SILICON VALLEY LAW GROUP
A LAW CORPORATION

WSW_TREATSYS_R_
2003-9-11

152 NORTH THIRD STREET
SUITE 900
SAN JOSE, CA 95112

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

FACSIMILE COVER SHEET

DATE: September 11, 2003

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: 4

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

SVLG

SILICON VALLEY LAW GROUP

A LAW CORPORATION

Jeffrey S. Lawson jsl@svlg.com

September 11, 2003

Via Facsimile & U.S. Mail

Pat Hoban
Weber, Hayes & Associates
120 Westgate Drive
Watsonville CA 95076

Re: Sunol Tree Gas Station: 3004 Andrade Road, Sunol
Water Treatment System

Dear Pat:

This letter is in follow up to my letter to Finley Boag on September 10, 2003. In that letter I provided him with a copy of the technical information regarding Murray Kelsoe's proposed carbon water treatment system. Those specifications were prepared in early August when we thought the water usage was much less than it turned out to be. Enclosed are the latest specifications for the water treatment system. As you can see, the most important change is the significant increase in the amount of carbon filtration. We have also, because of plumbing problems, decided that all of the water from the well will be treated rather than running a separate hose for outdoor use with untreated water. Today I was called by Helen Hayes and she asked me to send you the most up to date information in regard to the specifications of the system. Please review these specifications and let me know if they are acceptable. If they are, please contact Alameda County and let them know that they are acceptable to your client. At that point, I will obtain Helen Hayes' written consent to the installation of this water treatment system and we will install it as rapidly as possible.

Your assistance in this matter is greatly appreciated.

Very truly yours,
Silicon Valley Law Group

JEFFREY S. LAWSON

JSL/lt

Enclosure: Updated Specifications

Cc: Donna Drogos
Helen Hayes
Finley Boag
Susan Torrence
Murray Kelsoe

[redacted] Livermore CA email:

September 11, 2003

Sunol Tree Gasoline
3004 Andrade
Sunol, CA

RE: Water Treatment System at 3000 Andrade Rd.

Dear Murray,

After reevaluation of the water usage at the T-Bear Ranch at 3000 Andrade Rd, Sunol,Ca., we recommend the following equipment which will give a 10gpm flow rate with the ability to provide 14,400 gallons of water per day.

Chlorine Injection System w/120gal. Retention tank	$1,250.00
2 - 3000 gallon Storage tanks	$4,800.00
Repressurization System	$2,147.00
4 - 5cu.Ft. Fiberglass tanks	$8,430.00
Installation	$2,600.00

You will need to provide a concrete pad, 10 ft X 20 ft X 6" with a minimum of 3/8" rebar reinforcement. We will also need 220 electric for the Repressurization system. We will inject chlorine into the water supply at well head then through a 120 gal. Retention tank to reduce bacteria's. Next the water will go through the MTBE Reduction Carbon tanks, then to the storage tanks to Repressurization and into service.

We do recommend a monthly test for the bacteria and a quarterly or 6 month test for the MTBE'S. When tank #1 tests positive for MTBE'S it will need to be replaced. Tank #2 will become tank #1. The cost of the replacement tank will be at the current rate. Today's cost is $2230.00. The customer will be responsible for the disposal of the exhausted tanks.

I look forward to doing business with you. If you have additional questions please call me at 925-447-3717.

Leslie Gardner
Field Account Manager

cc: Jeff Lawson, Silicon Valley Law Group

Drogos, Donna, Env. Health

From: Pat Hoban [pat@weber-hayes.com]
Sent: Monday, September 15, 2003 12:56 PM
To: Drogos, Donna, Env. Health
Cc: WHA-Joe Hayes; Jeff Lawson-SVLG; Helen Hayes-Roy Tovani
Subject: T-Bear Ranch Carbon Filtration of MTBE

Drogos, Donna, Env. Health

Weber, Hayes & Associates
Hydrogeology and Environmental Engineering
120 Westgate Drive, Watsonville, Ca. 95076
(831) 722 - 3580 (831) 662 - 3100

September 15, 2003

Ms. Donna Drogos, P.E, LOP Program Manager
Environmental Health Services, Environmental Protection
1131 Harbor Bay Parkway, Suite 250
Alameda, CA 94502-6577

This is in response to a letter from Mr. Kelsoe's attorney (Mr. Jeff Lawson, dated September 11, 2003) describing a proposed carbon treatment solution for temporarily taking care of MTBE-impacted water at the T-Bear Ranch, until a new well can be installed. **We agree that in-line carbon treatment is a good, viable option for treating the water and that Ising's Culligan (Livermore) is likely to be a reasonable, local firm that can effectively plumb up the units so the T-Bear Ranch can continue to use it's existing water distribution system.** We wish to add a few points:

- It is our understanding that the metered T-Bear Ranch well was shown to pump between 3,000 to 10,000 gallons of water a day (which is an average daily flow rate of between 2.1-to-6.9 gpm). This is based on meter monitoring during March, 2003.
- MTBE was detected at a concentrations of 130 and 120 parts per billion (ppb) in March-April (the well water has not been tested in 5+ months).
- Carbon vendors have indicated that based on these flow rates and MTBE concentrations, carbon will be used up at a rate between of 3 to 8 pounds per day (**"carbon usage rate"**, personnel communication: US Filters, and Calgon Carbon).
- The vendors also state that in order for carbon to effectively remove carbon from the water, the water must be in contact with carbon for a minimum of 15 minutes (**"retention time"**).

We would like to make three minor recommendations:

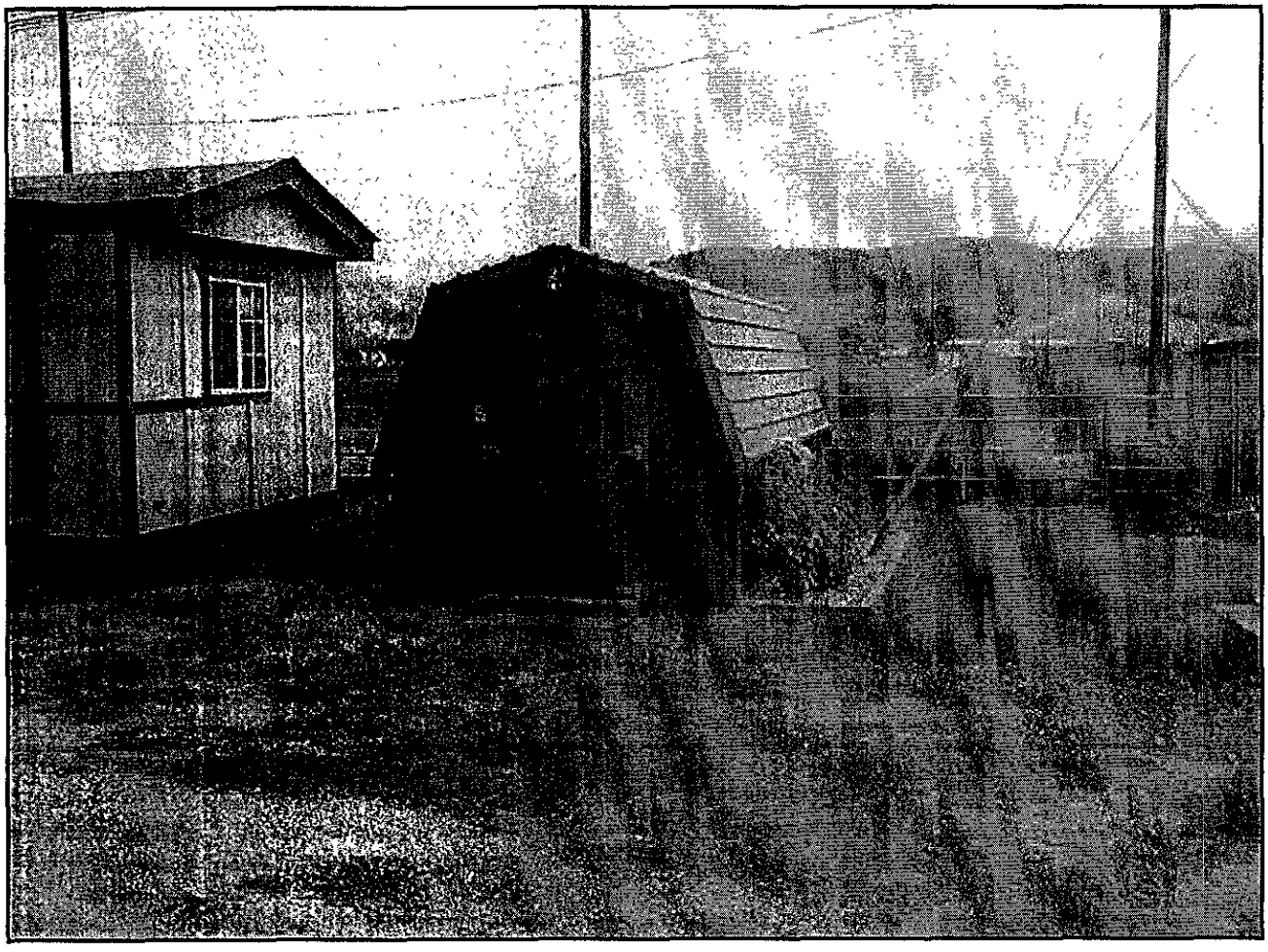
1. The T-Bear well should be retested to confirm current concentrations since it hasn't been tested in over five months. If needed, there is a local lab in Pleasanton that can provide independent, 3rd party sampling and testing (CERCO Analytical - see ATTACHED estimate).
2. The new test results and confirmed flow rates should be provided to the carbon vendors so they in turn can provide appropriate vessel sizes based on site-specific **carbon usage rates** & **appropriate retention time.**
3. Initial confirmation testing for carbon breakthrough should be based on the estimated carbon usage rate. We recommend the confirmation water samples should be collected from between each vessel and at the final discharge point after 75% of the carbon has been used (based on carbon vendor estimate). The initial sample should be run and if fuel contaminants were broken through the first vessel, the second sample should be run. Carbon vessels should be replaced immediately upon breakthrough.

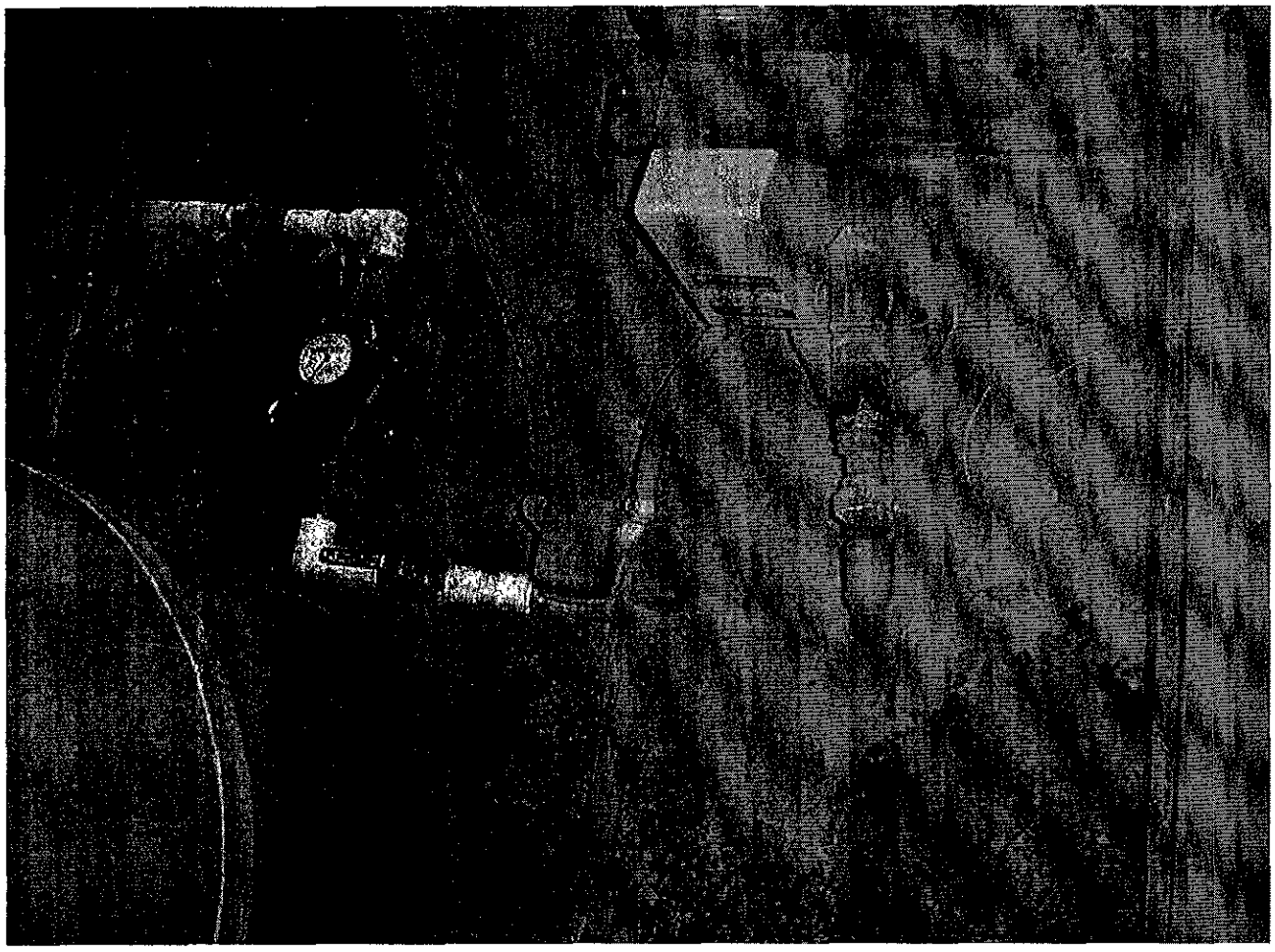
Again, we believe that carbon treatment is a very good temporary water supply option which should be installed ASAP, but we would recommend that Culligan talk directly with the carbon vendor to work out site-specific carbon usage, proper vessel sizing, and any other issues that might effect the system such as pressure drop.

Feel free to call with any questions you may have. Sincerely,

Pat Hoban
Project Geologist
Weber, Hayes and Associates
(831) 722-3580

CONTACTS:
Ising's Culligan (Livermore, Mr. Stuart Dennis, or Leslie Gardner), by phone: (800) 209-2837
Carbon Vendors:
- US Filter Westates: Mike Behm, Field Sales Engineer (ph. 800-659-1718, extension-106)
- Calgon Carbon: Michael Pealer (ph. 412-787-4543)





California State Certified Laboratory No.2153

C E R C O
analytical, inc.

3942-A Valley Avenue
Pleasanton, CA 94566-4715
Tel: 925.462.2771
Fax: 925.462.2775

12 September, 2003

CA No.03-021
Fax No.: 1-831-722-1159

Mr. Pat Hoban
Weber, Hayes & Associates
120 Westgate Drive
Watsonville, CA 95076

Subject: Carbon Filtration System
Quotation for Analytical Services

Dear Mr. Hoban:

Pursuant to our conversation, CERCO Analytical, Inc. is pleased to submit this proposal for analytical services. It is our understanding that there will likely be bi-weekly or monthly grab samples at a Sunol site.

A breakdown of our analytical services and prices are as follows:

Analyte	Method [1]	Price Per Sample	Discounted Price Per Sample
Total Petroleum Hydrocarbons – Gasoline	8015	$125.00	$110.00
Aromatic compounds –			
Benzene	8260		
Toluene	8260		
Ethylbenzene	8260		
Xylenes	8260		
Oxygenates and Breakdown Products-		$240.00	$180.00
Diisopropyl ether (DIPE)	8260		
ethyl-tertiary-butyl-ether (ETBE)	8260		
methyl-tertiary-butyl-ether (MTBE	8260		
Tertiary-amyl-methyl-ether (TAME)	8260		
Tertiary butyl alcohol (TBA)	8260		
Time and Mileage – Field Technician - $55.00/hour and $0.32/mile (portal-to-portal)			TBD[2]

[1] Method numbers maybe subject to change, but all analytical work is completed in accordance with EPA approved or recognized methods, if that method has a level of quantification below the application criterion

[2] The standard rate for a Field Technician is $55.00/hour and $0.32/mile (portal-to-portal). At this time, an estimate is $130.00. After the initial site visit, CERCO will be able to estimate the time and mileage more accurately. Also, if CERCO can combine this sampling with other clients in your area, the cost will be less than $130.00.

Notes:

1. CERCO Analytical, Inc. will supply all sampling containers and preservatives, where applicable.
2. All analytical services will be completed in accordance with EPA and standard analytical procedures and in accordance with our certification. If we are not certified for an analyte, CERCO will transport the samples to a State Certified Laboratory.
3. CERCO will need a site visit prior to commencement of this project.
4. Payment Terms: Net 30 days from receipt of invoices.

CERCO Analytical is a woman-owned business and effective April 10, 2001, CERCO Analytical, Inc. has a certified small business status with the State of California (REP#0022837).

For your convenience, you may sign below where indicated and return a copy via fax as evidence of your acceptance of this proposal.

Thank you for giving CERCO the opportunity to submit this proposal. CERCO is a California State Certified Department of Health Services Laboratory (#2153) servicing the analytical needs of the Bay Area. We feel that we can serve your analytical needs in a professional and timely manner. If you have questions, please let us know.

Sincerely yours,
CERCO ANALYTICAL, INC.

Darlene Langford
Administrative Manger

NOTICE TO PROCEED

_____
Company

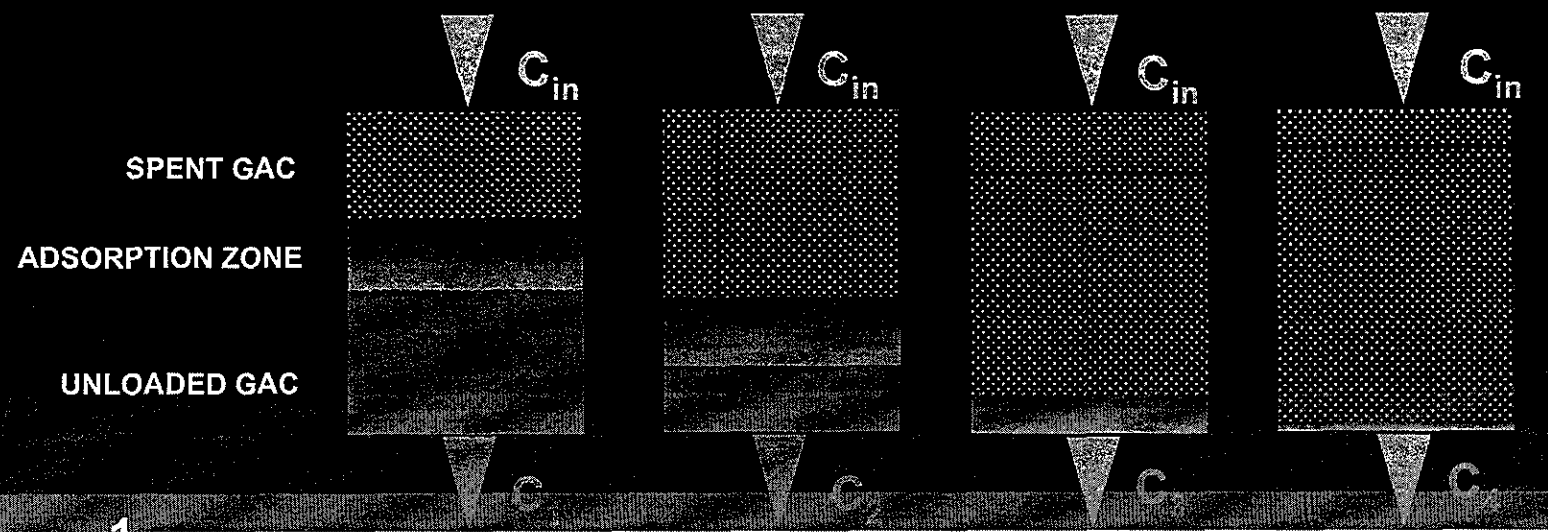
_____
Name (Printed)

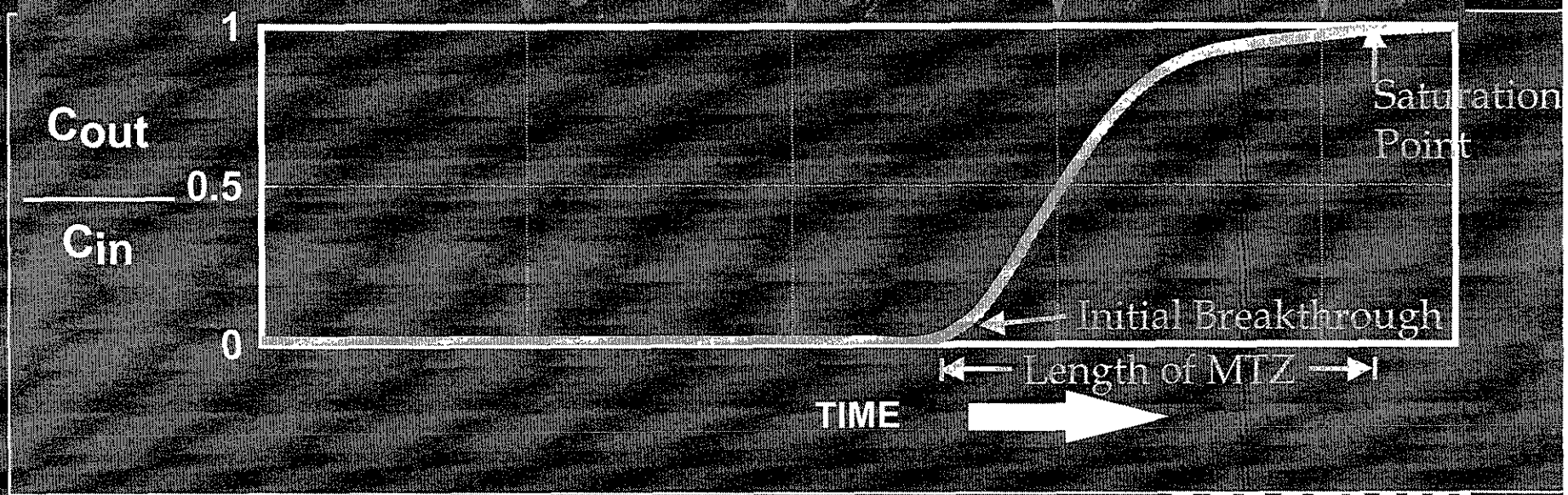
_____
Signature

_____
Title Date

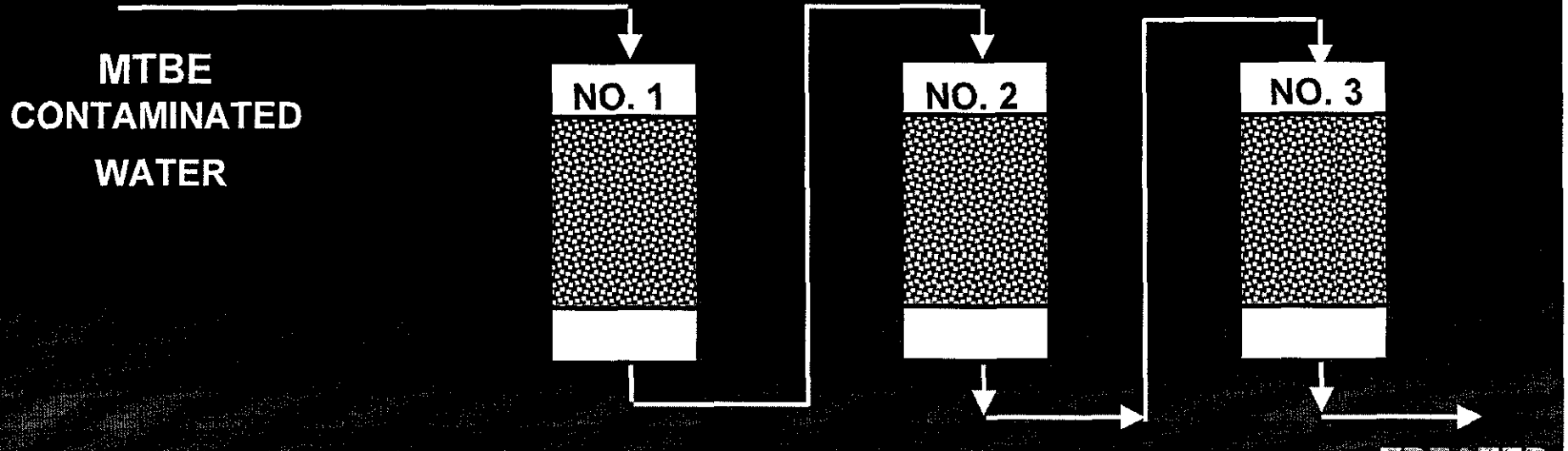
ADSORPTION USING ACTIVATED CARBON

MASS TRANSFER ZONE - MTZ





Three Adsorbers in Series Operation for MTBE Applications



* Lowest GAC Usage Rates for Compounds with Long MTZ
* Contact Time of 15 - 30 Minutes
* Hydraulic Surface Loading of1 - 5 gpm sq. ft.
* Down Flow Operation
* Particulate Filter on Inlet
* Backwashing Rate 10 - 15 gpm/sq. ft. *
* Use High Quality Coconut Shell GAC for Best Performance

VIVENDI water

Drogos, Donna, Env. Health

From: Pat Hoban [pat@weber-hayes.com]
Sent: Friday, September 19, 2003 5:49 PM
To: Jeff Lawson-SVLG
Cc: Drogos, Donna, Env. Health; WHA-Joe Hayes; Helen Hayes-Roy Tovani
Subject: Re: T-Bear Ranch Carbon Filtration of MTBE

Drogos, Donna, Env. Health

Weber, Hayes & Associates
Hydrogeology and Environmental Engineering
120 Westgate Drive, Watsonville, Ca. 95076
(831) 722 - 3580 (831) 662 - 3100

September 19, 2003

Jeff Lawson
Silicon Valley Law Group
152 North Third Street, Suite 900
San Jose, CA 95112

Dear Jeff:

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- Despite this discrepancy, it appears that Culligan's 5 cu-ft vessels could hold approximately 145 lbs of carbon, should successfully adsorb MTBE for 37 days before theoretical breakthrough.

We believe that carbon treatment is a very good temporary water supply option which should be installed ASAP. We think this system should be installed with the following conditions:

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We will recommend that the T-Bear Ranch property owners sign the **ACCESS AGREEMENT** with these conditions and following review by Alameda County Environmental Health Services (case officer Ms. Donna Drogos, P.E.). We look forward to moving forward on this much needed relief. Thank you for you help.

Sincerely,

Pat Hoban
Project Geologist
Weber, Hayes and Associates
(831) 722-3580

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To: Drogos, Donna, Env. Health
Cc: WHA-Joe Hayes ; Jeff Lawson-SVLG ; Helen Hayes-Roy Tovani
Sent: Monday, September 15, 2003 12:55 PM
Subject: T-Bear Ranch Carbon Filtration of MTBE

Weber, Hayes & Associates
Hydrogeology and Environmental Engineering
120 Westgate Drive, Watsonville, Ca. 95076
(831) 722 - 3580 (831) 662 - 3100

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Alameda County Environmental Health Services, Environmental Protection
1131 Harbor Bay Parkway, Suite 250
Alameda, CA 94502-6577

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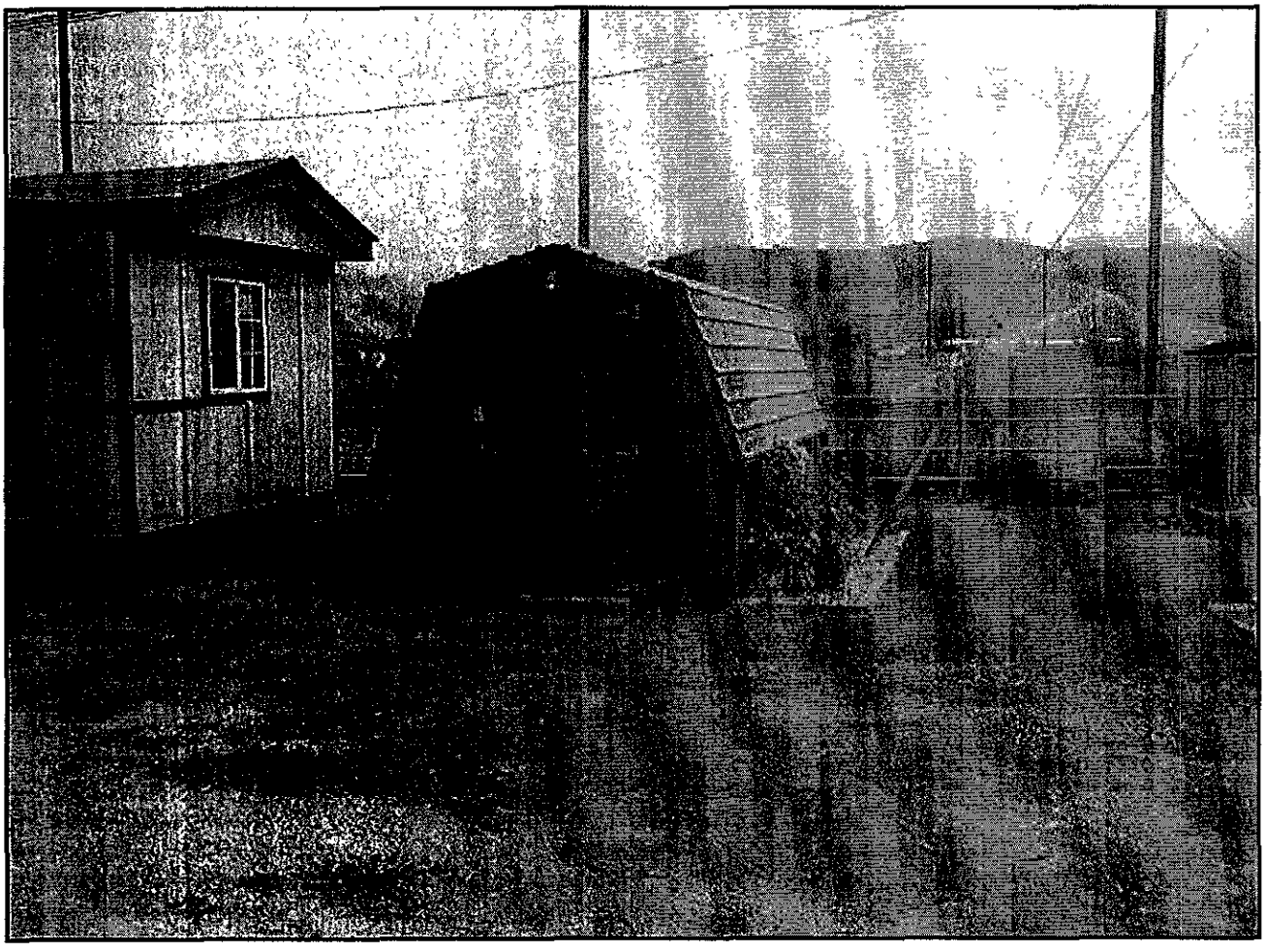

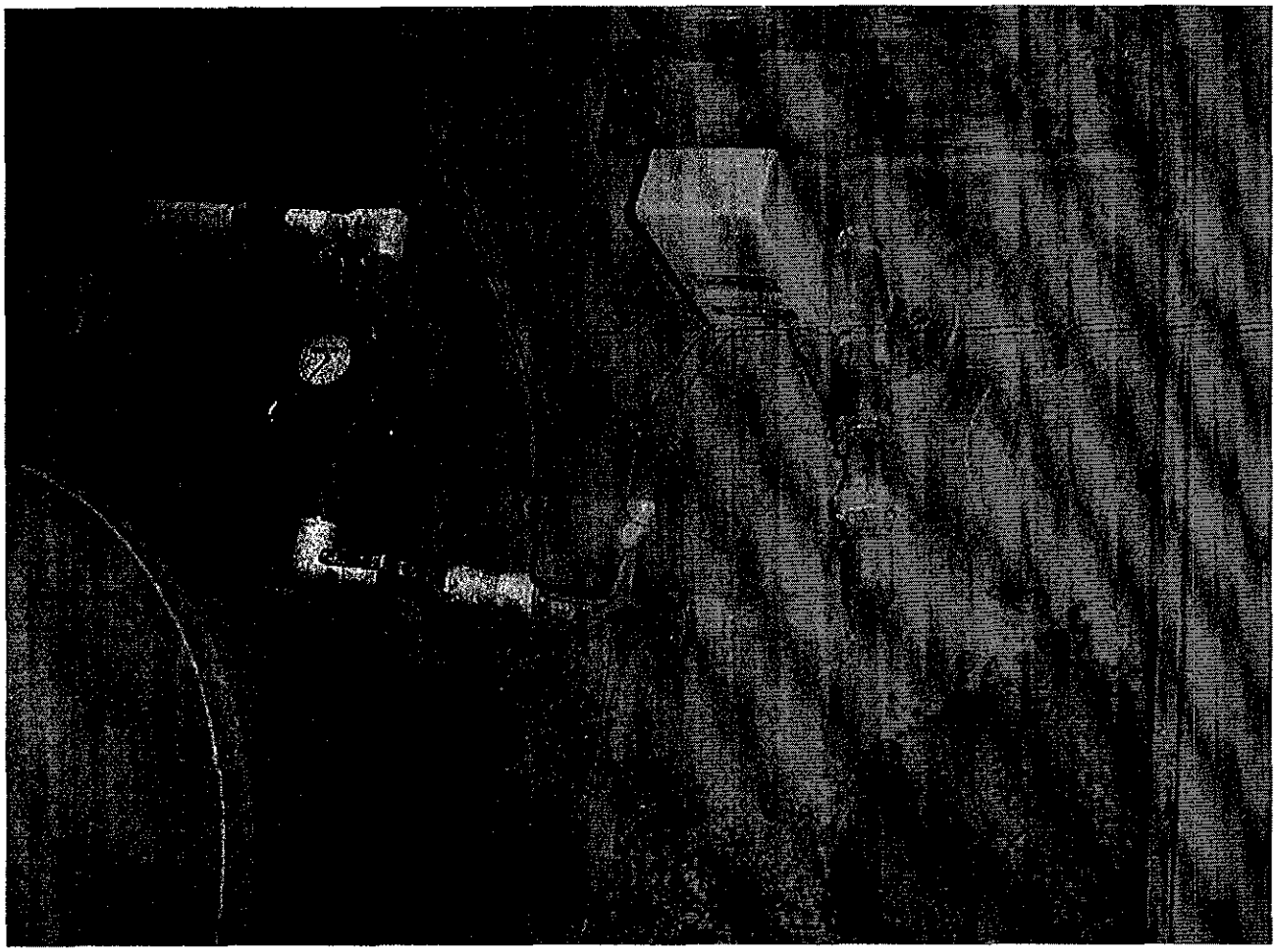

[redacted] Livermore CA email:

September 17, 2003

Jeff Lawson
RE: 3000 Andrade Sunol, CA

Dear Mr. Lawson,

In response to Pat Hoban, Weber, Hayes & Assoc., I contacted Calgon Carbon Corporation and presented to them the system we recommended. Kim Thompson, 412-787-6315, recommended that we utilize the Filtrasorb 600 carbon to eliminate the possibility of TBA, tert butyl alcohol, bleedthru. (TBA is a by product when MTBE is removed from the water)

Based on 10,000 gallons per day and a 120 ppb level of MTBE, you will exhaust 8.9 lbs of Filtasorb 600 per day. Based on the current water usage reports the property is utilizing an average of 4000 gallons per day with a high of 10,000 gallons. Utilizing these figures an estimate of 1.5 cu ft of carbon will be used per month.

By utilizing a twin tank system in a parallel series configuration you will have 10 cu ft of carbon in each set. I would recommend that you initially test monthly until an established pattern is formed.

I look forward to doing business with you. If you have additional questions please call me at 925-447-3717.

Stuart Dennis
Director of Sales

1st vessel breakthrough

$5\ ft^3$ carbon $\approx$ 145 lbs carbon
at usage rate of 3.9 lb/day
the carbon should be
good for $\approx$ 37 days

What's the conversion

$\sim$ 29 lbs carbon = $1\ ft^3$

$\therefore 1.5\ ft^3 \cong 43.5$ lbs. Carbon

$\frac{43.5}{3.9} = 11.15$ days

Ising's Culligan
Ising's Culligan
2282 Railroad Ave
Livermore CA
Phone: 1-925-447-3717
FAX: 1-925-447-3717
email:

September 11, 2003

Sunol Tree Gasoline
3004 Andrade
Sunol, CA

RE: Water Treatment System at 3000 Andrade Rd.

Dear Murray,

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Leslie Gardner
Field Account Manager

cc: Jeff Lawson, Silicon Valley Law Group

Drogos, Donna, Env. Health

From: Jeff Lawson [jsl@svlg.com]
Sent: Friday, September 19, 2003 6:17 PM
To: ddrogos@co.alameda.ca.us; PatHoban@msn.com
Cc: alphacat2000@aol.com; Lisa Tornquist
Subject: Carbon Filtration System for 3004 Andrade Road - T-Bear Ranch

untitled_3.pdf (1 MB)

Donna,

Enclosed please find the proposal for the installation of a carbon filtration system for the T-Bear Ranch. In response to recommendations by Pat Hoban of Weber, Hayes & Associates, Mr. Kelsoe will test the well and test the carbon filter system on the schedule that Weber, Hayes recommends. You will see from the attached copy of an e-mail from Pat Hoban that he is recommending that the T-Bear Ranch property owner sign the Access Agreement that I had previously provided to Helyn Hayes. I have left a voicemail and sent a fax to Culligan to find out how quickly they can mobilize to undertake this work and to find out to how long it will take to install the system. I will be in court Monday morning and in deposition Monday afternoon. Accordingly, I am sending you this information now and I will provide the timing information as soon as I receive it. I do not have the DA's email so please forward this to her.

Very truly yours,

Jeffrey S. Lawson
Silicon Valley Law Group
152 N. Third St., Ste, 900
San Jose, CA 95112
Phone: 408-286-6100x3023
Fax: 408-286-1400
Web Page www.svlg.com

From: "Pat Hoban" <pat@weber-hayes.com>
To: "Jeff Lawson-SVLG" <jsl@svlg.com>
Date: 9/19/03 5:51PM
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September 19, 2003

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We would like to make three minor recommendations:

1.. The T-Bear well should be retested to confirm current concentrations since it hasn't been tested in over five months. If needed, there is a local lab in Pleasanton that can provide independent, 3rd party sampling and testing (CERCO Analytical - see ATTACHED estimate).

2.. The new test results and confirmed flow rates should be provided to the carbon vendors so they in turn can provide appropriate vessel sizes based on site-specific carbon usage rates & appropriate retention time.

3.. Initial confirmation testing for carbon breakthrough should be based on the estimated carbon usage rate. We recommend the confirmation water samples should be collected from between each vessel and at the final discharge point after 75% of the carbon has been used (based on carbon vendor estimate). The initial sample should be run and if fuel contaminants were broken through the first vessel, the second sample should be run. Carbon vessels should be replaced immediately upon breakthrough.

Again, we believe that carbon treatment is a very good temporary water supply option which should be installed ASAP, but we would recommend that Culligan talk directly with the carbon vendor to work out site-specific carbon usage, proper vessel sizing, and any other issues that might effect the system such as pressure drop.

Feel free to call with any questions you may have. Sincerely,

Pat Hoban
Project Geologist

Weber, Hayes and Associates
(831) 722-3580

CONTACTS:
Ising's Culligan (Livermore, Mr. Stuart Dennis, or Leslie Gardner), by phone: (800) 209-2837
Carbon Vendors:
- US Filter Westates: Mike Behm, Field Sales Engineer (ph. 800-659-1718, extension-106)
- Calgon Carbon: Michael Pealer (ph. 412-787-4543)

CC: "Drogos, Donna, Env. Health" <ddrogos@co.alameda.ca.us>, "WHA-Joe Hayes" <joe@weber-hayes.com>, "Helen Hayes-Roy Tovani" <alphacat2000@aol.com>

Ising's Culligan

Ising's Culligan
2252 Railroad Ave
Livermore CA

Phone: 1-800-209-2837
FAX: 1-925-447-[illegible]7
email:

RECEIVED SEP 15 2003

September 11, 2003

Sunol Tree Gasoline
3004 Andrade
Sunol, CA

RE: Water Treatment System at 3000 Andrade Rd.

Dear Murray,

After reevaluation of the water usage at the T-Bear Ranch at 3000 Andrade Rd, Sunol,Ca., we recommend the following equipment which will give a 10gpm flow rate with the ability to provide 14,400 gallons of water per day.

Chlorine Injection System w/120gal. Retention tank	$1,250.00
2 - 3000 gallon Storage tanks	$4,800.00
Repressurization System	$2,147.00
4 - 5cu.Ft. Fiberglass tanks	$8,430.00
Installation	$2,600.00

You will need to provide a concrete pad, 10 ft X 20 ft X 6" with a minimum of 3/8" rebar reinforcement. We will also need 220 electric for the Repressurization system. We will inject chlorine into the water supply at well head then through a 120 gal. Retention tank to reduce bacteria's. Next the water will go through the MTBE Reduction Carbon tanks, then to the storage tanks to Repressurization and into service.

We do recommend a monthly test for the bacteria and a quarterly or 6 month test for the MTBE'S. When tank #1 tests positive for MTBE'S it will need to be replaced. Tank #2 will become tank #1. The cost of the replacement tank will be at the current rate. Today's cost is $2230.00. The customer will be responsible for the disposal of the exhausted tanks.

I look forward to doing business with you. If you have additional questions please call me at 925-447-3717.

Leslie Gardner
Field Account Manager

cc: Jeff Lawson, Silicon Valley Law Group

Kelsoe. Sunol

Ising's Culligan

Ising's Culligan
2252 Railroad Ave
Livermore CA

Phone: 1-800-203-2837
FAX: 1-925-447-3717
email:

September 17, 2003

Jeff Lawson
RE: 3000 Andrade Sunol, CA

Dear Mr. Lawson,

In response to Pat Hoban, Weber, Hayes & Assoc., I contacted Calgon Carbon Corporation and presented to them the system we recommended. Kim Thompson, 412-787-6315, recommended that we utilize the Fitrasorb 600 carbon to eliminate the possibility of TBA, tert butyl alcohol, bleedthru. (TBA is a by product when MTBE is removed from the water)

Based on 10,000 gallons per day and a 130 ppb level of MTBE, you will exhaust 3.9 lbs of Filtasorb 600 per day. Based on the current water usage reports the property is utilizing an average of 4000 gallons per day with a high of 10,000 gallons. Utilizing these figures an estimate of 1.5 cu ft of carbon will be used per month.

By utilizing a twin tank system in a parallel series configuration you will have 10 cu ft of carbon in each set. I would recommend that you initially test monthly until an established pattern is formed.

I look forward to doing business with you. If you have additional questions please call me at 925-447-3717.

Stuart Dennis
Director of Sales

California State Certified Laboratory No.2153

CERCO analytical, inc.

3942-A Valley Avenue
Pleasanton, CA 94566-4715
Tel: 925.462.2771
Fax: 925.462.2775

12 September, 2003

CA No.03-021
Fax No.: 1-831-722-1159

Mr. Pat Hoban
Weber, Hayes & Associates
120 Westgate Drive
Watsonville, CA 95076

Subject: Carbon Filtration System
Quotation for Analytical Services

Dear Mr. Hoban:

Pursuant to our conversation, CERCO Analytical, Inc. is pleased to submit this proposal for analytical services. It is our understanding that there will likely be bi-weekly or monthly grab samples at a Sunol site.

A breakdown of our analytical services and prices are as follows:

Analyte	Method [1]	Price Per Sample	Discounted Price Per Sample
Total Petroleum Hydrocarbons – Gasoline	8015	$125.00	$110.00
Aromatic compounds –			
Benzene	8260		
Toluene	8260		
Ethylbenzene	8260		
Xylenes	8260		
Oxygenates and Breakdown Products-		$240.00	$180.00
Diisopropyl ether (DIPE)	8260		
ethyl-tertiary-butyl-ether (ETBE)	8260		
methyl-tertiary-butyl-ether (MTBE	8260		
Tertiary-amyl-methyl-ether (TAME)	8260		
Tertiary butyl alcohol (TBA)	8260		
Time and Mileage – Field Technician - $55.00/hour and $0.32/mile (portal-to-portal)			TBD[2]

[1] Method numbers maybe subject to change, but all analytical work is completed in accordance with EPA approved or recognized methods, if that method has a level of quantification below the application criterion

[2] The standard rate for a Field Technician is $55.00/hour and $0.32/mile (portal-to-portal). At this time, an estimate is $130.00. After the initial site visit, CERCO will be able to estimate the time and mileage more accurately. Also, if CERCO can combine this sampling with other clients in your area, the cost will be less than $130.00.

Notes:

1. CERCO Analytical, Inc. will supply all sampling containers and preservatives, where applicable.
2. All analytical services will be completed in accordance with EPA and standard analytical procedures and in accordance with our certification. If we are not certified for an analyte, CERCO will transport the samples to a State Certified Laboratory.
3. CERCO will need a site visit prior to commencement of this project.
4. Payment Terms: Net 30 days from receipt of invoices.

CERCO Analytical is a woman-owned business and effective April 10, 2001, CERCO Analytical, Inc. has a certified small business status with the State of California (REF#0022837).

For your convenience, you may sign below where indicated and return a copy via fax as evidence of your acceptance of this proposal.

Thank you for giving CERCO the opportunity to submit this proposal. CERCO is a California State Certified Department of Health Services Laboratory (#2153) servicing the analytical needs of the Bay Area. We feel that we can serve your analytical needs in a professional and timely manner. If you have questions, please let us know.

Sincerely yours,
CERCO ANALYTICAL, INC.

Darlene Langford
Administrative Manger

NOTICE TO PROCEED

_____
Company

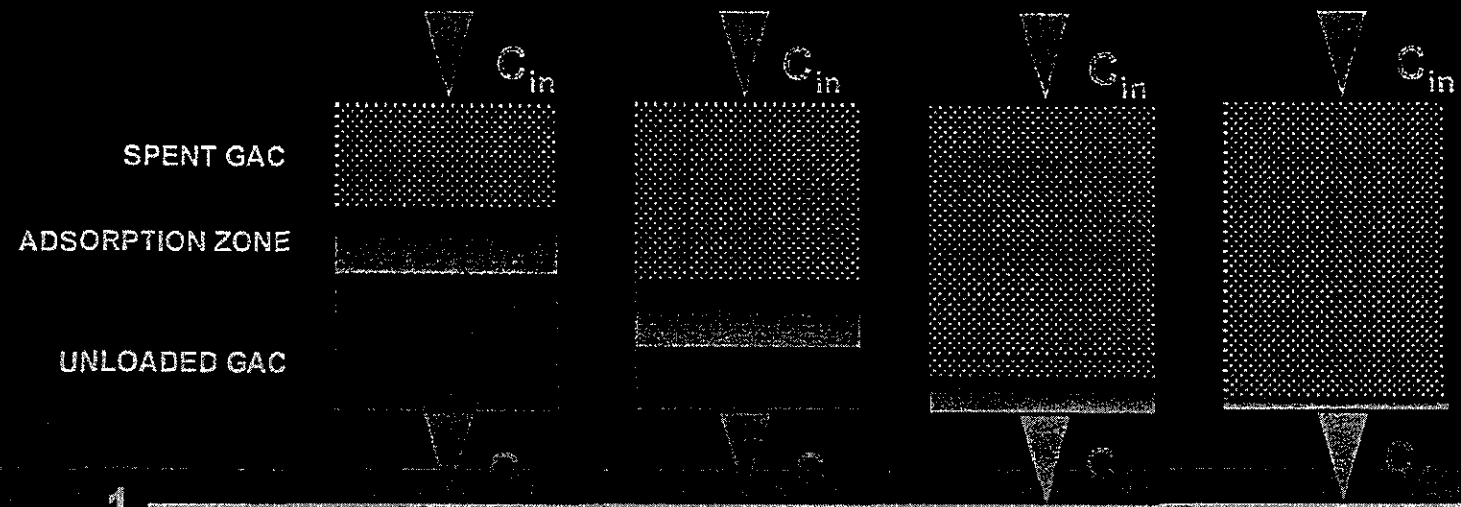
_____
Name (Printed)

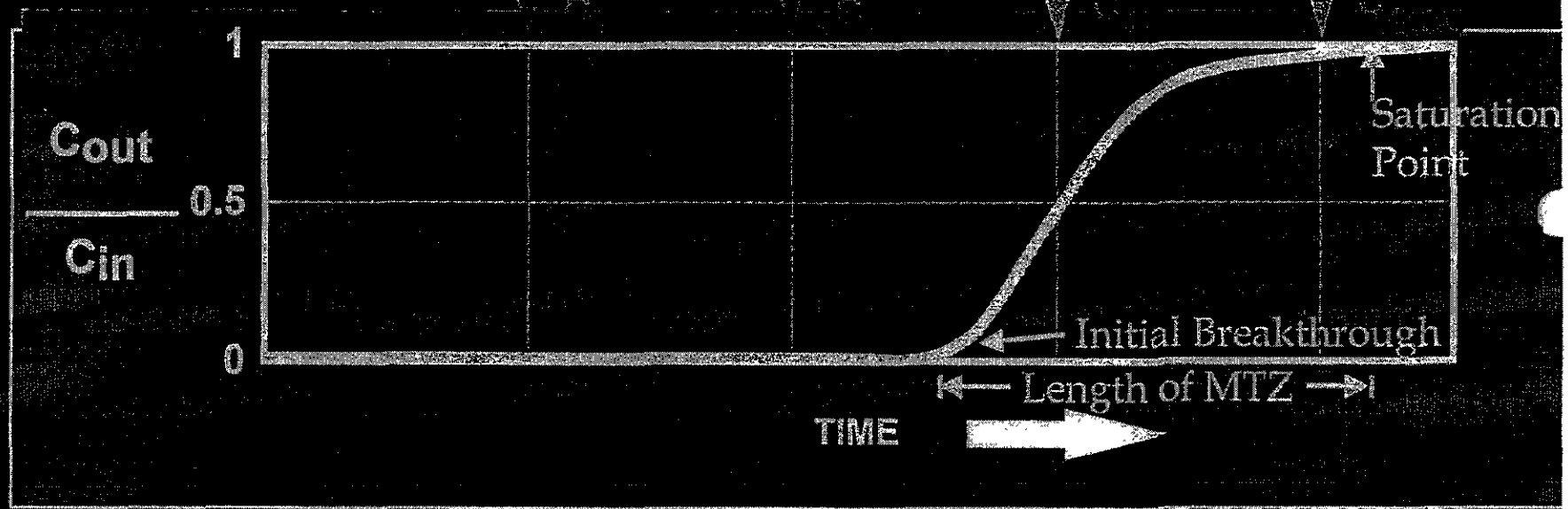
_____
Signature

_____
Title Date

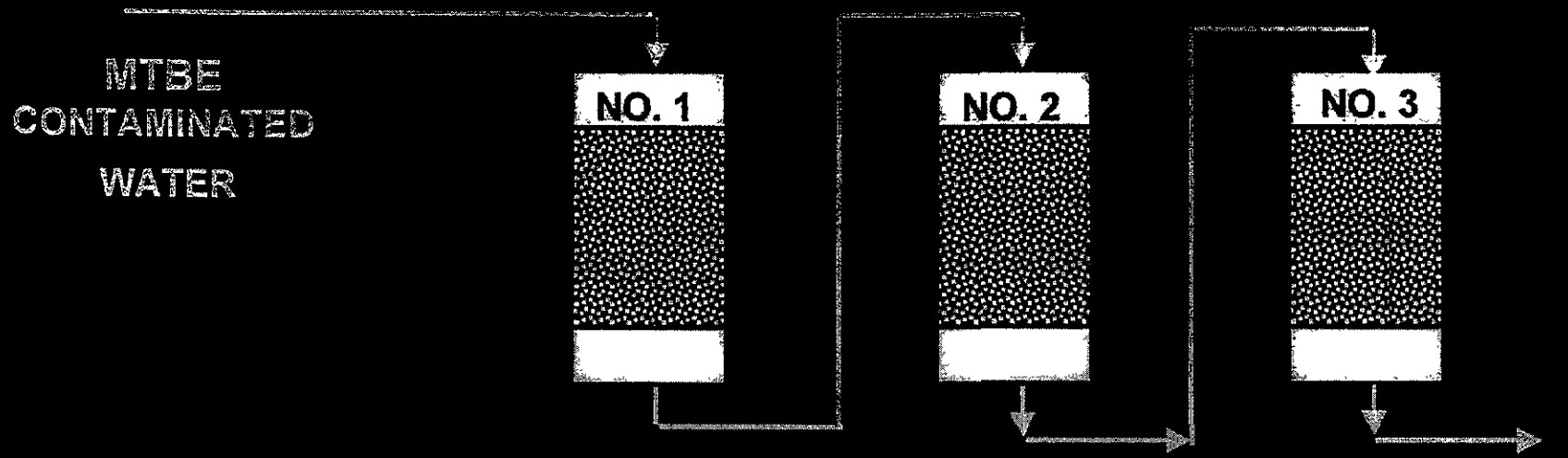
ADSORPTION USING ACTIVATED CARBON

MASS TRANSFER ZONE - MTZ





Three Adsorbers in Series Operation for MTBE Applications



* Lowest GAC Usage Rates for Compounds with Long MTZ
* Contact Time of 15 - 30 Minutes
* Hydraulic Surface Loading of1 - 5 gpm sq. ft.
* Down Flow Operation
* Particulate Filter on Inlet
* Backwashing Rate 10 - 15 gpm/sq. ft. *
* Use High Quality Coconut Shell GAC for Best Performance

VIVENDI water

From: "Pat Hoban" <PatHoban@msn.com>
To: <jsl@svlg.com>
Date: 8/29/03 3:03PM
Subject: Fw: Sunol MTBE

Jeff,

For your information, here are some of the costs and vendor contacts I've obtained for the temporary treatment of MTBE-impacted water and contacts. Feel free to call if you have questions.

Pat Hoban
cell - 831-254-7022

I received a verbal estimate for the carbon filtration option from US Filter. They recommend a series of 3 in-line units for treatment of MTBE, mainly because the water will be used as potable water for the residences. The extra unit provides a built-in safety factor for capturing all the MTBE plus is helpful should this temporary treatment extend greater than 60 days.
Two month rental (includes setup, plumbing into system, freight, carbon disposal) = $9,270
Initial Month: $1,445 x 3 canisters = $4,335.
Setup & plumb into existing water distribution system $1,000 (rough estimate)
2nd month: Monthly rental $150/mo x 3 canisters = $450.
Freight: = $650
End of Rental fee (demob/dispose of carbon) = $945 x 3 canisters = $2,835
NOTE: if only 2 canisters are used, the total would be $6,730,
For comparison: Option 1 (below): 8 weeks of potable water delivery would be about $19,200 - $21,600 (based on the assumptions described below).
For comparison: Option 3 (below): HiPOx well head treatment for 2 months would be $14,450 ($4,500 for each additional month beyond two)
Please note there is no markup on these estimates - we assume this temporary water supply will be directly contracted with Mr. Kelsoe.

Sincerely,
Pat Hoban
Weber, Hayes and Associates

Subject: Sunol MTBE

We believe that in order to effectively construct a replacement well at the T-Bear Ranch, the following tasks should first be completed:
Thorough research of hydrogeology in the vicinity of the site. Zone 7 Water Agency does not have recent data on aquifers or groundwater flow direction in the Sunol area. The most recent research is based on a June 1974 report (EVALUATION OF GROUND WATER RESOURCES: LIVERMORE AND SUNOL VALLEYS). Replacement well design should include a careful review of existing drillers logs for the potential of a continuous low-permeability unit (i.e. clay) and a good sanitary seal.
Characterization of the MTBE-gasoline plume leaving the Sunol Tree. MTBE plumes have a reputation for migrating large distances horizontally as well as moving preferentially downward through more permeable soils (i.e.. preferential pathways). In order to help prevent MTBE from impacting a replacement well, an effort should first be made to characterize the vertical and horizontal extent of the contaminant plume. This can be done relatively quickly and will help prevent installing a bad well based on improper location

and/or screen intervals. An expedited round of drilling to include multi-depth groundwater sampling from borings or preferably, installation of multi-level wells would a 3-dimensional picture of the plume geometry and additional confidence for positioning the replacement well.
Immediate, temporary water supply. It is likely that it will take a minimum of two months of expedited work to complete the two tasks above which means there must be and interim fix set up for the T-Bear Ranch's impacted water supply. The flow meter recently installed at the well head, indicates that the T-Bear Ranch well extracts between 3,000 to 10,000 gallons of water a day (avg flow of up to 6.5 gpm). I have done some quick research and have come up with three temporary water supply options for taking care of MTBE-impacted water until a new well is installed at the T-Bear Ranch, which include:
OPTION 1: Delivery of potable water. This would like entail 1) placement of two, 6-to-8,000 gallon tanks adjacent to the existing pump shed (cement pad or compacted surface likely needed); 2) plumbing the tanks into the system (may require additional pressure tank, and/or chlorine drip feeder to keep the tanks clean); 3) daily deliveries of potable water
BUDGET: Rough estimate for a weekly delivery charge for potable water would be $2,400 to $2,700$ -- this should be confirmed and is based on the 40,000-gallons metered at the T-Bear Ranch between March 15-22. This doesn't include Zone 7 fire hydrant hookup charges (minimal), tank & booster pump rentals ($_____), or plumbing into the existing system ($500-1,000).
Water delivery is based on individual deliveries of potable water using a 2,250-gallon tanker delivery which works out to be approx 18 loads/week x $133-150 per load. The work would be billed directly with the bulk water delivery company at an hourly rate of $100/hr and would involve hookup to metered fire hydrant in Pleasanton, loading the tanker, delivery to Sunol, then back to fire hydrant for another trip (Verbal estimate provided by David at Aero Pure Water, Stockton - 209.464-8099) Truck Service, based on $100/hr x 1 hr per load -- plus 1 hr mob/demob).
OPTION 2: Hookup of 3, in-line Carbon Filters at the well head: This would like entail 1) delivery of three, 1,000-gallon carbon treatment canisters to effectively provide enough residence time for the MTBE to adsorb onto the carbon; 2) plumbing the carbon filter unit into the canisters (plumbing may require additional pressure tank, and/or booster pump); The manufacturer estimates that given the existing site conditions and proposed canister configuration "carbon will be used up at a rate of 16 lbs a day" which in theory means the system should be good for 60 days. The carbon can be checked periodically between the canisters and changed out as necessary.
BUDGET: I should get a written estimate from US Filter tomorrow and will pass along. My contact is Mike Behm, Field Sales Engineer (ph. 800-659-1718, extension-106)
OPTION 3: HiPOx well-head treatment system: This system was initially promising when I initially researched it in March, but is now more expensive and the manufacturer can't get an "off the shelf system" to us for at least a month. The South Lake Tahoe Public Utilities District has used a larger version of this system to successfully treat MTBE-impacted water at their now famous, contaminated production wells. The HiPOx system uses ozone (O3) and hydrogen peroxide (H2O2) to form hydroxyl radicals and to subsequently destroy organic compounds in water. The great feature is that there are no hazardous waste by-products, the contaminants are destroyedΓÇönot filtered and transferred to another media. It would be a nice, non-invasive system that could be attached to the well head, but due to the likely short-term length of the project and the lack of available units on the shelf, the manufacturer has jacked the cost up from $2,500 a month to $6,000 + mob/demob.
For your information: --- Article on the HiPOx system: http://www.aptwater.com/hipox.htm
My contact at Applied Process Technology, Inc. has been Ray Milne (925) 977-1811 at extension 202.

Sincerely,

Pat Hoban
Project Geologist
Weber, Hayes and Associates
(831) 722-3580

----- Original Message -----
From: Pat Hoban
To: rmilne@aptwater.com
Sent: Wednesday, August 27, 2003 12:59 PM
Subject: Sunol MTBE

Hello Ray:

Here is some info on the site we discussed earlier today. I've ATTACHED a location map to the site.
Site is a horse ranch which has its water well impacted by MTBE, at concentrations of up to 130 parts per billion - no gasoline or BTEX has been detected but may arrive at any time. The MTBE is from an adjoining gas station leak, located about 400 feet away. The ranch uses from about 3,000 to 10,000 gallons a day (say 6 gpm) for watering horses, and 3 residential structures (home + trailers). The residents do not drink the water but shower and wash with it.
Photos of the well shed, piping-pressure tank-control box layout are presented below.
Submersible pump specs: http://www.franklin-electric.com/sub_cat/catdisplay.asp?Model=21450890 (1 horsepower, 230 Volts)
Control box specs: http://www.franklin-electric.com/sub_cat/F-3.htm
There is a hope that a new well will be constructed in 3 months or so if State Funding money comes through. I'd say we need immediate treatment of the well water for a minimum of 3 months and possibly for up to 6 months (maybe more?).
The well head treatment should remove the MTBE but doesn't need the strict "drinking water" standards for a new water supply system.
The gas station owner is reportedly required by the District Attorney to remedy this problem by September 1st (i.e.. well head treatment, potable water delivery, carbon treatment). Could you provide me with a monthly charge for installing your treatment unit on the ranch well (to include turnkey installation, whatever regular maintenance check is appropriate, and any hidden costs that would likely crop up - if any) and a time frame for when you can install it. As you can see, these conditions are critical and we need to make a commitment ASAP.

Thank you for your quick response,

Pat Hoban
Project Geologist
(831) 722-3580

Well shed:

Pressure tank and well head piping:

Controller Box Spec's

CALGON CARBON CORPORATION

APPLICATION BULLETIN

ADDITION OF TRACE CAPACITY NUMBER AS A MEASURE OF CARBON PERFORMANCE IN TRACE REMOVAL APPLICATIONS

MARKET NEED FOR TRACE REMOVAL CAPABILITIES

Recent advances in monitoring instrumentation as well as increasing information regarding the health effects of certain organic compounds have created a need for removal of increasingly lower concentration levels of contaminants from water. For example, Methyl Tertiary Butyl Ether (MTBE) is a highly soluble gasoline additive that has been detected in extremely low concentrations in many underground aquifers due primarily to leaking underground storage tanks. Although the health effects of MTBE are controversial at this point, many water providers look to remove MTBE even at these low concentration (1-100 ppb) ranges. Like MTBE, Dibromochloropropane (DBCP), trihalomethanes (THM's), and various pesticides also often require removal from water at low concentration levels.

Activated carbon has been the traditional solution to contaminated water sources. However, only recently has optimized performance at trace level concentrations become a significant parameter of concern for activated carbon products. The ability to predict and control activated carbon's performance at trace levels cannot be achieved using historical characterization methods available in the industry.

PORE DISTRIBUTION AND ITS RELATIONSHIP TO CAPACITY

The mechanics of adsorption in activated carbon relates to a specific compound's affinity to be attracted to specific adsorption pores within the activated carbon structure (an adsorption pore being defined as the volume between the graphitic plates that make up the activated carbon's skeletal structure). Adsorption is dictated by the specific characteristics of the activated carbon structure as well as the concentration and make-up of the contaminant.

The magnitude of adsorption forces is directly related to the amount and orientation of the graphitic plates surrounding the pore. Adsorption pores that are surrounded by a larger number of graphitic plates have high adsorption forces, and are termed "high energy." Adsorption pores that are surrounded by fewer graphitic plates are termed "low energy." Depending on the raw material used to make the carbon and the activation process, different carbons may have different distributions of high and low energy adsorption pores.

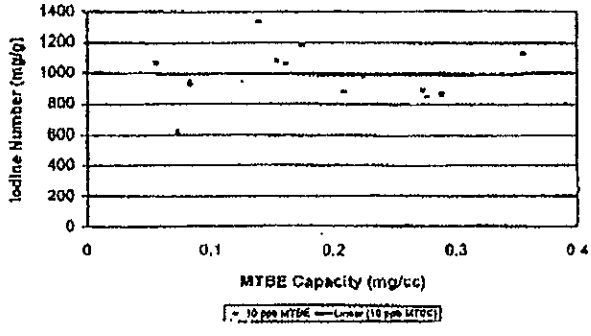
The amount and type of pores within an activated carbon granule defines the relative performance for a specific application. For higher concentrations and/or easily adsorbed compounds (low solubility, high molecular weight), an activated carbon possessing mostly low energy pores would be desired to optimize the capacity. For difficult to adsorb compounds (high solubility, low molecular weight) or compounds at trace concentration levels, however, an activated carbon containing primarily high energy pores would provide the most benefit.

IODINE NUMBER AND ITS RELATIONSHIP TO ACTIVATED CARBON CAPACITY

Although activated carbons have been described by a variety of quality control specifications, the most common measure of an activated carbon's capacity has been iodine number, measured in milligrams of iodine adsorbed per gram of carbon. In many applications, this measurement has provided a quick and easy test method to quickly rank activated carbons in terms of their overall capacity. The problem lies in the fact this test utilizes a high concentration (0.2N) of iodine, an extremely well adsorbed material, and relates primarily to the total amount of adsorption pore volume (both high and low energy) within the activated carbon granule. This measurement says nothing explicitly about the number of high energy pores that are critical for trace removal applications.

To demonstrate the fact that iodine number does not present a good measure of high energy pores required for trace removal applications, the following graph shows a plot of iodine number versus MTBE loading at low concentrations (1 ppb and 10 ppb). No clear relationship between the two parameters exists.

Effect of Iodine Number on MTBE Capacity

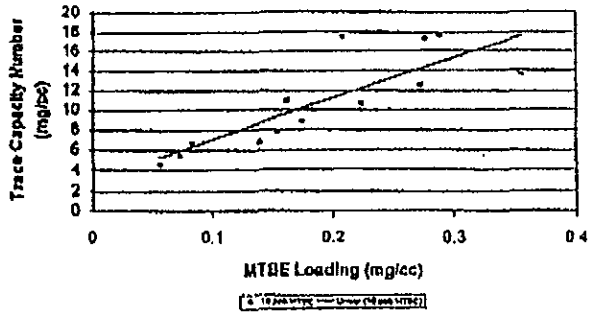


TRACE CAPACITY NUMBER

To properly account for an activated carbon's trace removal capacity, a new measurement has been developed to allow the ranking of various activated carbons in accordance with their capacity at trace levels. As the iodine number test method uses iodine as a surrogate for higher level and readily adsorbed compounds, a surrogate compound is also utilized to better evaluate the performance relative to lower level and lower concentration compounds. Acetoxime has been selected as that compound; its adsorption capacity on the activated carbon measured in milligrams of acetoxime per cubic centimeter of carbon provides a much more reliable indicator of the trace capacity and is hence defined as the Trace Capacity Number.

If we look at the following graph, we can see how the acetoxime number provides a very high correlation when compared with actual MTBE loading at low concentrations.

Effect of Trace Capacity Number (TCN) on MTBE Loading



Note that iodine number still does have value in characterizing activated carbons. By defining both the iodine number and the acetoxime number, you can define the entire range of adsorption pores (both high and low energy) and thus create a unique fingerprint for each type of activated carbon under evaluation.

When evaluating activated carbons for the various trace removal applications prevalent in the marketplace today (removal of MTBE, DBCP, pesticides, etc.), using Trace Capacity Number in addition to Iodine Number will provide the best measure of the carbon's success in the application. Activated carbon products with higher Trace Capacity Numbers will be ideally suited toward low concentration applications.

SAFETY MESSAGE

Wet activated carbon preferentially removes oxygen from air. In closed or partially closed containers and vessels, oxygen depletion may reach hazardous levels. If workers are to enter a vessel containing carbon, appropriate sampling and work procedures for potentially low oxygen spaces should be followed, including all applicable federal and state requirements.

1-800-4-CARBON

www.calgoncarbon.com

Domestic Sales Offices

East Coast Region
Bridgewater, NJ
Tel (908) 526-4646
Fax (908) 526-2467

Midwest Region
Pittsburgh, PA
Tel (412) 787-6700
1-800-4-CARBON
Fax (412) 787-6676

West Coast and Rockies Region
Richmond, CA
Tel (510) 412-1010
Fax (510) 412-5660

Gulf Coast Region
Houston, TX
Tel (713) 690-2000
Fax (713) 690-7909

International Sales Offices

Australasia/Philippines/ Southeast Asia
Calgon Carbon Asia
Singapore Office
Tel (65) 221-3500
Fax (65) 221-3554

Canada
Calgon Carbon Canada, Inc.
Bolton, Ontario
Tel (905) 857-9915
Fax (905) 857-9984

China/Korea/Taiwan
Calgon Carbon Asia
Tokyo Office
Tel 81 3 3560 7505
Fax 81 3 3584 7202

Europe
Chemviron Carbon
B-1200 Brussels, Belgium
Tel 32 2 773 02 11
Fax 32 2 770 93 94

Japan
Calgon Far East
Tokyo Office
Tel 81 3 3582 1861
Fax 81 3 3586 9266

Latin America
Pittsburgh, PA
Tel (412) 787-4519
Fax (412) 787-4523

CALGON

FEATURES	BENEFITS
• Superior trace removal capacity	• Longer bed life between carbon exchanges • Reduced down time • Reduced operating costs
• Consistent trace removal capacity	• Predictable system performance from one carbon bed to the next • Reduces likelihood of premature breakthrough
• Bituminous-based raw materials	• Provides higher hardness relative to other raw materials, reducing the generation of fines and product losses during backwashing
• High density	• Rapid wetting, lack of floaters • Reduced losses during backwashing
• Coal is pulverized and reagglomerated with suitable binder	• Creates optimal transport paths for faster adsorption • Generates the hardness and abrasion resistance required for thermal reactivation and minimizes generation of fines in operations requiring backwashing

SAFETY MESSAGE

Wet activated carbon preferentially removes oxygen from air. In closed or partially closed containers and vessels, oxygen depletion may reach hazardous levels. If workers are to enter a vessel containing carbon, appropriate sampling and work procedures for potentially low oxygen spaces should be followed, including all applicable federal and state requirements.

1-800-4-CARBON

www.calgoncarbon.com

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Fax (412) 787-6676

West Coast and Rockies Region
Richmond, CA
Tel (510) 412-1010
Fax (510) 412-5660

Gulf Coast Region
Houston, TX
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Fax (713) 690-7909

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Fax 81 3 3564 7202

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Tel 32 2 773 02 11
Fax 32 2 770 93 94

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Calgon Far East
Tokyo Office
Tel 81 3 3582 1861
Fax 81 3 3586 9266

Latin America
Pittsburgh, PA
Tel (412) 787-4519
Fax (412) 787-4523

Calgon Carbon Corporation's activated carbon products are continuously being improved and changes may have taken place since this publication went to press.

CALGON

CALGON CARBON CORPORATION

CALGON

CALGON CARBON CORPORATION

PRODUCT BULLETIN

FILTRASORB® 600

GRANULAR ACTIVATED CARBON FOR TRACE REMOVAL APPLICATIONS

DESCRIPTION

Filtrasorb® 600 is a high grade granular activated carbon manufactured by Calgon Carbon Corporation and optimized for superior performance in the removal of trace level organics from water. This carbon is manufactured from superior grades of bituminous coal to maximize the distribution of high energy adsorption pores in the carbon structure. The amount of high energy pores, as measured by Trace Capacity Number, directly relates to the carbon's ability to adsorb organic contaminants at low concentrations.

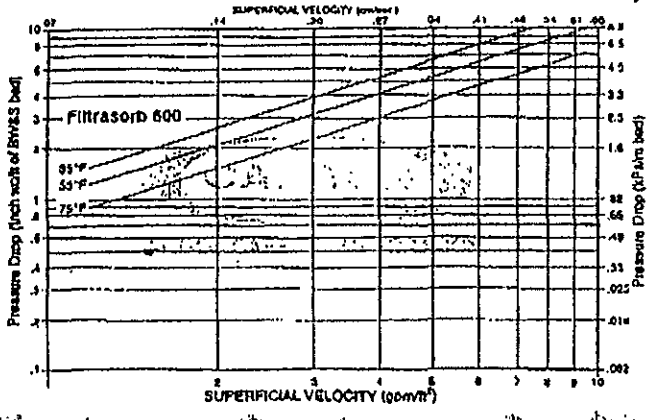
As a high grade, bituminous coal based product, Filtrasorb 600 possesses the durability required in many water treatment applications and is capable of withstanding the abrasion and dynamics associated with repeated reactivation, hydraulic transport, backwashing, and mechanical handling. Filtrasorb 600 is also designed to meet the stringent extractable metals requirements of ANSI/NSF Standard 61.

APPLICATIONS

With its enhanced high energy pore structure, Filtrasorb 600 is ideally suited for trace removal applications and offers a significant performance advantage over traditional activated carbon products used in these types of applications. Specific applications include:

* Removal of MTBE
* Removal of DBCP
* Removal of THM's
* Removal of pesticides & herbicides
* Removal of other organics at concentrations <1 ppm
* Potable water treatment
* Groundwater treatment
* Ultrapure water treatment

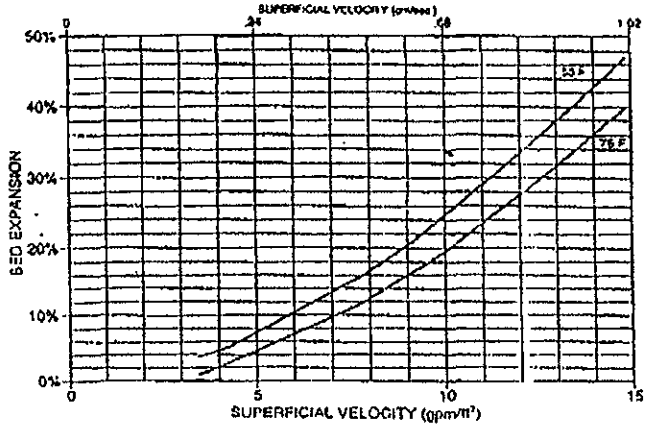
FILTRASORB DOWNFLOW, PRESSURE DROP
BACKWASHED & SEGREGATED BED



SPECIFICATIONS

Iodine Number, mg/g:	850 min
Trace Capacity Number, mg/cc	16 min
Apparent Density, g/cc	0.630 min
Abrasion Number	80 min
Total Ash, weight%	7 max
U.S. Sieve Series	
Percent on 12 mesh	5max
Percent through 40 mesh	4 max

FILTRASORB 600 - BED EXPANSION
BACKWASHED & SEGREGATED BED



PACKAGING

55 pound (25 Kg) 5 ply Bag
1,000 pound (453.7 Kg)
Super Sack
Bulk Trucks

MANUFACTURING

Pearlington, MS

Calgon Carbon Announces

CALGON CARBON PROVIDES SOLUTIONS TO MTBE CONTAMINATION

PITTSBURGH, PA —January 17, 2000 —Last evening, a weekly television news magazine aired a segment on the widespread contamination of drinking water in the U.S. by methyl tertiary butyl ether (MTBE), a chemical used to formulate clean-burning gasoline. Calgon Carbon Corporation, the leading supplier or granular activated carbon for drinking water treatment for more than 30 years, has a solution. The company's technology is readily available to safely and reliably solve the problem of MTBE contamination.

In September 1999, Calgon Carbon Corporation introduced Filtrasorb® 600, the only activated carbon product specifically designed to consistently and predictably remove MTBE from water.

Filtrasorb 600 is manufactured using a proprietary process and achieves a high level of effectiveness and consistent level of performance that cannot be attained by any other activated carbon product on the market today. It is currently available for use in both drinking water and groundwater applications. Used in combination with Calgon Carbon's adsorption systems on a service basis, Filtrasorb® 600 offers customers the safest, most reliable solution to the problem of MTBE contamination.

Commenting on Filtrasorb 600, Benjamin F. Ward, Jr., Ph.D., senior vice president of technology at Calgon Carbon, said, "Based on our fundamental understanding of pore size and pore energy of activated carbon, we were able to design a carbon to specifically target the capture of MTBE. Early performance in the field has shown positive results, confirming our scientific findings in the lab."

Because of the potential widespread health hazard that has been brought to the attention of the American public, we are experiencing a significant increase in the number of inquiries about our technology. Andy McClure, a Calgon Carbon marketing manager, is devoting his full attention to responding to those inquiries to ensure that all potential customers' questions are answered. He can be reached at (412) 787-6761.

Calgon Carbon Corporation, headquartered in Pittsburgh, Pennsylvania, is a global leader in the production, supply, and design of products, services, and technologies for making air and water cleaner and safer. The company employs approximately 1,000 people with 13 facilities and 11 sales and service centers.

###

MEMORY TRANSMISSION REPORT

TIME : SEP-10-2003 15:49
TEL NUMBER1: +
TEL NUMBER2:
NAME : SILICON VALLEY LAW GROUP

FILE NUMBER : 998

DATE : SEP-10 15:46

TO : 18317221159

DOCUMENT PAGES : 007

START TIME : SEP-10 15:46

END TIME : SEP-10 15:49

SENT PAGES : 007

STATUS : OK

FILE NUMBER : 998 *** SUCCESSFUL TX NOTICE ***

SILICON VALLEY LAW GROUP
A LAW CORPORATION

152 NORTH THIRD STREET
SUITE 900
SAN JOSE, CA 95112

TELEPHONE: (408) 286-5100
FACSIMILE: (408) 286-1400
www.svlg.com

FACSIMILE COVER SHEET

DATE: September 10, 2003

TO: Pat Hoban

FROM: Jeff Lawson

RE: Sunol Tree Gas Station

FACSIMILE NO.: ~~(408)~~ 831 722-1159 **TELEPHONE NO.:** ~~(408)~~ 831 722-3580

Number of pages including Facsimile Cover Sheet: 7

COMMENTS: Pat, Attached is material on the carbon treatment system Kelsoe proposes to install. This proposal was based on the prior water usage data, so what we put in will be bigger. However, the technical info remains the same. We will leave a hose connected to the well water for outdoor use. But we are assuming the horses will drink the treated water. We are asking for Tovani's consent today and I thought I would speed up your evaluation by providing the data to you directly.
Thx Jeff
Please refer to the attached.

Drogos, Donna, Env. Health

From: Jeff Lawson [jsl@svlg.com]
Sent: Monday, September 22, 2003 11:13 AM
To: ddrogos@co.alameda.ca.us; PatHoban@msn.com
Cc: alphacat2000@aol.com; Lisa Tornquist; pat@weber-hayes.com
Subject: Re: Carbon Filtration System for 3004 Andrade Road - T-Bear Ranch

untitled_4.pdf (97 KB)

Pat,
Here is the schematic you requested.
Thx

Jeffrey S. Lawson
Silicon Valley Law Group
152 N. Third St., Ste, 900
San Jose, CA 95112
Phone: 408-286-6100x3023
Fax: 408-286-1400
Web Page www.svlg.com

>>> "Pat Hoban" <PatHoban@msn.com> 09/22/03 08:21AM >>>

I will be working at home today (Monday, Sept-22). If I can be of any assistance expediting approval of the water filtration system, please email me at PatHoban@msn.com or call me on my cell (831.254-7022).

Sincerely,
Pat Hoban
Weber, Hayes and Associates

----- Original Message -----
From: Jeff Lawson
Sent: Friday, September 19, 2003 6:18 PM
To: ddrogos@co.alameda.ca.us; PatHoban@msn.com
Cc: alphacat2000@aol.com; Lisa Tornquist
Subject: Carbon Filtration System for 3004 Andrade Road - T-Bear Ranch

Donna,

Enclosed please find the proposal for the installation of a carbon filtration system for the T-Bear Ranch. In response to recommendations by Pat Hoban of Weber, Hayes & Associates, Mr. Kelsoe will test the well and test the carbon filter system on the schedule that Weber, Hayes recommends. You will see from the attached copy of an e-mail from Pat Hoban that he is recommending that the T-Bear Ranch property owner sign the Access Agreement that I had previously provided to Helyn Hayes. I have left a voicemail and sent a fax to Culligan to find out how quickly they can mobilize to undertake this work and to find out to how long it will take to install the system. I will be in court Monday morning and in deposition Monday afternoon. Accordingly, I am sending you this information now and I will provide the timing information as soon as I receive it. I do not have the DA's email so please forward this to her.

Very truly yours,

Jeffrey S. Lawson
Silicon Valley Law Group
152 N. Third St., Ste, 900
San Jose, CA 95112

Phone: 408-286-6100x3023
Fax: 408-286-1400
Web Page www.svlg.com

Earl Ising's

Culligan® Soft Water Service

2252 Railroad Ave., P.O. Box 591, Livermore, CA 94551-0591
1-800-20WATER (9-2837)

Sales-Rental-Service-Bottle Water
Industrial-Commercial-Residential
Contractors License #398975

FAX Transmission

Date:_____

TO: Company Name:_____

Attention of: Jeff Lawson

Address/City:_____

Receivers Fax Phone Number:_____

Number of pages 2 Including this cover page

FROM: Ising's Culligan
2252 Railroad Ave
P.O. Box 591
Livermore, CA 94551

Name of Sender:_____

Subject:_____

Senders Comments:_____

_____

_____

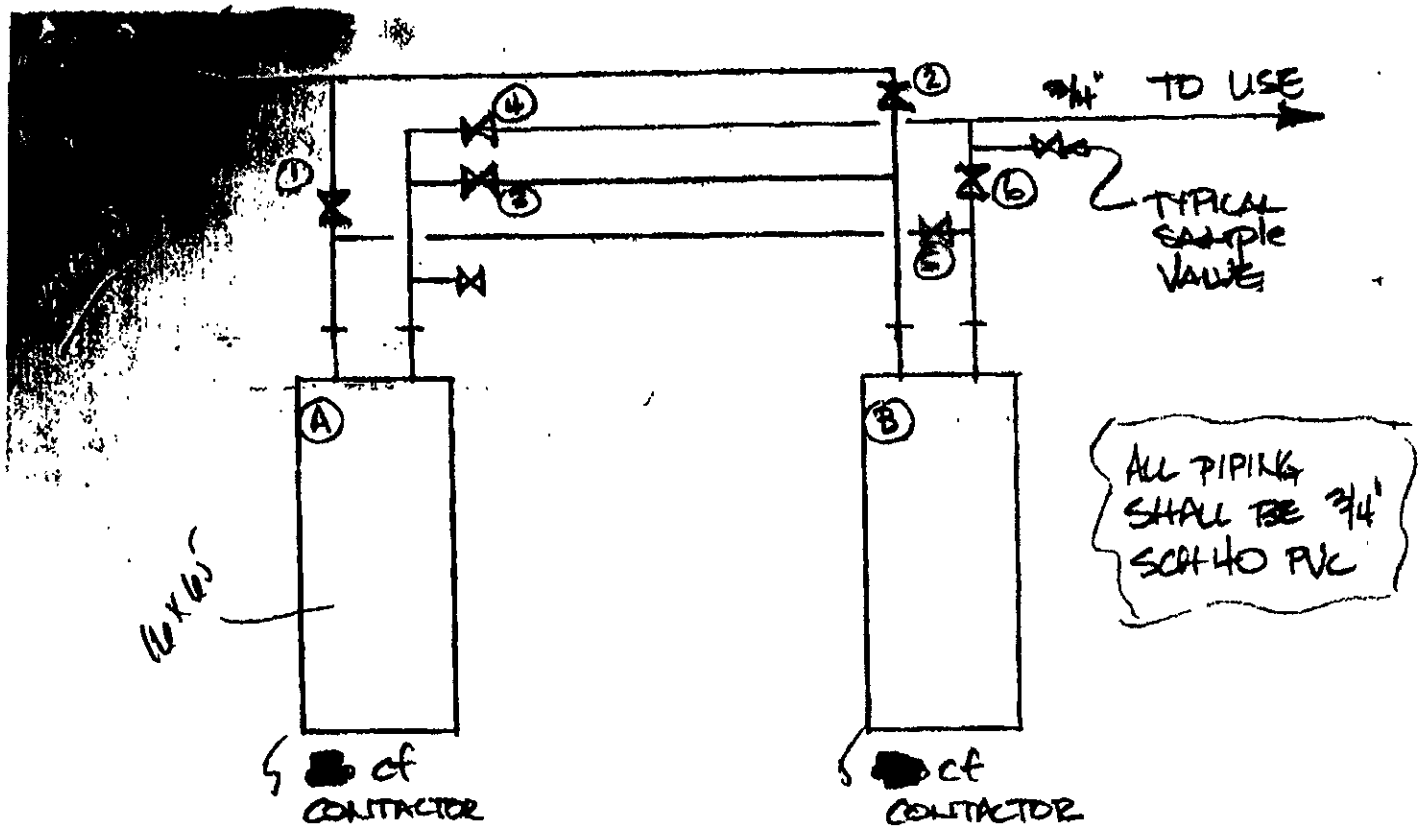
_____

_____

Ising's Culligan Fax Number (925)447-4252

Confirming Copy Will Be Sent Via Mail: Yes____ No____

IF YOU HAVE NOT RECEIVED ALL OF THE PAGES NOTED ABOVE PLEASE CONTACT OUR OFFICE IMMEDIATLY AT (925) 447-3717 or (800) 209-2837



NOTES

- FILL EACH CONTACTOR WITH [redacted] cf MIN OF ~~[redacted]~~

	SCENARIO	VALVE POSITION 1	2	3	4	5	6
1.	NORMAL, THRU (A), THEN (B)	O	X	O	X	X	O
2.	SERVICE (BYPASS) (A)	X	O	X	X	X	O
3.	THRU (B), THEN THRU (A)	X	O	X	O	O	X
(4)	SERVICE (BYPASS) (B)	O	X	X	O	X	X

[redacted]

Ph: [redacted]

ENGR	A. Lange	7/6/00
CHECK		
	Page 2 of 2	

Drogos, Donna, Env. Health

From: Jeff Lawson [jsl@svlg.com]
Sent: Monday, September 22, 2003 4:54 PM
To: ddrogos@co.alameda.ca.us; PatHoban@msn.com
Cc: alphacat2000@aol.com; Lisa Tornquist; pat@weber-hayes.com
Subject: Re: Carbon Filtration System for 3004 Andrade Road - T-BearRanch

Pat,
I believe your assumptions are correct. But you can call Stuart Dennis at Culligan if you have any questions , I am in a heavy deposition schedule at the moment. We are just waiting for the county's approval. Thx

Jeffrey S. Lawson
Silicon Valley Law Group
152 N. Third St., Ste, 900
San Jose, CA 95112
Phone: 408-286-6100x3023
Fax: 408-286-1400
Web Page www.svlg.com

>>> "Pat Hoban" <PatHoban@msn.com> 09/22/03 01:48PM >>>

Hello Jeff,

Thank you for the Culligan drawing. I am assuming that 1) each vessel will contain at least 5 cubic feet of carbon (> or = 145 lbs), and 2) the system is designed to have the retention time appropriate for removing the site-specific concentrations of MTBE.

I have talked with Helyn Hayes and recommended she agree to site access, once Alameda County Heath Care Services Agency has reviewed and approved the design.

Sincerely,

Pat Hoban
Weber, Hayes and Associates
cell: 831.254-7022

----- Original Message -----
From: Jeff Lawson
Sent: Monday, September 22, 2003 11:13 AM
To: ddrogos@co.alameda.ca.us; PatHoban@msn.com
Cc: alphacat2000@aol.com; Lisa Tornquist; pat@weber-hayes.com
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Thx

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To: ddrogos@co.alameda.ca.us; PatHoban@msn.com
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Subject: Carbon Filtration System for 3004 Andrade Road - T-Bear Ranch

Donna,

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Very truly yours,

Jeffrey S. Lawson
Silicon Valley Law Group
152 N. Third St., Ste, 900
San Jose, CA 95112
Phone: 408-286-6100x3023
Fax: 408-286-1400
Web Page www.svlg.com

Drogos, Donna, Env. Health

From: Pat Hoban [pat@weber-hayes.com]
Sent: Friday, September 26, 2003 11:52 AM
To: (CERCO-lab) Darlene Langf
Cc: (ACHCSA) Drogos, Donna; Helen Hayes-Roy Tovani
Subject: Expected well sampling and subsequent treatment system sampling

Drogos, Donna, Env. Health

Weber, Hayes & Associates
Hydrogeology and Environmental Engineering
120 Westgate Drive, Watsonville, Ca. 95076
(831) 722 - 3580 (831) 662 - 3100

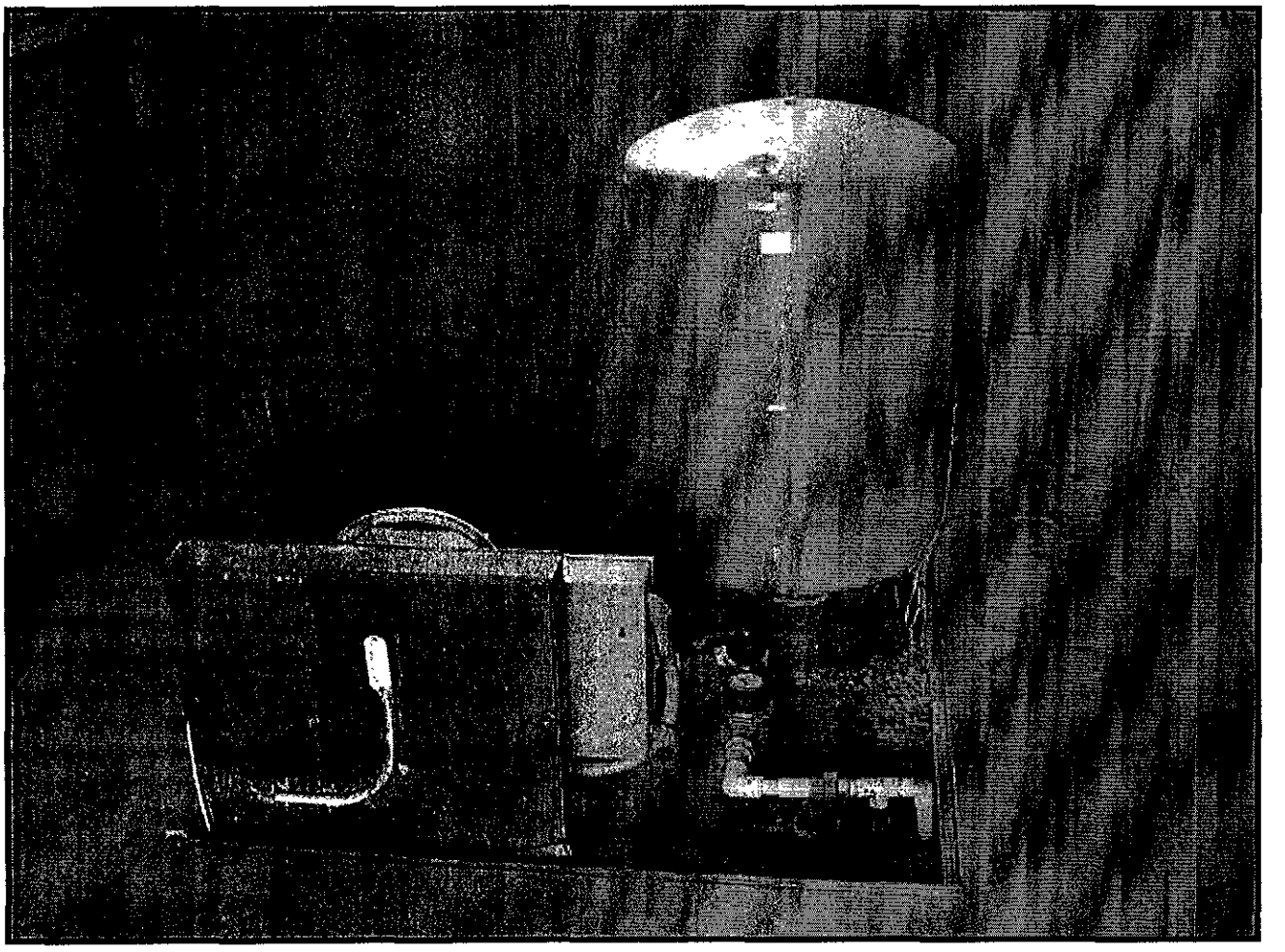
As discussed by phone, we expect that your proposed 3rd-party sampling and testing services (ATTACHED) will be needed soon **(we hope initial well sampling will occur sometime next week).** We want to give you a heads up for this sampling as we will need a quick turnaround. I understand normal turnaround is seven working days - I will try and push for a 3-day rush this one time so there won't be a delay in the treatment system sizing/construction (50% lab charge increase from $290 to $435).

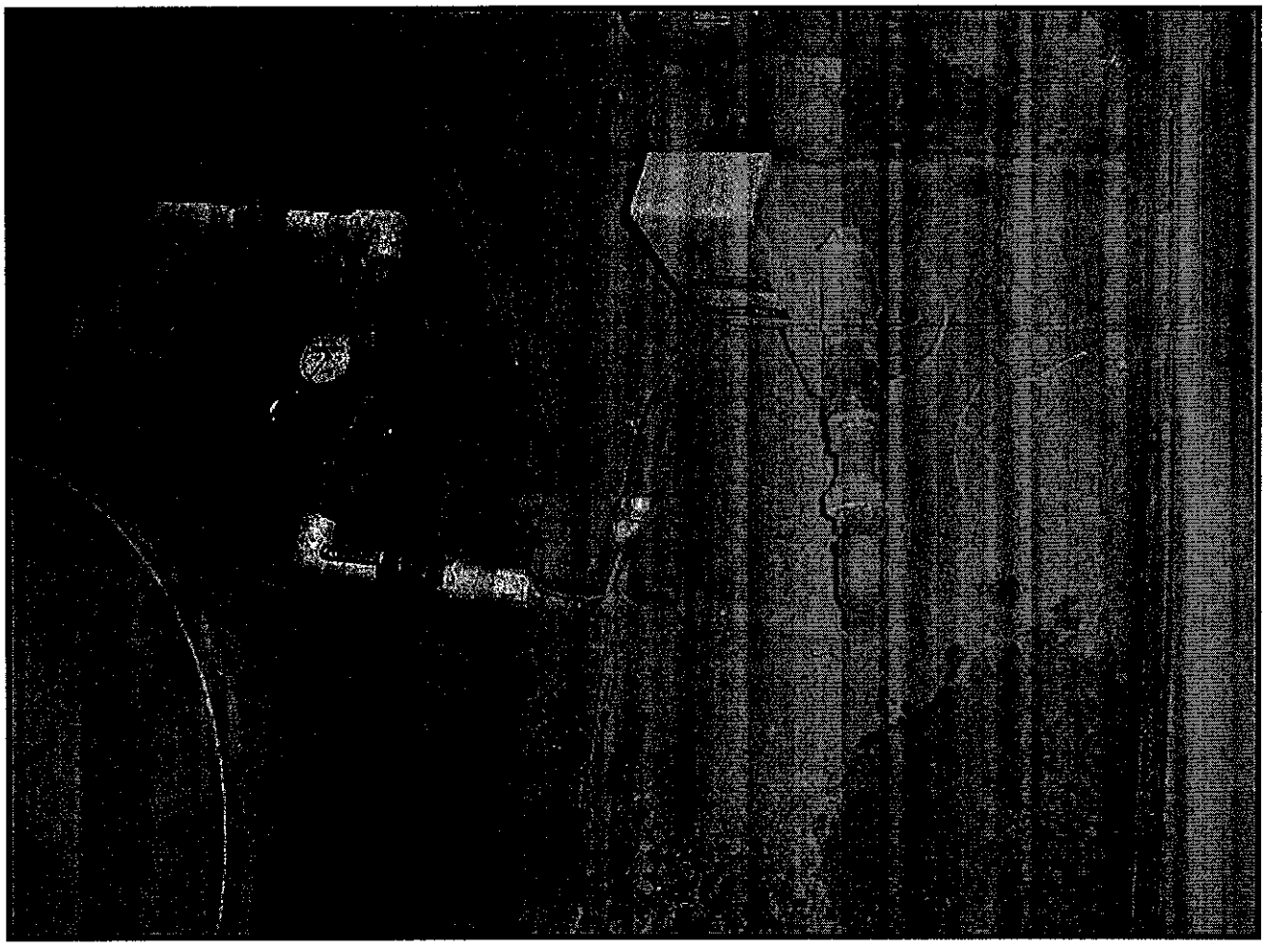
- Initially, there will be a requirement to test the well water at the T-Bear Ranch (3000 Andrade Road, Sunol - see attached map) for gas, BTEX, and fuel oxygenates. Contacts at the T-Bear Ranch are Helen Hayes and Roy Tovani - they can be reached at (414) 387-1632 for the hose bib or faucet sampling location.
- Once the carbon filtration system is in place, there likely will be a monitoring requirement for testing both water from the well itself and post-carbon treatment (approximately 2 samples every 3 weeks or so).
- You will be contracted with the owner of the gas station where the fuel leak originated (Sunol Tree Gas Station, 3004 Andrade Road). The owner is Mr. Murray Kelsoe, PO Box 176, Alamo, California. **Your proposal has been passed along to his attorney (Mr. Jeff Lawson) and we expect Mr. Kesoe or Mr. Lawson to contact you directly to proceed.**

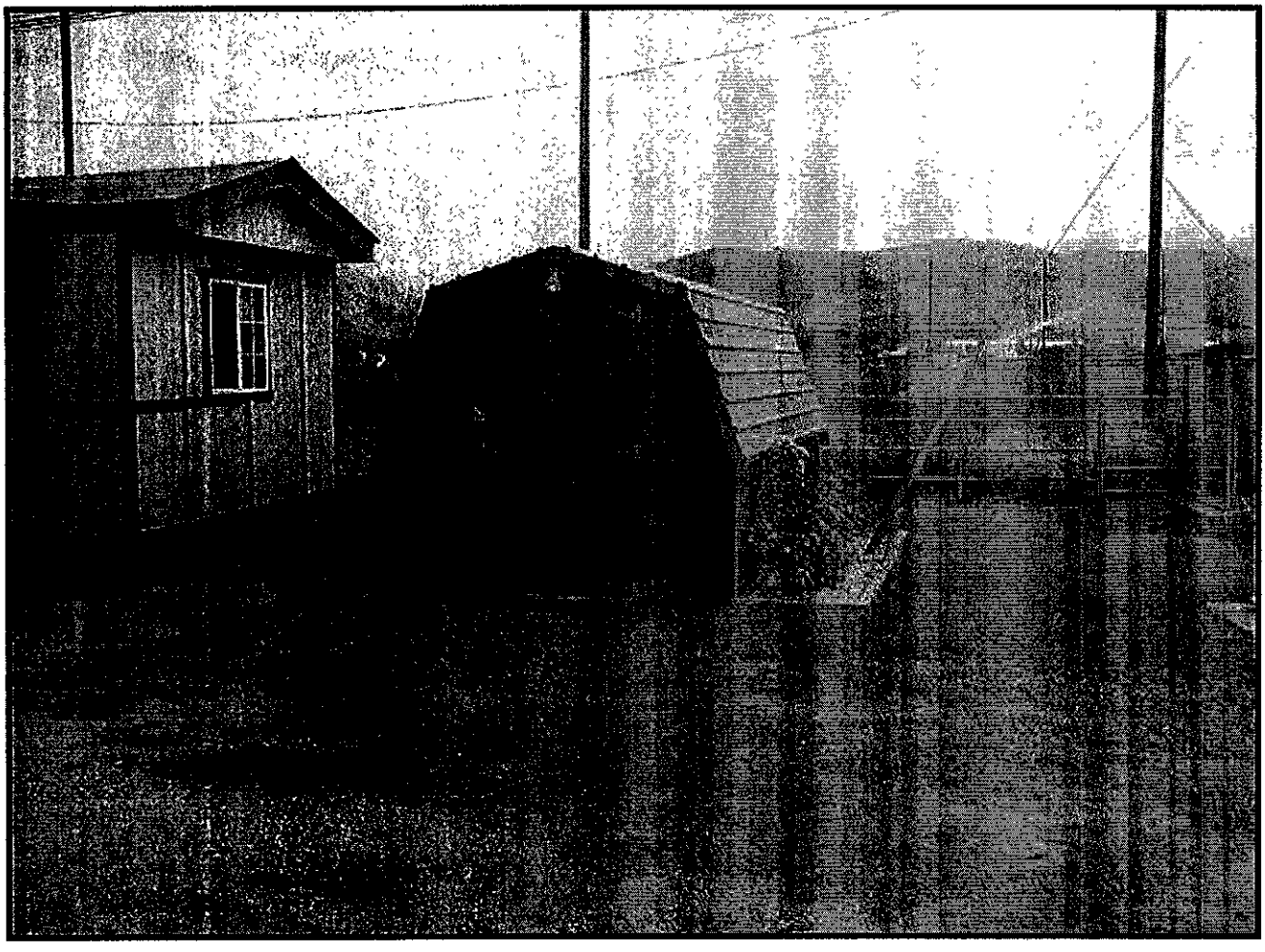
Thanks for your efforts and feel free to call with questions,

Sincerely,

Pat Hoban
Weber, Hayes and Associates
(831) 722-3580







California State Certified Laboratory No.2153

C E R C O
analytical, inc.

3942-A Valley Avenue
Pleasanton, CA 94566-4715
Tel: 925.462.2771
Fax: 925.462.2775

12 September, 2003

CA No.03-021
Fax No.: 1-831-722-1159

Mr. Pat Hoban
Weber, Hayes & Associates
120 Westgate Drive
Watsonville, CA 95076

Subject: Carbon Filtration System
Quotation for Analytical Services

Dear Mr. Hoban:

Pursuant to our conversation, CERCO Analytical, Inc. is pleased to submit this proposal for analytical services. It is our understanding that there will likely be bi-weekly or monthly grab samples at a Sunol site.

A breakdown of our analytical services and prices are as follows:

Analyte	Method [1]	Price Per Sample	Discounted Price Per Sample
Total Petroleum Hydrocarbons – Gasoline	8015	$125.00	$110.00
Aromatic compounds –			
Benzene	8260		
Toluene	8260		
Ethylbenzene	8260		
Xylenes	8260		
Oxygenates and Breakdown Products-		$240.00	$180.00
Diisopropyl ether (DIPE)	8260		
ethyl-tertiary-butyl-ether (ETBE)	8260		
methyl-tertiary-butyl-ether (MTBE	8260		
Tertiary-amyl-methyl-ether (TAME)	8260		
Tertiary butyl alcohol (TBA)	8260		
Time and Mileage – Field Technician - $55.00/hour and $0.32/mile (portal-to-portal)			TBD[2]

[1] Method numbers maybe subject to change, but all analytical work is completed in accordance with EPA approved or recognized methods, if that method has a level of quantification below the application criterion.

[2] The standard rate for a Field Technician is $55.00/hour and $0.32/mile (portal-to-portal). At this time, an estimate is $130.00. After the initial site visit, CERCO will be able to estimate the time and mileage more accurately. Also, if CERCO can combine this sampling with other clients in your area, the cost will be less than $130.00.

Notes:

1. CERCO Analytical, Inc. will supply all sampling containers and preservatives, where applicable.
2. All analytical services will be completed in accordance with EPA and standard analytical procedures and in accordance with our certification. If we are not certified for an analyte, CERCO will transport the samples to a State Certified Laboratory.
3. CERCO will need a site visit prior to commencement of this project.
4. Payment Terms: Net 30 days from receipt of invoices.

CERCO Analytical is a woman-owned business and effective April 10, 2001, CERCO Analytical, Inc. has a certified small business status with the State of California (REF#0022837).

For your convenience, you may sign below where indicated and return a copy via fax as evidence of your acceptance of this proposal.

Thank you for giving CERCO the opportunity to submit this proposal. CERCO is a California State Certified Department of Health Services Laboratory (#2153) servicing the analytical needs of the Bay Area. We feel that we can serve your analytical needs in a professional and timely manner. If you have questions, please let us know.

Sincerely yours,
CERCO ANALYTICAL, INC.

Darlene Langford
Administrative Manger

NOTICE TO PROCEED

_____
Company

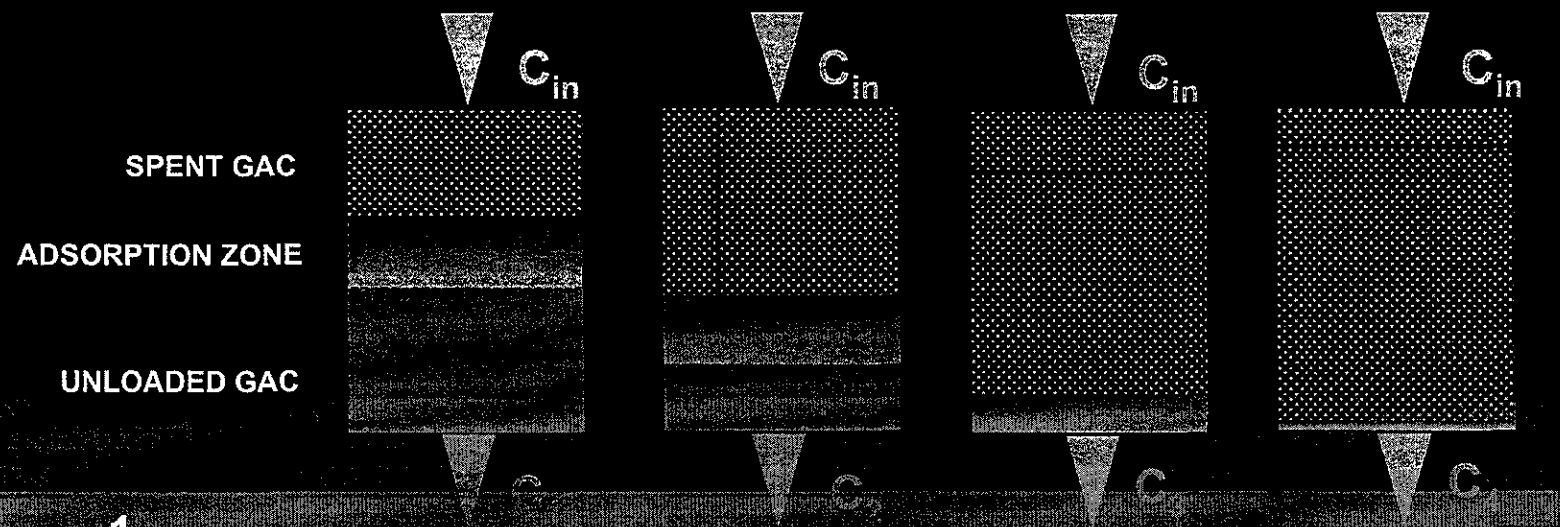
_____
Name (Printed)

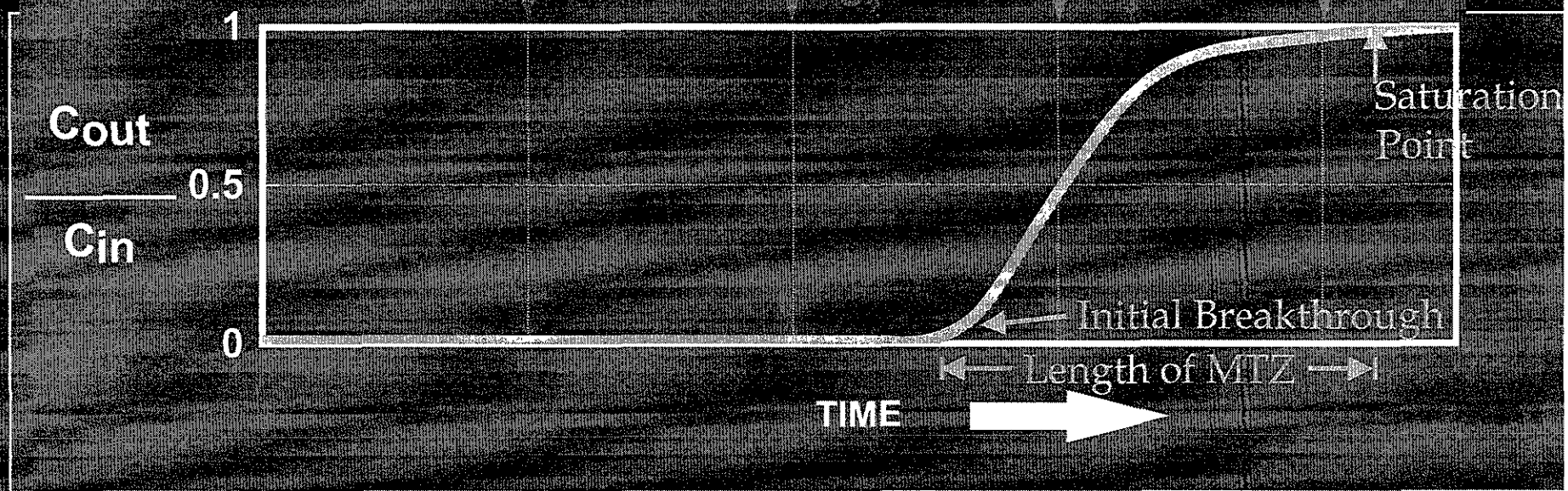
_____
Signature

_____
Title Date

ADSORPTION USING ACTIVATED CARBON

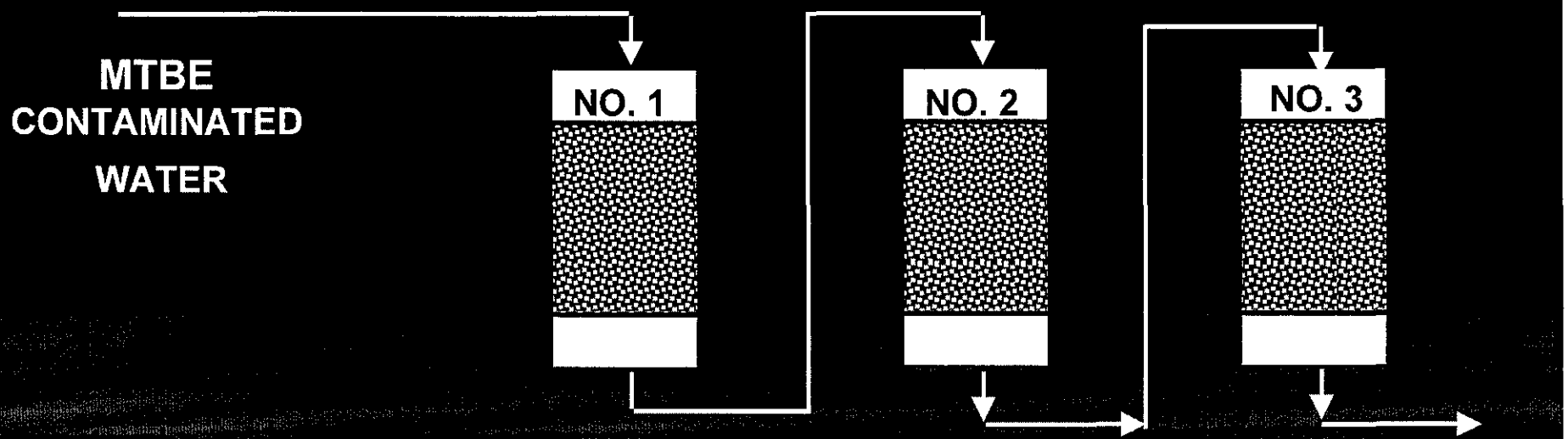
MASS TRANSFER ZONE - MTZ





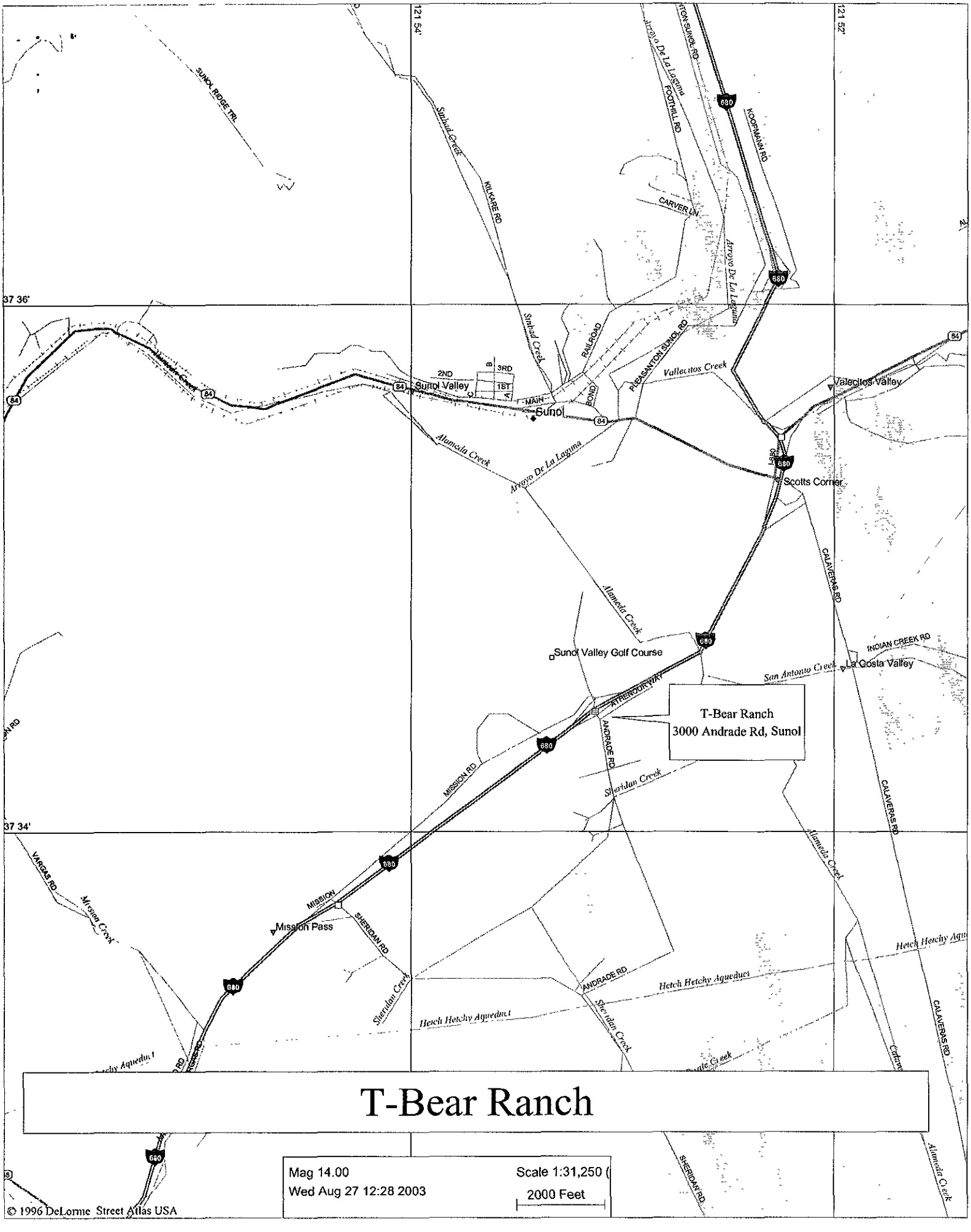
water

Three Adsorbers in Series Operation for MTBE Applications



* Lowest GAC Usage Rates for Compounds with Long MTZ
* Contact Time of 15 - 30 Minutes
* Hydraulic Surface Loading of1 - 5 gpm sq. ft.
* Down Flow Operation
* Particulate Filter on Inlet
* Backwashing Rate 10 - 15 gpm/sq. ft. *
* Use High Quality Coconut Shell GAC for Best Performance

VIVENDI water


121 54'
121 52'
37 36'
37 34'
SUNOL RIDGE TRL
Stanley Creek
KILKARE RD
Arroyo De La Laguna
FOOTHILL RD
KOOPMANN RD
CARVER LN
RAILROAD
PLEASANTON SUNOL RD
Vallecitos Creek
Vallecitos Valley
Sunol Valley
2ND
3RD
1ST
MAIN
Sunol
BOND
Alameda Creek
Scotts Corner
Sunol Valley Golf Course
CALAVERAS RD
INDIAN CREEK RD
La Costa Valley
San Antonio Creek
ATHERTON WAY
T-Bear Ranch
3000 Andrade Rd, Sunol
ANDRADE RD
MISSION RD
Sheridan Creek
VARGAS RD
Mission Creek
MISSION
Mission Pass
SHERIDAN RD
Hetch Hetchy Aqueduct
680
84
T-Bear Ranch
Mag 14.00
Wed Aug 27 12:28 2003
Scale 1:31,250 (
2000 Feet
© 1996 DeLorme Street Atlas USA

Drogos, Donna, Env. Health

From: Pat Hoban [pat@weber-hayes.com]
Sent: Tuesday, October 28, 2003 5:47 PM
To: Jeff Lawson; Alphacat2000@aol.com
Cc: Alfahorse@aol.com; ddrogos@co.alameda.ca.us
Subject: Re: Sunol Tree Gas Station

Hello All:

I did get a faxed copy of the analytical which indicate MTBE is present at 100 parts per billion which is in the range of previous lab results. Therefore the proposed Carbon Filtration system should effectively remove the MTBE, according to Culligan and their carbon vendor specifications.

- Please note that I am not an engineer and cannot certify a carbon breakthrough timeframe. Given the information I have received (loading rate of 3 to 8 lbs day) breakthrough of the first set of vessels could occur in 18 to 48 days (based on estimated vessel storage of 145 lbs of carbon). These estimates can and should be verified by Culligan.
- Please note that I have reviewed and commented on the carbon filtration system in order to help expedite the process for my clients who have had documented MTBE contamination in their well since it was first tested in February 2003. It is Culligan and their carbon vendors responsibility to determine accurate carbon loading rates and effective retention time in their carbon vessels.

Sincerely,
Pat Hoban
Project Geologist
Weber, Hayes and Associates
(831) 722-3580

----- Original Message -----
From: "Jeff Lawson" <jsl@svlg.com>
To: <Alphacat2000@aol.com>
Cc: <Alfahorse@aol.com>; <ddrogos@co.alameda.ca.us>; <pat@weber-hayes.com>
Sent: Tuesday, October 28, 2003 10:11 AM
Subject: Re: Sunol Tree Gas Station

I received it today. Has Pat Hoban looked at it? Has it changed his opinion on the amount of carbon needed?
Thx

Jeffrey S. Lawson
Silicon Valley Law Group
152 N. Third St., Ste, 900
San Jose, CA 95112
Phone: 408-286-6100x3023
Fax: 408-286-1400
Web Page www.svlg.com

----- Original Message -----
From: Pat Hoban
To: Drogos, Donna, Env. Health
Cc: WHA-Joe Hayes ; Jeff Lawson-SVLG ; Helen Hayes-Roy Tovani
Sent: Monday, September 15, 2003 11:55 AM
Subject: T-Bear Ranch Carbon Filtration of MTBE

Weber, Hayes & Associates
Hydrogeology and Environmental Engineering
120 Westgate Drive, Watsonville, Ca. 95076
(831) 722 - 3580 (831) 662 - 3100

September 15, 2003

Ms. Donna Drogos, P.E, LOP Program Manager
Environmental Health Services, Environmental Protection
1131 Harbor Bay Parkway, Suite 250
Alameda, CA 94502-6577

This is in response to a letter from Mr. Kelsoe's attorney (Mr. Jeff Lawson, dated September 11, 2003) describing a proposed carbon treatment solution for temporarily taking care of MTBE-impacted water at the T-Bear Ranch, until a new well can be installed. **We agree that in-line carbon treatment is a good, viable option for treating the water and that Ising's Culligan (Livermore) is likely to be a reasonable, local firm that can effectively plumb up the units so the T-Bear Ranch can continue to use it's existing water distribution system.** We wish to add a few points:

- It is our understanding that the metered T-Bear Ranch well was shown to pump between 3,000 to 10,000 gallons of water a day (which is an average daily flow rate of between 2.1-to-6.9 gpm). This is based on meter monitoring during March, 2003.
- MTBE was detected at a concentrations of 130 and 120 parts per billion (ppb) in March-April (the well water has not been tested in 5+ months).
- Carbon vendors have indicated that based on these flow rates and MTBE concentrations, carbon will be used up at a rate between of 3 to 8 pounds per day (**"carbon usage rate"**, personnel communication: US Filters, and Calgon Carbon).
- The vendors also state that in order for carbon to effectively remove carbon from the water, the water must be in contact with carbon for a minimum of 15 minutes (**"retention time"**).

We would like to make three minor recommendations:

1. The T-Bear well should be retested to confirm current concentrations since it hasn't been tested in over five months. If needed, there is a local lab in Pleasanton that can provide independent, 3rd party sampling and testing (CERCO Analytical - see ATTACHED estimate).
2. The new test results and confirmed flow rates should be provided to the carbon vendors so they in turn can provide appropriate vessel sizes based on site-specific **carbon usage rates** & **appropriate retention time.**
3. Initial confirmation testing for carbon breakthrough should be based on the estimated carbon usage rate. We recommend the confirmation water samples should be collected from between each vessel and at the final discharge point after 75% of the carbon has been used (based on carbon vendor estimate). The initial sample should be run and if fuel contaminants were broken through the first vessel, the second sample should be run. Carbon vessels should be replaced immediately upon breakthrough.

Again, we believe that carbon treatment is a very good temporary water supply option which should be installed ASAP, but we would recommend that Culligan talk directly with the carbon vendor to work out site-specific carbon usage, proper vessel sizing, and any other issues that might effect the system such as pressure drop.

Feel free to call with any questions you may have. Sincerely,

Pat Hoban
Project Geologist
Weber, Hayes and Associates
(831) 722-3580

CONTACTS:
Ising's Culligan (Livermore, Mr. Stuart Dennis, or Leslie Gardner), by phone: (800) 209-2837
Carbon Vendors:
- US Filter Westates: Mike Behm, Field Sales Engineer (ph. 800-659-1718, extension-106)
- Calgon Carbon: Michael Pealer (ph. 412-787-4543)