



**SVLG**

**SILICON VALLEY LAW GROUP**

A LAW CORPORATION

Jeffrey S. Lawson

[jsl@svlg.com](mailto:jsl@svlg.com)

May 21, 2004

**Via Facsimile & U.S. Mail**

Alameda County  
MAY 24 2004  
Environmental Health

Donna L. Drogos  
LOP Program Manager  
Environmental Health Services  
Environmental Protection  
1131 Harbor Bay Parkway, Ste. 250  
Alameda CA 94502-6577

Re: Sunol Tree Gas Station: 3004 Andrade Road, Sunol, CA  
Fuel Leak Case No.: RO0002448  
Treatment System Test of May 5, 2004

Dear Ms. Drogos:

Please find the analytical sampling data of the treatment system installed at the T-Bear Ranch in accordance with paragraph 4 of your letter of October 31, 2003. As you can see, break through has occurred. Currently, Mr. Kelsoe is in bankruptcy. However, I understand that Weber Hayes & Associates has been retained by Alameda County to, among other things, operate and monitor the treatment system. Accordingly, I have provided Weber Hayes with the data also and expect that, under your direction, they will promptly deal with this matter. I also expect they will take over the system sampling duties.

Your Department's cooperation with the Sunol Tree Gas Station is appreciated.

Very truly yours,  
Silicon Valley Law Group



JEFFREY S. LAWSON

JSL/lt

Enclosure: Sequoia Analytical Results for 5/5/04

Cc: Pat Hoban  
Murray Kelsoe



**Sequoia  
Analytical**

885 Jarvis Drive  
Morgan Hill, CA 95037  
(408) 776-9600  
FAX (408) 782-6308  
[www.sequoialabs.com](http://www.sequoialabs.com)

14 May, 2004

Murray Kelsoe  
Murray Kelsoe  
PO Box 176  
Alamo, CA 94507

Alameda County

MAY 24 2004

Environmental Health

RE: 3004 Andrade Road, Sunol  
Work Order: MNE0136

Enclosed are the results of analyses for samples received by the laboratory on 05/05/04 16:30. If you have any questions concerning this report, please feel free to contact me.

Sincerely,

Leticia Reyes  
Project Manager

CA ELAP Certificate #1210



Murray Kelsoe  
PO Box 176  
Alamo CA, 94507

Project: 3004 Andrade Road, Sunol  
Project Number: -  
Project Manager: Murray Kelsoe

MNE0136  
**Reported:**  
05/14/04 15:11

**ANALYTICAL REPORT FOR SAMPLES**

Sample ID	Laboratory ID	Matrix	Date Sampled	Date Received
Infl # 1	MNE0136-01	Water	05/05/04 08:20	05/05/04 16:30
MID # 2	MNE0136-02	Water	05/05/04 08:24	05/05/04 16:30
EFF # 3	MNE0136-03	Water	05/05/04 08:30	05/05/04 16:30



Murray Kelson PO Box 176 Alamo CA, 94507	Project: 3004 Andrade Road, Sunol Project Number: - Project Manager: Murray Kelson	MNE0136 Reported: 05/14/04 15:11
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**Gasoline\BTEX\Oxygenates by EPA method 8260B**  
**Sequoia Analytical - Sacramento**

Analyte	Result	Reporting		Dilution	Batch	Prepared	Analyzed	Method	Notes
		Limit	Units						

**Infl # 1 (MNE0136-01) Water**    **Sampled: 05/05/04 08:20**    **Received: 05/05/04 16:30**

Ethanol	ND	50	ug/l	1	4050170	05/12/04	05/13/04	EPA 8260B	
Tert-butyl alcohol	13	5.0	"	"	"	"	"	"	
Methyl tert-butyl ether	44	0.50	"	"	"	"	"	"	
Di-isopropyl ether	ND	0.50	"	"	"	"	"	"	
Ethyl tert-butyl ether	ND	0.50	"	"	"	"	"	"	
Tert-amyl methyl ether	ND	0.50	"	"	"	"	"	"	
1,2-Dichloroethane	ND	0.50	"	"	"	"	"	"	
1,2-Dibromoethane (EDB)	ND	0.50	"	"	"	"	"	"	
Benzene	ND	0.50	"	"	"	"	"	"	
Ethylbenzene	ND	0.50	"	"	"	"	"	"	
Toluene	ND	0.50	"	"	"	"	"	"	
Xylenes (total)	ND	0.50	"	"	"	"	"	"	
Gasoline Range Organics (C4-C12)	ND	50	"	"	"	"	"	"	
<i>Surrogate: Toluene-d8</i>		92 %	60-140	"	"	"	"	"	
<i>Surrogate: 4-BFB</i>		97 %	60-140	"	"	"	"	"	
<i>Surrogate: 1,2-DCA-d4</i>		102 %	60-140	"	"	"	"	"	

**MID # 2 (MNE0136-02) Water**    **Sampled: 05/05/04 08:24**    **Received: 05/05/04 16:30**

Ethanol	ND	50	ug/l	1	4050170	05/12/04	05/13/04	EPA 8260B	
Tert-butyl alcohol	ND	5.0	"	"	"	"	"	"	
Methyl tert-butyl ether	6.0	0.50	"	"	"	"	"	"	
Di-isopropyl ether	ND	0.50	"	"	"	"	"	"	
Ethyl tert-butyl ether	ND	0.50	"	"	"	"	"	"	
Tert-amyl methyl ether	ND	0.50	"	"	"	"	"	"	
1,2-Dichloroethane	ND	0.50	"	"	"	"	"	"	
1,2-Dibromoethane (EDB)	ND	0.50	"	"	"	"	"	"	
Benzene	ND	0.50	"	"	"	"	"	"	
Ethylbenzene	ND	0.50	"	"	"	"	"	"	
Toluene	ND	0.50	"	"	"	"	"	"	
Xylenes (total)	ND	0.50	"	"	"	"	"	"	
Gasoline Range Organics (C4-C12)	ND	50	"	"	"	"	"	"	
<i>Surrogate: Toluene-d8</i>		99 %	60-140	"	"	"	"	"	
<i>Surrogate: 4-BFB</i>		100 %	60-140	"	"	"	"	"	
<i>Surrogate: 1,2-DCA-d4</i>		102 %	60-140	"	"	"	"	"	



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Murray Kelsoe PO Box 176 Alamo CA, 94507	Project: 3004 Andrade Road, Sunol Project Number: - Project Manager: Murray Kelsoe	MNE0136 Reported: 05/14/04 15:11
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**Gasoline\BTEX\Oxygenates by EPA method 8260B**

**Sequoia Analytical - Sacramento**

Analyte	Result	Reporting		Units	Dilution	Batch	Prepared	Analyzed	Method	Notes
		Limit								
<b>EFF # 3 (MNE0136-03) Water    Sampled: 05/05/04 08:30    Received: 05/05/04 16:30</b>										
Ethanol	ND	50		ug/l	1	4050170	05/12/04	05/13/04	EPA 8260B	
Tert-butyl alcohol	ND	5.0		"	"	"	"	"	"	
<b>Methyl tert-butyl ether</b>	<b>1.6</b>	<b>0.50</b>		"	"	"	"	"	"	
Di-isopropyl ether	ND	0.50		"	"	"	"	"	"	
Ethyl tert-butyl ether	ND	0.50		"	"	"	"	"	"	
Tert-amyl methyl ether	ND	0.50		"	"	"	"	"	"	
1,2-Dichloroethane	ND	0.50		"	"	"	"	"	"	
1,2-Dibromoethane (EDB)	ND	0.50		"	"	"	"	"	"	
Benzene	ND	0.50		"	"	"	"	"	"	
Ethylbenzene	ND	0.50		"	"	"	"	"	"	
Toluene	ND	0.50		"	"	"	"	"	"	
Xylenes (total)	ND	0.50		"	"	"	"	"	"	
Gasoline Range Organics (C4-C12)	ND	50		"	"	"	"	"	"	
<i>Surrogate: Toluene-d8</i>		102 %			60-140	"	"	"	"	
<i>Surrogate: 4-BFB</i>		105 %			60-140	"	"	"	"	
<i>Surrogate: 1,2-DCA-d4</i>		98 %			60-140	"	"	"	"	



Murray Kelsoe  
PO Box 176  
Alamo CA, 94507

Project: 3004 Andrade Road, Sunol  
Project Number: -  
Project Manager: Murray Kelsoe

MNE0136  
Reported:  
05/14/04 15:11

**Gasoline\BTEX\Oxygenates by EPA method 8260B - Quality Control**  
**Sequoia Analytical - Sacramento**

Analyte	Result	Reporting Limit	Units	Spike Level	Source Result	%REC	%REC Limits	RPD	RPD Limit	Notes
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**Batch 4050170 - EPA 5030B [P/T]**

**Blank (4050170-BLK1)**

Prepared: 05/12/04 Analyzed: 05/13/04

Ethanol	ND	50	ug/l							
Tert-butyl alcohol	ND	5.0	"							
Methyl tert-butyl ether	ND	0.50	"							
Di-isopropyl ether	ND	0.50	"							
Ethyl tert-butyl ether	ND	0.50	"							
Tert-amyl methyl ether	ND	0.50	"							
1,2-Dichloroethane	ND	0.50	"							
1,2-Dibromoethane (EDB)	ND	0.50	"							
Benzene	ND	0.50	"							
Ethylbenzene	ND	0.50	"							
Toluene	ND	0.50	"							
Xylenes (total)	ND	0.50	"							
Gasoline Range Organics (C4-C12)	ND	50	"							
<i>Surrogate: Toluene-d8</i>	<i>10.5</i>		<i>"</i>	<i>10.0</i>		<i>105</i>	<i>60-140</i>			
<i>Surrogate: 4-BFB</i>	<i>10.1</i>		<i>"</i>	<i>10.0</i>		<i>101</i>	<i>60-140</i>			
<i>Surrogate: 1,2-DCA-d4</i>	<i>10.2</i>		<i>"</i>	<i>10.0</i>		<i>102</i>	<i>60-140</i>			

**Laboratory Control Sample (4050170-BS1)**

Prepared & Analyzed: 05/12/04

Methyl tert-butyl ether	8.58	0.50	ug/l	8.64		99	60-140			
Benzene	4.77	0.50	"	5.36		89	70-130			
Toluene	31.6	0.50	"	30.3		104	70-130			
Gasoline Range Organics (C4-C12)	387	50	"	440		88	70-130			
<i>Surrogate: Toluene-d8</i>	<i>10.3</i>		<i>"</i>	<i>10.0</i>		<i>103</i>	<i>60-140</i>			
<i>Surrogate: 4-BFB</i>	<i>10.2</i>		<i>"</i>	<i>10.0</i>		<i>102</i>	<i>60-140</i>			
<i>Surrogate: 1,2-DCA-d4</i>	<i>10.2</i>		<i>"</i>	<i>10.0</i>		<i>102</i>	<i>60-140</i>			

**Laboratory Control Sample Dup (4050170-BSD1)**

Prepared: 05/12/04 Analyzed: 05/13/04

Methyl tert-butyl ether	8.69	0.50	ug/l	8.64		101	60-140	1	25	
Benzene	4.82	0.50	"	5.36		90	70-130	1	25	
Toluene	32.6	0.50	"	30.3		108	70-130	3	25	
Gasoline Range Organics (C4-C12)	393	50	"	440		89	70-130	2	25	
<i>Surrogate: Toluene-d8</i>	<i>10.2</i>		<i>"</i>	<i>10.0</i>		<i>102</i>	<i>60-140</i>			
<i>Surrogate: 4-BFB</i>	<i>10.2</i>		<i>"</i>	<i>10.0</i>		<i>102</i>	<i>60-140</i>			
<i>Surrogate: 1,2-DCA-d4</i>	<i>9.98</i>		<i>"</i>	<i>10.0</i>		<i>100</i>	<i>60-140</i>			



Murray Kelsoe  
PO Box 176  
Alamo CA, 94507

Project: 3004 Andrade Road, Sunol  
Project Number: -  
Project Manager: Murray Kelsoe

MNE0136  
**Reported:**  
05/14/04 15:11

**Notes and Definitions**

DET Analyte DETECTED  
ND Analyte NOT DETECTED at or above the reporting limit  
NR Not Reported  
dry Sample results reported on a dry weight basis  
RPD Relative Percent Difference

**SILICON VALLEY LAW GROUP**  
A LAW CORPORATION

152 NORTH THIRD STREET  
SUITE 900  
SAN JOSE, CA 95112

TELEPHONE: (408) 286-6100  
FACSIMILE: (408) 286-1400  
www.svlg.com

**F A C S I M I L E C O V E R S H E E T**

**DATE:** May 21, 2004  
**TO:** Donna L. Drogos  
**FROM:** Lisa Tornquist, Paralegal to Jeff Lawson  
**RE:** Fuel Leak Case No. R02448/Sunol Tree Gas Station  
**FACSIMILE NO.:** 510-337-9335 **TELEPHONE NO.:** 510-567-6700

Number of pages including Facsimile Cover Sheet: 8

**COMMENTS:** Please refer to the attached letter of today's date.

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Jeffrey S. Lawson

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May 21, 2004

**Via Facsimile & U.S. Mail**

Donna L. Drogos  
LOP Program Manager  
Environmental Health Services  
Environmental Protection  
1131 Harbor Bay Parkway, Ste. 250  
Alameda CA 94502-6577

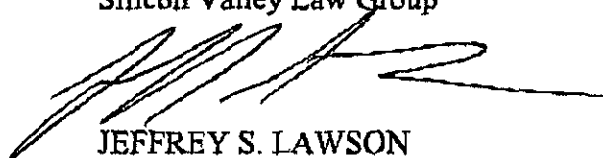
Re: Sunol Tree Gas Station: 3004 Andrade Road, Sunol, CA  
Fuel Leak Case No.: RO0002448  
Treatment System Test of May 5, 2004

Dear Ms. Drogos:

Please find the analytical sampling data of the treatment system installed at the T-Bear Ranch in accordance with paragraph 4 of your letter of October 31, 2003. As you can see, break through has occurred. Currently, Mr. Kelsoe is in bankruptcy. However, I understand that Weber Hayes & Associates has been retained by Alameda County to, among other things, operate and monitor the treatment system. Accordingly, I have provided Weber Hayes with the data also and expect that, under your direction, they will promptly deal with this matter. I also expect they will take over the system sampling duties.

Your Department's cooperation with the Sunol Tree Gas Station is appreciated.

Very truly yours,  
Silicon Valley Law Group



JEFFREY S. LAWSON

JSL/lt

Enclosure: Sequoia Analytical Results for 5/5/04

Cc: Pat Hoban  
Murray Kelsoe



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14 May, 2004

Murray Kelsoe  
Murray Kelsoe  
PO Box 176  
Alamo, CA 94507

RE: 3004 Andrade Road, Sunol  
Work Order: MNE0136

Enclosed are the results of analyses for samples received by the laboratory on 05/05/04 16:30. If you have any questions concerning this report, please feel free to contact me.

Sincerely,

A handwritten signature in cursive script that reads "Leticia Reyes".

Leticia Reyes  
Project Manager

CA ELAP Certificate #1210



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Murray Kelsoe  
PO Box 176  
Alamo CA, 94507

Project: 3004 Andrade Road, Sunol  
Project Number: -  
Project Manager: Murray Kelsoe

MNE0136  
Reported:  
05/14/04 15:11

**ANALYTICAL REPORT FOR SAMPLES**

Sample ID	Laboratory ID	Matrix	Date Sampled	Date Received
Infl # 1	MNE0136-01	Water	05/05/04 08:20	05/05/04 16:30
MID # 2	MNE0136-02	Water	05/05/04 08:24	05/05/04 16:30
EFF # 3	MNE0136-03	Water	05/05/04 08:30	05/05/04 16:30

Sequoia Analytical - Morgan Hill

*The results in this report apply to the samples analyzed in accordance with the chain of custody document. Unless otherwise stated, results are reported on a wet weight basis. This analytical report must be reproduced in its entirety.*



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Murray Kelson  
PO Box 176  
Alamo CA, 94507

Project: 3004 Andrade Road, Sunol  
Project Number: -  
Project Manager: Murray Kelson

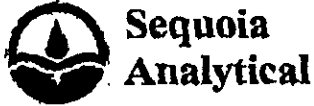
MNE0136  
Reported:  
05/14/04 15:11

**Gasoline\BTEX\Oxygenates by EPA method 8260B**  
**Sequoia Analytical - Sacramento**

Analyte	Result	Reporting Limit	Units	Dilution	Batch	Prepared	Analyzed	Method	Notes
<b>Infl # 1 (MNE0136-01) Water</b> Sampled: 05/05/04 08:20 Received: 05/05/04 16:30									
Ethanol	ND	50	ug/l	1	4050170	05/12/04	05/13/04	EPA 8260B	
Tert-butyl alcohol	13	5.0	"	"	"	"	"	"	
Methyl tert-butyl ether	44	0.50	"	"	"	"	"	"	
Di-isopropyl ether	ND	0.50	"	"	"	"	"	"	
Ethyl tert-butyl ether	ND	0.50	"	"	"	"	"	"	
Tert-amyl methyl ether	ND	0.50	"	"	"	"	"	"	
1,2-Dichloroethane	ND	0.50	"	"	"	"	"	"	
1,2-Dibromoethane (EDB)	ND	0.50	"	"	"	"	"	"	
Benzene	ND	0.50	"	"	"	"	"	"	
Ethylbenzene	ND	0.50	"	"	"	"	"	"	
Toluene	ND	0.50	"	"	"	"	"	"	
Xylenes (total)	ND	0.50	"	"	"	"	"	"	
Gasoline Range Organics (C4-C12)	ND	50	"	"	"	"	"	"	
Surrogate: Toluene-d8		92 %		60-140	"	"	"	"	
Surrogate: 4-BFB		97 %		60-140	"	"	"	"	
Surrogate: 1,2-DCA-d4		102 %		60-140	"	"	"	"	
<b>MID # 2 (MNE0136-02) Water</b> Sampled: 05/05/04 08:24 Received: 05/05/04 16:30									
Ethanol	ND	50	ug/l	1	4050170	05/12/04	05/13/04	EPA 8260B	
Tert-butyl alcohol	ND	5.0	"	"	"	"	"	"	
Methyl tert-butyl ether	6.0	0.50	"	"	"	"	"	"	
Di-isopropyl ether	ND	0.50	"	"	"	"	"	"	
Ethyl tert-butyl ether	ND	0.50	"	"	"	"	"	"	
Tert-amyl methyl ether	ND	0.50	"	"	"	"	"	"	
1,2-Dichloroethane	ND	0.50	"	"	"	"	"	"	
1,2-Dibromoethane (EDB)	ND	0.50	"	"	"	"	"	"	
Benzene	ND	0.50	"	"	"	"	"	"	
Ethylbenzene	ND	0.50	"	"	"	"	"	"	
Toluene	ND	0.50	"	"	"	"	"	"	
Xylenes (total)	ND	0.50	"	"	"	"	"	"	
Gasoline Range Organics (C4-C12)	ND	50	"	"	"	"	"	"	
Surrogate: Toluene-d8		99 %		60-140	"	"	"	"	
Surrogate: 4-BFB		100 %		60-140	"	"	"	"	
Surrogate: 1,2-DCA-d4		102 %		60-140	"	"	"	"	

Sequoia Analytical - Morgan Hill

The results in this report apply to the samples analyzed in accordance with the chain of custody document. Unless otherwise stated, results are reported on a wet weight basis. This analytical report must be reproduced in its entirety.



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Murray Kelsoe  
PO Box 176  
Alamo CA, 94507

Project: 3004 Andrade Road, Sunol  
Project Number: -  
Project Manager: Murray Kelsoe

MNE0136  
Reported:  
05/14/04 15:11

**Gasoline\BTEX\Oxygenates by EPA method 8260B  
Sequoia Analytical - Sacramento**

Analyte	Result	Reporting		Units	Dilution	Batch	Prepared	Analyzed	Method	Notes
		Limit								
<b>EFF # 3 (MNE0136-03) Water Sampled: 05/05/04 08:30 Received: 05/05/04 16:30</b>										
Ethanol	ND	50		ug/l	1	4050170	05/12/04	05/13/04	EPA 8260B	
Tert-butyl alcohol	ND	5.0		"	"	"	"	"	"	
Methyl tert-butyl ether	1.6	0.50		"	"	"	"	"	"	
Di-isopropyl ether	ND	0.50		"	"	"	"	"	"	
Ethyl tert-butyl ether	ND	0.50		"	"	"	"	"	"	
Tert-amyl methyl ether	ND	0.50		"	"	"	"	"	"	
1,2-Dichloroethane	ND	0.50		"	"	"	"	"	"	
1,2-Dibromoethane (EDB)	ND	0.50		"	"	"	"	"	"	
Benzene	ND	0.50		"	"	"	"	"	"	
Ethylbenzene	ND	0.50		"	"	"	"	"	"	
Toluene	ND	0.50		"	"	"	"	"	"	
Xylenes (total)	ND	0.50		"	"	"	"	"	"	
Gasoline Range Organics (C4-C12)	ND	50		"	"	"	"	"	"	
Surrogate: Toluene-d8		102 %		60-140		"	"	"	"	
Surrogate: 4-BFB		105 %		60-140		"	"	"	"	
Surrogate: 1,2-DCA-d4		98 %		60-140		"	"	"	"	

Sequoia Analytical - Morgan Hill

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Project: 3004 Andrade Road, Sunol  
Project Number: -  
Project Manager: Murray Kelson

MNE0136  
Reported:  
05/14/04 15:11

**Gasoline\BTEX\Oxygenates by EPA method 8260B - Quality Control  
Sequoia Analytical - Sacramento**

Analyte	Result	Reporting Limit	Units	Spike Level	Source Result	%REC	%REC Limits	RPD	RPD Limit	Notes
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**Batch 4050170 - EPA 5030B [P/T]**

**Blank (4050170-BLK1)**

Prepared: 05/12/04 Analyzed: 05/13/04

Ethanol	ND	50	ug/l							
Terc-butyl alcohol	ND	5.0	"							
Methyl tert-butyl ether	ND	0.50	"							
Di-isopropyl ether	ND	0.50	"							
Ethyl tert-butyl ether	ND	0.50	"							
Terc-amyl methyl ether	ND	0.50	"							
1,2-Dichloroethane	ND	0.50	"							
1,2-Dibromoethane (EDB)	ND	0.50	"							
Benzene	ND	0.50	"							
Ethylbenzene	ND	0.50	"							
Toluene	ND	0.50	"							
Xylenes (total)	ND	0.50	"							
Gasoline Range Organics (C4-C12)	ND	50	"							
Surrogate: Toluene-d8	10.5		"	10.0		105	60-140			
Surrogate: 4-BFB	10.1		"	10.0		101	60-140			
Surrogate: 1,2-DCA-d4	10.2		"	10.0		102	60-140			

**Laboratory Control Sample (4050170-BS1)**

Prepared & Analyzed: 05/12/04

Methyl tert-butyl ether	8.58	0.50	ug/l	8.64		99	60-140			
Benzene	4.77	0.50	"	5.36		89	70-130			
Toluene	31.6	0.50	"	30.3		104	70-130			
Gasoline Range Organics (C4-C12)	387	50	"	440		88	70-130			
Surrogate: Toluene-d8	10.3		"	10.0		103	60-140			
Surrogate: 4-BFB	10.2		"	10.0		102	60-140			
Surrogate: 1,2-DCA-d4	10.2		"	10.0		102	60-140			

**Laboratory Control Sample Dup (4050170-BSD1)**

Prepared: 05/12/04 Analyzed: 05/13/04

Methyl tert-butyl ether	8.69	0.50	ug/l	8.64		101	60-140	1	25	
Benzene	4.82	0.50	"	5.36		90	70-130	1	25	
Toluene	32.6	0.50	"	30.3		108	70-130	3	25	
Gasoline Range Organics (C4-C12)	393	50	"	440		89	70-130	2	25	
Surrogate: Toluene-d8	10.2		"	10.0		102	60-140			
Surrogate: 4-BFB	10.2		"	10.0		102	60-140			
Surrogate: 1,2-DCA-d4	9.98		"	10.0		100	60-140			

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The results in this report apply to the samples analyzed in accordance with the chain of custody document. Unless otherwise stated, results are reported on a wet weight basis. This analytical report must be reproduced in its entirety.



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Project Number: -  
Project Manager: Murray Kelson

MNE0136  
Reported:  
05/14/04 15:11

#### Notes and Definitions

DET Analyte DETECTED  
ND Analyte NOT DETECTED at or above the reporting limit  
NR Not Reported  
dry Sample results reported on a dry weight basis  
RPD Relative Percent Difference

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