) require that soil and ground water investigations be conducted when there is evidence to indicate that a release from an UST will impact or may have impacted the ground water.

Per **Section 2723, Article 11, Title 23 California Code of Regulations**, you are required to conduct a **Preliminary Site Assessment (PSA)** to determine the lateral and vertical extent and severity of soil and ground water contamination resulting from the release at the site. The information gathered by the PSA will be used to determine an appropriate course of action to remediate the site, if deemed necessary. The PSA must be conducted in accordance with the RWQCB's Staff Recommendations for the Initial Evaluation and Investigation of Underground Tanks, and be consistent with requirements set forth in Article 11 of Title 23 California Code of Regulations. The major elements of such an investigation are summarized in the **attached Appendix A**. The major elements of the guidelines include, but are not limited to, the following:

Ms. Kathy Florence  
Re: 21031 Western Blvd.  
November 29, 1993  
Page 2 of 3

- o At least one ground water monitoring well must be installed within 10 feet of the observed soil contamination, oriented in the confirmed downgradient direction relative to ground water flow. In the absence of data identifying the confirmed downgradient direction, a minimum of three wells will be required to verify gradient direction. During the installation of these wells, soil samples are to be collected at five-foot-depth intervals of any significant changes in lithology.
  
- o Subsequent to the installation of the monitoring wells, these wells must be surveyed to an established benchmark, with an accuracy of 0.01 foot. Ground water samples are to be collected and analyzed quarterly, and water level measurements are to be collected monthly for the first three months, and then quarterly thereafter. If the initial ground water elevation contours indicate that ground water flow directions vary greatly than you will be required to continue monthly water level measurements until the ground water gradient behavior is known. Both soil and ground water samples must be analyzed for the appropriate fuel contaminants listed in **Table 2** of the RWQCB's Staff Recommendations for the Initial Evaluation and Investigation of Underground Tanks.

This Department will oversee the assessment and remediation of your site. Our oversight will include the review of and comment on work proposals and technical guidance on appropriate investigative approaches and monitoring schedules. The issuance of well drilling permits, however, will be through the Alameda County Flood Control and Water Conservation District, Zone 7, in Pleasanton. The RWQCB may choose to take over as lead agency if it is determined, following the completion of the initial assessment, that there has been a substantial impact to ground water.

**The PSA proposal is due within 90 days of the receipt of this letter.** Once the proposal is approved, field work should commence within 60 days. A report must be submitted within 45 days after the completion of this phase of work at the site. Subsequent reports are to be submitted quarterly until this site qualifies for final RWQCB "sign-off". Such quarterly reports are due the first day of the second month of each subsequent quarter.

Ms. Kathy Florence  
Re: 21031 Western Blvd.  
November 29, 1993  
Page 3 of 3

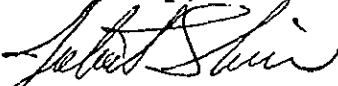
The referenced initial and quarterly reports must describe the status of the investigation and must include, among others, the following elements:

- o Details and results of all work performed during the designated period of time: records of field observations and data, boring and well construction logs, water level data, chain-of-custody forms, laboratory results for all samples collected and analyzed, tabulations of free product thicknesses and dissolved fractions, etc.
- o Status of ground water contamination characterization
- o Interpretations of results: water level contour maps showing gradients, free and dissolved product, plume definition maps for each target component, geologic cross sections, etc.
- o Recommendations or plans for additional investigative work or remediation.

Please be advised that this is a formal request for a work plan pursuant to **Section 2722 (c)(d) of Title 23 California Code of Regulations**. Any extensions of the stated deadlines, or modifications of the required tasks, must be confirmed in writing by either this agency or RWQCB.

If you have any questions or comments, please contact me at (510) 271-4530.

Sincerely,



Juliet Shin  
Hazardous Materials Specialist

cc: Blessie Torres  
State UST Fund  
State Water Resources Control Board  
2014 T Street, Suite 130  
P.O. Box 944212  
Sacramento, CA 94244-2120

Edgar Howell-File(JS)

**STATE WATER RESOURCES CONTROL BOARD**

DIVISION OF CLEAN WATER PROGRAMS  
 2014 T STREET, SUITE 130  
 P.O. BOX 944212  
 SACRAMENTO, CALIFORNIA 94244-2120  
 (916) 227-4413  
 (916) 227-4530 (FAX)



NOV 24 1993

Site: 21031 Western Boulevard  
 Hayward, CA 94541

Mr. and Mrs. William Florence  
 6316 Castle Drive  
 Oakland, CA 94611

Dear Mr. and Mrs. Florence:

**UNDERGROUND STORAGE TANK CLEANUP FUND, CLAIM NO. 3588**

The State Water Resources Control Board (State Board) takes pleasure in issuing the attached Letter of Commitment in an amount not to exceed \$20,000. This Letter of Commitment is based upon our review of the corrective action costs incurred to date and your application received on January 17, 1992 and may be modified by the State Board in writing by an amended Letter of Commitment.

The State Board will take steps to withdraw this Letter of Commitment after 90 calendar days from the date of this transmittal letter unless you proceed with due diligence with your cleanup effort. This means that you must take positive, concrete steps to ensure that corrective action is proceeding with all due speed. For example, if you have not started your cleanup effort, you must obtain three bids and sign a contract with one of these bidders within 90 calendar days. If your cleanup effort has already started and was delayed, you must resume the expenditure of funds to ensure that your cleanup is proceeding in an expeditious manner. You are reminded that you must comply with all regulatory agency time schedules and requirements. We constantly review the status of all active claims, and failure to proceed with due diligence will be grounds for withdrawal of this Letter of Commitment. You should read the terms and conditions listed in the Letter of Commitment. Also attached you will find:

- A "Reimbursement Request Instructions" package. You should retain this package for future reimbursement request. Among other information, the package includes instructions for completion of the "Reimbursement Request" form and the "spreadsheet". These instructions must be followed when seeking reimbursements for corrective action costs incurred after January 1, 1988. Included in these instructions are samples of Reimbursement Request forms and complete Spreadsheets. Within the package also included are:
  - Recommended Minimum Invoice Cost Breakdown.
  - A "Certification of Non-Recovery From Other Sources" which must be returned before any reimbursements can be made.
  - A "Bid Summary Sheet" to document data on bids received.
- Three "Reimbursement Request-Underground Storage Tank Cleanup Fund" forms which you must use to request reimbursement of costs incurred.
- Two "Spreadsheets" which you must use in conjunction with your Reimbursement Request.
- "Vendor Data Record" (Std. form 204) which must be completed and returned with your first Reimbursement Request.

If you have any questions regarding the Letter of Commitment or the Reimbursement Request package, please contact Blessy Torres at (916) 227-4535.

Sincerely,

*Don Dalke*  
 Dave Deaner, Manager  
 Underground Storage Tank  
 Cleanup Fund Program

## Attachments

cc: ~~Tom Pasco~~  
 Alameda County Health Agency  
 Div of Hazardous Materials  
 80 Swan Way  
 Oakland, CA 94621

Don Dalke  
 Regional Water Quality Control Board  
 San Francisco Bay Region  
 2101 Webster Street, Suite 500  
 Oakland, CA 94612

LETTER OF COMMITMENT FOR REIMBURSEMENT OF COSTS

CLAIM NO: 003588

AMENDMENT NO: 0

CLAIMANT: W. and K. Florence  
JOINT-CLAIMANT:

BALANCE FORWARD: \$0

CLAIMANT ADDRESS: 6316 Castle Drive  
Oakland, CA 94611

THIS AMOUNT: \$20,000

NEW BALANCE: \$20,000

TAX ID / SSA NO. 565-58-2372

Subject to availability of funds, the State Water Resources Control Board (State Board) agrees to reimburse William G. and Kathy A. Florence (claimant) for eligible corrective action costs at 21031 Western Boulevard, Hayward, CA 94541 (site). The commitment reflected by this Letter is subject to all of the following terms and conditions:

1. Reimbursement shall not exceed \$20,000 unless this amount is subsequently modified in writing by an amended Letter of Commitment.
2. The obligation to pay any sum under this Letter of Commitment is contingent upon availability of funds. In the event that sufficient funds are not available for reasons beyond the reasonable control of the State Board, the State Board shall not be obligated to make any disbursements hereunder. If any disbursements otherwise due under this Letter of Commitment are deferred because of unavailability of funds, such disbursements will promptly be made when sufficient funds do become available. Nothing herein shall be construed to provide the Claimant with a right of priority for disbursement over any other claimant who has a similar Letter of Commitment.
3. Unless modified in writing by the State Board, this Letter of Commitment covers work through Phase II of corrective action work.
4. All costs for which reimbursement is sought must be eligible for reimbursement and the Claimant must be the person entitled to reimbursement thereof.
5. Claimant must at all times be in compliance with all applicable state laws, rules and regulations and with all terms, conditions, and commitments contained in the Claimant's Application and any supporting documents or in any payment requests submitted by the Claimant.
6. No disbursement under this Letter of Commitment will be made except upon receipt of acceptable Standard Form Payment Requests duly executed by or on behalf of the Claimant. All Payment Requests must be executed by the Claimant or a duly authorized representative who has been approved by the Division of Clean Water Programs.
7. Any and all disbursements payable under this Letter of Commitment may be withheld if the Claimant is not in compliance with the provisions of Paragraph 5 above.
8. Neither this Letter of Commitment nor any right thereunder is assignable by the Claimant without the written consent of the State Board. In the event of any such assignment, the rights of the assignee shall be subject to all terms and conditions set forth in this Letter of Commitment and the State Board's consent.
9. This Letter of Commitment may be withdrawn at any time by the State Board if completion of corrective action is not performed with reasonable diligence.

IN WITNESS WHEREOF, this Letter of Commitment has been issued by the State Board this 10th day of November, 1993.

STATE WATER RESOURCES CONTROL BOARD

BY Ron Markle  
Manager, Underground Storage Tank Cleanup Fund Program

BY James B. Stafford  
Chief, Division Administrative Services

STATE USE :  
CALSTARS CODING :  
0550 - 569.02 - 30530  
\$



**STATE WATER RESOURCES CONTROL BOARD**

DIVISION OF CLEAN WATER PROGRAMS  
2014 T STREET, SUITE 130  
P.O. BOX 944212  
SACRAMENTO, CALIFORNIA 94244-2120  
(916) 227-4413  
(916) 227-4630 (FAX)



**TRANSMITTAL OF FAX MATERIAL**

Date: 11-9-93

To: Juliet Shin

Fax # (510) 569-4757

From: **Blessy Torres**  
**Division of Clean Water Programs**  
**(916) 227-4535**

\*\*\*\*\*

No. of pages 2 (including this sheet)

STID # 3574

For your information

Claim # 3588

Per your request

For your review and comments

REMARKS:

Per our conversation, please have Tom P. sign the  
attached. Upon issuance of LOC, you agree to send  
claimant a letter instructing her to initiate corrective  
action w/in 90 days.  
Thanks!

Juliet

CLAIM NO. 3588

LOCAL AGENCY NO. 3574

SITE ADDRESS 21031 Western Blvd, Hayward CA

CORRECTIVE ACTION COMPLIANCE DOCUMENTATION

PAGE 3

DATE	ACTION REQUIRED/RESPONSE
7-11-89	Removal permit appl'd. Tanks removed 8/25/89.
9-1-89	lab results from tank pull rec'd.
1-17-91	Alameda ltr to clmnt requiring to submit repts and analytical results; and hazardous waste manifests.
5-2-91	Alameda ltr to submit w/p for soil & GW investigation by 6/15/91.
1-7-92	Alameda ltr to clmnt reminding to submit w/p by 2/7/92.
1-29-92	Ltr from claimant requesting extension due to lack of funds.
3-9-92	Telecon notes - discussed the need to explore funding mechanisms to pay for at least PSA. Explained Cleanup Fund process.
6-25-92	Telecon notes - clmnt requested Alameda to include prior owners as responsible <sup>parties</sup> since claimants never used the tanks.

CONFIRMATION OF CORRECTIVE ACTION COMPLIANCE: After reviewing the lead agency site file, the claim reviewer has determined that the claimant is in substantial compliance with corrective action requirements.

Juliet Shin

*Juliet Shin*  
REVIEWER'S SIGNATURE

DATE SIGNED

LEAD AGENCY CONCURRENCE: As of this date, the lead agency representative concurs with the determination that the claimant is in compliance with applicable corrective action requirements.

*Maria Sauer*  
SIGNATURE

11-9-93  
DATE SIGNED

STAFF RECOMMENDATION: ( ) APPROVED ( ) REFERRED TO TEAM LEADER - See Comments, Page 2.

REVIEWER'S SIGNATURE:

DATE SIGNED

Revised 10/92

# FAX MEMO

TE: 8/26/93 TIME: \_\_\_\_\_ NO. PAGES: 4

TO: Blessy Torres / Juliette SHIN

COMPANY: State Water Resource Board

ADDRESS: \_\_\_\_\_ STATE: CA ZIP: \_\_\_\_\_

CITY: Sacramento FAX: 916-227-4530

PHONE: \_\_\_\_\_ 569-4757

## FROM:

NAME: Kathy Florence

COMPANY: WGF Inc.

ADDRESS: \_\_\_\_\_ STATE: \_\_\_\_\_ ZIP: \_\_\_\_\_

CITY: Oakland, CA FAX: 510-482-1879

PHONE: \_\_\_\_\_

## MESSAGE:

Re: Claim #3588

Dear Blessy:

Attached is a couple of pages from the Purchase Contract on the Western property relating to the Tank. Even though the agreement was made in April of 1989, the deal did not close until December of 1990. Since my Husband, Bill, was mostly involved with this deal I think he would be more able to answer your questions. I will fax you our Corporate returns but I forgot what years you need. Please let me know. We will be out of town next week. Sorry it's taken me so long to get back.

cc: Juliette - State Water Resource Control - Ref#3574

PLEASE CONFIRM RECEIPT BY PHONE  OR FAX

**AMENDMENT TO AGREEMENT  
FOR EXCHANGE OF REAL PROPERTY**

THIS AMENDMENT TO AGREEMENT FOR EXCHANGE OF REAL PROPERTY is made this 14th day of April, 1989, by and between WILLIAM G. FLORENCE and KATHY A. FLORENCE (hereinafter individually and collectively called "FLORENCE") and LEONARD A. PERILLO, DORIS ADELLE PERILLO, OLOF P. REED and EVELYN P. REED (hereinafter individually and collectively called "PERILLO/REED").

WHEREAS, the parties entered into that certain Agreement For Exchange Of Real Property dated April 14th, 1989 (the "Agreement") the terms of which are hereby incorporated by reference; and

WHEREAS, the parties hereto desire to amend, modify and otherwise change certain provisions of the Agreement by this Amendment (the "Amendment");

NOW, THEREFORE, the parties hereto agree as follows:

1. Purchase of Western Boulevard Property by FLORENCE. The parties hereto acknowledge and agree that in the event that FLORENCE does not locate a satisfactory third-party buyer for the Juana Property by September 1, 1989 or that the sale of the Juana Property cannot be closed by September 1, 1989, in such event FLORENCE agrees nonetheless to purchase the Western Boulevard Property from PERILLO/REED. PERILLO/REED agree to loan FLORENCE the principal sum of One Hundred Thousand Dollars (\$100,000.00) which sum shall be secured by a second deed of trust encumbering that certain real property located at 786 Galway Drive, San Lorenzo, California. Said loan shall bear interest at the rate of eleven percent (11%) per annum, paid monthly, and shall be due and payable in full upon the sale of the Juana Property or November 1, 1989, whichever occurs sooner. FLORENCE shall use the proceeds from said loan as a down payment to purchase the Western Boulevard Property.

To the extent that this Amendment is inconsistent with the Agreement, this Amendment shall supersede the Agreement and prevail thereover.

Except as modified herein, the Agreement is hereby ratified, affirmed and approved.

2. PURCHASE PRICE. The purchase price for the Western Boulevard Property shall be Four Hundred Twenty-Five Thousand Dollars (\$425,000.00) except as herein adjusted. The parties hereto acknowledge and agree that PERILLO/REED are currently re-zoning the Western Boulevard Property from its present zoning to a PD (Planned Development) District in accordance with Ordinance No. 0-88-95 (hereinafter called "the Ordinance"), a copy of which is attached hereto as Exhibit C and by this reference made a part hereof. The parties hereto acknowledge and agree that Paragraph 4 of the Ordinance at subparagraphs a, b, c, d and e thereof requires certain site improvements (hereinafter called "the site improvements") to be made to the Western Boulevard Property. The parties hereto also acknowledge and agree that an approximate 1,000 gallon fuel storage tank should and needs to be removed, the soil tested, and corrective measures required by law and the appropriate regulatory agency taken (hereinafter called "the store tank removal"). The parties hereto agree that the estimated cost of the site improvements and of one-half (1/2) the cost of the storage tank removal will together be Twenty-Five Thousand Dollars (\$25,000.00) to Thirty Thousand Dollars (\$30,000.00), but shall be no more than Forty Thousand Dollars (\$40,000.00), unless the parties otherwise agree in writing. PERILLO/REED agree to complete the site improvements and accomplish the storage tank removal prior to the Close of Escrow and the parties agree that the purchase price of the Western Boulevard Property shall be adjusted and increased by the actual cost of the site improvements and by one-half the cost of the storage tank removal, to wit, from Four Hundred Twenty-Five Thousand Dollars (\$425,000.00) to approximately Four Hundred Fifty Thousand Dollars (\$450,000.00). As stated above, however, in no event shall the purchase price exceed Four Hundred Sixty-Five Thousand (\$465,000.00) unless the parties hereto agree in writing. Five (5) days prior to Close of Escrow, PERILLO/REED shall provide FLORENCE with copies of all invoices related to the cost of the site improvements described in the Ordinance and the storage tank removal.

3. PAYMENT OF PURCHASE PRICE. The Purchase Price shall be paid to PERILLO/REED as follows:

(a) Upon the opening of Escrow, FLORENCE shall make an Earnest Money deposit of Five Thousand Dollars (\$5,000.00), which sum shall be credited to the Purchase Price upon Close of Escrow.

(b) Upon the Close of Escrow, FLORENCE shall transfer to PERILLO/REED the Juana Property which PERILLO/REED shall simultaneously sell to a third-party purchaser on an all-cash basis. Upon such sale PERILLO/REED shall receive the cash sum of One Hundred Thousand Dollars (\$100,000.00). In the event that the sale of Juana Property does not produce net cash proceeds of One Hundred Thousand Dollars (\$100,000.00), FLORENCE agrees to make up any shortfall from their own resources. (If the site improvement costs exceed \$25,000.00 resulting in a Purchase Price in excess of

IN WITNESS WHEREOF, the parties hereto have executed this Amendment To Agreement For Exchange Of Real Property as of the day and year first written above.

FLORENCE:

PERILLO/REED:

William G. Florence  
William G. Florence

Leonard A. Perillo  
Leonard A. Perillo

Kathy A. Florence  
Kathy A. Florence

Doris Adelle Perillo  
Doris Adelle Perillo

Olof P. Reed  
Olof P. Reed

Evelyn P. Reed  
Evelyn P. Reed

October 27, 1992

92 OCT 27 11:46

Juliette Shin  
Alameda Health Dept  
Div. of Hazardous Material  
Dept. of Environmental Health  
80 Swan Way Room 200  
Oakland, CA 94621

RE: 21031 Western Blvd

Dear Juliette:

Enclosed is a copy of the Purchase Contract on the above property. As you will see, the fuel tank is mentioned and I highlighted it.

Bill will have Cliff from Cliff's Forklift Repair prepare a statement indicating whether he used the tank or knew of anyone that did.

Thank you for your patience.

Sincerely,



Kathy Florence  
6316 Castle Dr  
Oakland, CA 94611  
(510) 482-1874



# REAL ESTATE PURCHASE CONTRACT AND RECEIPT FOR DEPOSIT

THIS IS MORE THAN A RECEIPT FOR MONEY. IT IS INTENDED TO BE A LEGALLY BINDING CONTRACT. READ IT CAREFULLY.

CALIFORNIA ASSOCIATION OF REALTORS' STANDARD FORM

San Leandro, California, August, 19 88

Received from William Florence  
herein called Buyer, the sum of Five Thousand Dollars and no/00 Dollars \$ 5,000.00

evidenced by cash , cashier's check , or  personal check  payable to  
Chicago Title Co., to be held uncashed until acceptance of this offer, as deposit on account of purchase price of  
Four Hundred Twenty Five Thousand and no/100 Dollars \$ 425,000.00

for the purchase of property, situated in Hayward, County of Alameda, California,  
described as follows: Legal description attached

1. Buyer will deposit in escrow with Chicago Title DEPOS, the balance of purchase price as follows:  
Purchaser to pay down the sum of \$50,000.00 plus their share of closing costs  
according to local title company procedure. Purchaser to execute a Note, secured  
by a Deed of Trust for the amount of \$375,000. payable interest only at 11% per annum  
paid in monthly installments. Note to contain a provision for an additional \$50,000.  
principal payment six (6) months after close of escrow. Entire remaining balance due  
six (6) years from COE. Late charge of 6% after 10 days and a "Due on Sale" clause  
will be contained within the Note and Deed of Trust.

Seller agrees to deliver, in escrow \$500.00 deposit to buyer being held in house at  
595 Cherry Way. Seller will also deliver rental agreement pertaining to single family  
home and warehouse rental for buyer's inspection.

See attached legal document pertaining to fuel tanks which is a part of this contract  
indicated as Exhibit "A".

Legal Description : 21031 - 21051 Western Boulevard which consists of two (2) detached  
concrete and frame industrial buildings plus one (1) single family home at 595 Cherry  
Way. See Legal attached. No representation is made by Seller as to size, condition,  
or any building code violations, if any, and purchaser is accepting property in its  
present physical condition. Seller has not been notified of any building code violation.  
Close of Escrow is conditioned on seller obtaining a zoning change from single family  
to M-1 Ind. to accomodate construction storage facility - Zoning costs to be divided  
- Buyer and Seller. Escrow closing time may be extended only by mutual agree-  
ment if necessary to obtain required zoning. If rezoning is not complete after first  
extension period has lapsed (whatever time was granted), either party will have the  
option of nullifying the contract and the deposit will be returned to the purchaser.

Set forth above any terms and conditions of a factual nature applicable to this sale, such as financing, prior sale of other property, the matter of structural pest control inspection, repairs and personal property to be included in the sale.

2. Deposit will  will not  be increased by \$ \_\_\_\_\_ to \$ \_\_\_\_\_ within \_\_\_\_\_ days of acceptance of this offer.

3. Buyer does  does not  intend to occupy subject property as his residence.

4. The following supplements are incorporated as part of this agreement:

- |  |  |                                      |
|--|--|--------------------------------------|
| <input type="checkbox"/> Structural Pest Control Certification Agreement | <input type="checkbox"/> Occupancy Agreement | Other <input type="checkbox"/> _____ |
| <input type="checkbox"/> Special Studies Zone Disclosure                 | <input type="checkbox"/> VA Amendment        | <input type="checkbox"/> _____       |
| <input type="checkbox"/> Flood Insurance Disclosure                      | <input type="checkbox"/> FHA Amendment       | <input type="checkbox"/> _____       |

5. Buyer and Seller shall deliver signed instructions to the escrow holder within 80 days from Seller's acceptance which shall provide for closing within 90 days from Seller's acceptance. Escrow fees to be paid as follows:  
as per Alameda County Title Company procedure

6. Buyer and Seller acknowledge receipt of a copy of this page, which constitutes Page 1 of 2 Pages.

Buyer [Signature] Seller \_\_\_\_\_

Buyer \_\_\_\_\_ Seller \_\_\_\_\_

A REAL ESTATE BROKER IS THE PERSON QUALIFIED TO ADVISE ON REAL ESTATE. IF YOU DESIRE LEGAL ADVICE CONSULT YOUR ATTORNEY.

THIS STANDARDIZED DOCUMENT FOR USE IN SIMPLE TRANSACTIONS HAS BEEN APPROVED BY THE CALIFORNIA ASSOCIATION OF REALTORS\* IN FORM ONLY. NO REPRESENTATION IS MADE AS TO APPROVAL OF SUPPLEMENTS NOT PUBLISHED BY CAR. THE LEGAL VALIDITY OF ANY PROVISION OR THE ADEQUACY OF ANY PROVISION IN ANY SPECIFIC TRANSACTION. IT SHOULD NOT BE USED IN COMPLEX TRANSACTIONS OR WITH EXTENSIVE RIDERS OR ADDITIONS







# REAL ESTATE PURCHASE CONTRACT AND RECEIPT FOR DEPOSIT

The following terms and conditions are hereby incorporated in and made a part of Buyer's Offer

- 7. Title is to be free of liens, encumbrances, easements, restrictions, rights and conditions of record or known to Seller, other than the following: (1) Current property taxes, (2) covenants, conditions, restrictions, and public utility easements of record, if any, provided the same do not adversely affect the continued use of the property for the purposes for which it is presently being used, unless reasonably disapproved by Buyer in writing within 5 days of receipt of a current preliminary title report furnished at Sellers expense, and (3) \_\_\_\_\_  
 Seller shall furnish Buyer at Buyers expense a standard California Land Title Association policy issued by Chicago Title Company, showing title vested in Buyer subject only to the above. If Seller (1) is unwilling or unable to eliminate any title matter disapproved by Buyer as above, Seller may terminate this agreement, or (2) fails to deliver title as above, Buyer may terminate this agreement; in either case, the deposit shall be returned to Buyer.
- 8. Property taxes, premiums on insurance acceptable to Buyer, rents, interest, and \_\_\_\_\_ shall be pro-rated as of (a) the date of recordation of deed; or (b) \_\_\_\_\_. Any bond or assessment which is a lien shall be <sup>paid</sup> by Seller <sup>assumed</sup> Seller shall pay cost of transfer taxes, if any.
- 9. Possession shall be delivered to Buyer (a) on close of escrow, or (b) not later than \_\_\_\_\_ days after close of escrow or (c) \_\_\_\_\_
- 10. Unless otherwise designated in the escrow instructions of Buyer, title shall vest as follows: to follow in escrow

(The manner of taking title may have significant legal and tax consequences. Therefore, give this matter serious consideration.)

- 11. If Broker is a participant of a Board multiple listing service ("MLS"), the Broker is authorized to report the sale, its price, terms, and financing for the information, publication, dissemination, and use of the authorized Board members.
- 12. If Buyer fails to complete said purchase as herein provided by reason of any default of Buyer, Seller shall be released from his obligation to sell the property to Buyer and may proceed against Buyer upon any claim or remedy which he may have in law or equity; provided, however, that by placing their initials here Buyer: Seller: ( ) agree that Seller shall retain the deposit as his liquidated damages. If the described property is a dwelling with no more than four units, one of which the Buyer intends to occupy as his residence, Seller shall retain as liquidated damages the deposit actually paid, or an amount therefrom, not more than 3% of the purchase price and promptly return any excess to Buyer.
- 13. If the only controversy or claim between the parties arises out of or relates to the disposition of the Buyer's deposit, such controversy or claim shall at the election of the parties be decided by arbitration. Such arbitration shall be determined in accordance with the Rules of the American Arbitration Association, and judgment upon the award rendered by the Arbitrator(s) may be entered in any court having jurisdiction thereof. The provisions of Code of Civil Procedure Section 1283.05 shall be applicable to such arbitration.
- 14. In any action or proceeding arising out of this agreement, the prevailing party shall be entitled to reasonable attorney's fees and costs.
- 15. Time is of the essence. All modification or extensions shall be in writing signed by the parties.
- 16. This constitutes an offer to purchase the described property. Unless acceptance is signed by Seller and the signed copy delivered to Buyer, in person or by mail to the address below, within \_\_\_\_\_ days, this offer shall be deemed revoked and the deposit shall be returned. Buyer acknowledges receipt of a copy hereof.

Real Estate Broker \_\_\_\_\_ Buyer [Signature]  
 By \_\_\_\_\_ Buyer \_\_\_\_\_  
 Address \_\_\_\_\_ Address \_\_\_\_\_  
 Telephone \_\_\_\_\_ Telephone \_\_\_\_\_

### ACCEPTANCE

The undersigned Seller accepts and agrees to sell the property on the above terms and conditions. Seller has employed \_\_\_\_\_ N/A as Broker(s) and agrees to pay for services the sum of \_\_\_\_\_ Dollars (\$ \_\_\_\_\_), payable as follows: (a) On recordation of the deed or other evidence of title, or (b) if completion of sale is prevented by default of Seller, upon Seller's default or (c) if completion of sale is prevented by default of Buyer, only if and when Seller collects damages from Buyer, by suit or otherwise and then in an amount not less than one-half of the damages recovered, but not to exceed the above fee, after first deducting title and escrow expenses and the expenses of collection, if any. In any action between Broker and Seller arising out of this agreement, the prevailing party shall be entitled to reasonable attorney's fees and costs. The undersigned acknowledges receipt of a copy and authorizes Broker(s) to deliver a signed copy to Buyer.

Dated \_\_\_\_\_ Telephone \_\_\_\_\_ Seller \_\_\_\_\_  
 Address \_\_\_\_\_ Seller \_\_\_\_\_  
 Broker(s) agree to the foregoing. Broker \_\_\_\_\_ Broker \_\_\_\_\_  
 Dated \_\_\_\_\_ By \_\_\_\_\_ Dated \_\_\_\_\_ By \_\_\_\_\_

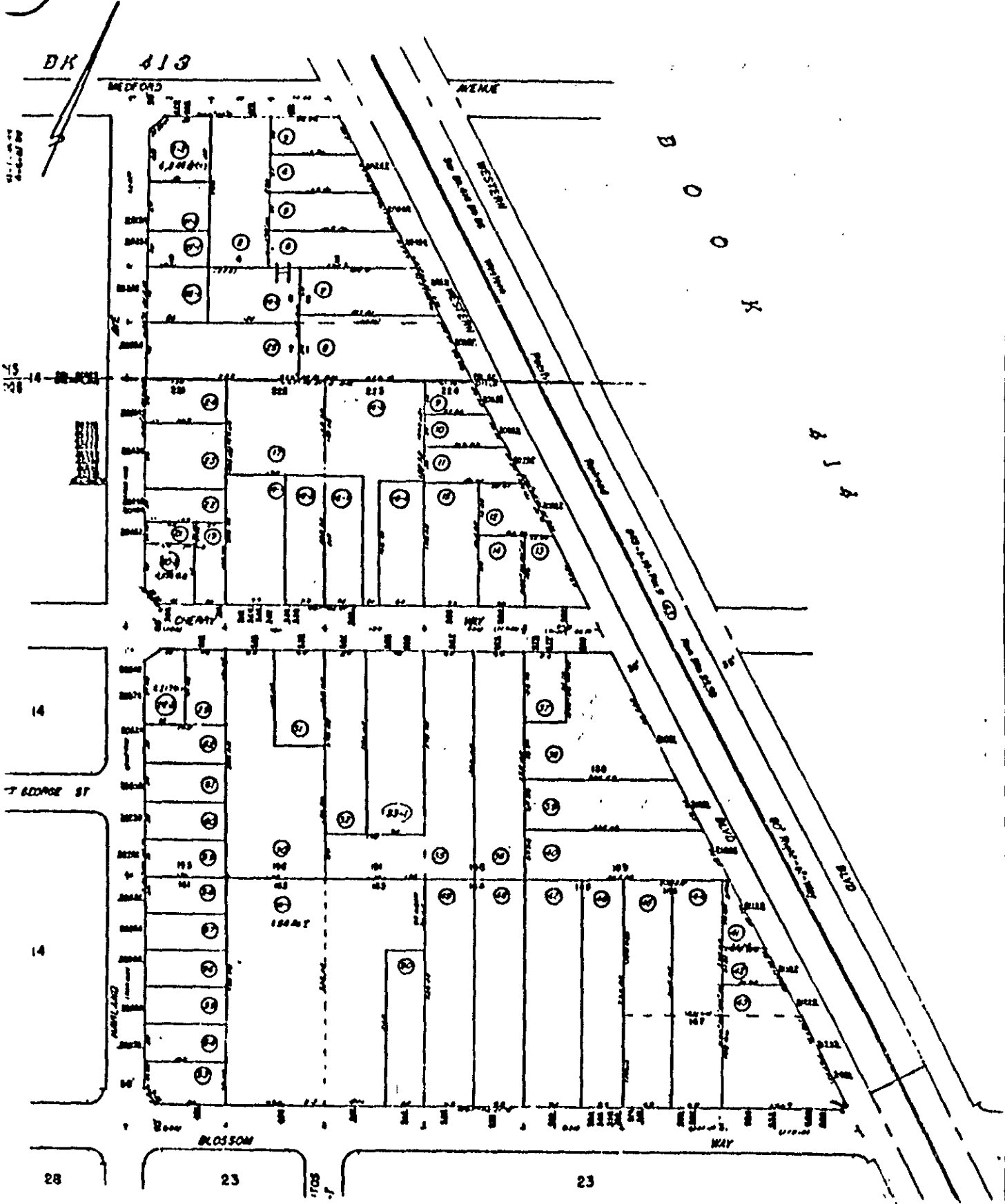
In the Township of Eden

All that real property situated in the Unincorporated Area, County of Alameda, State of California, described as follows:

Portion of Lot 188, Map of Cherryland, filed March 29, 1911, Map Book 26, Page 18, Alameda County Records; described as follows:

Beginning at the intersection of the Southwestern line of Western Boulevard, formerly Jasper Avenue, with the center line of Cherry Way, as said avenue and way are shown on said map; running thence along said line of Western Boulevard, South  $49^{\circ} 08' 40''$  East, 223 feet, more or less, to the Southwestern line of said Lot 188; thence along the last named line, South  $67^{\circ} 34' 20''$  West, 200.46 feet to the Southwestern line of said lot 188; thence along the last named line, North  $22^{\circ} 25' 40''$  West, 75.30 feet; thence North  $67^{\circ} 34' 20''$  East, 54 feet; thence North  $22^{\circ} 25' 40''$  West, 124.70 feet to the center line of Cherry Way; thence along said center line of Cherry Way, North  $67^{\circ} 34' 20''$  East, 45.80 feet to the Southwestern line of Western Boulevard and the point of beginning.

Said property is also shown on Reference Maps in the office of the Assessor of Alameda County in Map Book 429, Block 19, Parcel 38.

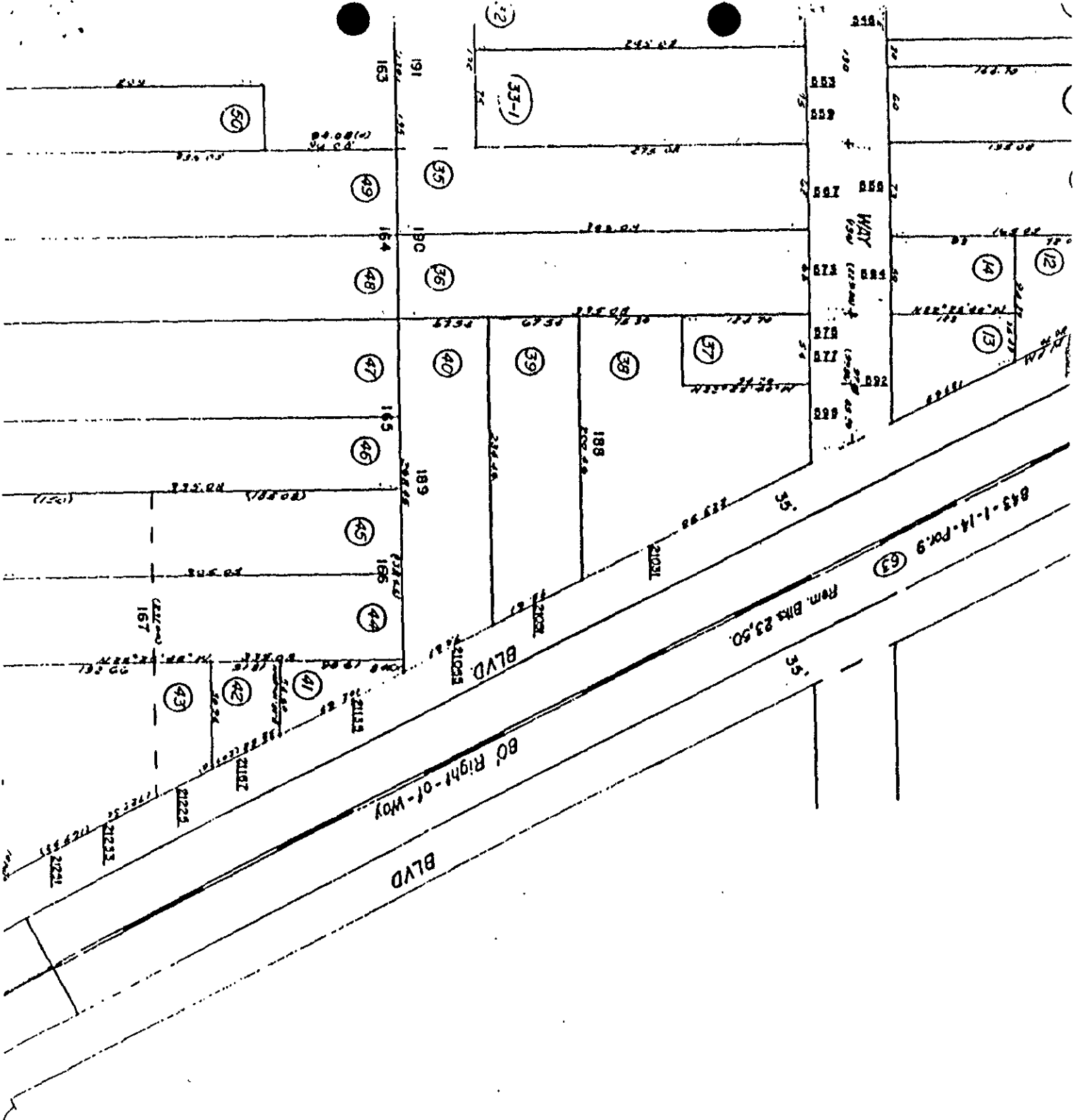


28

23

23

217



August 24, 1988

Mr. William Florence

Dear Mr. Florence:

In view of your intent to purchase the property ~~which~~  
~~you are now leasing from me~~, I wish to give you formal notice  
that there are gas tanks underground.

~~You are fully aware of this since you are using the property~~  
~~and have been in possession for several years.~~

While I know of no release of any hazardous substance on  
the property, ~~and you have never advised me of any to your~~  
~~knowledge~~, I would appreciate your signing an acknowledgement  
of the same for my records.

Very truly yours,

  
Leonard Perillo

I have read the foregoing letter and agree with its contents.  
I understand that this is full and formal notice as may be  
required by law and waive any further notice of any possible  
release of any hazardous substance and assume full responsi-  
bility for the property.

  
William Florence

ORDER NO. 99910

PAGE 3

NOTE: IN CONNECTION WITH THE ABOVE MENTIONED DELINQUENT INSTALLMENT, OR INSTALLMENTS, FOR THE FISCAL YEAR 1987 AND 1988, THE AMOUNT TO REDEEM THIS INSTALLMENT, OR INSTALLMENTS ON OR BEFORE AUGUST 31, 1988 IS \$1,229.55 PLUS \$10.00 FOR COSTS AND ON OR BEFORE SEPTEMBER 30, 1988 IS \$1,245.54 PLUS \$10.00 FOR COSTS. PAYMENTS SHOULD REFERENCE THE ABOVE MENTIONED A.P. NO. AND CODE AREA AND STATE PAYMENTS ARE FOR DELINQUENT 1987 AND 1988 FISCAL YEAR TAXES.

5. THE LIEN OF SUPPLEMENTAL TAXES, ASSESSED PURSUANT TO THE PROVISIONS OF CHAPTER 3.5 REVENUE AND TAXATION CODE, SECTIONS 75 ET SEQ.

FIRST INSTALLMENT: \$258.39 DELINQUENT AUGUST 1, 1988  
1ST PENALTY : \$25.83

SECOND INSTALLMENT: \$258.39, ALL DUE AND PAYABLE  
DELINQUENT DATE NOVEMBER 30, 1988

(AFFECTS PARCEL ONE)

6. RIGHTS OF THE PUBLIC AND THE COUNTY OF ALAMEDA OVER THAT PORTION OF PREMISES LYING WITHIN THE LINES OF CHERRY WAY AS THE SAME NOW EXISTS.

7. LIEN FOR DELINQUENT UNSECURED PERSONAL PROPERTY TAXES OF THE ALAMEDA COUNTY TAX COLLECTOR, WHOSE ADDRESS IS 1221 OAK STREET, OAKLAND, CA. 94612.

AGAINST : PERILLO, LEONARD & PERILLO, DORIS } SOLD US  
ADDRESS : 22877 MISSION BL HAYWARD 94541 } The Property  
CERTIFICATE NO.: 21-046812-00-000-87-00-00  
YEAR : 1987/88  
AMOUNT : \$78.07  
RECORDED : JULY 1, 1988, SERIES NO. 88-163731, OFFICIAL RECORDS

NOTE:

ACCORDING TO THE PUBLIC RECORDS, NO DEED CONVEYING THE PROPERTY DESCRIBED IN THIS REPORT HAS BEEN RECORDED WITHIN A PERIOD OF TWO YEARS PRIOR TO THE DATE OF THIS REPORT, EXCEPT AS SHOWN HEREIN:

TITLE OF THE VESTEE HEREIN WAS ACQUIRED BY GRANT DEED FROM CAROL & FRANK, INC., A CALIFORNIA CORPORATION, TO LEONARD A. PERILLO AND DORIS ADELLE PERILLO, HUSBAND AND WIFE AS JOINT TENANTS, RECORDED FEBRUARY 2, 1988, SERIES NO. 88-029624, OFFICIAL RECORDS.

BQ/rc  
949-D  
8-3-88

Health brand  
Fax Transmittal Memo 72

To: Julette  
Company: ALAMEDA CITY HEALTH  
Location:  
Fax #: 569-4757  
Comments:

No. of Pages: 2  
From: BILL FIDORCE  
Company:  
Location:  
Fax #: 482-1879  
Original Disposition:  Delay  Return  Call for pickup

HERE IS THE INFO YOU REQUESTED REGARDING FORMER OWNERS OF THE PROPERTY.

Western Fork Lift  
21031 Western Boulevard  
Hayward, California

GENERAL INFORMATION

- APPRAISAL ORDERED BY:** ( This appraisal was ordered by Amin Turner, an interested person in the ownership of the subject property. )
- PURPOSE OF APPRAISAL:** The purpose of this appraisal is to establish market value upon the three different sections of the property as described. The separation is accomplished by an estimated area allotted for the dwelling use and the balance for the building at 21031 Western Boulevard. The building at 21051 Western Boulevard is located upon a separate land area.
- METHOD OF APPRAISAL:** The appraisal is divided into three sections namely:  
 1) Reconstruction of Improvements less depreciation plus the land value;  
 2) The Capital Approach - basically using the probable income less expenses to establish value according to net earning ability;  
 3) The Comparative Market Analysis - Comparing with properties for sale, sold and any others to assist in establishing value.
- PROPERTY TO BE APPRAISED:** This property appears upon the Assessor's Records as follows:  
 A dwelling located at #595 Cherry Way and a warehouse located at 21031 Western Boulevard all placed upon a parcel of land numbered and assessed as follows:  
 429-19-38 Transaction August 1982 Recorded # 82-125117  
 Land \$ 75,400  
 Improvements \$220,200  
 Taxes \$ 2,209.72  
 And a warehouse numbered 21051 Western Boulevard all placed upon a parcel of land and assessed as follows:  
 Land \$ 43,800  
 Improvements \$123,000  
 Taxes \$ 1,286.54  
 Transaction August 1982 Recorded # 82-125117  
 Assessor's Number 429-19-39.  
 Both of these properties appear upon the records as owned by Lee J. Amaral and Gerald Canada  
 1811 Santa Rita Road  
 Pleasanton, California 94566
- LEGAL DESCRIPTION:** No preliminary report or title policy was submitted and the Assessor's Maps are used for this report.
- ZONING:** The Planning Department of Alameda County reports the land as being zoned RS 5,000 meaning that the land could be used for the purpose of one single family dwelling for each 5,000 square feet of land.
- TOPOGRAPHY OF LAND:** The land is almost level.

4

WATER RESOURCES CONTROL BOARD  
DIVISION OF WATER QUALITY - UST CLEANUP PROGRAM  
SITE SPECIFIC QUARTERLY REPORT  
01/01/92 THROUGH 03/31/92

AGENCY # : 10000      SOURCE OF FUNDS: F      SUBSTANCE: 8006619  
StID : 3574  
SITE NAME: Cliff's Forklift      DATE REPORTED : 09/22/89  
ADDRESS : 21031 Western Blvd.      DATE CONFIRMED: 09/22/89  
CITY/ZIP : Hayward      94541      MULTIPLE RPs : Y

SITE STATUS  
-----

CASE TYPE: G	CONTRACT STATUS: 2	EMERGENCY RESP:
RP SEARCH: S		DATE COMPLETED: 11/18/91
PRELIMINARY ASMNT:	DATE UNDERWAY:	DATE COMPLETED:
REM INVESTIGATION:	DATE UNDERWAY:	DATE COMPLETED:
REMEDIAL ACTION:	DATE UNDERWAY:	DATE COMPLETED:
POST REMED ACT MON:	DATE UNDERWAY:	DATE COMPLETED:

ENFORCEMENT ACTION TYPE: 1      DATE ENFORCEMENT ACTION TAKEN: 11/18/91  
LUFT FIELD MANUAL CONSID: 2S  
CASE CLOSED:      DATE CASE CLOSED:  
DATE EXCAVATION STARTED : 08/21/89      REMEDIAL ACTIONS TAKEN: NT

RESPONSIBLE PARTY INFORMATION  
-----

RP#1-CONTACT NAME: W & K. Florence  
COMPANY NAME: William G. & Kathy S. Florence  
ADDRESS: 6316 Castle Dr.  
CITY/STATE: Oakland, Ca 94611

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RP#2-CONTACT NAME: Clifford Thompson  
COMPANY NAME: Cliffs Forklift  
ADDRESS: 21051 Western Blvd.  
CITY/STATE: Hayward, Ca 94541

---



January 28, 1992

Mr. Thomas Peacock  
Alameda County Health Service  
80 Swan Way, Rm 210  
Oakland, CA 94621

92 JAN 29 AM 10:54

Re: STID#3574) - 21051 Western Blvd, Hayward

Dear Mr. Peacock:

I respectfully request an extension of time with regard to your January 7, 1992 letter stating that I would need to get a workplan to you by February 7, 1992.

At this point in time we have applied for the State of California Clean Up Fund as we have run out of funds to pay for this clean up. We bought the property in April of 1989 and began clean up in August of 1989. To date we have spent approximately \$16,000 on clean up and have no more funds available. We are hopeful that we can get some state funding and we need time to find out whether we will qualify for the funds.

We also are in the process of getting bids from consultants recommended by Danny Gulang of the fire department. These bids would be on the cost to put together the workplan you require of us and that too will take time.

It was always our intent to clean up the site. We hired West Coast Tank to do the job. It turned out that they filed bankruptcy after we paid them and never completed the work.

We are in need of an extension of time and would appreciate your help and consideration.

Sincerely,



Kathy Florence  
6316 Castle Dr  
Oakland, CA 94611



DEPARTMENT OF ENVIRONMENTAL HEALTH  
80 Swan Way, Rm. 210  
Oakland, CA 94621  
~~(415) 271-4320~~ (510) 271-4320

January 7, 1992  
STID# 3574

William G. & Kathy A. Florence  
6316 Castle Drive  
Oakland, CA 94611

Responsible Party  
Property Owner

Cliff's Forklift  
21051 Western Blvd.  
Hayward, CA 94541

SITE

Date First Reported 09/22/89  
Substance: gasoline  
Petroleum (X) Yes

Dear Sir or Madam:

This office has not received documents as requested in a letter to you dated May 2, 1991, by Pamela J. Evans, Hazardous Materials Specialist. The following steps are required by this office for the initiation of a proper site investigation.

- 1) It will be necessary to submit a workplan that will adequately identify the vertical and horizontal extent of contamination. This should be undertaken by utilizing practices as outlined in either the "Tri-Regional Board Staff Recommendations For Preliminary Evaluation and Investigation of Underground Tanks" or the LUFT Manual, promulgated by the State Water Quality Control Board.
- 2) Provide this office and the State Regional Water Quality Control Board with copies of the workplans indicating appropriate steps to be taken in order to investigate the site. The workplan should be submitted by February 7, 1992.
- 3) Develop a remediation plan. The overall effectiveness of the remediation system should be verified by an appropriate monitoring program.
- 4) Submit a time schedule for this investigation/remediation project. Estimated date of completion for the clean-up of contaminants at the site must be included.

All reports and proposals must be submitted under seal of a California Registered Geologist or Registered Civil Engineer.

Please be advised that this is a formal request for technical reports pursuant to California Water Code Section 13267 (b). Failure to respond could result in civil penalties, a maximum of \$1,000 per day. Any extensions of stated deadlines or changes in the workplan must be confirmed in writing and approved by this office or the Regional Water Quality Control Board.

Should you have any questions concerning this letter, please contact Robert Weston at (510) 271-4320.

Sincerely,



Thomas Peacock  
Supervising HMS

cc: Eddie So, SFBRWQCB  
Mark Thomson, Alameda County District Attorney  
Clifford Thompson

DATE:

TO : Local Oversight Program

FROM:

SUBJ: Transfer of Eligible Oversight Case

Site name: Cliff's Forklift

Address: 21031 Western Blvd. city Hayward zip 94541

Closure plan attached? Y  N  DepRef remaining \$ 3.15

DepRef Project # U552816 STID #(if any) —

Number of Tanks: 1 removed?  Y  N Date of removal 8-21-89

Samples received?  Y  N Contamination: TPHg, BTEX

Petroleum  Y  N Types: Avgas Jet leaded unleaded Diesel  
fuel oil waste oil kerosene solvents

Monitoring wells on site 0 Monitoring schedule? Y N

LUFT category 1  2  3 \* H S C A R W G O

*discovered:  
9-28-89*

Briefly describe the following:

Preliminary Assessment TPHg contamination > 9000 ppm in native soil

Remedial Action Apparently, soil was overexcavated on 1 or 2 occasions w/ comp. samples

Post Remedial Action Monitoring —

Enforcement Action Letter outlining req. for g.w. investigation, May, 1989

No field notes or report to document any remediation work.  
The info I have in file was from a phone conv. with Mark East of ETC Construction, who was involved in tank removal.  
Resamp: 8/21/89 - Tank removed, 2 native samples  $\approx$  5,700 ppm  
10/2/89 - Soil excavated(?), 4 pit samples -  $\approx$  9500 ppm  
9/22/?? - 4 pit samples, composited TPHg = 1,506 ppm  
also, high BTEX levels are present

white -env.health  
 yellow -facility  
 pink -files

ALAMEDA COUNTY, DEPARTMENT OF ENVIRONMENTAL HEALTH

80 Swan Way, #200  
 Oakland, CA 94621  
 (415) 271-4320

Hazardous Materials Inspection Form

II, III

Site ID # \_\_\_\_\_ Site Name Cliff's Forklift Today's Date 8/21/09

Site Address 31031 Western Blvd

City Hayward Zip 94541 Phone \_\_\_\_\_

MAX AMT stored > 500 lbs, 55 gal., 200 cft.?

Inspection Categories:

- I. Haz. Mat/Waste GENERATOR/TRANSPORTER
- II. Business Plans, Acute Hazardous Materials
- III. Underground Tanks

Calif. Administration Code (CAC) or the Health & Safety Code (HS&C)

Comments:

James Ferdinand F.D. present  
1 tank  
Hauler - Erickson 001384 exp  
May 90. Flatted.  
Appears to be clean hole.  
Manifest of 11 9051  
Underground tank removal  
after sampling - odor of  
gasoline present.

II.A BUSINESS PLANS (Title 19)

- 1. Immediate Reporting 2703
- 2. Bus. Plan Sids. 25503(b)
- 3. R/R Cars > 30 days 25503.7
- 4. Inventory Information 25504(a)
- 5. Inventory Complete 2730
- 6. Emergency Response 25504(b)
- 7. Training 25504(c)
- 8. Deficiency 25505(a)
- 9. Modification 25505(b)

II.B ACUTELY HAZ. MATLS

- 10. Registration Form Filed 25533(a)
- 11. Form Complete 25533(b)
- 12. RMPP Contents 25534(c)
- 13. Implement Sch. Req'd? (Y/N)
- 14. OffSite Conseq. Assess. 25524(c)
- 15. Probable Risk Assessment 25534(d)
- 16. Persons Responsible 25534(g)
- 17. Certification 25534(f)
- 18. Exemption Request? (Y/N) 25536(b)
- 19. Trade Secret Requested? 25538

III. UNDERGROUND TANKS (Title 23)

- General
- 1. Permit Application 25284 (H&S)
  - 2. Pipeline Leak Detection 25292 (H&S)
  - 3. Records Maintenance 2712
  - 4. Release Report 2651
  - 5. Closure Plans 2670

Monitoring for Existing Tanks

- 6. Method
  - 1) Monthly Test
  - 2) Daily Vadose
  - Semi-annual groundwater
  - One time soils
  - 3) Daily Vadose
  - One time soils
  - Annual tank test
  - 4) Monthly Gndwater
  - One time soils
  - 5) Daily Inventory
  - Annual tank testing
  - Cont pipe leak det
  - Vadose/gndwater mon.
  - 6) Daily Inventory
  - Annual tank testing
  - Cont pipe leak det
  - 7) Weekly Tank Gauge
  - Annual tank testing
  - 8) Annual Tank Testing
  - Daily Inventory
  - 9) Other \_\_\_\_\_

- 7. Precis Tank Test 2643
- Date: \_\_\_\_\_
- 8. Inventory Rec. 2644
- 9. Soil Testing 2646
- 10. Ground Water. 2647

New Tanks

- 11. Monitor Plan 2632
- 12. Access. Secure 2634
- 13. Plans Submit 2711
- Date: \_\_\_\_\_
- 14. As Built 2635
- Date: \_\_\_\_\_

8/88

*West Coast*

Contact: \_\_\_\_\_

Title: \_\_\_\_\_

Signature: One Power

Inspector: \_\_\_\_\_

Signature: [Signature]

II, III

# STRAIGHT BILL OF LADING

## ORIGINAL - NOT NEGOTIABLE

Shipper's No. \_\_\_\_\_

CARRIER: ERICKSON TRUCKING, INC

SCAC

Carrier's No. 019  
Date 8/30/89

TO: LMC CORP  
Consignee 600 South 4th Street  
Street Richmond, CA Zip 94805  
Destination

FROM: Erickson Inc.  
Shipper 255 Parr Blvd.  
Street Origin Richmond, CA Zip 94801

Route: \_\_\_\_\_ Vehicle Number \_\_\_\_\_

No. Shipping Units	HM	Kind of Packages, Description of Articles (IF HAZARDOUS MATERIALS - PROPER SHIPPING NAME)	HAZARD CLASS	I.D. Number	WEIGHT (subject to correction)	RATE	LABELS REQUIRED (or exemption)
6		on-Dot regulated Material ga free triple rinsed underground tanks for scrap	None	N/A	N/A	N/A	None
		70116 / 2087					
		70066 / 2099					
		70172 / 2117					
		70090 / 2057					
		70183 / 2123					
		70202 / 2096					

Remit C.O.D. to: Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
**COD Amt: \$**  
 C.O.D. FEE: Prepaid  Collect  \$

NOTE - Where the rate is dependent on value, shippers are required to state specifically in writing the agreed or declared value of the property. The agreed or declared value of the property is hereby specifically stated by the shipper to be not exceeding \$ \_\_\_\_\_ Per \_\_\_\_\_  
 Subject to Section 7 of the conditions, if the shipment is to be delivered to the consignee without receipt on the carrier, the consignor shall sign the following statement: The carrier shall not make delivery of this shipment without payment of freight and all other lawful charges.  
 (Signature of Consignor) \_\_\_\_\_

RECEIVED, subject to the classifications and lawfully filed tariffs in effect on the date of issue of this Bill of Lading, the property described above in apparent good order, except as noted. Receipts and condition of contents of packages unopened, marked, consigned, and destined as indicated above which said carrier (the word carrier being understood throughout this contract as meaning any person or corporation in possession of the property under the contract) agrees to carry to its usual place of delivery at said destination, if on its route, otherwise to deliver to another carrier on the route to said destination. It is mutually agreed as to each carrier of all or any of, said property over all or any portion of said route to destination and as to each party at any time interested in all or any said property, that every service to be performed hereunder shall be subject to all the bill of lading terms and conditions in the governing classification on the date of shipment.  
 Shipper hereby certifies that he is familiar with all the bill of lading terms and conditions in the governing classification and the said terms and conditions are hereby agreed to by the shipper and accepted for himself and his assigns.

This is to certify that the above-named materials are properly classified, described, packaged, marked and labeled and are in proper condition for transportation according to the applicable regulations of the Department of Transportation.  
 PLACARDS REQUIRED: None  
 PLACARDS SUPPLIED:  YES  NO - FURNISHED BY CARRIER  
 DRIVER SIGNATURE: \_\_\_\_\_

SHIPPER: Erickson, Inc.  
 PER: Shannon Lowry  
 DATE: 8/30/89  
 EMERGENCY RESPONSE TELEPHONE NUMBER: \_\_\_\_\_  
 CARRIER: Erickson  
 PER: Paul  
 DATE: 8/30/89  
 Manned 24 hours/day by a person with knowledge of the hazards of the material and emergency response information or who has access to a person with that knowledge.

FOR HELP IN CHEMICAL EMERGENCIES INVOLVING SPILL, LEAK, FIRE OR EXPOSURE CALL TOLL-FREE 1-800-424-9300 DAY OR NIGHT

9-BLS 43 (Rev 9 53)

WEIGHMASTER CERTIFICATE  
 THIS IS TO CERTIFY that the following described commodity and weight measured or counted by a weighmaster whose signature is on this certificate who is a recognized authority of accuracy as prescribed by Chapter 7 (commencing with Section 17100) of Division 5 of the California Business and Professions Code as required by the Division of Measurement Standards of the California Department of Food and Agriculture.

**LMC METALS**  
 A DIVISION OF SIMSMETAL USA CORPORATION

GROSS WEIGHT 11:31 08/30/89 47980. 1b  
 TARE 11:39 08/30/89 32220. 1b  
 NET 15760 lbs. 7.880 N.T. 40 = PER N.T. AMOUNT PER LT.

COMMODITY TRUCKS  
 CODE 201 INV PR BY CK BY WEIGHED FOR ERICKSON INC.

FRT CODE FREIGHT COST B/L NO  
 DRIVER'S NAME VEHICLE LICENSE/LMC NO 2087, 2099, 2117  
 DRIVER'S LICENSE NO TRAILER LICENSE NO /RR CAR NO 2057, 2123, 2096  
 DISMANTLER NO /SEAL NO CARRIERS NAME/WB NO

FOR SALVAGE VEHICLE SALES: I hereby certify, under penalty of perjury, that any vehicles sold have been cleared for dismantling with the Department of Motor Vehicles.

HOLD HARMLESS AGREEMENT: Seller will indemnify and hold buyer harmless from damages, demands and liabilities, including reasonable attorney's fees, resulting from the breach of any warranty hereunder and driver agrees to be responsible for damages to other parties resulting from the sale.

BILL OF SALE: I warrant that I am the owner (or owner's representative) of the material described herein and have the right to sell same, that it contains no hazardous material as defined by Federal or State law and that for payment hereby received I shall send proper title to LMC METALS.

DATE: \_\_\_\_\_  
 961842  
 TYPE OF PURCHASE:  CASH  CHECK  ON ACCT  I/C  PRE PAID  
 VENDOR NO 9 CHECK NO

VISION ALPHA FILE COPY

2117

WEST COAST TANK

70172

**CERTIFICATE**

Certified Services Company  
255 Parr Boulevard  
Richmond, California 94801

Day or Night  
Telephone  
(415) 235-1393

For: ERICKSON INC Tank No.(s.) 2117 Location: RICHMOND Date: 8/21/89 Time: 13:45  
Test Method: VISUAL/GASTECH 1314 SMPN Last Product: UNLEADED GASOLINE

This is to certify that I have personally determined that the tank(s) in the following list are in accordance with the American Petroleum Institute and have found the condition of each to be in accordance with its assigned designation. This certificate is based on conditions existing at the time the inspection herein set forth was completed and is issued subject to compliance with all qualifications and instructions.

Tank(s)		Condition
1-1000 GAL. TANK	SAFE FOR FIRE	OXY 20.9%
		LEL <1%

Remarks:

In the event of any physical or atmospheric changes affecting the gas-free condition of the above tanks, or if in any doubt immediately stop all hot work and contact the undersigned. This permit is valid for 24 hours if no physical or atmospheric changes occur.

**Standard Safety Designation:**  
**Safe for Men:** Means that in the compartment or space so designated (a) The oxygen content of the atmosphere is at least 19.5 percent by volume; and that (b) Toxic materials in the atmosphere are within permissible concentrations; and (c) In the judgment of the Inspector, the residues are not capable of producing toxic materials under existing atmospheric conditions while maintained as directed on the Inspector's certificate.  
**Safe for Fire:** Means that in the compartment so designated (a) The concentration of flammable materials in the atmosphere is below 10 per cent of the lower explosive limit; and that (b) In the judgment of the Inspector, the residues are not capable of producing a higher concentration than permitted under existing atmospheric conditions in the presence of fire and while maintained as directed on the Inspector's certificate, and further, (c) All adjacent spaces have either been cleaned sufficiently to prevent the spread of fire, are satisfactorily inerted, or in the case of fuel tanks, have been treated as deemed necessary by the Inspector.

The undersigned representative acknowledges receipt of this certificate and understands the conditions and limitations under which it was issued.

Representative [Signature] Title \_\_\_\_\_ Inspector [Signature]



# ERICKSON INC.

255 PARR BLVD. RICHMOND, CA 94801  
 (415) 235-1393  
 FAX NO. (415) 235-3709 CONTR. LIC. NO. 168067

## CUSTOMER JOB ORDER

JOB NO.  
**70172**

EMPLOYEE'S NAME J. Brown  
 DATE 8-21-89  
 T & M  BID  HAUL  
 JOB START  JOB IN PROGRESS  JOB CLOSED  Laborer

Driver  ETI  Envirovac

CUSTOMER NO. P.O./CONTRACT NO. CONTRACT REL. NO. POWER NO. TRAILER NO.  
 1025 2126

CUSTOMER NAME WEST COAST TANK  
 JOBSITE ADDRESS CLIFFS FORKLIIFT REPAIR  
21031 WESTERN BLVD X ST. BLOSSOM, HAYWARD  
 CONTACT SUSAN PHONE NO. 408-224-9015  
 JOB DESCRIPTION PICK UP 1-1000GL TANK FOR DISPOSAL

RUBBER GEAR  
 GLOVES  
 GOGGLES  
 RESPIRATORS  
 OTHER

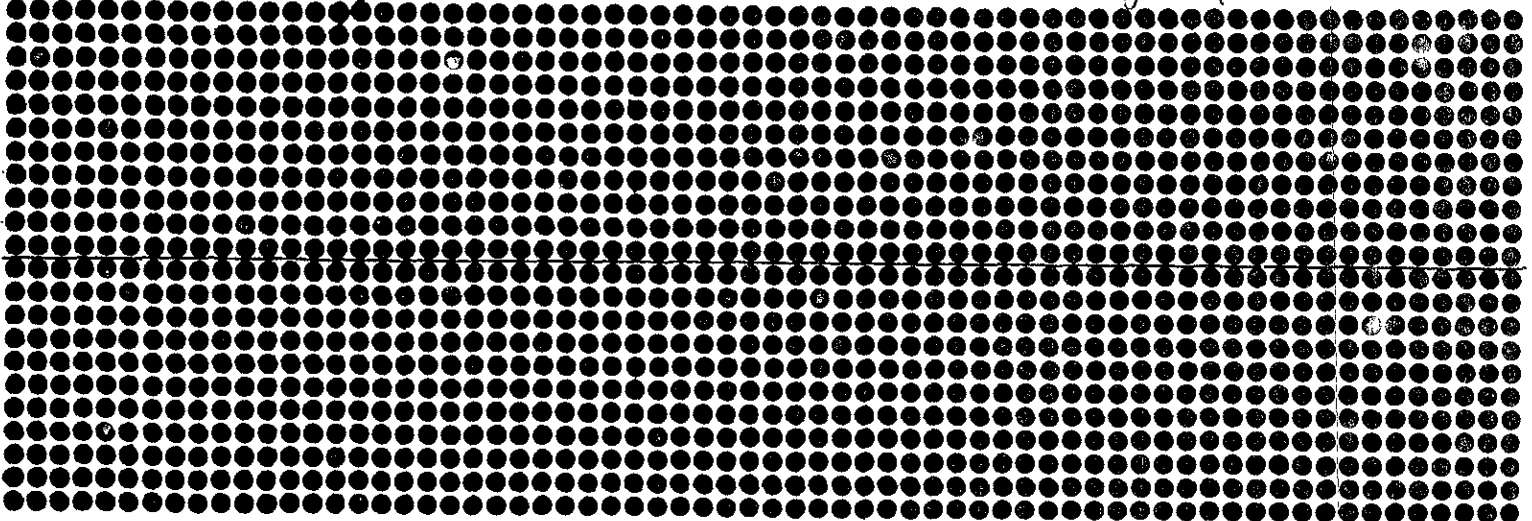
EQUIPMENT OR MATERIAL USED: FB, 1-LABORER, SNIFFER

WASTE MATERIAL QUANTITY HW MANIFEST NO. PROFILE NO./JOBSITE NO.  
ERICKSON 0930 ON SITE 519051

PRE-JOB TANK/BOX CONDITION  CLEAN  LIQUID  SOLID  OTHER  
 AFTER JOB TANK/BOX CONDITION  CLEAN  LIQUID  SOLID  OTHER

COMMENTS (EXPLAIN JOB DELAYS):

CUSTOMER ACKNOWLEDGES WORK PERFORMED  
 CUSTOMER'S SIGNATURE [Signature] DATE 8-21-89 EMPLOYEE'S SIGNATURE [Signature]



ERICKSON, INC. CAN PROVIDE COMPLETE HAZARDOUS WASTE MANAGEMENT AND TRANSPORTATION TO SERVE YOU. PLEASE CALL US AT (415) 235-1393 IF YOU HAVE ANY QUESTIONS OR IF WE CAN PROVIDE ADDITIONAL SERVICE. ERICKSON, INC., A FULL SERVICE COMPANY SINCE 1942. WE APPRECIATE YOUR BUSINESS.





**EDEN CONSOLIDATED**  
**FIRE PROTECTION DISTRICT**  
 1000 PASTOR GRANDE AVENUE  
 HAYWARD, CALIF. 94541  
 (415) 670-5853

**FIRE PERMIT**

NO:
ISSUE DATE 8/18/89
EXPIRATION DATE 8/22/89

NAME OF BUSINESS: **CLIFFS FORKLIFT REPAIR.**  
 ADDRESS: **210 31 WESTERN BLVD. HAYWARD, CALIF - 94541**

THE BUSINESS (AND ITS LOCATION AS SHOWN ABOVE) PURSUANT TO THE PROVISIONS OF THE ALAMEDA COUNTY FIRE CODE, HAVING MADE APPLICATION IN DUE FORM AND BEING IN COMPLIANCE WITH APPLICABLE CODES, AND ORDINANCES, I HEREBY GRANTED PERMISSION FOR THE FOLLOWING TYPES OF OPERATIONS:

**REMOVE 1 - 1000 GALLON GASOLINE TANK.**

UPON ACCEPTANCE OF THIS PERMIT THE PERMITTEE AGREES TO COMPLY WITH ALL ORDINANCE PROVISIONS NOW ADOPTED OR THAT MAY BE HEREAFTER ADOPTED

THIS PERMIT MUST BE KEPT ON THE PREMISES AT ALL TIMES

*Eric W. Bradley*

110-1 (Rev 10/85) [0134E (08)] 3-Part Distribution: White - Payor Yellow & Pink - Depart.

CASH  PERSONAL/CASHIER'S CHECK/M. O. # 1018  OTHER:

RECEIVED BY: <i>Mrs. Ann Marie B. Overly</i>
FOR: <i>CLIFFS FORKLIFT REPAIR</i>
FROM: <i>West Coast Tank Leasing #117 San Jose 95123</i>
DEPT. NO.: <i>21031 Western Blvd. Hayward</i>

DOLLARS \$ **333.00**

MISCELLANEOUS RECEIPT

№ 552816

DATE: **7/1/11/89**

OFFICE OF THE AUDITOR-CONTROLLER  
 COUNTY OF ALAMEDA

REF. / A/C NO. **R**

70172

**UNIFORM HAZARDOUS WASTE MANIFEST**

1. Generator's US EPA ID No. CA1000018498E	Manifest Document No. 0100111	2. Page 1 of 1	Information in the shaded areas is not required by Federal law.
3. Generator's Name and Mailing Address Bill Florence 766 Gillway Dr San Lorenzo		A. State Manifest Document Number 8119051	
4. Generator's Phone (415) 481-0393		B. State Generator's ID	
5. Transporter 1 Company Name ERICKSON TRUCKING INC	6. US EPA ID Number CA10009466392	C. State Transporter's ID 001384	
7. Transporter 2 Company Name		D. Transporter's Phone 415-235-1393	
8. US EPA ID Number		E. State Transporter's ID	
9. Designated Facility Name and Site Address ERICKSON, INC 255 PARR BLVD RICHMOND CA. 94801		F. Transporter's Phone	
10. US EPA ID Number CA10009466392		G. State Facility's ID	
		H. Facility's Phone 415 581-5416	

11. US DOT Description (Including Proper Shipping Name, Hazard Class, and ID Number)	12. Containers		13. Total Quantity	14. Unit Wt/Vol	I. Waste No.
	No.	Type			
a. WASTE Empty STORAGE TANK	01	TIP	0101010	P	State 512 EPA/Other NONE
b.					State EPA/Other
c.					State EPA/Other
d.					State EPA/Other
J. Additional Descriptions for Materials Listed Above Empty ungraded gasoline TANK 21174 Ice with 100 LBS DRY ICE			K. Handling Codes for Wastes Listed Above a. 01 b. c. d.		

15. Special Handling Instructions and Additional Information

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: DINO GORIS Signature: [Signature] Month Day Year: 08 12 1989

17. Transporter 1 Acknowledgement of Receipt of Materials  
 Printed/Typed Name: JERRY E. BROWN Signature: [Signature] Month Day Year: 08 12 1989

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: Shannan Lowry Signature: [Signature] Month Day Year: 08 12 1989

IN CASE OF AN EMERGENCY OR SPILL, CALL THE NATIONAL RESPONSE CENTER 1-800-424-8802; WITHIN CALIFORNIA CALL 1-800-852-7550  
 GENERATOR  
 TRANSPORTER  
 FACILITY

Pr 2  
 5-18



DEPARTMENT OF ENVIRONMENTAL HEALTH  
Hazardous Materials Program  
80 Swan Way, Rm. 200  
Oakland, CA 94621  
(415)

May 2, 1991

Bill and Kathy Florence  
786 Galway Dr.  
San Lorenzo CA 94580

RE: Contamination from Former Underground Fuel Storage Tank  
Cliff's Forklift, 21031 Western Blvd., Hayward 94541

Dear Mr. and Mrs. Florence:

On August 21, 1989 an underground fuel tank was removed from your property. Sampling results recently received by this office show that gasoline constituents in the soil beneath the former tank exceed Regional Water Quality Control Board (RWQCB) action levels for petroleum constituents. Results from samples taken from the tank pit on three different dates indicate that soil levels of total petroleum hydrocarbons as gasoline (TPHg) were as high as 9,500 parts per million (ppm). Benzene, toluene, ethyl benzene and xylene (BTEX), which are gasoline constituents, were also found at high levels. Whenever TPH concentrations exceed 100 ppm in undisturbed native soil, as was the case at your site, the Regional Board guidelines require a follow up groundwater investigation.

You are required to investigate the full depth and lateral extent of petroleum contamination affecting soil and groundwater at and beyond your site. You are required to submit a work plan to this office by June 15, 1991. The work plan must, at a minimum, address the items listed on Attachment 1 (enclosed). All work must be performed according to the guidelines found in the Regional Board Staff Recommendations for Initial Evaluation and Investigation of Underground Tanks and the Leaking Underground Fuel Tank Manual. Copies of these documents can be obtained from the RWQCB office in Oakland.

At a minimum, you must install three groundwater monitoring wells onsite. Wells must be sampled and samples chemically analyzed monthly for a minimum of three months. After three consecutive months of sampling, all monitoring wells must be sampled at least quarterly for a minimum of one year. You must monitor and chemically analyze for TPH as gasoline and BTEX components.

A groundwater gradient map must be developed for the site. A technical report must be submitted within three months of the time that the first sampling results are available. This report

Florence  
Cliff's Forklift  
May 2, 1991  
Page 2 of 3

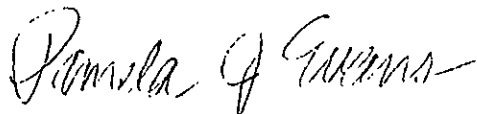
must present and interpret the information generated during the initial subsurface investigation. All reports and proposals must be signed by a qualified person as described in RWQCB guidelines. All proposals, reports, and analytical results pertaining to this investigation and site remediation must be sent to this office and to:

Richard Hiett  
RWQCB  
2101 Webster St., 4th Floor  
Oakland CA 94612

Enclosed is an Underground Storage Tank Contamination Site Report form. You must complete and return the form to this office by May 15, 1991.

I strongly recommend that you submit your work plan for review to this office **before** beginning any investigative work at the site. You may contact me with any questions at (415)271-4320.

Sincerely,



Pamela J. Evans  
Hazardous Materials Specialist

Enclosure

c: Richard Hiett, RWQCB  
Mark East, E&G Engineering

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY  
DAVID J. KEARS, Agency Director



DEPARTMENT OF ENVIRONMENTAL HEALTH  
Hazardous Materials Program  
80 Swan Way, Rm. 200  
Oakland, CA 94621  
(415)

January 17, 1991

Bill Florence  
786 Galway Dr.  
San Lorenzo CA 94580

RE: Sampling Results from Excavation of Underground Storage Tank  
at Cliff's Forklift, 21031 Western Blvd., Hayward 94541

Dear Mr. Florence:

On August 21, 1989, an underground fuel storage tank was removed from your property. Since that time, this office has received no sampling results that would indicate whether contamination from tank contents has impacted soil or groundwater. Pursuant to California Water Code Section 13267 (b), all reports and analytical results pertaining to the tank removal must be sent to this office and to the Regional Water Quality Control Board.

In addition, you are required to submit a copy of the hazardous waste manifest for the removed storage tank to this office. Copies of receipts or manifests for any soil disposal must also be forwarded.

The requested information and documents are due in this office no later than February 5, 1991. You may contact me with any questions at 271-4320.

Sincerely,

Pamela J. Evans  
Hazardous Materials Specialist

c: Richard Hiett, RWQCB  
Constantine Gonis, West Coast Tank Testing Company

**ALAMEDA COUNTY HEALTH CARE SERVICES AGENCY  
 DEPARTMENT OF ENVIRONMENTAL HEALTH  
 HAZARDOUS MATERIALS DIVISION  
 80 SWAN WAY, ROOM 200  
 OAKLAND, CA 94621  
 PHONE NO. 415/271-4320**

**ACCEPTED**

DEPARTMENT OF ENVIRONMENTAL HEALTH  
 470 - 27th Street, Third Floor  
 Oakland, CA 94612  
 Telephones: (415) 874-7227

These plans have been reviewed and found to be acceptable and essentially meet the requirements of State and local health laws. Charges to your client indicated on this Department are to assure compliance and issuance of the laws. The project proposed herein is now ready for issuance of any required building permits for construction.

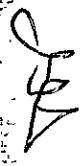
One copy of these accepted plans must be on file and available to all contractors and craftsmen involved with the removal.

Any change or alterations of these plans and specifications must be submitted to this Department and to the local Building Inspection Department to determine if such changes meet the requirements of State and local laws. Notify this Department at least 48 hours before following required inspections:

- \_\_\_\_\_ Removal of Tank and Piping
- \_\_\_\_\_ Sampling
- \_\_\_\_\_ Final Inspection

Issuance of a permit to operate is dependent on compliance with accepted plans and all applicable regulations.

THERE IS A FINANCIAL LIABILITY TO THE COUNTY OF ALAMEDA

8-4-89  


Project # U552816  
 Fee Paid \$ 333.00  
 Date 7/11/89

**UNDERGROUND TANK CLOSURE/MODIFICATION PLANS**

1. Business Name CLIFF'S FORKLIFT REPAIR  
 Business Owner \_\_\_\_\_
2. Site Address 21031 WESTERN BLVD.  
 City HAYWARD, CA Zip \_\_\_\_\_ Phone \_\_\_\_\_
3. Mailing Address \_\_\_\_\_  
 City \_\_\_\_\_ Zip \_\_\_\_\_ Phone \_\_\_\_\_
4. Land Owner MR. BILL FLORENCE  
 Address 786 GALWAY DR., SAN LORENZO City, State CA Zip 94580
5. EPA I.D. No. CAC000186988
6. Contractor WEST COAST TANK TESTING COMPANY  
 Address 5899 SANTA TERESA BLVD. #117  
 City SAN JOSE, CA 95123 Phone (408) 224-9015  
 License Type A505877 ID# 505877
7. Consultant \_\_\_\_\_  
 Address \_\_\_\_\_  
 City \_\_\_\_\_ Phone \_\_\_\_\_

8. Contact Person for Investigation

Name CONSTANTINE P. GONIS Title OWNER

Phone (408) 224-9015 *(disconnected or not in svc. as of 1/17/91)*

9. Total No. of Tanks at facility 1

10. Have permit applications for all tanks been submitted to this office? Yes [ ] No [] *No tank permit*

11. State Registered Hazardous Waste Transporters/Facilities

a) Product/Waste Tranporter

Name \_\_\_\_\_ EPA I.D. No. \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

b) Rinsate Transporter

Name \_\_\_\_\_ EPA I.D. No. \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

c) Tank Transporter

Name ERICKSON, INC. EPA I.D. No. CAD 009466392

Address 255 PARR BLVD.

City RICHMOND, State CA Zip 94801

d) Tank Disposal Site

Name ERICKSON, INC. EPA I.D. No. CAD 009466392

Address 255 PARR BLVD.

City RICHMOND, State CA Zip 94801

e) Contaminated Soil Transporter

Name \_\_\_\_\_ EPA I.D. No. \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

12. Sample Collector

Name JAMES  
Company CHAMPCO  
Address 1281 30th STREET  
City OAKLAND State CA Zip 94608 Phone (415)451-3482

13. Sampling Information for each tank or area

Tank or Area		Material sampled	Location & Depth
Capacity	Historic Contents (past 5 years)		
1,000 GALLON	GASOLINE	SOIL	SAMPLES TAKEN AT BELOW EACH END OF THE TANK. 1' TO 3' BELOW THE TANK

14. Have tanks or pipes leaked in the past? Yes [ ] No [X]

If yes, describe. \_\_\_\_\_

15. NFPA methods used for rendering tank inert? Yes [X] No [ ]

If yes, describe. STATE LAW REQUIRES 15# DRY ICE PER EVERY 1,000 GALLONS.

WCTT REQUIREMENTS ARE 30# TO 40# DRY ICE PER EVERY 1,000 GALLONS

An explosion proof combustible gas meter shall be used to verify tank inertness.

16. Laboratories

Name TRACE ANALYSIS LABORATORY, INC.

Address 3423 INVESTMENT BLVD. #8

City HAYWARD, State CA Zip 94545

State Certification No. 122



17. Chemical Methods to be used for Analyzing Samples

Contaminant Sought	EPA, DHS, or Other Sample Preparation Method Number	EPA, DHS, or Other Analysis Number
<del> </del> BXTE TPH LEAD	840 8040 8015 8020	

18. Submit Site Safety Plan

19. Workman's Compensation:      Yes       No [ ]

Copy of Certificate enclosed?      Yes       No [ ]

Name of Insurer STATE COMPENSATION INSURANCE FUND

20. Plot Plan submitted?      Yes       No [ ]

21. Deposit enclosed?      Yes       No [ ]

22. Please forward to this office the following information within 60 days after receipt of sample results.

- a) Chain of Custody Sheets
- b) Original Signed Laboratory Reports
- c) TSD to Generator copies of wastes shipped and received
- d) Attachment A summarizing laboratory results

I declare that to the best of my knowledge and belief the statements and information provided above are correct and true. I understand that information in addition to that provided above may be needed in order to obtain an approval from the Department of Environmental Health and that no work is to begin on this project until this plan is approved.

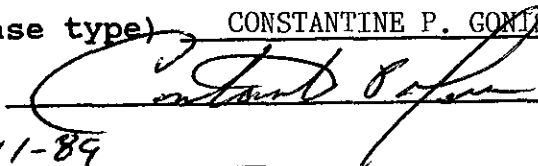
I understand that any changes in design, materials or equipment will void this plan if prior approval is not obtained.

I understand that all work performed during this project will be done in compliance with all applicable OSHA (Occupational Safety and Health Administration) requirements concerning personnel and safety.

I will notify the Department of Environmental Health at least two (2) working days (48 hours) after approval of this closure plan in advance to schedule any required inspections. I understand that site and worker safety are solely the responsibility of the property owner or his agent and that this responsibility is not shared nor assumed by the County of Alameda.

Signature of Contractor

Name (please type) CONSTANTINE P. GONIS

Signature 

Date 7-11-89

Signature of Site Owner or Operator

Name (please type) \_\_\_\_\_

Signature \_\_\_\_\_

Date \_\_\_\_\_

NOTES:

1. Any changes in this document must be approved by this Department.
2. Any leaks discovered must be submitted to this office on an underground storage tank unauthorized leak/contamination site report form within 5 days of its discovery.
3. Three (3) copies of this plan must be submitted to this Department. One copy must be at the construction site at all times.
4. After approval of plan, notification of at least two (2) working days (48 hours) must be given to this Department prior to removal of tank(s).
5. A copy of your approved plan must be sent to the landowner.
6. Triple rinse means that:
  - a) Final rinse must contain less than 100 ppm of Gasoline (EPA method 8020 for soil, or EPA method 602 for water) or Diesel (EPA method 418.1). Other methods for halogenated volatile organics (EPA method 8010 for soil, EPA method 601 for water) may be required. The composition of the final rinse must be demonstrated by an original or facsimile report from a laboratory certified for the above analyses.
  - b) Tank interior is shown to be free from deposits or residues upon a visual examination of tank interior.
  - c) Tank should be labelled as "tripled rinsed; laboratory certified analysis available upon request" with the name and address of the contractor.

If all the above requirements cannot be met, the tank must be transported as a hazardous waste.

7. Any cutting into tanks requires local fire department approval.

UNDERGROUND TANK CLOSURE/MODIFICATION PLANS

ATTACHMENT A  
SAMPLING RESULTS

Tank or Area	Contaminant	Location & Depth	Results (specify units)

## **West Coast Tank Testing**

Petro-tite Testing • Pump Repair  
Tank Installations • Automated Equipment  
Genelco Monitoring Systems

5899 SANTA TERESA BLVD. #117

SAN JOSE, CA 95123

(408) 224-9015

### SITE SAFETY PLAN

ON THE JOB SITE, WCTT WILL HAVE FIRE EXTINGUISHERS, CO<sub>2</sub> CARTRIDGES,  
AND BREATHING APPARATUS AVAILABLE.

THERE WILL BE A SIX FOOT CYCLONE FENCE SURROUNDING THE WORK SITE.

SOIL SAMPLES WILL BE RETRIEVED BY THE EXCAVATOR. NO ONE WILL BE  
IN THE EXCAVATED HOLE. THE SOIL SAMPLE WILL BE TAKEN FROM THE  
BUCKET OF THE BACKHOE.

**FUND**

THESE DECLARATIONS ARE A PART OF THE WORKERS' COMPENSATION POLICY INDICATED HEREON.

THIS INSURANCE IS EFFECTIVE FROM  
12:01 A.M., PACIFIC STANDARD TIME  
2-27-88 TO 2-01-89 AND SHALL  
AUTOMATICALLY RENEW EACH 2-01  
UNTIL CANCELLED

CONTINUOUS POLICY 1049615-88

WEST COAST TANK TESTING, INC  
ROAD  
881 S SAN TOMAS AQUINO  
CAMPBELL, CALIF 95008

DEPOSIT PREMIUM  
CIGA SURCHARGE  
MINIMUM PREMIUM  
PREMIUM ADJUSTMENT PERIOD

NAME OF EMPLOYER- WEST COAST TANK TESTING, INC  
A CORPORATION

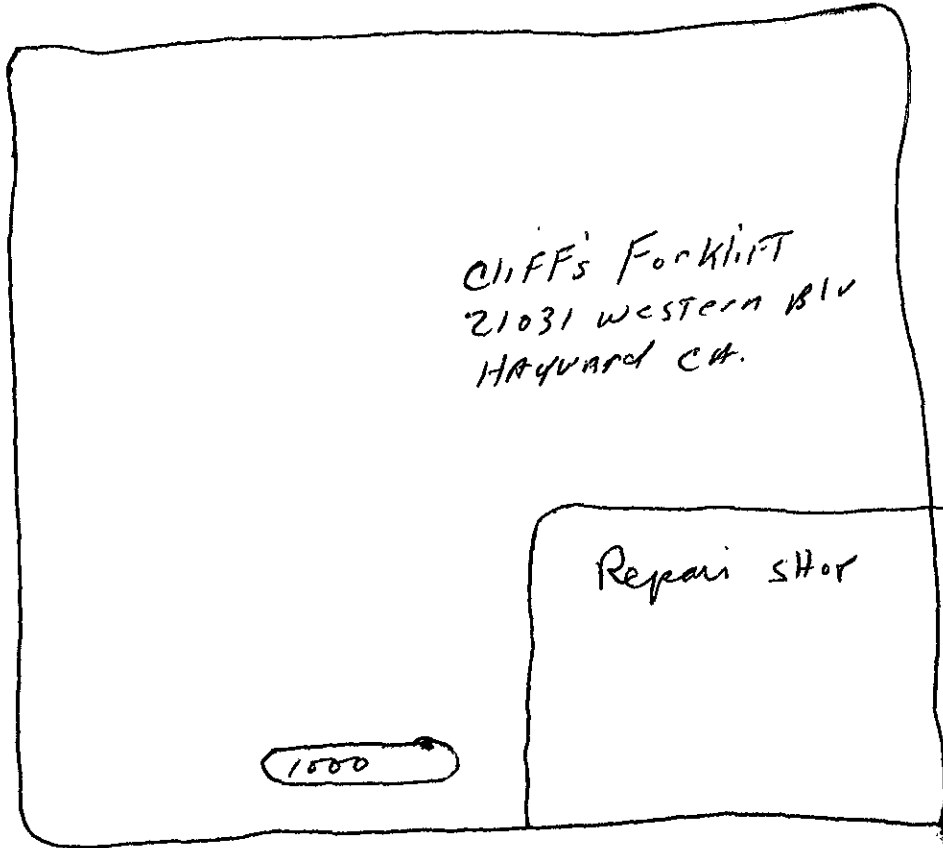
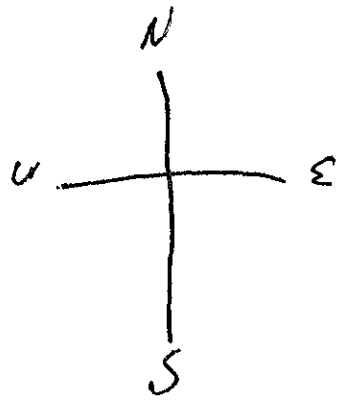
1. WORKERS' COMPENSATION INSURANCE - PART ONE OF THIS POLICY APPLIES TO THE WORKERS' COMPENSATION LAWS OF THE STATE OF CALIFORNIA.
2. EMPLOYER'S LIABILITY INSURANCE - PART TWO OF THIS POLICY APPLIES TO LIABILITY UNDER THE LAWS OF THE STATE OF CALIFORNIA. THE LIMIT OF OUR LIABILITY UNDER PART TWO IS,

**West Coast Tank Testing**

Petro-tite Testing • Pump Repair  
Tank Installations • Automated Equipment  
Genelco Monitoring Systems

5746 Meridian Avenue  
San Jose, CA 95118

(408) 978-5399  
(408) 365-1937



21031 Western Blv.

## INSTRUCTIONS

### 2. SITE ADDRESS

Address at which closure or modification is taking place.

### 5. EPA I.D. NO.

This number may be obtained from the State Department of Health Services, 916/324-1781.

### 6. CONTRACTOR

Prime contractor for the project.

### 7. OTHER

List professional consultants here.

### 12. SAMPLE COLLECTOR

Persons who are collecting samples.

### 13. SAMPLING INFORMATION

Historic contents - the principal product(s) used in the last 5 years.

Material sampled - i.e., water, oil, sludge, soil, etc.

### 16. LABORATORIES

Laboratories used for chemical and geotechnical analyses.

### 17. CHEMICAL METHODS:

All sample collection methods and analyses should conform to EPA or DHS methods.

Contaminant - Specify the chemical to be analyzed.

Sample Preparation Method Number - The means used to prepare the sample prior to analyses - i.e., digestion techniques, solvent extraction, etc. Specify number of method and reference if not an EPA or DHS method.

Analysis Method Number - The means used to analyze the sample - i.e., GC, GC-MS, AA, etc. Specify number of method and reference if not a DHS or EPA method.

#### NOTE:

Method Numbers are available from certified laboratories.

### 18. SITE SAFETY PLAN

A plan outlining protective equipment and additional specialized personnel in the event that significant amount of hazardous materials are found. The plan should consider the availability of respirators, respirator cartridges, self-contained breathing apparatus (SCBA) and industrial hygienists.



19. ATTACH COPY OF WORKMAN'S COMPENSATION

20. PLOT PLAN

The plan should consists of a scaled view of the facility at which the tank(s) are located and should include the following information:

- a) Scale
- b) North Arrow
- c) Property Line
- d) Location of all Structures
- e) Location of all relevant existing equipment including tanks and piping to be removed
- f) Streets
- g) Underground conduits, sewers, water lines, utilities
- h) Existing wells (drinking, monitoring, etc.)
- i) Depth to ground water
- j) All existing tanks in addition to the ones being pulled

rev. 9/88  
mam