

RD 158

LAW OFFICES OF ROBERT M. FROST

Robert M. Frost

Legal Assistant
Nancy L. Giordanela

20980 Redwood Road, Suite 260
Castro Valley, California 94546-5930
Telephone: 510-537-0800
Facsimile: 510-537-8172

December 8, 2005

ALAMEDA COUNTY
DEC 19 2005

Mr. Amir K. Gholami
Environmental Health Services
1131 Harbor Bay Parkway
Alameda, CA 94502-6577


**Re: 2896 Castro Valley Blvd.
Castro Valley, CA**

Dear Mr. Gholami

Thank you for your recent letter received by my office on December 6, 2005. I am unable to respond to your request for information as I have not received any environmental information concerning this property since it was foreclosed upon and the environmental work allegedly completed back in the early 1990's. I understood that the testing had been completed and that the interest of your department had ceased.

If I can be of further assistance, please contact my office.

Very truly yours,



ROBERT M. FROST

RMF:ng



RECEIVED

DEC 06 2005

LAW OFFICES OF ROBERT M. FROST

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

ROBERT FROST
 20980 REDWOOD ROAD, #260, CASTRO VALLEY,
 CA 94546

Alameda County

DEC 12 2005

**RE:RO0000158 WALT'S AUTO TEC 2896 CASTRO
 VALLEY
 CASTRO VALLEY CA**

Page 1 of 2

Dear Mr.FROST:

Please be advised that I have been recently assigned to oversee the above referenced site. Therefore, all documents, reports, and correspondences should be addressed to my attention. In fact, I have received numerous other "new cases", which I need to get familiar with and proceed forward as soon as practicable. In order to keep continuity and to reduce confusion, I will try to follow up on the work/guidelines previously requested by my colleague of this office.

However, to expedite this so called "familiarization" process, please fill out and submit to me the attached table as soon as possible. I would appreciate it if you could fill out the attached table with the latest information regarding concentrations, etc and send it to me via an email attachment. My email address is amir.gholami@acgov.org

Site Address:

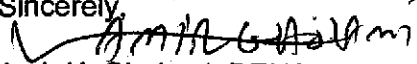
Depth to groundwater	
Groundwater flow gradient and speed	
Benzene (ppb)	
Toluene (ppb)	
Ethylbenzene (ppb)	
Xylene (ppb)	
MTBE (ppb)	
TPHg (ppb)	
TPHd (ppb)	
Solvents if any (ppb)	
Heavy Metals if any	
Well Screen levels (for each monitoring well)	
Date information collected for concentrations	
Plume Stability: increasing or decreasing or stable?	
Any "Active Remediation" occurring presently or past?	
Other Pertinent Information regarding this site, such as whether any of the following has been performed: the plume is defined (vertically & horizontally) in soil & GW, SCM ,Risk Assessment, ESL comparison for Soil /GW, Sensitive Receptor survey, Soil Vapor analysis, etc. What is left in soil/Gw presently? (Please use additional attachment(s) if necessary)	

Additionally please provide a hard copy of a stand-alone document, which includes a site conceptual model (SCM), which incorporates the following items:

- Summary Figures
 - Site vicinity map showing the site location and identification of any nearby sensitive receptors.
 - Plot plan showing all historical sampling locations. Differentiation between sample types (i.e. excavation soil samples, soil boring locations, monitoring wells, soil vapor sampling points, etc.) is required. This figure also needs to include any former and existing UST system components, delineation of excavation areas, areas targeted by active remediation, building locations, potential preferential pathways such as utilities, property boundaries and public right-of-way locations.
 - Depth-specific contaminant isoconcentration maps for soil and groundwater. If active remediation was performed, separate pre-remediation and post-remediation isoconcentration maps are required.
- Summary Tables
 - Table of all historical soil data. Sample ID, date, depth, and results for all analytes are required. Please refer to the Tri-Regional Guidelines to confirm that chemical analysis was performed for all relevant contaminants of concern (CoCs). Pre- and post-remediation concentrations should be clearly identified or presented in separate tables.
 - Table of all historical groundwater data. Chemical concentrations in monitoring well(s) concentrations along with depth to water should be tabulated.
 - The tables need to compare the detected CoC concentrations with the Regional Board's ESLs or other appropriate cleanup levels and to the water quality objectives identified in the Regional Board's Basin Plan.
- Complete set of all boring logs generated during site investigation.
- Geologic cross-sections showing soil borings, monitoring wells with screened intervals, UST locations, any preferential pathways, excavation boundaries, water table elevations (historical and current) and extent of residual contamination.

The submission of the above documents will help expedite the review of your case. If you have any questions, please call me at (510)-5676. Thank you very much for your cooperation.

Sincerely,


Amir K. Gholami, REHS
Hazardous Materials Specialist
C: A.Gholami,D.Drogos
files

Board of Geology

ERAS
Environmental, Inc.

20861 Wilbeam Avenue, #4
Castro Valley, CA 94546-5832

(510) 247-9885 Facsimile: (510) 886-5399

*Amir
6/20/02
Discussion w/ Mr. Gholami*

FACSIMILE TRANSMITTAL

TO: Contact Person/Fax Number: **Mr. Amir Gholami**
Ms. Donna Drogos 337-9335

Company: Alameda County Health Care Services Agency

Date/Time: June 20, 2002 (12:46pm)

FROM: David Siegel

MESSAGE:

I thought I should provide you with information regarding the authority of an R.E.A. II under current regulations. Obviously there is a LARGE difference between R.E.A. II and R.E.A. I. Our R.G. does not believe it appropriate to use (or should I say misuse) the stamp for review projects where we are not performing additional subsurface investigation. Drawing conclusions based on other consultants data is simply based on my 15 years of performing Phase 1 and Phase 2 investigations and remediation and leak case closures throughout the Bay Area.

Please call with any questions

Best Regards,
David Siegel
David Siegel

cc: Mr. Steve Burke by Facsimile to: 839-9630

Number of Pages Including This Page: 3

If you do not receive all pages, please call (510) 247-9885

Office of Environmental Health Hazard Assessment



Winston H. Hickox
Secretary for
Environmental
Protection

Joan E. Denton, Ph.D., Director
Headquarters • 1001 I Street • Sacramento, California 95814
Mailing Address: P.O. Box 4010 • Sacramento, California 95812-4010
Oakland Office • Mailing Address: 1515 Clay Street, 16th Floor • Oakland, California 94612



Cray Davis
Governor

SUBJECT: THE REA II, AUTHORITY AND EXPERTISE

The Registered Environmental Assessor II (REA II) has significant authority under existing statutes and regulations to serve an extensive role in environmental programs and site mitigation activities. The REA II is the only environmental manager and practitioner over whom a Cal/EPA office has direct authority, and whose areas of professional environmental expertise are determined by Cal/EPA.

The REA II is a qualified environmental professional available for site investigation, assessment and remediation work. The REA II registration differs from other registrations traditionally used in site investigation and cleanup work by being a strictly environmental registration within a program managed and directed by a Cal/EPA office.

The REA II is specifically authorized in statute and regulation to supervise, manage and direct activities relating to the development of hazardous substance or hazardous waste site cleanup opinions using preliminary endangerment assessment procedures. These opinions include determining whether a significant release has occurred, and whether a response action is needed.

The role of an REA II includes most activities typically conducted by a project manager during site mitigation activities. An REA II is qualified to:

- Determine the activities needed to adequately characterize hazardous waste or hazardous substance release sites;
- Conduct environmental assessments and investigations;
- Direct and perform site investigation and remediation activities;
- Evaluate site information and data and render opinions derived from that data;
- Define the work required to reduce risk from contamination; and,
- Determine and certify that all work necessary to reduce risk from contamination has been properly conducted and that all work has been completed.

California Environmental Protection Agency



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Page 2

Regulations specify minimum performance standards to be followed by an REA II when conducting, developing, performing or directing the following activities:

- Preliminary Endangerment Assessments;
- Remedial Investigations/Feasibility Studies;
- Remedial Design;
- Remedial Action;
- Remedial Action Plans;
- Corrective Action Plans;
- Removal Action Workplans; and,
- Remedial Work.

The REA program will ensure that its registrants do not practice within an area reserved for Department of Consumer Affairs (DCA) registered professionals, and will disseminate useful information pertaining to the practice of registered professionals to all REA IIs. When using the REA II designation, an REA II is not permitted to: (1) perform environmental services outside the scope of his or her expertise; and, (2) claim the privileges of being a registered geologist, professional engineer or the privileges of any other registration, certification or license unless the REA II holds that particular credential. REA II registrants doing so may be violating county, state and/or federal environmental laws, and may risk losing their REA II designation. The determination that an activity may require professional registration must be made on a case by case basis. In addition, the California Attorney General has issued an opinion which specifies that state law allows individuals to obtain the assistance of registered subcontractors for the performance of work requiring professional registration, if the work is incidental to the business of the contracting party. The REA program can assist in evaluating whether the activities of an REA II may be reserved for DCA registrants.

In performing work activities the REA II is charged to hold paramount the public health, safety and welfare, and to follow all applicable performance standards while conducting work activities. The REA program may randomly audit the work products of its registrants to ensure that all applicable performance standards are met. We will also investigate work-related complaints about registrants and will, if necessary, take disciplinary actions, or rescind the registration of an REA II whose work does not meet performance standards. Please review the information about the program, regulations, and applicable laws on the REA program website at www.rea.ca.gov. If you have other questions, or if we can provide further assistance, please contact the REA program at (916) 324-6881.

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



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

STID 666

June 25, 2001

James Jiang and Hilda Wong
20950 Elbridge Court
Castro Valley CA 94552

RE: Former Walt's Auto Tech, 2896 Castro Valley Blvd., Castro Valley, CA 94546

Dear Mr. Jiang and Ms. Wong:

I am in receipt of your letter dated June 15, 2001 regarding the above referenced property. I understand that you would like to apply for the state "clean up fund". In fact I encourage you to reapply for this available financial resource. However, it appears that you had applied and been found to be ineligible by the State Fund office. You also questioned the responsible party's definition. I have had discussions this issue with your consultant, Mr. Seagul. You may also look up the definition within Article 11 Title 23 California Code of Regulation. However, I am not an attorney and can not give you any recommendation concerning your dispute with Ms. Quigley regarding this issue. Therefor, I recommend you to consult a competent attorney regarding this dispute.

Please inform me of the following:

Whether you have applied for the State Fund and been found to be ineligible

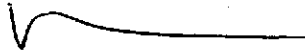
The State Fund office has informed you that Ms. Auigley, the previous landlord is in fact eligible and can apply.

I have had several discussions with Mr. David Seagul of Piers Environmental regarding the definition of Responsible Party.

For your convenience I have attached a copy of the page within Article 11, which contains the definition of Responsible Party (RP).

If you have any questions, please call me at (510) 567-6876.

Sincerely,



Amir K. Gholami, REHS
Hazardous Materials Specialist

C: David Siegel, Eras Environmental, Inc., 20861 Wilbeam Ave., #4, Castro Valley, CA 94546
President, Lincoln Trust Co., PO Box 5831, Denver, CO 80217
Jerry Breeden, Diversified Loan Services, 257 East Campbell Ave., Suite 3, Campbell
CA 95008
Robert M. Frost, c/o Frost & Wright, 20980 Redwood Rd., #260, Castro Valley, CA 94546
Bennett & Samuel Halsted, Piers Environmental Services, Inc. 1330 S. Bascom Ave., suite F,
San Jose, CA 95128
files

ARTICLE 11. CORRECTIVE ACTION REQUIREMENTS

2720. Additional Definitions

Unless the context clearly indicates otherwise, the following definition shall apply to terms used in this Article.

"Corrective action" means any activity necessary to investigate and analyze the effects of an unauthorized release; propose a cost-effective plan to adequately protect human health, safety, and the environment and to restore or protect current and potential beneficial uses of water; and implement and evaluate the effectiveness of the activity(ies). Corrective action does not include any of the following activities:

- (1) Detection, confirmation, or reporting of the unauthorized release; or
- (2) Repair, upgrade, replacement or removal of the underground storage tank.

"Cost effective" means actions that achieve similar or greater water quality benefits at an equal or lesser cost than other corrective actions.

"Federal act" means Subchapter IX (commencing with Section 6991) of Chapter 82 of Title 42 of the United States Code, as added by the Hazardous and Solid Waste Amendments of 1984 (P.L. 98-616), or as it may subsequently be amended or supplemented, and the regulations adopted pursuant thereto.

"Regulatory agency" means the Board, regional board, or any local, state, or federal agency which has responsibility for regulating underground storage tanks or which has responsibility for overseeing cleanup of unauthorized releases from underground storage tanks.

"Responsible party" means one or more of the following:

- (1) Any person who owns or operates an underground storage tank used for the storage of any hazardous substance;
- (2) In the case of any underground storage tank no longer in use, any person who owned or operated the underground storage tank immediately before the discontinuation of its use;
- (3) Any owner of property where an unauthorized release of a hazardous substance from an underground storage tank has occurred; and
- (4) Any person who had or has control over an underground storage tank at the time of or following an unauthorized release of a hazardous substance.

SHIP
666 ✓

JUN 21 2001

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June 15, 2001

Mr. Amir Gholami
Alameda County Environmental Health Department
1131 Harbor Bay Parkway, Suite 250
Alameda, CA 94502-6577

**Subject: Former Walt's Auto Service
2896 Castro Valley Boulevard
Castro Valley, California**

Dear Mr. Gholami:

As the current owner of the Property at 2896 Castro Valley Boulevard, I have been attempting to obtain environmental case closure for the site. A Request for Site Closure has been sent to you by my consultant, ERAS Environmental, Inc. However, some additional information (groundwater analyses) has been requested before case closure can be considered.

I have been informed that the wife of the former owner of the site (when it was Walt's Auto Service), Ms. Nadine Quigley, may be eligible to apply to the State of California Underground Storage Tank Cleanup Fund. Ms. Quigley has maintained that she is no longer one of the parties responsible for the cleanup.

I am wondering why Ms. Quigley is not one of the responsible parties (she is not listed on any of the recent letter from your agency) since she and her late husband were the owners at the time the USTs were removed. I would like to request that you contact her by phone (510) 582-3608, or by mail. Perhaps that will serve to expedite the project and my site environmental closure. Ms. Quigley's mailing address is 19983 Santa Maria Avenue, Castro Valley, CA 94546.

Thank you for your assistance. Please call me at 510-873-0878 if you have any questions or if you require further information.

Respectfully,

Mr. James Jiang



June 15, 2001

Mr. Amir Gholami
Alameda County Environmental Health Department
1131 Harbor Bay Parkway, Suite 250
Alameda, CA 94502-6577

**Subject: Former Walt's Auto Service
2896 Castro Valley Boulevard
Castro Valley, California**

Dear Mr. Gholami:

As the current owner of the Property at 2896 Castro Valley Boulevard, I have been attempting to obtain environmental case closure for the site. A Request for Site Closure has been sent to you by my consultant, ERAS Environmental, Inc. However, some additional information (groundwater analyses) has been requested before case closure can be considered.

I have been informed that the wife of the former owner of the site (when it was Walt's Auto Service), Ms. Nadine Quigley, may be eligible to apply to the State of California Underground Storage Tank Cleanup Fund. Ms. Quigley has maintained that she is no longer one of the parties responsible for the cleanup.

I am wondering why Ms. Quigley is not one of the responsible parties (she is not listed on any of the recent letter from your agency) since she and her late husband were the owners at the time the USTs were removed. I would like to request that you contact her by phone (510) 582-3608, or by mail. Perhaps that will serve to expedite the project and my site environmental closure. Ms. Quigley's mailing address is 19983 Santa Maria Avenue, Castro Valley, CA 94546.

Thank you for your assistance. Please call me at 510-873-0878 if you have any questions or if you require further information.

Respectfully,

Mr. James Jiang

A handwritten signature in black ink, appearing to read "James Jiang", with a long, sweeping underline.



Stid 666

March 5, 2001

James Jiang and Hilda Wong
20950 Elbridge Court
Castro Valley CA 94552

RE: Former Walt's Auto Tech, 2896 Castro Valley Blvd., Castro Valley, CA 94546

Dear Mr. Jiang and Ms. Wong:

It has come to my attention that there was an error on my last correspondence dated February 28th, 2001. In that letter I had erroneously referred to Mr. David Seagul of Piers Environmental. However, I understand that Mr. Seagul is working with Eras Environmental Inc. I apologize for this error. In that correspondence dated February 28th, 2001 I acknowledged receipt of receipt of "Addendum to Request for Site Closure" document dated February 22, 2001, 2000 by Mr. David Seagul of Eras Environmental, Inc. regarding the above referenced site.

I further added that the document updates some information regarding the request made in my correspondence dated January 16th, 2001, and requests that this office consider the above referenced site for closure. In that correspondence I indicated that the levels of chemical contaminants in the groundwater have been drastically reduced and that the level of contaminants present in soil must also be considered for closure purposes as well. This includes the level of chemical constituents and metals of concern previously detected in the soil including As and Lead at the above referenced site. In order to move further please accomplish the following:

- Ensure that the water samples taken are being properly filtered (0.45 Micron) to ensure removal of residual soil in the water samples used for analysis.
- If you still find heavy metals in the groundwater, you must confirm that this is due to background levels as you claim either by sampling upgradient of the site and proving the existence of the heavy metals or by providing an investigative report already performed in the area.
- Please be advised that as an alternative, you may perform an investigation of the surrounding area to confirm back ground levels of heavy metals as well.

In summary, both soil and groundwater must be considered before the site can be considered for an eventual closure.

I have discussed the above with Mr. Seagul, your consultant as well.

Should you have any questions, please do not hesitate to call me at (510) 567-6876.

Sincerely,



Amir K. Gholami, REHS
Hazardous Materials Specialist

C:David Siegel, Eras Environmental, Inc., 20861 Wilbeam Ave.,
#4, Castro Valley, CA 94546
President, Lincoln Trust Co., PO Box 5831, Denver,
CO 80217

Jerry Breeden, Diversified Loan Services, 257 East Campbell Ave.
Suite 3, Campbell CA 95008

Robert M. Frost, c/o Frost & Wright, 20980 Redwood Rd., #260,
Castro Valley, CA 94546

Bennett & Samuel Halsted, Piers Environmental Services, Inc. 1330 S.
Bascom Ave., suite F, San Jose, CA 95128
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ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



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

Stid 666

February 28, 2001

James Jiang and Hilda Wong
20950 Elbridge Court
Castro Valley CA 94552

RE: Former Walt's Auto Tech, 2896 Castro Valley Blvd., Castro Valley, CA 94546

Dear Mr. Jiang and Ms. Wong:

I am in receipt of "Addendum to Request for Site Closure" document dated February 22, 2001, 2000 by Mr. David Seagul of Piers Environmental Services, Inc. regarding the above referenced site.

This document updates some information regarding the request made in my correspondence dated January 16th, 2001, and requests that this office consider the above referenced site for closure. In that correspondence I indicated that the levels of chemical contaminants in the groundwater have been drastically reduced and that the level of contaminants present in soil must also be considered for closure purposes as well. This includes the level of chemical constituents and metals of concern previously detected in the soil including As and Lead at the above referenced site. In order to move further please accomplish the following:

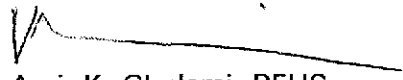
1. Ensure that the water samples taken are being properly filtered (0.45 Micron) to ensure removal of residual soil in the water samples used for analysis.
2. If you still find heavy metals in the groundwater, you must confirm that this is due to background levels as you claim either by sampling upgradient of the site and proving the existence of the heavy metals or by providing an investigative report already performed in the area.
3. As an alternative, you may perform an investigation of the surrounding area to confirm back ground levels of heavy metals as well.

Anyhow, both soil and groundwater must be considered before the site can be considered for an eventual closure.

I have discussed the above with Mr. Seagul, your consultant as well.

If you have any questions, please call me at (510) 567-6876.

Sincerely,



Amir K. Gholami, REHS
Hazardous Materials Specialist

C: President, Lincoln Trust Co., PO Box 5831, Denver,
CO 80217

Jerry Breeden, Diversified Loan Services, 257 East Campbell Ave.
Suite 3, Campbell CA 95008

Robert M. Frost, c/o Frost & Wright, 20980 Redwood Rd., #260,
Castro Valley, CA 94546

Bennett & Samuel Halsted, Piers Environmental Services, Inc. 1330 S.
Bascom Ave., suite F, San Jose, CA 95128
files

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



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

Stid 666

January 16, 2001

James Jiang and Hilda Wong
20950 Elbridge Court
Castro Valley CA 94552

RE: Former Walt's Auto Tech, 2896 Castro Valley Blvd., Castro Valley, CA 94546


Dear Mr. Jiang and Ms. Wong:

This office is in receipt of a document dated December 28th, 2000 by Mr. David Seagul of Piers Environmental Services, Inc. regarding the above referenced site. In this document Mr. Seagul requests that this office consider the above referenced site for closure. Per our previous discussion the levels of chemical contaminants in the groundwater have been drastically reduced. However, the level of contaminants present in soil must also be considered for closure purposes as well. This includes the level of chemical constituents and metals of concern previously detected in the soil including As and Lead at the above referenced site. In general both soil and groundwater must be considered before the site can be considered for an eventual closure. According to this document the level of Total Oil & Grease is at 16,000ppm. Additionally the MTBE analysis needs to be accounted for as well.

I have discussed the above with Mr. Seagul, your consultant as well.

Should you have any questions, please do not hesitate to call me at (510) 567-6876.

Sincerely,


Amir K. Gholami, REHS
Hazardous Materials Specialist

C: President, Lincoln Trust Co., PO Box 5831, Denver,
CO 80217
Jerry Breeden, Diversified Loan Services, 257 East Campbell Ave.
Suite 3, Campbell CA 95008
Robert M. Frost, c/o Frost & Wright, 20980 Redwood Rd., #260,
Castro Valley, CA 94546
Bennett & Samuel Halsted, Piers Environmental Services, Inc. 1330 S.
Bascom Ave., suite F, San Jose, CA 95128
files

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



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

Stid 666

March 16, 2000

James Jiang and Hilda Wong
20950 Elbridge Court
Castro Valley CA 94552

RE: Former Walt's Auto Tech, 2896 Castro Valley Blvd., Castro Valley, CA 94546

Dear Mr. Jiang and Ms. Wong:

Per our phone conversation regarding the status of the above referenced site, the levels of chemical contaminants in the groundwater have been drastically reduced. However, the level of contaminants present in soil must also be considered for closure purposes as well. This includes the level of chemical constituents and metals of concern previously detected in the soil at the above referenced site. In general if you can meet these two above requirements then this office can proceed toward an eventual closure.

In the mean time you do not need to continue the monitoring of MW-1, MW-2, and MW-3 until further notice by this office.

I also discussed the above with Mr. Halsted's office at PIERS Environmental Services, Inc. Additionally I forwarded him copies of some necessary forms, which I discussed with his office.

If you have any questions, please call me at (510) 567-6876.

Sincerely,

Amir K. Gholami, REHS
Hazardous Materials Specialist

C: President, Lincoln Trust Co., PO Box 5831, Denver,
CO 80217
Jerry Breeden, Diversified Loan Services, 257 East Campbell Ave.
Suite 3, Campbell CA 95008
Robert M. Frost, c/o Frost & Wright, 20980 Redwood Rd., #260,
Castro Valley, CA 94546
Bennett & Samuel Halsted, Piers Environmental Services, Inc. 1330 S.
Bascom Ave., suite F, San Jose, CA 95128

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ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



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

Stid 666

January 27, 2000

James Jiang and Hilda Wong
20950 Elbridge Court
Castro Valley CA 94552

RE: Former Walt's Auto Tech, 2896 Castro Valley Blvd., Castro Valley, CA 94546

Dear Mr. Jiang and Ms. Wong:

This office is in receipt of "Report of Groundwater Sampling" Report dated January 13, 2000, submitted by Mr. Samuel H. Halsted of Piers Environmental Services, Inc. Thank you for submittal of this document.

Per this report the laboratory analysis revealed ND levels for TPH/g, BTEX, and TPH/d in MW-1, MW-2, and MW-3 except 280 PPB for TPH/d in MW-3. Enclosed I also received a copy of Browning-Ferris Industries (BFI) Vasco Road Landfill manifest for the disposal of Contaminated soil, which had occurred on February 6th, 1995.

Should you have any questions, please do not hesitate to call me at (510) 567-6876.

Sincerely,

Amir K. Gholami, REHS
Hazardous Materials Specialist

C: President, Lincoln Trust Co., PO Box 5831, Denver,
CO 80217
Jerry Breeden, Diversified Loan Services, 257 East Campbell Ave.
Suite 3, Campbell CA 95008
Robert M. Frost, c/o Frost & Wright, 20980 Redwood Rd., #260,
Castro Valley, CA 94546
Bennett & Samuel Halsted, Piers Environmental Services, Inc. 1330 S.
Bascom Ave., suite F, San Jose, CA 95128
files

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



1/5/2000

STID 666

Mr. Jiang & H. Wong
P.O. BOX 2945
Castro Valley, CA 94546

ENVIRONMENTAL HEALTH SERVICES
ENVIRONMENTAL PROTECTION
1131 Harbor Bay Parkway
Alameda, CA 94502-6577
(510) 567-6700
(510) 337-9432

RE: Property at 2896 Castro Valley Blvd., Castro Valley, CA
94546

LANDOWNER NOTIFICATION AND PARTICIPATION REQUIREMENTS

Dear Messrs. Jiang, Wong:

This office is in receipt of a letter by Mr. Robert M. Frost, former landlord of the above referenced property. In his letter, Mr. Frost identified Messrs. Jiang and Wong as the only primary landlords.

Additionally, I sent you a letter regarding the landowner notification and participation requirements. I explained about the law and its requirements. I also enclosed "Sample Letter 2" and "Samples Letter 3", which had to be properly filled out by you and submitted to our office. However, to this date this office has not yet received the completed sample letter 2 and sample letter 3.

Enclosed please find the sample letters. Fill them out properly and submit to this office.

Please call me at (510)-567-6876, if you have any questions.

Sincerely,

Amir K. Gholami, REHS
Hazardous Materials Specialist

cc: Chuck Headlee, RWQCB

Attachments: Sample letter 2 and Sample letter 3, which must be filled out by the Responsible Party and mailed to Alameda County.

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

"List of Landowners" form
(Sample Letter 2)

**SUBJECT: CERTIFIED LIST OF RECORD FEE TITLE OWNERS FOR (Site
name and address) .
(to be filled in by the primary responsible party and mailed to
Alameda County)**

(Note: Fill out item 1 if there are multiple site landowners. If
you are the sole site landowner, skip item 1 and fill out item 2)

1. In accordance with section 25297.15(a) of Chapter 6.7 of
the Health & Safety Code, I, (name of primary responsible
party), certify that the following is a complete list of
current record fee title owners and their mailing addresses
for the above site:
2. In accordance with section 25297.15(a) of Chapter 6.7 of
the Health & Safety Code, I, (name of primary responsible
party), certify that I am the sole landowner for the above
site.

Sincerely,

Signature of primary responsible party

Name of primary responsible party

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

**"Notice of Proposed Action" form
(Sample Letter 3)**

**SUBJECT: NOTICE OF PROPOSED ACTION SUBMITTED TO LOCAL AGENCY FOR
(site name and address)
(to be filled in by the primary responsible party and mailed to
Alameda county)**

In accordance with section 25297,15(a) of Chapter 6.7 of the
Health & Safety Code, I, (name of primary responsible party),
certify that I have notified all responsible landowners of the
enclosed proposed action. Check space for applicable proposed
action(s):

- cleanup proposal (corrective action plan)
- site closure proposal
- local agency intention to make a determination that no
further action is required
- local agency intention to issue a closure letter

Sincerely,

Signature of primary responsible party

Name of primary responsible party

cc: Names and addresses of all record fee title owners

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



ENVIRONMENTAL HEALTH SERVICES
ENVIRONMENTAL PROTECTION
1131 Harbor Bay Parkway
Alameda, CA 94502-6577
(510) 567-6700
(510) 337-9432

Stid 666

December 14, 1999

James Jiang and Hilda Wong
20950 Elbridge Court
Castro Valley CA 94552

RE: Former Walt's Auto Tech, 2896 Castro Valley Blvd., Castro Valley, CA 94546

Dear Mr. Jiang and Ms. Wong:

I am in receipt of "Report of Groundwater Sampling" Report dated October 26th, 1999 submitted by Mr. Samuel H. Halsted of Piers Environmental Services, Inc. According to this report the laboratory analysis revealed <0.5ppb for TPH/g and BTEX while <50 for TPH/d.

The groundwater flow gradient is to the southwesterly direction.

In my previous letter I requested that you send a copy of the soil disposal manifest from BFI Vasco Road Landfill to this office. This office has not yet received such manifest. Please provide a copy of the soil disposal manifest within 30 days or by January 14th, 2000.

I will be looking forward for the next quarterly monitoring report along with the requested items.

If you have any questions, please call me at (510) 567-6876.

Sincerely,

A handwritten signature in black ink, appearing to read "Amir K. Gholami". The signature is written in a cursive style with a long horizontal stroke extending to the right.

Amir K. Gholami, REHS
Hazardous Materials Specialist

C: President, Lincoln Trust Co., PO Box 5831, Denver,
CO 80217
Jerry Breeden, Diversified Loan Services, 257 East Campbell Ave.
Suite 3, Campbell CA 95008
Robert M. Frost, c/o Frost & Wright, 20980 Redwood Rd., #260,
Castro Valley, CA 94546
Bennett & Samuel Halsted, Piers Environmental Services, Inc. 1330 S.
Bascom Ave., suite F, San Jose, CA 95128
files

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director
October 25, 1999



STID 666

Mr. Jiang & H. Wong
P.O. BOX 2945
Castro Valley, CA 94546

California Central Trust Bank
C/O Diversified Loan Services
257 E Campbell Ave., #3
Campbell, CA 95008

President, Lincoln Trust Company
P.O. BOX 5831
Denver, CO 80217

ENVIRONMENTAL HEALTH SERVICES

ENVIRONMENTAL PROTECTION
1131 Harbor Bay Parkway, Suite 250
Alameda, CA 94502-6577
(510) 567-6700

Mr. Robert M. Frost
C/O Frost & Wright
20980 Redwood Road, #260
Castro Valley, CA 94546

RE: Property at 2896 Castro Valley Blvd., Castro Valley, CA
94546

LANDOWNER NOTIFICATION AND PARTICIPATION REQUIREMENTS

Dear Messrs. Jiang, Wong, Frost:

This letter is to inform you of new legislative requirements pertaining to cleanup and closure of sites where an unauthorized release of hazardous substance, including petroleum, has occurred from an underground storage tank (UST). Section 25297.15(a) of Ch. 6.7 of the Health & Safety Code requires the primary or active responsible party to notify all current record owners of fee title to the site of: 1) a site cleanup proposal, 2) a site closure proposal, 3) a local agency intention to make a determination that no further action is required, and 4) a local agency intention to issue a closure letter. Section 25297.15(b) requires the local agency to take all reasonable steps to accommodate responsible landowners' participation in the cleanup or site closure process and to consider their input and recommendations.

For purposes of implementing these sections, you have been identified as the primary or active responsible party. Please provide to this agency, within twenty (20) calendar days of receipt of this notice, a complete mailing list of all current record owners of fee title to the site. You may use the enclosed "list of landowners" form (sample letter 2) as a template to comply with this requirement. If the list of current record owners of fee title to the site changes, you must notify the local agency of the change within 20 calendar days from when you are notified of the change.

If you are the sole landowner, please indicate that on the landowner list form. The following notice requirements do not apply to responsible parties who are the sole landowner for the site.

LANDOWNER NOTIFICATION

Re: 2896 Castro Valley Blvd., Castro Valley

October 25, 1999

Page 2 of 2

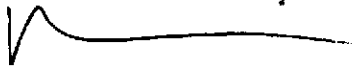
In accordance with Section 25297.15(a) of Ch. 6.7 of the Health & Safety Code, you must certify to the local agency that all current record owners of fee title to the site have been informed of the proposed action before the local agency may do any of the following:

- 1) consider a cleanup proposal (corrective action plan)
- 2) consider a site closure proposal
- 3) make a determination that no further action is required
- 4) issue a closure letter

You may use the enclosed "notice of proposed action" form (sample letter 3) as a template to comply with this requirement. Before approving a cleanup proposal or site closure proposal, determining that no further action is required, or issuing a closure letter, the local agency will take all reasonable steps necessary to accommodate responsible landowner participation in the cleanup and site closure process and will consider all input and recommendations from any responsible landowner.

Please call me at (510) 567-6876 if you have any questions about the content of this letter.

Sincerely,



✓ Amir K. Gholami, REHS
Hazardous Materials Specialist

cc: Chuck Headlee, RWQCB

Attachments: Sample letter 2 and Sample letter 3, which must be filled out by the Responsible Party and mailed to Alameda County.

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

**"List of Landowners" form
(Sample Letter 2)**

**SUBJECT: CERTIFIED LIST OF RECORD FEE TITLE OWNERS FOR (Site
name and address)
(to be filled in by the primary responsible party and mailed to
Alameda County)**

(Note: Fill out item 1 if there are multiple site landowners. If
you are the sole site landowner, skip item 1 and fill out item 2)

1. In accordance with section 25297.15(a) of Chapter 6.7 of
the Health & Safety Code, I, (name of primary responsible
party), **certify that the following is a complete list of
current record fee title owners** and their mailing addresses
for the above site:

2. In accordance with section 25297.15(a) of Chapter 6.7 of
the Health & Safety Code, I, (name of primary responsible
party), **certify that I am the sole landowner for the above
site.**

Sincerely,

Signature of primary responsible party

Name of primary responsible party

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

**"Notice of Proposed Action" form
(Sample Letter 3)**

**SUBJECT: NOTICE OF PROPOSED ACTION SUBMITTED TO LOCAL AGENCY FOR
(site name and address)
(to be filled in by the primary responsible party and mailed to
Alameda county)**

In accordance with section 25297,15(a) of Chapter 6.7 of the
Health & Safety Code, I, (name of primary responsible party),
certify that I have notified all responsible landowners of the
enclosed proposed action. Check space for applicable proposed
action(s):

- cleanup proposal (corrective action plan)
- site closure proposal
- local agency intention to make a determination that no
further action is required
- local agency intention to issue a closure letter

Sincerely,

Signature of primary responsible party

Name of primary responsible party

cc: Names and addresses of all record fee title owners

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



ENVIRONMENTAL HEALTH SERVICES

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

Stid 666

September 20, 1999

James Jiang and Hilda Wong
20950 Elbridge Court
Castro Valley CA 94552

RE: Former Walt's Auto Tech, 2896 Castro Valley Blvd., Castro Valley, CA 94546

Dear Mr. Jiang and Ms. Wong:

This office is in receipt of "Report of Groundwater Sampling" Report dated August 27, 1999 submitted by Mr. Samuel H. Halsted of Piers Environmental Services, Inc. Thank you for the submission of the report. The laboratory results reveal "ND" for almost all the involved chemicals including TPH/g, TPH/d, and BTEX.

According to this report the groundwater flow gradient is to the southwesterly direction. I understand that the soil disposal manifest from BFI Vasco Road Landfill, once located, will be provided within 60 to 90 days as of the date of the submitted report.

I will be looking forward for the next quarterly monitoring report along with the items requested by November 27th, 1999.

Please do not hesitate to call me at (510) 567-6876, if you have any questions.

Sincerely,

Amir K. Gholami, REHS
Hazardous Materials Specialist

C: President, Lincoln Trust Co., PO Box 5831, Denver,
CO 80217

Jerry Breeden, Diversified Loan Services, 257 East Campbell Ave.
Suite 3, Campbell CA 95008

Robert M. Frost, c/o Frost & Wright, 20980 Redwood Rd., #260,
Castro Valley, CA 94546

Bennett & Samuel Halsted, Piers Environmental Services, Inc. 1330 S.
Bascom Ave., suite F, San Jose, CA 95128

files

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



ENVIRONMENTAL HEALTH SERVICES

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

Stid 666

May 11, 1999

James Jiang and Hilda Wong
20950 Elbridge Court
Castro Valley CA 94552

RE: Former Walt's Auto Tech, 2896 Castro Valley Blvd., Castro Valley, CA 94546

Dear Mr. Jiang and Ms. Wong:

I am in receipt of "Quarterly Groundwater Sampling Report" dated April 27, 1999 submitted by Mr. Samuel H. Haisted of Piers Environmental Services, Inc. Thank you for the submission of the report. The laboratory results show "ND" for almost all the involved chemicals. However, I would like to discuss couple of issues in regard to the above report:

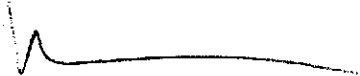
- The report does not indicate the groundwater flow gradient. Please submit a map with such information.
- Submit manifest for the soil removed previously from the above referenced site. This item was also requested in my previous letter dated April 5, 1999.
- Perform and submit Three more **successive quarters** of analysis of chemical constituents including MTBE in the monitoring wells.
- Ensure that there is **no gap in the submission of the quarterly monitoring reports.**

I will be looking forward for the next quarterly monitoring report along with the items requested by Aug 27th, 1999.

This is a formal request for technical information and hence any delays should be requested in writing.

Please call me at (510) 567-6876, if you have any questions.

Sincerely,



Amir K. Gholami, REHS
Hazardous Materials Specialist

C: President, Lincoln Trust Co., PO Box 5831, Denver,
CO 80217
Jerry Breeden, Diversified Loan Services, 257 East Campbell Ave.
Suite 3, Campbell CA 95008
Robert M. Frost, c/o Frost & Wright, 20980 Redwood Rd., #260,
Castro Valley, CA 94546
Files
Bennett & Samuel Halsted, Piers Environmental Services,
Inc. 1330 S. Bascom Ave., suite F, San Jose, CA 95128

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



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

Stid 666

April 5, 1999

James Jiang and Hilda Wong
20950 Elbridge Court
Castro Valley CA 94552

RE: Former Walt's Auto Tech, 2896 Castro Valley Blvd., Castro Valley, CA 94546

Dear Mr. Jiang and Ms. Wong:

As you are aware I sent you a letter in March 3, 1999 regarding the need to perform and submit four successive "Quarterly Groundwater Monitoring Report" to this office. In addition, I requested that you submit manifest for the soil removed from the above referenced site.

Furthermore, I explained that the requested information is necessary to proceed further with the above referenced site and that Amy Leach and Brian Oliva, formerly of our office, had also requested such information in the past. To this date, this office has not received any of the requested information. However, I discussed the situation with you over the telephone on April 1, 1999. You indicated that you would be willing to perform and send in the first report by this week. **Please ensure that the following issues are addressed:**

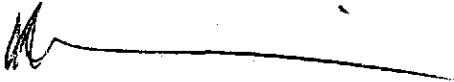
1. Perform and submit four successive quarters of analysis of chemical constituents in the monitoring wells. This analysis must include MTBE constituent as well.
2. If The analysis indicate the existence of MTBE, Make certain that the MTBE level indicated by the lab analysis is not a false positive by performing "EPA method 8260".
3. Provide manifest for the soil removed from the site. How did you dispose of this soil?
4. Make certain that there is no gap in the submission of the quarterly monitoring reports.

Please provide the next quarterly monitoring report along with the items requested above within **14 days** from the receipt of this letter or by **April 19, 1999**.

This is a formal request for technical information and hence any delays should be requested in writing.

If you have any questions, please call me at (510) 567-6876.

Sincerely,



Amir K. Gholami, REHS
Hazardous Materials Specialist

C: President, Lincoln Trust Co., PO Box 5831, Denver,
CO 80217
Jerry Breeden, Diversified Loan Services, 257 East Campbell Ave.
Suite 3, Campbell CA 95008
Robert M. Frost, c/o Frost & Wright, 20980 Redwood Rd., #260,
Castro Valley, CA 94546
Files

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



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

Stid 666

March 3, 1999

James Jiang and Hilda Wong
PO Box 2945
Castro Valley CA 94546

RE: Former Walt's Auto Tech, 2896 Castro Valley Blvd., Castro Valley, CA 94546

Dear Mr. Jiang and Ms. Wong:

This office has assigned me to oversee the above case. I have reviewed the files and the Quarterly Groundwater Monitoring Report dated April 21, 1997 submitted by CGS Sampling Specialists. According to our files, Amy Leech, formerly of our office, had requested you to provide certain information, which are necessary to proceed further with the above referenced site. Later on Brian Oliva, formerly of our office, also requested some information to be submitted to this office. To this date, this office has not received any of the requested information. **Please ensure that the following issues are addressed:**

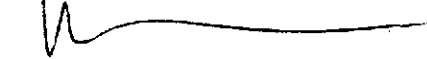
1. Perform and submit **four successive quarters** of analysis of chemical constituents in the monitoring wells. This analysis must include MTBE constituent as well.
2. If The analysis indicate the existence of MTBE, Make certain that the MTBE level indicated by the lab analysis is not a false positive by performing "EPA method 8260".
3. Provide **manifest for the soil removed** from the site. How did you dispose of this soil?
4. Make certain that there is **no gap in the submission of the quarterly monitoring reports**.

Please provide the next quarterly monitoring report along with the items requested above within **30 days** from the receipt of this letter.

This is a formal request for technical information and hence any delays should be requested in writing.

If you have any questions, please call me at (510) 567-6876.

Sincerely,



✓ Amir K. Gholami, REHS
Hazardous Materials Specialist

C: President, Lincoln Trust Co., PO Box 5831, Denver,
CO 80217

Jerry Breeden, Diversified Loan Services, 257 East Campbell Ave.
Suite 3, Campbell CA 95008

Robert M. Frost, c/o Frost & Wright, 20980 Redwood Rd., #260,
Castro Valley, CA 94546
files

If you have any questions, please call me at (510) 567-6876.

Sincerely,

Amir K. Gholami, REHS
Hazardous Materials Specialist

C: President, Lincoln Trust Co., PO Box 5831, Denver,
CO 80217
Jerry Breeden, Diversified Loan Services, 257 East Campbell Ave.
Suite 3, Campbell CA 95008
Robert M. Frost, c/o Frost & Wright, 20980 Redwood Rd., #260,
Castro Valley, CA 94546
files

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



ENVIRONMENTAL HEALTH SERVICES

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

~~April 29, 1998~~
STID#666

James Jiang and Hilda Wong
PO Box 2945
Castro Valley, CA 94546

Subject: Former Walt's Auto Tech, 2896 Castro Valley Blvd, Castro Valley, CA 94546

Dear Mr. Jiang and Ms. Wong:

This office has completed a review of the status of the subject site. In telephone conversations with you on previous occasions, you have requested "closure" of the site regarding the underground storage tanks (USTs), and the oversight by this office. However in a letter previously sent to you by Amy Leech, from this office, you were requested to provide certain information critical to the requested closure. ~~This information has not been received by our office.~~

The information required by this office are entailed in the following:

1. You need to provide this office with four successive quarters of analysis of chemical constituents in the monitoring wells (only one quarter has been received by this office).
2. This office requested manifests for soils removed from the site, no such manifests have been forwarded to this office.
3. Why has there been a five year gap in the data submitted?

Following receipt of the requested data, or clarification of these issues, this office will consider closure of the site.

If you have any questions please do not hesitate to call this office. The telephone number is (510) 567-6737. I look forward to a quick resolution of the requisite actions needed for closure.

Sincerely,

Brian P. Oliva, REHS, REA
Hazardous Materials Specialist

C: Attn: President, Lincoln Trust Co., PO Box 5831, Denver, CA 80217
Attn: Jerry Breeden, Diversified Loan Services, 257 East Cambell Ave., Ste 3, Cambell CA 95008
Attn: Robert Frost, c/o Frost and Wright, 20980 Redwood Rd., #260, Castro Valley, CA 94546
files

LOP - CHANGE RECORD REQUEST FORM

printed:
11/04/97

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: 12035
 StID : 666 LOC:
 SITE NAME: (Former) Walt's Auto Tech DATE REPORTED : 05/10/89
 ADDRESS : 2896 Castro Valley Blv DATE CONFIRMED: 06/01/87
 CITY/ZIP : Castro Valley 94546 MULTIPLE RPs : Y

SITE STATUS

CASE TYPE: O CONTRACT STATUS: 4 PRIOR CODE:3A2 EMERGENCY RESP:
 RP SEARCH: S DATE COMPLETED: 07/13/92
 PRELIMINARY ASMNT: C DATE UNDERWAY: 09/27/90 DATE COMPLETED: 02/22/91
 REM INVESTIGATION: C DATE UNDERWAY: 09/29/93 DATE COMPLETED: 12/15/94
 REMEDIAL ACTION: C DATE UNDERWAY: 09/29/93 DATE COMPLETED: 12/15/94
 POST REMED ACT MON:Y DATE UNDERWAY: DATE COMPLETED:
 ENFORCEMENT ACTION TYPE: 2 DATE ENFORCEMENT ACTION TAKEN: 08/16/93
 LUFT FIELD MANUAL CONSID: 3,HSCAG
 CASE CLOSED: DATE CASE CLOSED:
 DATE EXCAVATION STARTED : 10/23/93 REMEDIAL ACTIONS TAKEN: ET, ED, GT, IT

RESPONSIBLE PARTY INFORMATION

RP#1-CONTACT NAME: J. Jiang & H. Wong
 COMPANY NAME: N/a
 ADDRESS: Po Box 2945
 CITY/STATE: Castro Valley Ca 94546

RP#2-CONTACT NAME: President
 COMPANY NAME: Lincoln Trust Co.
 ADDRESS: Po Box 5831
 CITY/STATE: Denver Co 80217

RP#3-CONTACT NAME: Ca. Central Trust Bk
 COMPANY NAME: C/o Diversified Loan Services
 ADDRESS: 257 E Campbell Ave., #3
 CITY/STATE: Campbell Ca 95008

RP#4-CONTACT NAME: Robert M. Frost
 COMPANY NAME: C/o Frost & Wright
 ADDRESS: 20980 Redwood Road, #260
 CITY/STATE: Castro Valley Ca 94546

INSPECTOR VERIFICATION:	
NAME	SIGNATURE
131 Harbor Bay Parkway, #250 Alameda, CA 94502-6577	
DATE	
DATA ENTRY INPUT:	
NAME/Address Changes Only	Case Progress Changes
RAFAT A. SHAHID, Director DEPARTMENT OF ENVIRONMENTAL HEALTH Environmental Protection Division	DAVID J. KEARS, Agency Director
AGENCY	AGENCY
DATE	DATE
ANNPGMS	LOP
DATE	



HEALTH CARE SERVICES
ALAMEDA COUNTY

ALAMEDA COUNTY HAZARDOUS MATERIALS DIVISION
DEPOSIT / REFUND ACCOUNT SHEET

printed 07/16/97

SITE INFORMATION

Quality Tune - Up
2780 Castro Valley Blvd
Castro Valley 94546
Site Contact: Larry Armstrong
Site Phone : 408-374-2001

StID: 969 Site#: 4014
PROJECT#: 4014A
PROJECT TYPE:*** T ***
INSP: clerical
ACCT. SHEET PG #: _____

PROPERTY OWNER INFORMATION

Owner Contact:
Owner Phone :

PAYOR INFORMATION

Minter & Fahy Constructio
411 N Buchanan Circle #2
Pacheco CA 94553 # 273
Payor Contact:
Payor Phone : 674-8800

Date	Action Taken	Insp Init	Hours Spent/ Depstd	Hour Balnce	Money Spent/ Depositd	Money Balance
	Rcpt# 592314 Balance from Prev. Page			RATE		432-
1/31/90	ARMID		1.0	56-	56-	376-
5/21/90 + Hawaii # 12/11/90	PHONE CONSULTATION	SS	.25	60-	45-	331-
1/8/91	CONSULTATION	SS	.75	60-	45-	286-
1/31/91	PLAN REVIEW	SS	1.0	60-	60-	280-
4/24/91	CONSULTATION/MEETING	SS	.5	60-	30-	250-
6/11/91	UST RENEWAL	SS	2.75	60-	165-	85-
6/21/91	CONSULTATION	SS	.5	60-	30-	55-
6/25/91 + NO 8/16/91	CONSULTATION	SS	1.25	60-	75-	<20->
11/16/91	LETTER	SS	1.25	60-	75-	<95->

UPON COMPLETION OF PROJECT

PROJ COMPLETED BY : Amir ATTACH: State Forms A, B & C
 Billing Adjustment*
DATE OF COMPLETION : 8/15/97 DATE SENT TO BILLING: 8/15/97
TOTAL COST OF PROJECT: 527- REFUND AMOUNT: <95-> Rev. 7/90

* Billing adjustment forms needed when site is in our UST program.



257 E. CAMPBELL AVE.#3 CAMPBELL, CA. 95008
(408) 379-1274 FAX (408) 379-1394

June 26, 1997

Amy Leech
Alameda County Health Care Services
1131 Harbor Bay Parkway #250
Alameda, Ca 94502

RE: 2896 Castro Valley Bl, Castro Valley, Ca 94546

Dear Mrs Leech:

We are in receipt of your letter dated June 24, 1997 addressed to Mr and Mrs Jiang regarding final technical reports on the above referenced property.

Please note that the final sampling was completed by CGS Sampling Specialists and a copy of their report was sent to the local Alameda County Water Board addressed to your attention on May 9, 1997 by mistake. They just returned the report to my attention via DLS with a yellow stick on pad that said simply "return to sender...no Amy Leech at this office". I mailed the report to your attention under separate cover earlier today.

I did note in your June 24th letter something that we were not aware of regarding a manifest for disposal of contaminated soil. All the clean up of this property was completed and/or co-ordinated by Gen-Tech Environmental and their invoice shows hauling of the soil by George Maciel Trucking and that it was hauled to the Vasco Rd/BFI Landfill. We did not receive a manifest or copy of the invoice and would recommend you contact Gen-Tech Environmental or CGS Sampling Specialists for further information.

Sincerely,


Jerry Breeden
President/Broker

→ 7/8/97 - Spoke w/ Jerry Breeden. Asked him to research soil disposal & submit manifests/invoices to us. Told him I had already pursued this w/ Stuart Solomon w/ no luck

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



Std 666/lop
June 24, 1997

James Jiang and Hilda Wong
PO Box 2945
Castro Valley CA 94546

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

NOTICE OF VIOLATION

Subject: 2896 Castro Valley Blvd., Castro Valley CA 94546

Dear Mr. Jiang and Ms. Wong:

This office has completed a review on the status of the subject site. In our letters to you dated February 1, 1995 and March 14, 1997 (see copies attached), this office directed you to submit quarterly monitoring and sampling reports for the subject site. To date, however, this office has not received any communication from you on this matter. Therefore, this letter constitutes a Notice that you are in violation of specific laws to investigate and remediate this site.

Failure to furnish technical reports regarding documented or potential ground water contamination violates Section 13267 (b) of the California Water Code. The Regional Water Quality Control Board (RWQCB) can impose civil penalties of up to \$1,000 per day for each day in which this violation occurs.

You are directed to immediately furnish the request quarterly reports or begin quarterly groundwater monitoring at this site. In addition, you are required to submit manifest for disposal of the approximately 85 cubic yards of contaminated soil which was excavated from this site in October 1993. Failure to respond will result in referral of this case to the RWQCB or Alameda County District Attorney's Office to consider for enforcement action. Modifications of required tasks or extensions of stated deadlines must be confirmed in writing by either this agency or RWQCB. The requested quarterly monitoring report(s) and manifests for soil disposal are due to this office no later than July 15, 1997.

Please call me at (510)567-6755 if you have questions or require additional information.

Sincerely,

Amy Leech
Hazardous Materials Specialist

ATTACHMENT

c: Attn: President, Lincoln Trust Co., PO Box 5831, Denver CO 80217
Attn: Jerry Breeden, Diversified Loan Services, 257 E Campbell Ave Ste 3, Campbell CA 95008
Attn: Robert M. Frost, c/o Frost & Wright, 20980 Redwood Rd., #260, Castro Valley CA 94546
Bob Chambers, Alameda County District Attorney's Office
ALL/Files

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



StId 666/lop

March 14, 1997

James Jiang and Hilda Wong
PO Box 2945
Castro Valley CA 94546

Subject: 2896 Castro Valley Blvd., Castro Valley CA 94546

Dear Mr. Jiang and Ms. Wong:

This office recently completed a review of the status and case history in regard to soil and groundwater investigations as a result of leaking underground storage tanks at the subject site. On February 1, 1995, a letter from this office (see copy attached) was sent to Mr. Jerry Breeden of Diversified Loan Services requesting post-remediation monitoring of the three groundwater monitoring wells and submission of technical reports to this office.

To date, we have not received the requested groundwater monitoring reports for the subject site. A recent review of the County Assessor Records indicates that you are now the property owners of this site. Please submit the requested groundwater monitoring reports to this office within the next 15 days, or by March 31, 1997.

The review of environmental assessment/investigations for the subject site has been transferred from Scott Seery to the undersigned of this office. If you have any questions or would like to schedule an appointment to discuss this site, please contact me at (510) 567-6755.

Sincerely,

Amy Leech
Hazardous Materials Specialist

ATTACHMENT

c: Attn: President, Lincoln Trust Co., PO Box 5831, Denver CO 80217
Attn: Jerry Breeden, Diversified Loan Services, 257 E Campbell Ave Ste 3, Campbell CA 95008
Attn: Robert M. Frost, c/o Frost & Wright, 20980 Redwood Rd., #260, Castro Valley CA 94546
ALL/Files

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

LOP CHANGE RECORD REQUEST FORM

printed:
03/14/97

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: 12035
 StID : 666 LOC: -0-
 SITE NAME: (Former) Walt's Auto Tech DATE REPORTED : 05/10/89
 ADDRESS : 2896 Castro Valley Blv DATE CONFIRMED: 06/01/87
 CITY/ZIP : Castro Valley 94546 MULTIPLE RPs : Y

SITE STATUS

CASE TYPE: O CONTRACT STATUS: 4 PRIOR CODE:3A2 EMERGENCY RESP: -0-
 RP SEARCH: S DATE COMPLETED: 07/13/92
 PRELIMINARY ASMNT: C DATE UNDERWAY: 09/27/90 DATE COMPLETED: 02/22/91
 REM INVESTIGATION: C DATE UNDERWAY: 09/29/93 DATE COMPLETED: 12/15/94
 REMEDIAL ACTION: C DATE UNDERWAY: 09/29/93 DATE COMPLETED: 12/15/94
 POST REMED ACT MON:Y DATE UNDERWAY: -0- DATE COMPLETED: -0-

ENFORCEMENT ACTION TYPE: 2 DATE ENFORCEMENT ACTION TAKEN: 08/16/93
 LUFT FIELD MANUAL CONSID: 3,HSCAG
 CASE CLOSED: - DATE CASE CLOSED: -0-
 DATE EXCAVATION STARTED : 10/23/93 REMEDIAL ACTIONS TAKEN: ET, ED, GT, IT

RESPONSIBLE PARTY INFORMATION

RP#1-CONTACT NAME: J. Jiang & H. Wong
 COMPANY NAME: N/a
 ADDRESS: Po Box 2945
 CITY/STATE: Castro Valley Ca 94546

RP#2-CONTACT NAME: President
 COMPANY NAME: Lincoln Trust Co.
 ADDRESS: Po Box 5831
 CITY/STATE: Denver Co 80217

RP#3-CONTACT NAME: Ca. Central Trust Bk
 COMPANY NAME: C/o Diversified Loan Services
 ADDRESS: 257 E Campbell Ave., #3
 CITY/STATE: Campbell Ca 95008

RP#4-CONTACT NAME: Robert M. Frost
 COMPANY NAME: C/o Frost & Wright
 ADDRESS: 20980 Redwood Road, #260
 CITY/STATE: Castro Valley Ca 94546

INSPECTOR VERIFICATION:			
NAME	SIGNATURE	DATE	
Name/Address Changes Only			
ANNP GMS		LOP	DATE
DATA ENTRY INPUT:		Case Progress Changes	
		LOP	DATE

STATE WATER RESOURCES CONTROL BOARD
DIVISION OF CLEAN WATER PROGRAMS2014 T STREET, SUITE 130
P.O. BOX 944212
SACRAMENTO, CA 94244-2120ENVIRONMENTAL
PROTECTION

95 APR 27 PH 1:39

(916) 227-4325
FACSIMILE (916) 227-4349**APR 26 1995**Robert M. Frost
Frost & Wright
Attorneys at Law
20980 Redwood Road, Suite 260
Castro Valley, CA 94546-5930

Dear Mr. Frost:

UNDERGROUND STORAGE TANK (UST) LOCAL OVERSIGHT PROGRAM, SITE NO.
666, 2896 CASTRO VALLEY BOULEVARD, CASTRO VALLEY, ALAMEDA COUNTY

This is in response to your recent letter concerning oversight costs billed to you on March 28, 1995. As indicated on the invoice, the invoice was sent to both yourself and California Central Trust Bank (Bank). Both of you have been identified as jointly responsible for site cleanup by the County. It is up to both of you to arrange for payment of the invoice. Please submit to Scott Seery of the County any information you have concerning the new owner of the site. If appropriate, that individual will be added to the responsible party list and will be considered jointly responsible with you and the Bank for oversight costs incurred from the date of property transfer. Mr. Seery can be reached at (510) 567-6700.

If you have any questions, please telephone me at (916) 227-4325.

Sincerely,

A handwritten signature in cursive script that reads "Lori Casias".

Lori Casias
Local Oversight Programcc: Scott Seery
Hazardous Materials Division
Department of Environmental Health
County of Alameda
1131 Harbor Bay Parkway, 2nd Floor
Alameda, CA 94502California Central Trust Bank
c/o Diversified Loan Services
257 East Campbell Avenue #3
Campbell, CA 95008

ENVIRONMENTAL RESTORATION SERVICES

1115 MERRILL ST. 415-325-3216
MENLO PARK, CA 94025

1985

11-8079/3210

2-7 1985

**PAY TO THE
ORDER OF**

BFI

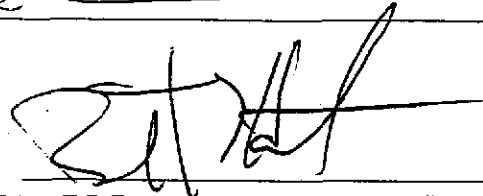
\$ 645.86

six hundred forty five

86/100 DOLLARS

GREAT WESTERN BANK 

A Federal Savings Bank
650 SANTA CRUZ AVENUE
MENLO PARK, CA 94025
1-800-222-2242



FOR Diversified/Gentech

⑈001985⑈ ⑆321080796⑆ ⑆3098098993⑈ ⑆0000014586⑆

ALAMEDA COUNTY
HEALTH CARE SERVICE



AGENCY

DAVID J. KEARS, Agency Director

RAFAT A. SHAHID, Assistant Agency Director

STID 666

February 1, 1995

ALAMEDA COUNTY CC4530
ENVIRONMENTAL PROTECTION DIVISION
1131 HARBOR BAY PKWY., #250
ALAMEDA CA 94502-6577

Mr. Jerry Breeden
Diversified Loan Services
257 E. Campbell Avenue, Ste. 3
Campbell, CA 95008

RE: 2896 CASTRO VALLEY BOULEVARD, CASTRO VALLEY

Dear Mr. Breeden:

I am in receipt and have completed review of the December 15, 1994 Gen-Tech Environmental (GTE) Report on Soil and Groundwater Corrective Action at 2896 Castro Valley Blvd., Castro Valley, CA. Report review was performed in context with the body of work performed to date at the site.

This office concurs with the conclusion articulated in the cited GTE report, i.e., the excavation project appears to have been substantially successful at removing the bulk of soil contamination from the site.

Post-remediation monitoring of the wells at this site is now required. Please begin to implement a **semi-annual** schedule of well sampling and ground water elevation gauging during the 1st and 3rd quarters of this year, to begin no later than the end of March 1995. Sample analytes shall be TPH-G, TPH-D, BTEX, and SVOCs. Technical reports are to be submitted after each event.

Please submit the documents associated with the disposal of the remaining stockpiled soil (stockpile #3 and #5) once such has been completed.

I may be reached at 510/567-6783 should you have any questions.

Sincerely,

Scott O. Seery, CHMM
Senior Hazardous Materials Specialist

cc: Rafat A. Shahid, Agency Director
Gil Jensen, Alameda County District Attorney's Office
Robert Frost, 20980 Redwood Rd., #260, Castro Valley 94546
Stuart Solomon, Gen-Tech Environmental



FAX MESSAGE

COMMUNITY PROPERTIES, INC.
257 E. CAMPBELL AVE., #3
CAMPBELL, CA 95008

PHONE (408) 379-1274
FAX (408) 379-1394

Total Number of Pages (Including This One) _____

Date: 10/31/84 FAX # (514) 337-9335

To: SCOTT SEERY

From: JERRY BREEDEN

Ref: 2896 CASTRO VALLEY #1

DEED COPY OF TRUSTEES
PER OUR CONVERSATION.

I BELIEVE CALIFORNIA
CENTRAL TRUST BANK HAS
DEEDED TO LINCOLN TRUST
AS NEW TRUSTEE FBO
ARNEY & BREEDEN SO YOU
MAY WANT TO UPDATE TO
GET CURRENT VESTING.
I HOPE THIS HELPS. WE
JUST WANT TO GET IT
SOLD AND GO ON TO OTHER
THINGS

THANKS

RECORDING REQUESTED BY

NORTHWESTERN TITLE CO.

When Recorded Mail to:*

DIVERSIFIED LOAN SERVICES INC
LOAN # 90-070
257 E CAMPBELL AVE SUITE 3
CAMPBELL, CA 95008

Recorded in Official Records, Alameda County
Patrick O'Connell, Clerk-Recorder



11.00

94151382 08:30am 04/19/94

008 173497 35 06 000068 R

P13 3 7.00 3.00 1.00 0.00 0.00 0.00 0.00
0.00

SPACE ABOVE THIS LINE FOR RECORDER'S USE

LOAN NO. 90-070
A.P. NUMBER: 084A-0131-011-04

OTHER REF. T.S. NO. 930028 RDK

**TRUSTEE'S DEED
UPON SALE**

DOCUMENTARY TRANSFER TAX IS COMPUTED ON FULL VALUE LESS LIENS AND
ENCUMBRANCES REMAINING AT TIME OF SALE \$0.00

AMOUNT OF CONSIDERATION \$0.00

AMOUNT OF UNPAID

DEBT. \$240,976.48

GRANTEE IS

IDENTIFIED AS THE

BENEFICIARY. DIVERSIFIED LOAN SERVICES INCORPORATED A CALIFORNIA CORP

Robert D. Kaye

First Position

Signature of Declarant or Agent Determining Tax

Declarant's Name

DIVERSIFIED LOAN SERVICES INCORPORATED A CALIFORNIA CORPORATION

, Trustee, (whereas so designated in the Deed of Trust herein
under more particularly described or as duly appointed Trustee), does hereby GRANT and CONVEY to SEE ATTACHED
EXHIBIT "A"

(herein called grantee), but without covenant or warranty, express or implied, all right, title and interest conveyed to and now held by it as Trustee under
the Deed of Trust in and to the property situated in the CITY OF CASTRO VALLEY County of ALAMEDA
State of California, described as follows:

SEE LEGAL DESCRIPTION ATTACHED HERETO AND MADE A PART HEREOF

This conveyance is made in compliance with the terms and provisions of the Deed of Trust executed by ROBERT M FROST, A

EXHIBIT "A"

- CALIFORNIA CENTRAL TRUST BANK TRUSTEE FBO GERALDINE ARNEY TRUST #1060000539, as to an undivided 10/200;
- LOUIS P BORIS TRUSTEE FBO ATHERTON APPLIANCE SERVICES INC PROFIT SHARING PLAN, as to an undivided 20/200 interest;
- RUDOLF NUSSBAUM, an unmarried man, as to an undivided 40/200 interest;
- TRANSCORP PENSION SERVICES INC C/F JOSEPH L SOARES KPS-0465-00, as to an undivided 10/200 interest;
- CALIFORNIA CENTRAL TRUST BANK TRUSTEE FBO GERALD W BREEDEN TRUST #1060000539, as to an undivided 20/200 interest;
- O J COPE TRUSTEE FBO COPE 1986 IRREVOCABLE TRUST, as to an undivided 25/100 interest;
- JOSEPH H PEER TRUSTEE FBO PEER FAMILY LIVING TRUST DTD 8-29-80, as to an undivided 8/200 interest;
- FRED RAU TRUSTEE FBO FRED RAU AND GERTRUD RAU TRUST DTD 1-14-80, as to an undivided 15/200 interest;
- ELMER D BAIM AND DOROTHY BAIM TRUSTEE FBO BAIM FAMILY TRUST DTD 10-15-76, as to an undivided 16/200 interest;
- JUANITA J CLARK TRUSTEE UNDER REVOCABLE TRUST AGREEMENT DTD 6-1-79, as to an undivided 10/200 interest; and
- RICHARD L WARD AND GLORIA M WARD, husband and wife, as Joint Tenants, as to an undivided 26/200 interest.

No. 930028

1100328

Legal Description

LEGAL DESCRIPTION

TOWNSHIP OF EDEN, UNINCORPORATED AREA

Portion of Lot 1, as said Lot is shown on the "Map of the Anita L. Stanton Tract, Eden Township, Alameda Co., California," filed October 8, 1907, in Book 23 of Maps, page 41, in the Office of the County Recorder of Alameda County, described as follows:

Beginning at the intersection of the northern line of State Highway U.S. 50, also known as Castro Valley Boulevard, and the Western Line of Anita Avenue; thence running westerly along the said Northern line of State Highway, a distance of 102.50 feet; thence running north $9^{\circ} 51'$ west, a distance of 80 feet; thence running easterly along a line parallel with the said Northern line of State Highway, a distance of 102.50 feet, more or less, to the said western line of Anita Avenue; thence running southerly along the said Western Line of Anita Avenue, a distance of 80 feet to the point of beginning.

Excepting therefrom that portion conveyed to the County of Alameda by Instrument dated May 14, 1957, recorded June 28, 1957 in Book 8402 OR Page 445, Alameda County Records described as follows:

Commencing at the point of intersection of the northerly line of Castro Valley Boulevard, 100 feet in width, with the Westerly line of Anita Avenue, 40 feet in width, and running thence along said Westerly line of Anita Avenue north $5^{\circ} 31' 30''$ west (the bearing of said westerly line of Anita Avenue being taken as north $5^{\circ} 31' 30''$ west for the purpose of making the this description), 7.45 feet; thence leaving said Westerly line of Anita Avenue south $84^{\circ} 28' 30''$ west, 5.00 feet to an intersection thereof with a line drawn parallel with the aforesaid westerly line of Anita Avenue and distant Westerly 5.00 feet, measured at right angles thereto; thence leaving said parallel line southerly, southwesterly and westerly on the arc of a curve to the right, tangent at last said point to a course which bears south $5^{\circ} 31' 30''$ East, the radius of which curve is 10.00 feet, a distance on said arc of 13.89 feet to a point of tangency on the aforesaid Northerly line of Castro Valley Boulevard; thence along said Northerly Line of Castro Valley Boulevard easterly on the arc of a curve to the right, tangent at last said point to a course which bears North $74^{\circ} 04' 34''$ East, the radius of which curve is 2550 feet, a distance on said arc of 13.41 feet to the point of commencement, and being a portion of that certain parcel of land conveyed by W.F. Hundemen and Freda Hundemen, his wife, to Marjorie R. Clark, a married woman, by deed dated December 27, 1945 and recorded in Book 4824 of Official Records at Page 136 thereof, Records of Alameda County, California.

Also excepting therefrom that portion lying within the lines of Anita Avenue as said Avenue now exists.

Said legal description is incomplete and should also contain the following:

Also excepting therefrom that portion conveyed to the County of Alameda by the Deed recorded March 21, 1991 under Series No. 91-74297 O.R.

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



RAFAT A. SHAHID, Assistant Agency Director

STID 666

August 16, 1994

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

Mr. Stuart Solomon
Gen-Tech Environmental
1936 Camden Avenue, Ste. 1
San Jose, CA 95124

RE: 2896 CASTRO VALLEY BOULEVARD, CASTRO VALLEY

Dear Mr. Solomon:

This letter follows our telephone conversation this afternoon during which we discussed the status of soil remediation and site restoration for the subject site. I have agreed to allow the implementation of certain tasks (which I understand to be) proposed in the July 5, 1994 Gen-Tech Environmental Report on *Preliminary Sampling and Request for Modification to Remediation Workplan*. This decision was based solely on information conveyed to me during today's conversation, presented in the absence of my review of the cited work plan, to be performed in context with the body of work completed to date.


Following is a summary of tasks approved for implementation following today's conversation:

- 1) ~~Reintroduction of previously-excavated, non-impacted material back into the excavation.~~ Such material reportedly represents overburden removed during the process of reaching targeted hydrocarbon-impacted material located at a depth associated with the capillary fringe. I understand that this material does not represent that which was excavated from shallow depth from areas proximal to the former underground tank site(s).
- 2) Evaluate hydrocarbon-impacted and stockpiled material for off-site transport and disposal at an appropriate, licensed landfill. Should an appropriate landfill accept this material, such may be transported to the landfill for disposal. (This option was in lieu of on-site treatment and reintroduction once acceptable contaminant levels had been achieved following treatment.)

Please call me when field work associated with these outlined tasks is slated to begin. I may be reached at 510/567-6700.

Mr. Stuart Solomon
RE: 2896 Castro Valley Blvd.
August 16, 1994
Page 2 of 2

Sincerely,



Scott O. Seery, CHMM
Senior Hazardous Materials Specialist

cc: Rafat A. Shahid, Assistant Agency Director
Gil Jensen, Alameda County District Attorney's Office
Kevin Graves, RWQCB
Pam Evans, ACDEH
Robert Frost, Esq., Frost & Wright
20980 Redwood Rd, #260
Castro Valley, CA 94546
Jerry Breeden, Diversified Loan Services
257 E. Campbell Ave., #3
Campbell, CA 95008



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

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

May 23, 1994

Alameda County Department of Environmental Health
80 Swan Way, Room 200
Oakland, CA 94621

Attn: Mr. Scott Seery

**Subject: Modification to Remediation Workplan for:
2896 Castro Valley Blvd., Castro Valley, CA**

Dear Mr. Seery,

We are in receipt of your January 20, 1994 letter concerning GTE's September, 1993 proposed Corrective Action Plan for the subject site. This letter incorporates implementation of the initial changes to the scope of work in accordance with your phone conversation with Eric Lissol (GTE Project Manager) on May 17, 1994.

Note that as of this date, excavation has already been performed, and soil is in the process of being treated. GTE has obtained extremity soil samples at 20 ft. intervals from the soil water interface zone. These samples have been tested at a State Certified laboratory for TPHg, BTEX, and TOG. The preliminary results indicate that soils affected by these hydrocarbon constituents have successfully been removed to the depth of groundwater - with the exception of the area in the immediate vicinity of the previous waste oil tank. A detailed report of the excavation and sampling performed to date will be included with the first quarterly report.

The following additional sampling will be conducted as a preliminary step in determining the sampling and laboratory testing requirements for the remainder of the project.

- 1) ~~The extremity sidewalls of the excavation will be re-sampled at the depth of the soil water interface, at 20 ft. intervals.~~ Sampling procedures will follow the GTE protocol presented in our original work plan proposal. Each of these samples will be tested at a State Certified lab. for the additional constituents requested including TPHd, TPHg, SVOC (EPA 8100), TOG, and the metals; Cr, Ni, Pb, Cd, Zn, and Se. The constituents which have already been run in the previous sampling event will not be tested for in this batch of soil samples.

TPH-g
TPH-d
SVOC
TOG
metals


- 2) Obtain one groundwater grab sample from the existing pool of water within the excavation. Test the sample at a State Certified lab for TPHg, TPHd, BTEX, ~~Napthalene & Methylnapthalene~~ (EPA 8270 - single extraction), and the metals; Cr, Ni, Pb, Cd, Zn, and Se. ok

- 3) Obtain one soil sample from the waste oil contaminated soil stockpile, and test at a State Certified lab for TPHd, TPHg, SVOC (EPA 8100), TOG, and the metals; Cr, Ni, Pb, Cd, Zn, and Se. ok

The results of this sampling event will be evaluated, and appropriate modifications will be made to the work plan for future sampling requirements.

GTE will perform the foregoing work as soon as you approve. Please feel free to call if you have any questions or comments.

Respectfully,


Stuart G. Solomon
Principal



ALCO
HAZMAT

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

94 MAY 25 AM 11:56

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

May 20, 1994

Alameda County Department of Environmental Health
80 Swan Way, Room 200
Oakland, CA 94621

Attn: Mr. Scott Seery

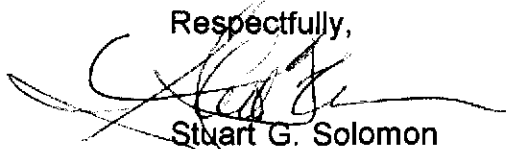
Subject: 2896 Castro Valley Blvd., Castro Valley, CA

Dear Mr. Seery,

Please be advised that Mr. Christopher Palmer, C.E.G. No. 1262 will not be providing the geotechnical oversight for the subject remediation project.

All future work and subsequent geotechnical reports will be overseen and stamped by one of several alternative GTE geotechnical professionals.

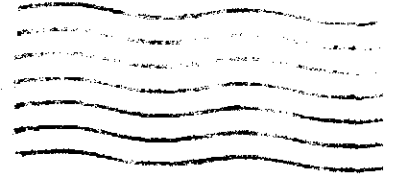
Respectfully,



Stuart G. Solomon
President

Gen-Tech
Environmental

1936 Camden Ave., Suite 1, San Jose, CA 95124



TO:

Scott Seery
Alameda County Dept. of Environ.
Health
80 Swan Way, Room 200
Oakland, CA 94621



Walt's Auto Tech
2896 C.V. Blvd.
Castro Valley

5/17/94

MEMO to file:

Eric Wistle (SanTech) spoke to me today re: plans to resample the UST pit sidewalls and soil piles, in response to the 20 Jan 94 correspondence from this office. He indicated that it is planned that the building will be demolished, the hydraulic lifts ^{removed} ~~demolished~~ [REDACTED] [REDACTED] [REDACTED] detected at the north end of the excavation, at the base of the building footprint.

Mr. Wistle said he'll collect samples from the east, west and ^{north} ~~south~~ walls of the excavation to run for the missing waste oil constituents. ~~at~~ at my recommendation, [REDACTED] the [REDACTED] [REDACTED] [REDACTED] This will then allow them to determine the best treatment and/or disposal options.

SOS

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
80 Swan Way, Rm 200
Oakland, CA 94621
(510) 271-4530

STID 666

January 20, 1994

Mr. Jerry Breeden
Diversified Loan Service
257 E. Campbell Avenue, #3
Campbell, CA 95008

RE: 2896 CASTRO VALLEY BOULEVARD, CASTRO VALLEY

Dear Mr. Breeden:

This office is in receipt and has completed review of the September 29, 1993 Gen Tech Environmental, Inc. (GTE) *Work Plan for Initial Soil and Groundwater Remediation*, submitted under GTE cover dated November 22, 1993. This plan details cleanup activities deemed as "interim." However, following review of the cited work plan in context with the provisions of Article 11 of Title 23, California Code of Regulations (CCR), and discussions with GTE's Stuart Solomon, the proposed work is considered by this author to be less interim, and more of a final corrective action plan (CAP), per Section 2722 et seq. of Article 11.

The cited plan's proposed scope of work, among other tasks, includes: 1) demolition of the pump island and canopy; 2) excavation and temporary stockpiling of overburden soil; 3) excavation and on-site, ex-situ, augmented biotreatment of hydrocarbon-contaminated soil; 4) phased, in-situ, augmented biotreatment of hydrocarbon-impacted ground water; 5) site restoration using biotreated and overburden soil; and, 6) post remediation monitoring.

This CAP has been accepted with the following provisions:

- 1) Confirmation soil samples collected from the excavation shall be analyzed for TPH-G, TPH-D, BTEX, TOG (EPA 5520), SVOC (EPA 8270) and the metals chromium (Cr), nickel (Ni), lead (Pb), cadmium (Cd), zinc (Zn) and selenium (Se).
- 2) **Pre-treatment** samples collected from the soil stockpile shall be tested for all target analytes noted in item 1, above. In determining whether or not such material is a hazardous waste, sampling strategies must adhere to the requirements of "Test Methods for Evaluating Solid Waste, Physical/Chemical Methods," SW-846, 3rd Edition, U.S. Environmental Protection Agency, 1986. Contaminant

Mr. Jerry Breeden
RE: 2896 Castro Valley Blvd.
January 20, 1994
Page 2 of 3

concentrations must be compared to applicable hazardous waste levels pursuant to the provisions of Section 66261.24 of Article 2, Division 4.5 of Title 22 CCR, including, but not necessarily limited to: 1) Total Threshold Limit Concentrations (TTLIC) and Soluble Threshold Limit Concentrations (STLC) for persistent and bioaccumulative toxic substances (Tables II and II); and, 2) maximum concentration of contaminants for the toxicity characteristic (Table I).

Listed substances which exceed the published TTLIC are considered hazardous waste. Those substances which in total concentration exceed 10 times (10 x) the listed STLC, must be further tested using the Waste Extraction Test (WET) and/or Toxicity Characteristic Leaching Procedure (TCLP) to determine if extracts from the sampled material exceed the listed hazardous waste values. Materials which are determined to meet or exceed applicable hazardous waste levels must be handled, treated, transported and disposed of accordingly using only certified hazardous waste haulers and state-permitted treatment, storage and disposal (TSD) facilities.

Materials determined to be hazardous waste will require the issuance of a variance from the State Department of Toxic Substances Control (DTSC) to be treated on-site as proposed.

- 3) Neither ex-situ nor in-situ soil cleanup levels have been proposed. Such would be based on an assessment of human health and environmental risk associated with allowing certain latent levels of contaminants to remain behind. Therefore, in the absence of such proposed risk-based cleanup goals, effort should be expended to seek **ambient**, or background, levels for the inorganic (i.e., metals) and **nondetectable** (ND) levels for the organic compounds. "ND" levels for organic compounds are required for reintroduction of previously-excavated soil into the site.
- 4) As described in the GTE work plan, a discrete sample for each 20 yards³ of soil is required for confirmation of the effectiveness of soil treatment, assuming, following pre-treatment analysis, that no portions of the stockpiled soil have been determined to be a hazardous waste.
- 5) Treated and extracted ground water must be reclaimed, as proposed, whenever feasible, or discharged under NPDES permit or to a permitted POTW, consistent with RWQCB

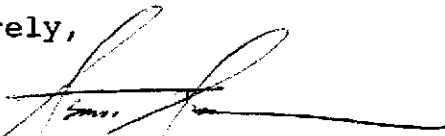
Mr. Jerry Breeden
RE: 2896 Castro Valley Blvd.
January 20, 1994
Page 3 of 3

Resolution No. 88-160. Upon completion of the ground water treatment phase of the project, this office must be apprised of where this water was discharged, the specifics of which may be presented in the final report documenting the results of the CAP.

- 6) Current and post-remediation monitoring and sampling will continue on a **quarterly** basis until otherwise notified. Ground water samples are to be analyzed for the target compounds listed in item 1. In addition, should nitrogen compounds be added to ground water during treatment to enhance and stimulate biological activity, post-remediation ground water sampling will also require analysis for **nitrates**.

Please call this office when field work is slated to begin. I may be reached at 510/271-4530. Additionally, when we last spoke, you indicated that the property, which was in the process of foreclosure, would be placed at auction on or around January 5, 1994. Please advise me of the current ownership interest in the property as soon as you are made aware.

Sincerely,



Scott O. Seery, CHMM
Senior Hazardous Materials Specialist

cc: Rafat A. Shahid, Assistant Agency Director
Gil Jensen, Alameda County District Attorney's Office
Rich Hiett, RWQCB
Brit Johnson, ACDEH
Robert Frost, Esq., Frost & Wright
Stuart Solomon, Gen Tech Environmental, Inc.

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY

DAVID J. KEARS, Agency Director



RAFAT A. SHAHID, ASST. AGENCY DIRECTOR

STID 666

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

November 23, 1993

Mr. Jerry Breeden
Diversified Loan Services
257 E. Campbell Avenue, #3
Campbell, CA 95008

RE: 2896 CASTRO VALLEY BOULEVARD, CASTRO VALLEY

Dear Mr. Breeden:

This letter follows in the wake of my telephone messages to your office on November 10 and 18, 1993, and my conversation with Mr. Stuart Solomon of Gen-Tech Environmental and your telephone message to me, both occurring November 18, 1993.

As you have been made aware, the Alameda County Department of Environmental Health (ACDEH) was not in receipt of a technical work plan describing proposed excavation or other corrective action activities prior to initiation of said work at the referenced site. Mr Solomon advised me during our November 18 conversation, however, that his records indicate a copy of this work plan had been sent to ACDEH. Nonetheless, no evidence of the cited work plan has been uncovered at this office.

For your information, Section 2722(e) of Article 11, Title 23, California Code of Regulations (CCR), allows a period of 60 calendar days following work plan submittal for the local agency to review, revise, and (hopefully) approve such plans. The responsible party (RP) may begin implementation of the plan following this 60 day period, unless otherwise advised in writing by the local agency. However, the RP must notify the local agency of the intent to implement the plan after this period has lapsed, and comply with any conditions the local agency may determine appropriate to set. Neither the 60 day review period nor notification of intent to implement requirements were met.

This office today received a copy of Gen-Tech's work plan. This work plan will be reviewed as soon as possible; however, because of current case loads, such review may not be completed for several weeks. In the interim, your attention is directed to Article 11 of 23CCR for further information regarding the appropriate elements of an acceptable corrective action plan (CAP).

Mr. Jerry Breeden
RE: 2896 Castro Valley Blvd.
November 23, 1993
Page 2 of 2

Please call me at 510/271-4530 should you have any question about the issues discussed in this letter.

Sincerely,



Scott O. Seery, CHMM
Senior Hazardous Materials Specialist

cc: Rafat A. Shahid, Assistant Agency Director
Gil Jensen, Alameda County District Attorney's Office
Jim Ferdinand, Alameda County Fire Department
Robert Frost, Frost & Wright, 20980 Redwood Rd., Ste. 260
Castro Valley, CA 94546
Stuart Solomon, Gen-Tech Env., 1936 Camden Ave., Ste. 1
San Jose, CA 95124



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

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

November 22, 1993

Alameda County Department of Environmental Health
80 Swan Way, Room 200
Oakland, CA 94621

Attn: Mr. Scott Seery

Subject: 2896 Castro Valley Blvd., Castro Valley, CA

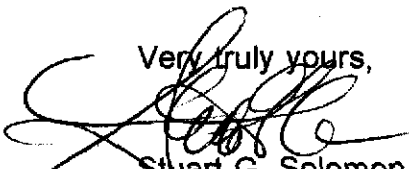
Dear Mr. Seery,

Please find enclosed a copy of GTE's Work Plan for Initial Soil and Groundwater Remediation for the subject site. We show that our original document was mailed to your office on September 29, 1993. If you were able to find the first copy, please let us know. Otherwise, this can be used for a duplicate in your files.

GTE began work on the project on October 18th, 1993. We has assumed that you were perhaps still reviewing the work plan, but did not object to our performing at least the first stages of excavation while the weather permitted. Please accept our apologies for the mis-communication.

GTE is more than willing to make any changes or additions that you would like to see in the work plan. Given the circumstances, GTE will await your response before proceeding further with the project. Please feel free to call.

Very truly yours,



Stuart G. Solomon
President

Walt's Auto Tech
2876 Castro Valley
Castro Valley

11/18/93

MEMO to file:

I left a message for Jerry Bredem of Diversified Loans. This is the second message left since Nov. 10, 1993 left for Mr. Bredem. The issue is that ~~work~~ excavation of the site has occurred absent a work plan, or even notification of any sort. I indicated during today's phone message that a NOU will be issued, and that Diversified is directed to cease work at this site.

I also phoned Stuart Solomon, President of Gen-Tech, the company apparently performing to work on this site. I told him that ACDETT had not received a work plan, nor were advised that work was to begin. He said Gen-Tech had sent a work plan to ACDETT, or so he thought, and that because he hadn't heard back, thought everything was "OK." I told him the only notion I had of pending corrective action was a bid proposal sent to Diversified dated July 14, 1993. This was attached to a letter from the former, foreclosed owner, Robert Frost. No bona fide technical work plan had been submitted.

SOS



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

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

September 29, 1993

Alameda County Department of Environmental Health
80 Swan Way, Room 200
Oakland, CA 94621

Attn: Mr. Scott Seery

Subject: Work Plan for 2896 Castro Valley Blvd., Castro Valley, CA

Dear Mr. Seery,

Please find enclosed GTE's Work Plan for Initial Soil and Groundwater Remediation at the subject site. We have included a site specific Health and Safety Plan.

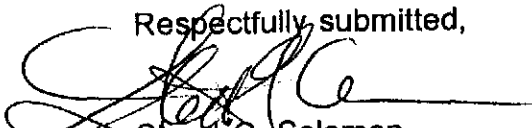
Basically, the plan is to excavate the area that appears to be affected, and to treat the soil on site. The groundwater treatment is relatively low-tech, but, has proven to be extremely effective in a number of other projects that we have performed to date. Please contact me if you have any questions about the plan.

We are somewhat pressed to begin this job as soon as possible. Our biggest concern is the weather, and the approaching winter. We would like to at least get the affected soil out, and begin the bio-remediation while we still have a few weeks of decent temperatures.

If you have no objection, we would like to begin the project on October 15, 1993. During the first phases, we would perform the excavation, and the extremity sampling. The microbes can be applied to the soil immediately after excavation to begin the process of decontamination.

Please call if this schedule is not acceptable to you, or if there are changes that you will require.

Respectfully submitted,



Stuart G. Solomon
President

LAW OFFICES OF

FROST & WRIGHT

20980 REDWOOD ROAD, SUITE 260
CASTRO VALLEY, CALIFORNIA 94546-5930

ROBERT M. FROST
RAYMOND G. WRIGHT
STEVEN H. SHORR
CHARLES M. FISHER

TELEPHONE
AREA CODE 510
537-0800
TELECOPIER
537-8172

93 SEP 21 AM 10:54

September 18, 1993

Mr. Scott O. Seery
Alameda County Health Services
Department of Environmental Health
80 Swan Way, Room 200
Oakland, California 94621

RE: (Former) Walt's Exxon, 2896 Castro Valley Blvd.

Dear Mr. Seery:

I am writing you to keep you up dated on the above situation.

The property has now been foreclosed upon by the lenders. I have agreed with the lenders to allow them to come on to the property for the purposes of cleaning the remaining hydrocarbons from the property.

I have received an agreement indemnifying myself for the cleanup operation and the entry upon the property by the lenders. I imagine your office will be contacted regarding the cleanup and the subsequent testing that will be required.

I enclose for your records a copy of the notice of default. If I can be of further assistance to you please let me know.

Very truly yours,


Robert M. Frost

RECORDING REQUESTED BY:

COPY

WHEN RECORDED MAIL TO

ALLCITIES FORECLOSURE SERVICES
4030 MOORPARK AVE SUITE 112
SAN JOSE, CA 95117

COPY of Document Recorded
on 8-12-98 as No. 87815
Has not been compared with original.
ALAMEDA COUNTY RECORDER

1100328

LOAN NO. 90-070

OTHER REF.

SPACE ABOVE THIS LINE FOR RECORDER'S USE

T.S. NO. 930028

RDK

**NOTICE OF DEFAULT AND ELECTION TO SELL UNDER DEED OF TRUST
IMPORTANT NOTICE**

**IF YOUR PROPERTY IS IN FORECLOSURE BECAUSE YOU ARE BEHIND
IN YOUR PAYMENTS, IT MAY BE SOLD WITHOUT ANY COURT ACTION,**

and you may have the legal right to bring your account in good standing by paying all of your past due payments plus permitted costs and expenses within the time permitted by law for reinstatement of your account which is normally five business days prior to the date set for the sale of your property. No sale date may be set until three months from the date this notice of default may be recorded (which date of recordation appears on this notice).

This amount is \$221,176.23 as of 08/04/1993, and will increase until your account becomes current.

While your property is in foreclosure, you still must pay other obligations (such as insurance and taxes) required by your note and deed of trust or mortgage. If you fail to make future payments on the loan, pay taxes on the property, provide insurance on the property, or pay other obligations as required in the note and deed of trust or mortgage, the beneficiary or mortgagee may insist that you do so in order to reinstate your account in good standing. In addition, the beneficiary or mortgagee may require as a condition to reinstatement that you provide reliable written evidence that you paid all senior liens, property taxes, and hazard insurance premiums.

Upon your written request, the beneficiary or mortgagee will give you a written itemization of the entire amount you must pay. You may not have to pay the entire unpaid portion of your account, even though full payment was demanded, but you must pay all amounts in default at the time payment is made. However, you and your beneficiary or mortgagee may mutually agree in writing prior to the time the notice of sale is posted (which may not be earlier than the end of the three-month period stated above) to, among other things, (1) provide additional time in which to cure the default by transfer of the property or otherwise; or (2) establish a schedule of payments in order to cure your default; or both (1) and (2).

Following the expiration of the time period referred to in the first paragraph of this notice, unless the obligation being foreclosed upon or a separate written agreement between you and your creditor permits a longer period, you have only the legal right to stop the sale of your property by paying the entire amount demanded by your creditor.

To find out the amount you must pay, or to arrange for payment to stop the foreclosure, or if your property is in foreclosure for any other reason, contact:

Name of Beneficiary or Mortgagee:

SEE EXHIBIT "A" ATTACHED HERETO
257 E CAMPBELL AVE SUITE 3
CAMPBELL, CA 95008

Phone: (408)379-1274

If you have any questions, you should contact a lawyer or the Governmental agency which may have insured your loan.

Notwithstanding the fact that your property is in foreclosure, you may offer your property for sale, provided the sale is concluded prior to the conclusion of the foreclosure.

Remember, YOU MAY LOSE LEGAL RIGHTS IF YOU DO NOT TAKE PROMPT ACTION.

EXHIBIT "A"

CALIFORNIA CENTRAL TRUST BANK TRUSTEE FBO GERALDINE ARNEY TRUST #1060000539, as to an undivided 10/200;

LOUIS P BORIS TRUSTEE FBO ATHERTON APPLIANCE SERVICES INC PROFIT SHARING PLAN, as to an undivided 20/200 interest;

RUDOLF NUSSBAUM, an unmarried man, as to an undivided 40/200 interest;

TRANSCORP PENSION SERVICES INC C/F JOSEPH L SOARES KPS-0465-00, as to an undivided 10/200 interest;

CALIFORNIA CENTRAL TRUST BANK TRUSTEE FBO GERALD W BREEDEN TRUST #1060000539, as to an undivided 20/200 interest;

O J COPE TRUSTEE FBO COPE 1986 IRREVOCABLE TRUST, as to an undivided 25/100 interest;

JOSEPH H PEER TRUSTEE FBO PEER FAMILY LIVING TRUST DTD 8-29-80, as to an undivided 8/200 interest;

FRED RAU TRUSTEE FBO FRED RAU AND GERTRUD RAU TRUST DTD 1-14-89, as to an undivided 15/200 interest;

ELMER D BAIM AND DOROTHY BAIM TRUSTEE FBO BAIM FAMILY TRUST DTD 10-15-76, as to an undivided 16/200 interest;

JUANITA J CLARK TRUSTEE UNDER REVOCABLE TRUST AGREEMENT DTD 6-4-79, as to an undivided 10/200 interest; and

RICHARD L WARD AND GLORIA M WARD, husband and wife, as Joint Tenants, as to an undivided 26/200 interest.

NOTICE OF DEFAULT AND ELECTION TO SELL UNDER DEED OF TRUST

LOAN NO. 90-070

OTHER REF.

T.S. NO. 930028

NOTICE IS HEREBY GIVEN: That DIVERSIFIED LOAN SERVICES INCORPORATED A CALIFORNIA CORPORATION is duly appointed Trustee under a Deed of Trust dated 08/14/1990, executed by ROBERT M FROST, A MARRIED MAN AS HIS SOLE AND SEPARATE PROPERTY

obligations in favor of COMMUNITY PROPERTIES, INC.

as Trustor, to secure certain

as Beneficiary,

Recorded 05/15/1990

, as Instrument No. 134751

, Book

, Page

and Re-recorded

, as Instrument No.

, Book

, Page

of Official Records in the office of the Recorder of ALAMEDA

County, California, describing the

land therein:

As more fully described on said Deed of Trust.

Including 1 note(s) for the sum of \$200,000.00 ; that the beneficial interest under such Deed of Trust and the obligations secured thereby are presently held by the undersigned; that a breach of, and default in, the obligations for which such Deed of Trust is security has occurred in that payment has not been made of:

Failure to make the 12/01/92 payment of principal and/or interest and all subsequent payments, together with late charges, impounds, advances, taxes, delinquent payments on senior liens, or assessments, and attorney's fees.

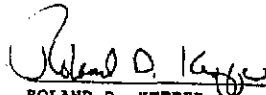
Failure to pay the balloon payment due 06-01-1992.

Failure to clean up toxic contamination.

that by reason thereof, the undersigned, present beneficiary, under such Deed of Trust, has executed and delivered to said duly appointed Trustee, a written Declaration of Default and Demand for Sale, and has deposited with said duly appointed Trustee, such Deed of Trust and all documents evidencing obligations secured thereby, and has declared and does hereby declare all sums secured thereby immediately due and payable and has elected and does hereby elect to cause the trust property to be sold to satisfy the obligations secured thereby.

Dated: 08/04/1993

ALLCITIES FORECLOSURE SERVICES
AS AGENT FOR TRUSTEE



ROLAND D. KEFFER
TRUSTEE SALE OFFICER

LAW OFFICES OF

FROST & WRIGHT

20980 REDWOOD ROAD, SUITE 260
CASTRO VALLEY, CALIFORNIA 94546-5930

93 AUG 31 PM 3: 10

ROBERT M. FROST
RAYMOND G. WRIGHT
STEVEN H. SHORR
CHARLES M. FISHER

TELEPHONE
AREA CODE 510
537-0800
TELECOPIER
537-8172

August 25, 1993

Mr. Scott O. Seery
Alameda County Health Services
Department of Environmental Health
80 Swan Way, Room 200
Oakland, California 94621

RE: (Former) Walt's Exxon, 2896 Castro Valley Blvd.

Dear Mr. Seery:

Thank you for your letter of August 16, 1993 and your telephone call preceding the letter.

I think it is important for you to understand the history of my involvement with this site and my efforts to meet the requirements imposed by your department.

I first became involved in this property with the understanding that it was going to be sold and developed with a site cleanup that would occur immediately after my purchase. The previous owner of the property was in contract with Speedee Oil Change and Tuneup to purchase the site. The purchasers of that franchise were J. Andrew Krake and John R. Christian. The site was acquired by me through Mr. Krake and Mr. Christian on their recommendation with the understanding that it would be sold and transferred by them shortly following my acquisition. Unfortunately that did not occur as promised. Messrs. Krake and Christian had also agreed to maintain the property, perform all monitoring required by governmental authorities, pay all costs thereof, pay any and all expenses, including receiving all the income therefrom to defray the payment of taxes, insurance, etc. and protect me from any expenses whatsoever.

Sometime shortly following my acquiring the site Mr. Krake worked out an arrangement where Diversified Financial loaned to him approximately \$200,000.00. The monies derived from this loan were used by Mr. Krake for his own purposes or that of his partnerships. I received none of the monies or any of the benefits of the loan. The security for the loan is the above described real property. The loan, also was to be repaid entirely by Mr. Krake.

Mr. Scott O. Seery
August 25, 1993
Page 2.

As you well know by your records Messrs. Krake and Christian and their partnership, Lakeshore Financial, after a time, were unable to or unwilling to carry out the above promises. The first instance where the failures become known to me is when your office contacted John Drake, Mr. Krake's employee, concerning the failure to file the quarterly reports on monitoring. At that point in time I hired C-Rem to prepare the report then due and to complete another report. Shortly after this problem Mr. Krake, John Christian and Lakeshore Financial stopped paying on the promissory note for which the property was security. I did not hear about this until some months later, after my payments to C-Rem for the preparation of the monitoring report. I immediately listed the property for sale.

In June or July of 1992 I receive an offer to purchase the property for some \$300,000.00. The due diligence period ran through August of 1992. The buyer, I understood contacted your office. The buyer eventually backed out of the contract. I again listed the property for sale and a new buyer appeared, however, this buyer also backed out of the contract following the disclosure of the problem with hydrocarbon deposits on the site.

I was also involved with Mr. Krake and Mr. Christian as an investor in several commercial buildings. Mr. Krake cooperated with his partner John Christian in using the income from those commercial properties, which they were managing through Lakeshore Financial, their partnership, to pay their own obligations rather than paying the note payments due on a building. The property located at 20160 Redwood Road, Castro Valley, California was the particular parcel involved. The failure to pay when due the notes on the 20160 Redwood Road property caused the lender holding the first note and deed of trust to foreclose. The result of that foreclosure caused the \$400,000.00 second and the \$300,000.00 third to be sold out junior lien holders who are now suing me personally. The \$300,000.00 note already has a judgment against Mr. Krake and an agreement to enter a judgment against me for up to \$300,000.00 if not paid in full by November 1993. The \$400,000.00 note is still in litigation. The \$300,000.00 note again never benefited myself and all funds involved therein were used by Mr. Krake. Needless to say Mr. Krake has exposed me to damages in excess of \$700,000.00.

This does not include the loss of some \$210,000.00 in equity on the money he borrowed concerning the above property.

In addition, Mr. Krake on the sale of another property which I was involved in is alleged to have misrepresented to the purchaser the availability of an easement on that property. The easement was purchased with funds provided by myself to Mr. Krake based on a purchase price of approximately \$255,000.00. Half of the funds were paid by myself. Mr. Krake, unbeknownst to me only paid a

Mr. Scott O. Seery
August 25, 1993
Page 3.

portion and not all the purchase price keeping for himself approximately \$110,000.00. Mr. Krake then defaulted on that note and a foreclosure occurred. The easement is claimed to be lost. As a result, the buyer of that property is now suing myself, as well as Mr. Krake for damages estimated to be in excess of \$300,000.00 to get the easement back.

All of the above damages would exceed \$1,200,000.00 not to mention the losses on the investments themselves.

Turning back to the 2896 Castro Valley Blvd. property I am advised that the lender has filed a foreclosure notice on that property. The property will likely be returned to the lender within the next four months. Prior to this time I been in negotiations with the lender to allow the lender to come in and clean up the property, take a deed in lieu of foreclosure and/or accept a transfer of the property. The lender and I have been investigating the cost and methods available for cleanup. A quotation from Aqua Sciences and Gen Tech Environment is enclosed for your review. I enclose for your records my latest correspondence with the lender.

Following our discussion concerning the availability of funds arising from Federal Petroleum Trust Fund (State of California Underground Tank Storage Fund, S.B. 2004) I called for an application to obtain funding. At this writing I have not received a response to my request. I will nevertheless be making application to that fund for remediation of the site once the application is received. I wish I had known of the availability of this fund earlier in time.

In summary, as you can readily see, the legal fees alone to defend the various actions now facing me have pretty well drained all funds I have available. I am contemplating filing of bankruptcy if matters cannot be resolved. If any thing, at this point I am a victim of trusting Mr. Krake and his partner Mr. Christian. I would certainly like to comply with your demand immediately and I will take what actions I can to bring the reporting schedule back into compliance.

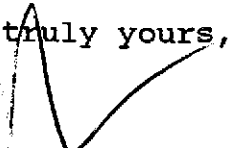
I would expect that within 120 days the property will be sold at foreclosure sale and taken back by the lender or some third party bidder. I would request that you would use your good offices to expedite the application process with Federal Petroleum Trust Fund so that I could embark as soon as possible on a clean up program. In the mean time I would request additional time to bring the property into compliance either by contribution from the Trust Fund or from other outside sources.

I would ask that your office provide to me an extension of time of 130 days prior to making demands further demands for compliance.

Mr. Scott O. Seery
August 25, 1993
Page 4.

I look forward to your response at the earliest possible moment.

Very truly yours,



Robert M. Frost

LAW OFFICES OF
FROST & WRIGHT
20980 REDWOOD ROAD, SUITE 260
CASTRO VALLEY, CALIFORNIA 94546-5930

ROBERT M. FROST
RAYMOND G. WRIGHT
STEVEN H. SHORR
CHARLES M. FISHER

TELEPHONE
AREA CODE 510
537-0800
TELECOPIER
537-8172

Faxed to (408) 379-1394

August 23, 1993

FILE COPY

Jerry Breeden
Diversified Loan Services, Inc.
257 E. Campbell Avenue #3
Campbell, California 95008

RE: 2898 Castro Valley Blvd (Anita Lot)
Loan No. 90-070

Dear Jerry:

Thank you for your letter of August 11, 1993, regarding the clarification of the term civil foreclosure, to mean nonjudicial foreclosure.

In conjunction with your thoughts expressed in the above described letter and my desire to facilitate return of the property to your lenders for marketing, the only thing I need to be assured of is that: (1) the entry on the property and the cleanup operation will not result in liability to me; and (2) that the exclusive remedy to be employed by the lenders for regaining title to the property will be a nonjudicial foreclosure.

I believe those two criteria are set forth in your letter. Please send me an agreement in writing, either signed by each lender or some document authorizing you to sign on their behalf to memorialize this understanding. I am ready to sign.

I enclose, by mail, for your information a copy of the Underground Storage Tank Cleanup Fund Application Package. I suggest that you might consider this as a possibility for reimbursement for clean up costs.

By the way I still have received no notice of default.

Very truly yours,

FROST & WRIGHT

By



ROBERT M. FROST

Walt's Auto.
2896 East Valley Blvd.
Castro Valley

STID 66-

MEMO to file:

8-12-93

I called Robert Frost's office today to inquire why no qtrly reports had been received since the October 1992 C-REM report. Mr. Frost was not available so a message was left with his secretary.

SDS

Mr. Frost called me later. I told him an N.O.V. would be issued. He said cash flow is a problem currently, and that potential buyers had not come through recently as hoped. An potential buyer is reportedly presenting an offer shortly. He said the bank may foreclose on the property, and that bankruptcy is being considered. He said he's received proposals from AquaScience & GenTech for site "clean up."

I gave him info on SB 2004 funds. I asked that, upon receipt of the NOV, he provide a disertation re: his current situation.

SDS



257 E. CAMPBELL AVE.#3 CAMPBELL, CA.95008
(408) 379-1274 FAX (408) 379-1394

August 11, 1993

Robert Frost
Frost & Wright
20980 Redwood Rd, Suite 260
Castro Valley, Ca 94546

RECEIVED
AUG 13 1993

RE: 2898 Castro Valley Bl {Anita Lot}
Loan #90-070

FROST & WRIGHT

Dear Bob:

Thanks for your prompt reply to my letter of August 3, 1993.

First, I want to clarify that I did mean a non-judicial foreclosure when I referred to "civil" foreclosure in my letter. The notice of default should already be on record and you should receive your notice in the near future. We will, of course, hold you harmless for anything related to the toxic clean up work and Gen Tech will be providing liability protection while they are performing the clean up process which should protect all parties involved anyway.

We would like to get the clean up started ASAP in order to make the property more attractive to any prospective buyers. I did speak with Mike Tanzillo who indicated that he was working with a potential buyer who would offer \$235,000 with 10% down and seller financing for the balance with escrow to close after the clean up work. The \$235,000 is less than we thought the property would be worth after the cleanup but Mike felt this would be the top value in todays market and agreed to give us some current information on recent sales to give us a better idean of value. It is what it is!!

A \$235,000 sales price would not make our investors whole, however, and after commissions, closing costs, and delinquent property taxes it appears they would get back about 80 cents on the dollar of their principal and advances. We'll need to deal with that issue after we receive Mike's information and a formal offer from his buyer.

I also discussed the subject of leaving the building and hydraulic lifts on the property and not removing them and agree with Mike that the property probably has better value leaving them intact. I will discuss that issue with Gen Tech to see if that is possible and I know of no reason why it is not. It may also save some expense on the clean up bid. I will let you know.

Please advise.

Sincerely,


Jerry Breeden
President/Broker

cc INVESTORS



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

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

FAX COVER SHEET

DATE: 7-15-93

TO: Jerry Breiden

COMPANY: _____

Fax #: 379-1394

FROM: Sharon Dolomina

RE: Custer Valley Site

NO. PAGES: 7 + 1

MESSAGE: _____

CONFIDENTIALITY NOTICE

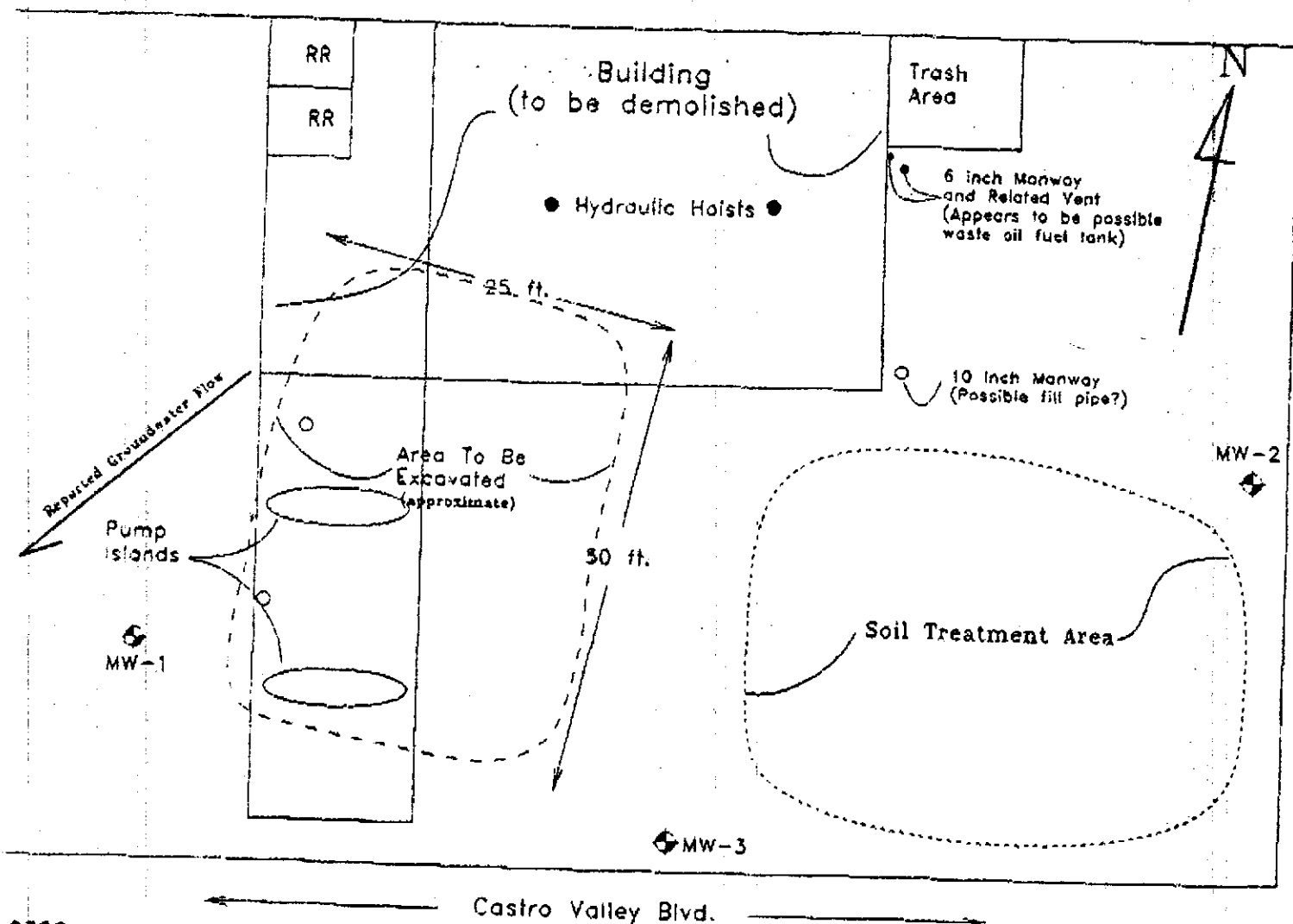
The document/s accompanying this telecopy transmission contain confidential information belonging to the sender which is legally privileged. The information is intended only for the use of the individual or entity named above in direct business dealings with Gen-Tech Environmental Inc..

If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution or the taking of any action in reliance on the contents of this telecopied information is strictly prohibited.

Distribution of this telecopied information by the recipient to any other party is also expressly forbidden except with written authorization from Gen-Tech Environmental Inc..

Diversified Loan Services
 257 E. Campbell Ave. #3
 Campbell, CA 95008

DEMOLITION, EXCAVATION, AND SOIL TREATMENT PLAN
 2896 CASTRO VALLEY BLVD., CASTRO VALLEY, CA.



NOTES:

- Building, pump islands, concrete foundations, and asphalt in the excavation area will be demolished and removed.
- Excavation area will be backfilled and compacted - but not resurfaced.
- Hydraulic hoists will be removed and disposed with the building demolition.
- Utilities encountered will be capped and marked.
- Affected soil will be treated on-site.
- The site will be temporarily fenced during the remediation project.

PROPOSAL AND CONTRACT TO PERFORM SITE REMEDIATION

SUBMITTED TO:

Jerry Breeden
Diversified Loan Services
257 E. Campbell Ave #3
Campbell, CA 95008

(408) 379-1274
379-1394 (fax)

WORK TO BE PERFORMED AT:

Former Service Station
2896 Castro Valley Blvd.
Castro Valley, CA

July 14, 1993

Contract # 9375 Pg 1 of 6

Situation and Site History

Four underground tanks were removed from the subject site in June, 1987. Soil samples taken from beneath the tanks at the time of their removal were found to contain actionable amounts of petroleum hydrocarbons as gasoline and as oil and grease. Further soils and groundwater investigations have been performed by Aqua Science and C-Rem Engineers since the tanks were removed. Based on the data provided in the investigative reports, the following work scope is recommended in order to position the site for environmental closure.

Recommendations

We recommend that soils in the immediate area of the former tanks (as shown on the attached site drawing) be excavated to the depth of approximately 12 ft. BGS - which is expected to be about two feet below the soil-water interface zone. Our estimates are that approximately 550 yards of soil will be excavated. Approximately 175 to 200 yards of the total is anticipated to be affected with hydrocarbon contamination. The affected soil will be treated on site using biological degradation, and then backfilled into the excavation area. The exposed affected groundwater will be treated and decomposed by biological inoculation.

Estimated Project & Proposed Phases of Work

Demolition of the Existing Building and Pump Islands:

In order to facilitate access to the affected areas, the building and pump islands will be demolished and removed - including the building foundation and asphalt in the immediate area.

July 14, 1993

Contract # 9375

Pg 2 of 6

All utilities will be properly abandoned and capped in accordance with agency requirements.

Contaminated Soil Excavation:

This phase will involve excavating petroleum contaminated soil from beneath and surrounding the former tanks (see attached site drawing). Based on our evaluation of the sampling data presented to date, this will include excavating a (approximately) 25 ft. X 50 ft. area to a depth of approximately 12 ft. below grade in the area depicted on the site drawing attached hereto. This will represent removing a total of approximately 550 yards (825 tons) of affected soil. During the excavation, in order to reduce laboratory costs, we will utilize our Gen-Tech field test kits to screen the soils until we have obtained non detect samples. Extremity samples will then be taken and forwarded to a State Certified Laboratory for verification. Using the same procedures, we will also screen and separate the clean (overburden) from the contaminated soil. The clean overburden soil is estimated to be approximately 350 yards. The contaminated soil will be placed on site and covered with plastic.

Decontamination of Affected Soils:

Soils taken from the excavation pit and found to be contaminated will be handled in the following manner:

The soil will be enhanced using fertilizers, and inoculated with a hydrocarbon degrading microorganism mixture. The soil will be spread and tilled periodically until degradation has removed all detectable contamination. Soil samples will be taken and submitted for laboratory testing to prove the decontamination success. The decontamination process is expected to take approximately 45 to 60 days. Once the soil has proven to be decontaminated, it will be used with the clean overburden material to backfill the pit.

Initial Groundwater Treatment For The Migration Control and Mitigation of The Contaminated Groundwater Plume:

The affected area will have been excavated to approximately two feet below the depth of ground water. According to previous reports, groundwater in the area is at a depth of about 10 ft. below grade. During the excavation, any free product found will be skimmed from the ground water and appropriately disposed of. In effect, at this point, we will have created a large pool - representative of the majority of the area of ground water contamination - and the ground water in the pool will be exposed and available for direct treatment.

Method of Groundwater Decontamination:

A pump will be installed in the center of the pit, and plumbed such that water pumped from the pool will be circulated through a sprinkler system and directed back into the pond. The sprinkler will be located within the excavation pit. During the treatment of the water, the sprinkler will be operated continuously, providing more than ample oxygenation and circulation of the water. If necessary, we will then inoculate the water in the pond with Microorganisms (bacteria) specifically designed for hydrocarbon degradation. This inoculation will be made to an exact standard deemed appropriate through proper studies of the water at the subject site. During the inoculation - as part of the inoculation process, the water will be treated with nitrogen and checked for a proper balance of nutrients necessary to support active growth of the bacteria.

Water Treatment System Operation:

Prior to initiating the treatment process, water samples will be obtained from the pond and tested at a State Certified Analytical Laboratory for the presence of TPH and BTEX. Additional tests will be performed periodically to determine the effectiveness of the process. After inoculation, the circulation system will be permitted to operate through the entire treatment cycle. Our estimate is that the degradation cycle in this case will be 7 to 14 days under reasonable conditions.

Samples of the water will be taken and lab tested after the cycle to prove successful degradation of the contaminants. The clean water will then be discharged to the storm drain under a one time discharge waiver from the Regional Water Quality Control Board.

Reports and Documentation:

All phases of work included herein will be appropriately documented for submittal to the regulatory agencies as required by their directives.

ESTIMATED SCOPE OF WORK AND PROJECTED BUDGETS

The following estimated costs are "not to exceed" budgets, and are based on the quantities and conditions outlined herein. Conditions may be encountered during the project that would cause the scope of work to be modified. In this event, any changes that would cause an increase in costs will be negotiated and approved by the client prior to their performance. Any such additions will be performed by change order and in accordance with GTE's current schedule of performance.

1. Write a Technical Work Plan for submittal to the appropriate agencies on the proposed remedial action. Apply for and obtain all construction and technical permits necessary for the project as described.

ESTIMATED COSTS: \$ 2,100

Mike has offered Bly removal

2. Provide temporary fencing to secure the project area. Demolish and dispose of the building, foundation, canopy, pump islands, and asphalt in the affected area. Dispose of the materials at a Class III dump facility.

ESTIMATED COSTS: \$ 7,800

3. Remove and properly dispose of the two hydraulic hoists.

ESTIMATED COSTS: \$ 4,260

4. Excavate up to 550 cu. yards of affected soil from the area depicted on the site map to a total depth of no greater than 12 ft. BGS. Use the GTE Field Test Kits to assist in determining the areas necessary to excavate. Stockpile the contaminated soil on plastic sheeting on site, and cover.

ESTIMATED COSTS: \$ 4,090

5. Obtain approximately eight extremity soil samples from the excavation area and send to a State Certified Lab for analytical testing. Test each of the extremity samples for the presence of Diesel, Gasoline, BTEX constituents, and Oil and Grease.

ESTIMATED COSTS: \$ 680 (plus lab fees estimated at \$ 720)

6. Fertilize and inoculate the contaminated soil (approximately 200 yds) with Solmar L-104 microbes. Spread the soil on-site and till periodically until degradation has removed all detectable contamination. Obtain 10 soil samples from the treated soil and test at a State Certified Lab for Gasoline, Diesel, BTEX, and Oil and Grease.

ESTIMATED COST: \$ 4,600

7. Inoculate the groundwater with Solmar L-104 Microorganisms. Provide bio-culture enhancers to assist with degradation. Install a sprinkler aeration system as described earlier. Operate the system until water is successfully decontaminated to non-detect. Provide lab testing of the water to prove decontamination. Pump the cleaned water into the sanitary sewer or use for beneficial purposes such as irrigation, or

July 14, 1993

Contract # 9375

Pg 5 of 6

dust control. (The above will be sanctioned by waiver from the RWQCB).

ESTIMATED COSTS: \$ 3,625 (plus lab fees estimated at \$ 450)

8. Backfill and compact the excavation with the clean overburden and the decontaminated soil to 90% + relative compaction.

ESTIMATED COSTS: \$ 4,125

9. Provide professional written reports on the environmental activities performed to date at the subject site. This will include excavation and sampling activities, soil decontamination procedures, and groundwater decontamination.

ESTIMATED COSTS: \$ 1,220

TOTAL ESTIMATED WORK SCOPE: \$ 33,670

ASSUMPTIONS

We are assuming that the regulatory agencies will approve our remedial approach. This proposal should meet all applicable requirements as set fourth in the pertinent agency guidelines.

EXCEPTIONS

G.T.E. is not responsible for unstable soil, unforeseen or unmarked underground structures, cables, conduits, underground piping, rock debris, or troubles created by acts of God. Additional charges may be incurred if any of the foregoing conditions are encountered.

Other remediation measures may be necessary in order to fully address the condition of the site and to obtain environmental site closure from the regulatory agencies.

TERMS OF PAYMENT

A deposit equal to 10% of the anticipated total will be payable upon acceptance of this proposal. Progressive billings will be payable upon receipt of the invoice. The entire balance will be payable upon completion of the project.

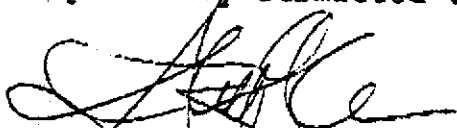
Closure reports are released upon receipt of the final payment.

July 14, 1993

Contract # 9375 Pg 6 of 6

Should legal action be necessary to interpret or enforce any of the terms of this Agreement, the prevailing party shall be entitled, in addition to any other relief available under law, to its actual attorneys and experts fees incurred.

Respectfully submitted this 14th day of July, 1993.



Gen-Tech Environmental - Contractor
Stuart G. Solomon, President

ACCEPTANCE AND AUTHORIZATION TO PROCEED

The above prices, specifications and conditions are satisfactory and are hereby accepted. Gen-Tech Environmental is authorized to complete the work as specified above. Payment will be made in accordance with the terms specified.

Client - By _____

Date _____

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY



DAVID J. KEARS, Agency Director

RAFAT A. SHAHID, ASST. AGENCY DIRECTOR

STID 666

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

October 28, 1992

Mr. Robert Frost
Frost & Wright
20980 Redwood Road, Ste. 260
Castro Valley, CA 94546-5930

RE: 2896 CASTRO VALLEY BOULEVARD

Dear Mr. Frost:

Thank you for the recent submittal of the October 26, 1992 C-REM Engineers monitoring report for sampling and monitoring work performed during September and October 1992 at the referenced site. The cited report also presented a ground water gradient map for the months of March and April 1992 omitted from the previous C-REM Engineers report dated April 30, 1992.

In conformance with the January 10, 1992 correspondence from this office (attached), please be certain that ground water elevation and gradients are determined monthly for 12 consecutive months, beginning September 1992 and ending with the August 1993 event. Water samples are to be collected quarterly and analyzed for the suite of target compounds listed in the cited January 10 correspondence until further notice.

Reports are also due on a quarterly schedule. Please include running tabulations of all sample analyses, depth-to-water and elevation measurements. Data presented in such a format enables an efficient review of data, and the observation of potential trends contributing to the distribution and concentration of contaminants in ground water.

Please call me at 510/271-4530, or -4320, should you have any questions.

Sincerely,



Scott O. Seery, CHMM
Senior Hazardous Materials Specialist

attachment

cc: Rafat A. Shahid, Assistant Agency Director
Gil Jensen, Alameda County District Attorney's Office
Rich Hiett, RWQCB
John Drake, Lakeshore Financial
Ed Howell - files

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
80 Swan Way, Rm 200
Oakland, CA 94621
(510) 271-4530

STID 666

August 16, 1993

Mr. Robert Frost
Frost & Wright
20980 Redwood Road, Ste. 260
Castro Valley, CA 94546-5930

RE: (FORMER) WALT'S EXXON, 2896 CASTRO VALLEY BLVD.

NOTICE OF VIOLATION

Dear Mr. Frost:

Your attention is directed to the January 10, July 21, and October 28, 1992 correspondence from this office (attached) which outline the required sampling, monitoring and reporting schedule for this site. This schedule is fully based on requirements set forth in Chapter 16 of Title 23, California Code of Regulations (CCR), and the August 10, 1990 Tri-Regional Board Staff Recommendations for Preliminary Evaluation and Investigation of Underground Tank Sites.

The monitoring wells located at this site have only been sampled and reports submitted twice since this project was initiated during September 1990. In fact, no sampling, monitoring, or reporting occurred during the entire 1991 year, and occurred only once during 1992. The results of the 1992 event were memorialized in the October 26, 1992 C-REM Engineers report.

Please be advised that you are currently in violation of Section 2652(d), and Section 2720 et seq. of Article 11, 23CCR, among others, for failure to submit the requisite technical reports and perform the required work. Substantial civil penalties can be levied upon conviction.

Please be further advised that you should begin adhering to the sampling, monitoring, and reporting schedule outlined in the attached referenced correspondence, or face the possibility of this case being referred to the Alameda County District Attorney's Office for potential enforcement action.

Please contact me at 510/271-4530 to discuss this case.

Mr. Robert Frost
RE: 2896 Castro Valley Blvd.
August 16, 1993
Page 2 of 2

Sincerely,



Scott O. Seery, CHMM
Senior Hazardous Materials Specialist

attachments

cc: Rafat A. Shahid, Assistant Agency Director
Gil Jensen, Alameda County District Attorney's Office
Jim Ferdinand, Alameda County Fire Department
files

LAW OFFICES OF
FROST & WRIGHT
20980 REDWOOD ROAD, SUITE 260
CASTRO VALLEY, CALIFORNIA 94546-5930

* ROBERT M. FROST
RAYMOND G. WRIGHT
STEVEN H. SHORR
CHARLES M. FISHER

TELEPHONE
AREA CODE 510
537-0800
TELECOPIER
537-8172

July 31, 1992

Scott O. Seery, CHMM
Alameda County Health Care Services
Dept. of Environmental Health
80 Swan Way, Room 200
Oakland, California 94621

RE: 2898 Castro Valley, Blvd., Castro Valley, California

Dear Mr. Seery:

This letter will acknowledge receipt of your letter to John Drake of Lakeshore Financial regarding the water quality testing on the above property. My purpose in writing you this letter is to let you know the status of the matter since our last discussion.

On July 31, 1992, the principal of Lakeshore Financial and I met with Mark Woods of C-Rem. At that time the remaining balance owed to C-Rem was cleared. We received a contract for review and signature. Concurrently with our meeting my staff has been instructed to explore other providers of similar services to analyze C-Rem's charges.

I am out of town at the time of this writing and I will return on August 10, 1992. During that week I expect to resolve the issue of who is going to do the testing.

During my absence, you are welcome to speak with Andy Krake of Lakeshore Financial who is doing his own investigation. As Lakeshore is responsible for the payment of the testing service please feel free to contact him. You are also welcome to talk to my associate Charles Fisher who is aware of what is going on.

Lastly a contract has been signed to sell the property. I, like the former owners, cannot afford to do continuous testing.

I thank you for your anticipated cooperation and I look forward to talking to you upon my return in the week of August 10, 1992.

Very truly yours,

Dictated but not read.

Robert M. Frost

RMF:cec

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



State Water Resources Control Board
Division of Clean Water Programs
UST Local Oversight Program

RAFAT A. SHAHID, Assistant Agency Director

July 21, 1992

STID 666

Mr. John Drake
Lakeshore Financial
21060 Redwood Road, Ste. 250
Castro valley, CA 94546

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

RE: (FORMER) WALT'S AUTO TECH, 2896 CASTRO VALLEY BOULEVARD

Dear Mr. Drake:

I spoke July 14, 1992 with Mr. Mark Woods of C-REM Engineers, Inc., the consulting firm authoring the April 30, 1992 quarterly monitoring report for the referenced site. This report documents the results of work occurring at the site during the first quarter of 1992. I initially spoke with Mr. Woods to request some additional monitoring and sampling information not included with the cited report. Mr. Woods informed me that Lakeshore Financial had recently advised C-REM to cease all work, although Lakeshore had contracted with C-REM to implement the required sampling and reporting tasks associated with the investigation at the site. He respectfully declined my request for additional information.

I spoke today with Mr. Robert Frost, the owner of record for this site. I advised Mr. Frost that the site investigation had fallen behind the established monitoring schedule memorialized in the January 10, 1992 correspondence from this office. Mr. Frost was advised that this was not the first time Lakeshore Financial has become delinquent in the performance and reporting of prescribed work. Mr. Frost seemed surprised by this fact.

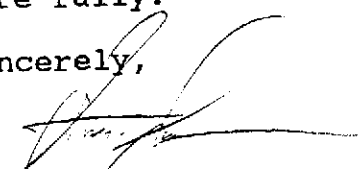
Your attention is directed to the cited January 10, 1992 departmental correspondence (copy attached) which sets forth the sampling, monitoring and reporting schedule for this site. You are advised to begin adhering to this schedule **immediately**. Hence, quarterly sampling and monthly ground water elevation monitoring should begin by August 1992. Reports are due quarterly until this site qualifies for closure.

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 the referral of this case to the RWQCB or Alameda County District Attorney's Office for possible enforcement action. Please be further advised that this is the third time Lakeshore Financial has been advised of the potential for enforcement action.

Mr. John Drake
RE: 2896 castro Valley Blvd.
July 21, 1992
Page 2 of 2

I encourage you to contact me at 510/271-4530 to discuss this matter more fully.

Sincerely,



Scott O. Seery, CHMM
Senior Hazardous Materials Specialist

attachment

cc: Rafat A. Shahid, Assistant Agency Director, Env. Health
Gil Jensen, Alameda County District Attorney's Office
Rich Hiett, RWQCB
Bob Bohman, Castro Valley Fire Department
Robert Frost, 20980 Redwood Road, Castro Valley 94546
files

DATE: 7/13/92
TO : Local Oversight Program
FROM: Scott
SUBJ: Transfer of Eligible Oversight Case

Site name: (former) Walt's Auto Tech
Address: 2886 Castro Valley Blvd city Castro Valley zip 94546
Closure plan attached? Y N DepRef remaining \$ 8165
DepRef Project # 839 A STID #(if any) 08C
Number of Tanks: 4 removed? Y N Date of removal June 16, 1987 ?
Leak Report filed? Y N Date of Discovery June 16, 1987
Samples received? Y N Contamination: yes
Petroleum Y N Types: Avgas Jet leaded unleaded Diesel
fuel oil waste oil kerosene solvents
Monitoring wells on site 3 Monitoring schedule? Y N
LUFT category 1 2 3 * H S C A R W G O
Briefly describe the following:
Preliminary Assessment performed Sept. 1990 - 7 borings, 3 wells
Remedial Action none
Post Remedial Action Monitoring none
Enforcement Action none

owner:

Robert M. Frost
21060 Redwood Rd
C.V. 94566

84A-131-11-4

NOTES

A. SEQUENCE OF AGENDA ITEMS

The items are numbered for identification purposes only and will not necessarily be considered in this order.

B. AVAILABILITY OF AGENDA MATERIAL

Details concerning these agenda items are available for public reference during working hours at the Board's office. Copies of individual agenda items may be obtained at the Board's office after 1:00 p.m. on the Friday preceding the Board meeting. The staff will assist in answering questions. Office: 1800 Harrison Street, Suite 700, Oakland, CA 94612.

C. UNCONTESTED ITEMS CALENDAR

Those items marked with a single asterisk* or a double asterisk** are expected to be routine and noncontroversial. Recommended action on these items will be taken at the beginning of the meeting under Item 4 without discussion. If any interested party, Board member, or the Executive Officer request that an item be removed from the Calendar, it will be taken up in the order indicated by the agenda. As those items marked with a double asterisk** are enforcement matters, adoption of such items on the uncontested calendar will be deemed a waiver of the opportunity for hearing.

D. PETITION OF REGIONAL BOARD ACTION

Any person affected adversely by a certain decision of the California Regional Water Quality Control Board, San Francisco Bay Region, (Regional Board) may petition the State Water Resources Control Board to review the decision. The petition must be received by the State Board within 30 days of the Regional Board's meeting at which the adverse action was taken. Copies of the law and regulations applicable to filing petitions will be provided upon request.

E. HEARING RECORD EXHIBITS

Material presented to the Board as part of the testimony that is to be made part of the record must be left with the Board. This includes photographs, slides, charts, diagrams, etc.

F. CONTRIBUTIONS TO REGIONAL BOARD MEMBERS

All persons who actively support or oppose the adoption of waste discharge requirements or an NPDES permit before the Regional Board must submit a statement to the Board disclosing any contributions of \$250 or more to be used in a federal, state, or local election, made by the action supporter or opponent, or his or her agent, within the last 12 months to any Regional Board member. All permit applicants and all persons who actively support or oppose adoption of a set of waste discharge requirements or an NPDES permit pending before the Regional Board are prohibited from making a contribution of \$250 or more to any Board member for 3 months following a Regional Board decision on the permit application.

G. ADDITIONAL CLOSED SESSION

At any time during the regular session, the Board may adjourn to a closed session to consider litigation, personnel matters or to deliberate on a decision to be reached based upon evidence introduced in a hearing. Government Code section 11126(a), (d) and (q).

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 : 969
SITE NAME: Quality Tune Up DATE REPORTED : 06/17/91
ADDRESS : 2780 Castro Vly. Blvd. DATE CONFIRMED: 06/17/91
CITY/ZIP : Castro Valley, 94546 MULTIPLE RPs : Y

SITE STATUS

CASE TYPE: G	CONTRACT STATUS: 3	EMERGENCY RESP:
RP SEARCH: S		DATE COMPLETED: 03/04/92
PRELIMINARY ASMNT: U	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: 03/04/92
LUFT FIELD MANUAL CONSID: 3,S,C,A
CASE CLOSED: DATE CASE CLOSED:
DATE EXCAVATION STARTED : 06/17/91 REMEDIAL ACTIONS TAKEN: NT

RESPONSIBLE PARTY INFORMATION

RP#1-CONTACT NAME: William & Mary Gong
COMPANY NAME:
ADDRESS: 4320 View Crest Ct.
CITY/STATE: Oakland, Ca 94619

RP#2-CONTACT NAME: Larry Armstrong
COMPANY NAME: Quality Tune Up
ADDRESS: 2780 Castro Valley Blvd.
CITY/STATE: Castro Valley, Ca 94546

52 FEB 19 04 1:39
[Redacted]

Scott O. Seery, CHMM
Department of Environmental Health
80 Swan Way, Room 210
Oakland, California 94621

Re: [Redacted]

Dear Mr. Seery,

I'm in receipt of your letter dated January 10th, 1992. It arrived on January 23rd, 1992. The requisite of quarterly reports were to be completed and done with a company called Aqua Science.

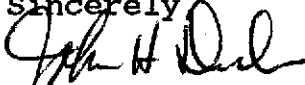
We are in the process of checking to see if any sampling occurred for the period of January 1st, 1991 to June 30th, 1991, the date of our last contact with Aqua Science.

We plan to adhere to the direction given in your letter, and ask for your assistance in locating a firm other than Aqua Science to do this testing.

We will render the specifics of your letter to the appropriate vendor once a relationship has been established. We will also copy you on our correspondence with such vendor.

We look forward to your assistance in order to comply with the formal request. Please feel free to call at 510-582-6300.

Sincerely,


John H. Drake
Property Manager

JHD/sh

3/6/92

Sharon of Lakeshore Finan.
called today indicating that
C-REM Engineering will be
handling sampling in future

SOS



RAF

January 10, 1992

Mr. John Drake
Lakeshore Financial
21060 Redwood Road
Castro Valley, CA 94546

DEPARTMENT OF ENVIRONMENTAL HEALTH
80 Swan Way, Rm. 210
Oakland, CA 94621
(415) 271-4300

RE: (FORMER) WALT'S AUTO TECH, 2896 CASTRO VALLEY BOULEVARD [REDACTED]

Dear Mr. Drake:

It has come to the attention of this Department that requisite quarterly status reports documenting sampling and monitoring activities occurring at the referenced site have not been submitted for the entire 1991 period. Such reports are mandated by Section 2652(d) of Title 23, California Code of Regulations (CCR). Further, the State Water Resources Control Board LUFT Field Manual (Section II, Part E-12) and the August 10, 1990 San Francisco Bay Regional Water Quality Control Board (RWQCB) Staff Recommendations for the Initial Investigation and Evaluation of Underground Tanks require that monitoring well sampling schedules shall at no time be less frequent than quarterly. Any deviation from this schedule requires RWQCB staff concurrence.

At this time you are directed to adhere to the following sampling and monitoring schedule:

- 1) Water levels in each well are to be measured and recorded monthly for the next consecutive 12 months, **beginning January 1992 and ending December 1992**. Water levels are to be measured quarterly thereafter until case closure. Gradient determinations are to be calculated for each month, and illustrated on gradient contour maps.
- 2) Ground water samples are to be collected quarterly. Samples from all wells are to be analyzed for total petroleum hydrocarbons as gasoline (TPH-G), and benzene, toluene, ethylbenzene and xylene (BTEX). Wells MW-1 and -3 are also to be analyzed for total oil and grease (TOG) (EPA Method 5520), dissolved metals (Pb, Cr, Se, As), and semivolatile organics (EPA Method 8270), in addition to TPH-G and BTEX.
- 3) Detailed summary reports are to be submitted quarterly until this site qualifies for final "sign off" by the RWQCB. Such reports are due the first day of the second month of each subsequent quarter (i.e., February 1, May 1, August 1, and November 1). The next report is due **May 1, 1992** and shall document the results of all site activities occurring during the 1st quarter of 1992.

Mr. John Drake
RE: 2896 Castro Valley Blvd.
January 10, 1992
Page 2 of 2

The referenced 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 Interpretation 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

All reports and proposals must be submitted under seal of a California-Registered Geologist, -Certified Engineering 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 or a late response could result in the referral of this case to the RWQCB for enforcement, possibly subjecting the responsible party to civil penalties to a maximum of \$1,000 per day. Any extensions of the stated deadlines, or modifications of the required tasks, must be confirmed in writing by either this agency or the RWQCB.

You may reach me at 510/271-4320 should you have any questions.

Sincerely,



Scott O. Seery, CHMM
Hazardous Materials Specialist

cc: Rafat A. Shahid, Assistant Agency Director, Environmental Health
Edgar Howell, Chief, Hazardous Materials Division
Gil Jensen, Alameda County District Attorney's Office
Lester Feldman, RWQCB
Howard Hatayama, DTSC
Bob Bohman, Castro Valley Fire Department

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



Certified Mailer # P 062 127 996

February 1, 1991

Mr. Dan Dineen
Lakeshore Financial
21060 Redwood Road, Suite 250
Castro Valley, CA 94546

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

RE: FORMER WALT'S AUTO TECH, 2896 CASTRO VALLEY BOULEVARD

Dear Mr. Dineen:

It has come to the attention of this Department that the technical report documenting all site activities and sample analyses associated with the performance of the requisite preliminary site assessment (PSA) at the referenced site has not been submitted to this office as of this writing. The noted PSA was completed on or around September 27, 1990. Technical reports are generally due within 30 days of the completion of field activities. Hence, the noted PSA report is currently 3 months overdue. Further, the 4th quarter 1990 report, due February 1, 1991, is also currently overdue for submittal.

You are directed to submit the noted PSA and 4th quarter 1990 sampling reports within 15 days of the date of this letter, or by February 16, 1991. Please be advised that this is a formal request for technical reports pursuant to California Water Code Section 13267 (b). Failure to respond or a late response will result in the referral of this case to the RWQCB for enforcement, possibly subjecting the responsible party to civil penalties to a maximum of \$1,000 per day. Any extensions of the stated deadlines, or modifications of the required tasks, must be confirmed in writing by either this agency or the RWQCB.

Please contact this Department at 415/271-4320 should you have any questions regarding the content of this letter.

Sincerely,


Scott O. Seery
Hazardous Materials Specialist

cc: Rafat A. Shahid, Assistant Agency Director, Alameda County
Department of Environmental Health
Edgar Howell, Chief, Hazardous Materials Division
Gil Jensen, Alameda County District Attorney's Office
Howard Hatayama, DHS
Lester Feldman, RWQCB
Bob Bohman, Castro Valley Fire Department
Greg Gouvea, ASE
files

P 062 127 996

RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED
NOT FOR INTERNATIONAL MAIL

(See Reverse)

Sent to Mr. Dan DINEEN LAKE SHORE FINANCIAL	
Street and No. 21060 REDWOOD DR. #250	
P.O. State and ZIP Code Castro Valley, Ca. 94546	
Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt (including Postmark and Date Delivered)	
Return Receipt (including Return Date and Address of Delivery)	
Total Postage and Fees	\$
Postmark or Date	

PS Form 3800, June 1985

58

Complete items 1 and 2. Check boxes for services requested, and complete items 3 and 4.

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

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

3. Article Addressed to: Mr. Dan DINEEN LAKE SHORE FINANCIAL 21060 REDWOOD DR. STE 250 Castro Valley, Ca 94546	4. Article Number P062 127 996
Type of Service: <input type="checkbox"/> Registered <input type="checkbox"/> Insured <input checked="" type="checkbox"/> Certified <input type="checkbox"/> COD <input type="checkbox"/> Express Mail <input type="checkbox"/> Return Receipt for Merchandise	
Always obtain signature of addressee or agent and DATE DELIVERED.	
5. Signature - Address X J. Waischewski	8. Addressee's Address (ONLY if requested and fee paid)
6. Signature - Agent X [Signature]	
7. Date of Delivery 2/6/91	

ALAMEDA COUNTY, DEPARTMENT OF ENVIRONMENTAL HEALTH

Hazardous Materials Inspection Form

II, III

white -env.health
yellow -facility
pink -files

Site ID # _____ Site Name Former Watts Exxon Lakeshore Financial Today's Date 7/27/80

II.A BUSINESS PLANS (Title 19)

- ___ 1. Immediate Reporting 2703
- ___ 2. Bus. Plan Stds. 25503(b)
- ___ 3. RR 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)

Site Address 2896 Castro Valley Blvd.

City Castro Valley Zip 945 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

II.B ACUTELY HAZ. MAT'L'S

- ___ 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(i)
- ___ 18. Exemption Request? (Y/N) 25536(b)
- ___ 19. Trade Secret Requested? 25538

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

1:30-2:00

Comments:

On-site to observe progress of site investigation. I met Greg Gouvea of Aqua Science Engineers and discussed the results of any observations made during the advancement of borings.

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 teting
 - 8) Annual Tank Testing Daily Inventory
 - 9) Other _____

- ___ 7. Precis Tank Test Date: _____ 2643
- ___ 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 Date: _____ 2711
 - ___ 14. As Built Date: _____ 2635

Mr. Gouvea indicated that the boring closest to the tank pit (fuel) appeared to have actual product in soils brought up by the augers. Another boring to the SW had strong product odors as well.

We also discussed the locations for wells, and how at least one was to be relocated from the location on the plans because of its proximity to the island canopy.

Rev 6/88

Contact: Greg Gouvea
Title: geologist / Aqua Service
Signature: _____

Inspector: S. Beech
Signature: _____

II, III

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 Former Walts Exxon Lakeshore Financial Today's Date 9/27/90

Site Address 2896 Castro Valley Blvd.

City Castro Valley Zip 945 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)

1:30-2:00

Comments:

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- ___ 9. Modification 25505(b)

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- ___ 12. RMPP Contents 25534(c)
- ___ 13. Implement Sch. Req'd? (Y/N) _____
- ___ 14. OffSite Conseq. Assess. 25524(c)
- ___ 15. Probable Risk Assessment 25534(d)
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Monitoring for Existing Tanks

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 - 8) Annual Tank Testing Daily Inventory
 - 9) Other _____

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New Tanks

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

Rev 6/88

Contact: Greg Gouvea Inspector: S. Beech
 Title: geologist / Aqua Science Signature: _____
 Signature: _____ Signature: _____

II, III

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



May 22, 1990

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

Mr. Dan Dineen
Lakeshore Financial
21060 Redwood Road, Ste. 250
Castro Valley, CA 94546

RE: PRELIMINARY SITE ASSESSMENT WORKPLAN PROPOSAL: 2896 CASTRO
VALLEY BLVD., CASTRO VALLEY, ALAMEDA COUNTY

Dear Mr. Dineen:

This letter is in response to this Department's review of the April 27, 1990 Aqua Science Engineers, Inc. workplan proposal for the investigation of subsurface contamination at the referenced site. This workplan amends the previous Aqua Science, Inc. workplan dated January 10, 1990.

The noted workplan has been accepted by this office for the initial stages of site investigation. Field activities associated with this project should begin no later than 30-days from the date of this letter, or by June 22, 1990. The final Aqua Science Engineers, Inc. report documenting the results of all field activities, well and boring logs, laboratory analyses, gradient determinations and maps, among others, for this stage of site assessment must be submitted within 15-days of your receipt of this report.

Please notify this office of the date field activities associated with this project are scheduled to begin. You may contact me at 415/271-4320 should you have any questions.

Sincerely,


Scott O. Seery
Hazardous Materials Specialist

cc: Rafat A. Shahid, Assistant Agency Director, Alameda County
Department of Environmental Health
Gil Jensen, Alameda County District Attorney's Office
Howard Hatayama, DHS
Lester Feldman, RWQCB
Bob Bohman, Castro Valley Fire Department
Greg Gouvea, ASE
Greg Burg, ASE
files

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Director



Telephone Number: (415)

March 1, 1990

Mr. Greg Gouvea
Aqua Science Engineers, Inc.
P. O. Box 535
San Ramon, CA 94583

RE: SOIL/GROUNDWATER WORKPLAN PROPOSAL, 2896 CASTRO VALLEY BLVD.,
CASTRO VALLEY

Dear Mr. Gouvea:

This letter is in response to our review of the January 10, 1990 Aqua Science Engineers, Inc. workplan proposal for the investigation of subsurface contamination at the referenced site. The noted workplan may be approved for this stage of site contaminant assessment providing the following issues are resolved to the satisfaction of this office:

- 1) All reports and proposals must be submitted under seal of a California-Registered Geologist, -Certified Engineering Geologist, or -Registered Civil Engineer. Include a statement of qualifications;
- 2) Based upon local topography and surface water drainage patterns within the Castro Valley basin, the approximate groundwater flow direction is presumed to be to the south or southwest, towards Chabot(?) Creek. Therefore, it is recommended that the location of proposed monitoring well MW-1 be moved approximately 15-20 feet to the southeast from its proposed location. This will place MW-1 within 10-feet and somewhat southwest of the former waste oil tank pit, potentially better suited to identify contaminants in both soil and groundwater derived from leaks associated with the waste oil tank.

Mr. Greg Gouvea
RE: 2896 Castro Valley Blvd.
March 1, 1990
Page 2 of 3

Concerns about potential contaminant migration in the direction of the original location of proposed MW-1 can be resolved through advancement of an additional boring in this area. Following completion of the current phase of work and determination of the actual groundwater flow direction, additional wells/borings may be required;

- 3) All borings not completed as wells should be advanced to first groundwater, at a minimum. As indicated in the January 10 proposal, soil samples from all borings should be collected at 5-foot intervals. Additional samples are required at any significant changes in lithology or zones where field screening techniques identify auger cuttings which appear "hot";
- 4) Describe methods for free product measurement, and observation of sheen and/or odor. This topic was not discussed in the referenced Pratt Consulting Company monitoring protocol (Appendix B);
- 5) Consistant with RWQCB guidelines, soil samples collected from MW-1 and other borings in proximity to the former waste oil tank pit, as well as water samples collected from MW-1 after development, should also be analyzed for: TPH-D; priority metals (ICAP/AA); PCB, PCP, PNA and creosote (EPA Method 8270). These tests are in addition to TPH-G, TOG (Method 503 A/D & E) and ClHC (Method 8010/601) analyses previously cited in this proposal. Further, be certain that the method used for TPH-G/D detection is that outlined by the LUFT program (GC/FID), and provide a discussion of applicable preservation techniques;
- 6) Please be certain that the proposed Site Safety Plan adheres to guidelines specified under Part 1910.120 (i)(2) of 29 CFR;
- 7) Provide assurance that wells will be constructed under appropriate Zone 7 permits;

Mr. Greg Gouvea
RE: 2896 Casro Valley Blvd.
March 1, 1990
Page 3 of 3

Please submit, in a timely fashion, a response which adequately addresses the previous list of items. This submittal may be in the form of an addendum to the January 10 proposal. Additionally, please submit copies of all reports, proposals and addenda to the RWQCB (Attn: Lester Feldman), including the January 10 proposal.

Should you have any questions, please call me at 415/271-4320.

Sincerely,



Scott O. Seery
Hazardous Materials Specialist

SOS:mam

cc: Rafat A. Shahid, Assistant Agency Director, Alameda County
Department of Environmental Health
Lester Feldman, RWQCB
Howard Hatayama, DHS
Mike Hood, Alameda County Building and Inspection Department
Bob Bohman, Castro Valley Fire Dept.
Gil Jensen, Alameda County District Attorney, Consumer and
Environmental Protection Division
Dan Dineen, Lakeshore Financial
Files

90 JAN 12 PM 12:09

January 9, 1990

Department of Environmental Health
Hazardous Materials Program
80 Swan Way, Rm 200
Oakland, CA 94621

Attn: Scott Seery

Dear Scott,

Please be advised that we just received your certified letter today in the mail dated December 27, 1989. It seems that you used our old address, please make sure your records are corrected to read: [REDACTED] Suite 250, Castro Valley, Ca 94546.

I have enclosed the Uniform Hazardous Waste Manifest form for your records.

In regards to the site assessment request for [REDACTED] Blvd., Castro Valley, I was informed that Aqua-Science was sending this to you in the mail on the 10th.

If you have any further questions please feel free to call me.

Sincerely,



Dan Dineen
Lakeshore Financial

DD/ts

UNIFORM HAZARDOUS WASTE MANIFEST

1. Generator's US EPA ID No.

CA010002125611

Manifest Document No.

11101

2. Page 1 of 1

Information in the shaded areas is not required by Federal law.

3. Generator's Name and Mailing Address

LAT WASH DC & FINN 12/17/85
2100 WEDWOOD RD SUITE 230
TEXAS STATE 41
ASTORIA, OREGON 97103

A. State Manifest Document Number

88121300

B. State Generator's ID

4. Transporter 1 Company Name

ERICKSON TRUCKING

6. US EPA ID Number

CA010009444392

C. State Transporter's ID

001912

D. Transporter's Phone

(415) 235-1393

7. Transporter 2 Company Name

8. US EPA ID Number

E. State Transporter's ID

F. Transporter's Phone

9. Designated Facility Name and Site Address

ERICKSON INC.
255 PARK BLVD
Baltimore, PA 21201

10. US EPA ID Number

CA010009444392

G. State Facility's ID

H. Facility's Phone

(415) 235-1393

11. US DOT Description (Including Proper Shipping Name, Hazard Class, and ID Number)

a. WASTE EMPTY STORAGE TANK
CALIFORNIA REGULATED WASTE ONLY

12. Containers No. Type

001 T P 1 B 15 T O P

13. Total Quantity

135 T O P

14. Unit Wt/Vol

1. Waste No.

State 512
EPA/Other NON

J. Additional Descriptions for Materials Listed Above

EMPTY PETROLEUM HYDRO
CARBON TANK 350 GAL

K. Handling Codes for Wastes Listed Above

a. 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: Teresa Sheridan Signature: Teresa Sheridan Month Day Year: 10/11/89

17. Transporter 1 Acknowledgement of Receipt of Materials
Printed/Typed Name: Thomas J. Rothstein Signature: Thomas J. Rothstein Month Day Year: 10/10/89

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: Signature: Month Day Year:

8 8121800

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

ALAMEDA COUNTY.

HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



Certified Mailer #P 833 981 264

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

December 27, 1989

Mr. Dan Dineen
Lakeshore Financial
2100 Lakeshore Blvd., Ste. B
Oakland, CA 94606

RE: ~~SITE ASSESSMENT REQUEST, 2896 CASTRO VALLEY BLVD.,~~
CASTRO VALLEY

NOTICE OF VIOLATION

Dear Mr. Dineen:

This Notice of Violation is in response to your failure to submit for review a preliminary site assessment proposal for the subsurface investigation of soils and groundwater underlying the referenced Castro Valley site. The request for this site assessment proposal was outlined in correspondence from this office dated August 30, 1989, and required submittal of said proposal within 30 days. To date, no such proposal has been received by this office.

Please be advised that the unauthorized subsurface release of product from underground storage tank systems strictly constitutes unlawful disposal of hazardous waste and is in violation of Section 25189.5 of the California Health and Safety Code. Pursuant to Section 66328(d) of Title 22, California Code of Regulations (CCR), you are hereby directed to submit a Plan of Correction for this site by January 15, ¹⁹⁹⁰ ~~1989~~ which addresses the subsurface contamination underlying the referenced site by way of preliminary site assessment proposal, as previously requested.

Further, we are still awaiting receipt of copies of Uniform Hazardous Waste Manifests which accompanied the disposal of the underground storage tank previously stored above-grade at the site. These copies should be included with your submittal of a Plan of Correction.

Mr. Dan Dineen
RE: 2896 Castro Valley Blvd.
Castro Valley
December 27, 1989
Page 2 of 2

Please be advised that this will be your last notification from this agency. Failure to respond fully to this request will result in your case being referred to the Alameda County District Attorney's Office for enforcement action. Your attention is directed to Sections 25189, 25189.5, and 25191 of the California Health and Safety Code which provides for civil and/or criminal penalties of up to \$25,000 per day, per violation, and jail sentences of up to 36 months. Further, the pollution of groundwater and failure to comply with cleanup orders carries the potential of additional fines up to \$10,000 per day being levied by the Regional Water Quality Control Board (RWQCB) upon uncooperative responsible parties.

Your Plan of Correction must be accompanied by a check totalling \$831 to help defer the cost of our review of these plans and our oversight of the remediation process. Checks should be made out to the County of Alameda. As a reminder, a copy of each plan should also be sent to the RWQCB (Attn: Lester Feldman) for their review.

Should you have any questions, please call the undersigned at (415) 271-4320.

Sincerely,



Scott O. Seery
Hazardous Materials Specialist

SOS:mam

cc: Rafat A. Shahid, Assistant Agency Director, Alameda County
Department of Environmental Health
Gil Jensen, Alameda County District Attorney, Consumer and
Environmental Protection Division
Howard Hatayama, DHS
Lester Feldman, RWQCB
Bob Bohman, Castro Valley Fire Dept.
Mike Hood, Alameda County Building and Inspection Department
Walter Quigley
Files

P 833 981 264

RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED
NOT FOR INTERNATIONAL MAIL

(See Reverse)

PS Form 3800, June 1985

Sent to <i>Mr. Dan Dineen</i>	
Street and No.	
P.O., State and ZIP Code	
Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt showing to whom and Date Delivered	
Return Receipt showing to whom, Date, and Address of Delivery	
TOTAL Postage and Fees	\$
Postmark or Date	

SENDERS: Complete items 1 and 2 when additional services are desired, and complete items 3 and 4. Put your address in **RETURN TO:** Space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested.

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

3. Article Addressed to: <i>Mr. Dan Dineen Lakeshore Financial 2100 Lakeshore Blvd. Ste - B Oakland CA 94606</i>	4. Article Number <i>P 833 981 264</i>
5. Signature - Address <i>X</i>	Type of Service: <input type="checkbox"/> Registered <input type="checkbox"/> Insured <input checked="" type="checkbox"/> Certified <input type="checkbox"/> COD <input type="checkbox"/> Express Mail <input type="checkbox"/> Return Receipt for Merchandise
6. Signature - Agent <i>X Teri Shred</i>	Always obtain signature of addressee or agent and DATE DELIVERED.
7. Date of Delivery <i>1-8-90</i>	8. Addressee's Address (ONLY if requested and fee paid) <i>21060 REDWOOD C.V. 94546</i>

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



November 3, 1989

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

Waltz Exxon Service
2896 Castro Valley Blvd
Castro Valley, CA 94546

RE:2896 Castro Valley Blvd
NOTICE OF LEGAL OBLIGATION

Dear owner/operator:

Our records indicate that there are underground tank(s) at your site at the above facility.

In accordance with the California Code of Regulations, Title 23, Chapter 3, Subchapter 16 Underground Tank Regulations you must perform one of the following actions:

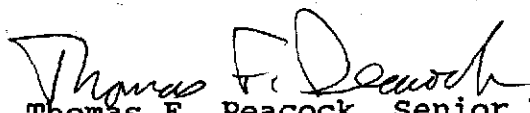
1. Submit a tank closure plan to this Department as required by Article 7, 2670, or
2. Apply for a permit as required by Article 10, 2710.

Notify this Department within 10 days of your intentions and to obtain the necessary instructions and forms.

Please note that section 25299 of the California Health and Safety Code states that any operator or owner of an underground storage tank is liable for a civil penalty of not less than five hundred dollars or more than five thousand dollars per day for failure to obtain a permit, or failing to properly close an underground storage tank, as required by section 25298.

If you have any questions concerning this matter, please contact this office at 271-4320.

Sincerely,

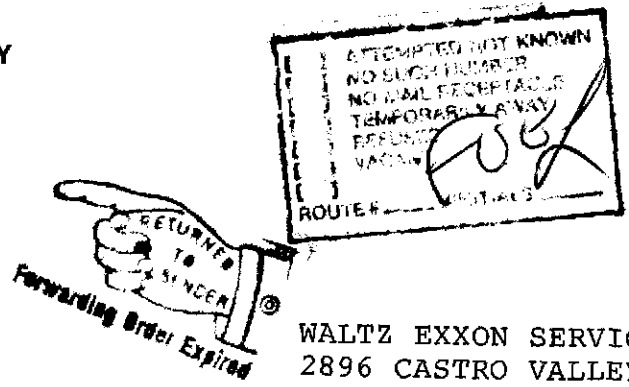

Thomas F. Peacock, Senior HMS
Hazardous Materials Division

TFP:tfp

cc: Gil Jensen, Alameda County District Attorney, Consumer and
Environmental Protection Agency
Lester Feldman, RWQCB

ALAMEDA COUNTY
HEALTH CARE SERVICES AGENCY

Hazardous Materials Program
80 Swan Way, Rm. 200
Oakland, CA 94621

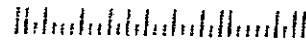


WALTZ EXXON SERVICE
2896 CASTRO VALLEY BLVD.
CASTRO VALLEY CA 94546

Scott - could you look into this and get back to me. Thanks

No longer has tanks

303



89 AUG 13 AM 9:45

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



November 3, 1989

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

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2896 Castro Valley Blvd
Castro Valley, CA 94546

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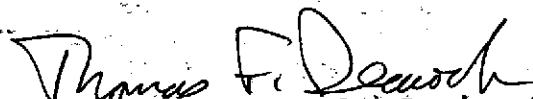
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Sincerely,


Thomas F. Peacock, Senior HMS
Hazardous Materials Division

TFP:tfp

cc: Gil Jensen, Alameda County District Attorney, Consumer and
Environmental Protection Agency
Lester Feldman, RWQCB

10/23/89

ALAMEDA COUNTY
DEPT. OF ENVIRONMENTAL HEALTH

October 18, 1989

Department of Environmental Health
Hazardous Materials Program
80 Swan Way, Rm. 200
Oakland, CA 94621

Attn: Scott Seery

Dear Scott,

Per of phone conversation on October 16th, 1989, this is to confirm that we are in the process of disposing of the waste oil tank at 2896 Castro Valley Boulevard.

If you have any further questions please feel free to call.

Sincerely,



Dan Dineen
Project Manager

DD/ts

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)

271-4320

August 30, 1989

Mr. John Christian
Lakeshore Financial
21060 Redwood Rd., Ste. 250
Castro Valley, CA 94546

RE: PRELIMINARY SITE ASSESSMENT, 2896 CASTRO VALLEY BLVD.,
CASTRO VALLEY, CA 94546

Dear Mr. Christian:

Our office has been notified by Mr. Dick Bigelow, in correspondence dated August 11, 1989, that the above referenced property was sold to you and Mr. Robert M. Frost on June 29, 1989. Mr. Bigelow was acting agent to Mr. and Mrs. Walter Quigley, the previous owners of the property, during the negotiation and closure periods.

During a telephone conversation between yourself and Mr. Scott Seery of this office on August 17, 1989, you acknowledged to Mr. Seery that you knew previously of the requirement to assess the extent of subsurface contamination at this site and, in fact, was an issue crucial in closing the sale. Please reference the attached letter from this office addressed to Mr. Quigley, dated May 8, 1989, in which was requested a Site Assessment proposal and the disposal of a previously-removed underground storage tank (UST) which is currently stored on the east side of the station building.

All terms and conditions outlined in the May 8, 1989 request now apply to the current property owners. As such, you must satisfy the following items:

- 1) Submit within 30-days a Site Assessment proposal following the criteria discussed in the May 8, 1989 correspondence;
- 2) Remit a check totalling \$831 to cover county time in review and oversight of the site assessment;

Mr. John Christian
Lakeshore Financial
RE: 2896 Castro Valley Blvd.
Castro Valley
August 30, 1989
Page 2 of 2

- 3) Dispose of the UST within 30 days as a Hazardous Waste using proper hazardous waste protocol (i.e., Uniform Hazardous Waste Manifest, licensed hazardous waste hauler, permitted TSD facility, etc.). Submit copies of all receipts and manifests associated with this activity.

Please be advised that the issuance of demolition, construction, and/or occupancy permits may be impacted by your response to the conditions outlined in this letter.

Should you have any questions, please call Scott Seery, Hazardous Materials Specialist, at 415/271-4320.

Sincerely,

Rafat A. Shahid

Rafat A. Shahid, Chief
Hazardous Materials Division

RAS:SOS:mam

Enclosure

cc: Howard Hatayama, DHS (w/ enclosure)
Lester Feldman, RWQCB (w/ enclosure)
Bob Bohman, Castro Valley Fire Dept. (w/ enclosure)
Gil Jensen, Alameda County District Attorney, Consumer and
Environmental Protection Division (w/ enclosure)
Mark Thompson, Alameda County District Attorney, Consumer and
Environmental Protection Division (w/ enclosure)
Mike Hood, Alameda County Building and Inspection Dept. (w/ encl.)
Scott Seery, Alameda County Hazardous Materials Division
Files

DICK BIGELOW

WORLD SAVINGS CENTER
20656 REDWOOD ROAD • CASTRO VALLEY, CALIFORNIA 94546

8/15/89
REALTOR / DEVELOPER

TELEPHONE: (415) 582-4000

August 11, 1989

Mr. Scott Seery
Department of Environmental Health
Hazardous Materials Program
80 Swan Way,
Room 200
Oakland, CA 94621

Dear Mr. Seery:

Concerning the property at 2896 Castro Valley Blvd.,
Castro Valley Calif., previously owned by Mr. and Mrs.
Walter Quigley.

The Quigleys sold the property on June 29, 1989 to Robert
M. Frost. The escrow was handled by Chicago Title Co.
in Hayward, escrow number 99885.

Mr. Frost has acknowledged in our contract that he has
received your letter dated May 8, 1989.

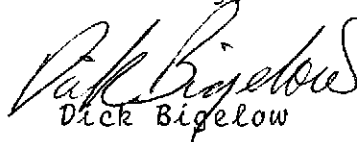
I have discussed this matter with John Christian, who is
an associate of Mr. Frost.

John said he would call you and follow up on this matter.
His phone number is 582-6300. His address is 21060
Redwood Road, Suite 250, Castro Valley, Calif., 94546.

Mr. Frost's phone number is 527-5577. His address is 2100
Redwood Road, Suite 260, Castro Valley, Calif., 94546.

If I can be of further assistance in this matter, please
call me.

Sincerely,


Dick Bigelow

DB/ep

DICK BIGELOW

REALTOR / DEVELOPER

WORLD SAVINGS CENTER
20656 REDWOOD ROAD • CASTRO VALLEY, CALIFORNIA 94546

TELEPHONE: (415) 582-4000

May 17, 1989

5/19/89

ALAMEDA COUNTY
SEPT. OF ENVIRONMENTAL HEALTH
HAZARDOUS MATERIALS

Mr. Scott Seery
Department of Environmental Health
Hazardous Materials Program
80 Swan Way, Room 200
Oakland, CA 94621

As per our conversation on May 16, 1989, I am enclosing a copy of the letter we sent to the buyers of the Quigley property located on 2896 Castro Valley Blvd., Castro Valley.

We are expecting a response from them shortly. When we get their response, we will then know if they are going to comply with your request or should we.

I will keep you informed on this matter, as we also want it resolved.

Would you please send to me the addresses for all of the CC's. Thank you for your help in this matter.

Sincerely,



Dick Bigelow, Agent for Walter and Naydene Quigley

Enc.

DICK BIGELOW

WORLD SAVINGS CENTER
20656 REDWOOD ROAD • CASTRO VALLEY, CALIFORNIA 94546

REALTOR / DEVELOPER

TELEPHONE: (415) 582-4000

May 12, 1989

Mr. Ron Cardenas
Feher Young and Associates
555 Montgomery Street
12th. Floor
San Francisco, CA
94111

Dear Ron:

This letter is concerning the Quigley property on
2896 Castro Valley Blvd., Castro Valley California.

As per the first paragraph on page one, your purchaser
has the right to assign their interest. If this has
been done, we want to be so notified.

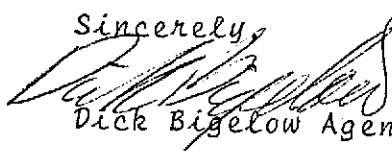
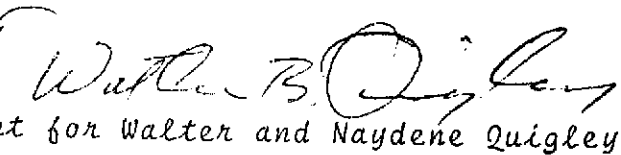

As per the third paragraph, page one, buyers deposit
should be deposited with Fidelity National Title Company,
as your buyers have had sufficient time under the contract
to remove all contingencies as per sub paragraph B of the
sixth paragraph on page one, you have supplied us with a
letter dated 4-26-88 acknowledging receipt of the three
soils reports supplied by the Quigleys. You, however
have not as per the contract, approved of these reports
within twenty days of receiving them, which as per this
paragraph renders this contract null and void.

As per paragraph two on page two, buyers have not
complied by notifying sellers in writing of their approval
of the physical condition of the property including, but
not limited to all improvements and soils thereon.

We are enclosing a letter and appendix A dated May 8, 1989,
which we just received from the Alameda County Health Care
Services.

We would appreciate your views on this letter and your
intention as to the Quigley property. The Quigleys are
still interested in selling, but if you are intending on
purchasing the property, we must firm up the contract.

Sincerely,

  
Dick Bigelow Agent for Walter and Naydene Quigley

Encls.

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) 271-4320

May 8, 1989

Mr. Walter Quigley
4662 Lockridge Way
Castro Valley, CA 94546

RE: SOIL AND GROUNDWATER CONTAMINATION, 2896 CASTRO VALLEY BLVD.,
CASTRO VALLEY: REQUEST FOR SITE ASSESSMENT

Dear Mr. Quigley:

Our office has completed a review of several geotechnical reports and tank closure documents generated by various consultants, dating from October 28, 1986 to February 2, 1988, concerning the referenced site. As was outlined in the most recent report by Giles Engineering Associates, Inc. for Quaker State Minit-Lube, Inc. of Salt Lake City, Utah and dated February 2, 1988, significant soil contamination was evidenced in several borings advanced during site exploration activities performed by this firm. Prior reports by Geonomics, Inc. and JHA Geotechnical Consultants, Inc., dated June 30, 1987 and October 28, 1986, respectively, confirm the presence of hydrocarbon contamination in soils associated with the fuel tank cluster and waste oil tank. The referenced Geonomics, Inc. report was generated following closure in June 1987 of three (3) fuel and one (1) waste oil underground storage tanks (UST). This report identified groundwater contamination in the vicinity of the 5000-gallon gasoline tank. Further, soil samples collected from native soil below the waste oil UST contained up to 1.6% (16,000 ppm) of total oil and grease (TOG) and 5300 ppm of total petroleum hydrocarbons characterized as gasoline (TPH-G). The waste oil UST was also observed to suffer from severe corrosion and multiple holes. Contamination of this magnitude (≥ 100 ppm) is referred to as a "confirmed release" by the Regional Water Quality Control Board - San Francisco Bay Region (RWQCB).

Due to this site's "confirmed release" status and the groundwater contamination already identified at this site, additional investigative work must be performed to further define the extent of vertical and lateral impact upon groundwater and soils resulting from the noted contamination. The information gathered by this investigation must be used to determine an appropriate course of action to

Mr. Walter Quigley
RE: 2896 Castro Valley Blvd.
Castro Valley
May 8, 1989
Page 2 of 3

remediate the site. This site assessment should be conducted in accordance with the RWQCB Staff Recommendations for Initial Evaluation and Investigation of Underground Tanks. The major elements of such an investigation are summarized in the attached Appendix A.

In order to proceed with the site investigation, you should obtain professional services from a reputable engineering/geotechnical consulting firm. The responsibility of your consultant is to submit for review a proposal outlining planned activities pertinent to meeting the criteria outlined in this letter and the attached Appendix A. Once the site assessment has been completed, a technical report summarizing site related activities and conclusions must be submitted to this office and RWQCB. All reports and proposals must be submitted under seal of a California-Certified Engineering Geologist, California-Registered Geologist, or California-Registered Civil Engineer.

This office will oversee the site assessment for the referenced site. This oversight will include our review and comment on work proposals, and technical guidance on appropriate investigative approaches. However, the issuance of monitoring well installation permits will be through Zone 7. The RWQCB may choose to take over as lead agency if it is determined following the site assessment that there has been a substantial impact upon groundwater.

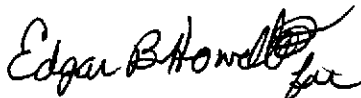
Please submit a Site Assessment proposal within 30 days of the receipt of this letter. Accompanying this proposal must be a check totalling \$831 to help defer the cost of our review of this plan and our oversight of the remediation process. This check should be made out to the County of Alameda. A copy of this proposal should also be sent to the RWQCB (Attn: Scott Hugenberger) for their review.

Further, as was discussed previously in a telephone conversation between yourself and Mr. Scott Seery of this office several weeks ago, the storage of the waste oil UST in its current location, above-grade on the east side of the station building, constitutes a safety hazard. As such, it is in violation of the Uniform Fire Code and California Hazardous Waste Laws to continue to allow this tank to remain on-site. Therefore, you must properly dispose of this tank as a hazardous waste at a licensed treatment, storage, or disposal (TSD) facility. The tank must be accompanied by a Uniform Hazardous Waste Manifest. This activity must also occur within thirty (30) days of your receipt of this letter. You must provide a copy to this office of the manifest used to document this tank's disposal.

Mr. Walter Quigley
RE: 2896 Castro Valley Blvd.
Castro Valley
May 8, 1989
Page 3 of 3

If you have any questions, please call Scott Seery, Hazardous
Materials Specialist, at 415/271-4320.

Sincerely,



Rafat A. Shahid, Chief
Hazardous Materials Program

RAS:SOS:mam

cc: Howard Hatayama, DHS
Scott Hugenberg, RWQCB
Bob Bohman, Castro Valley Fire Dept.
Gil Jensen, Alameda County District Attorney, Consumer and
Environmental Protection Division
Pari Miraftabi, Alameda County Building and Inspection Dept.
Scott Seery, Alameda County Hazardous Materials Program
Files

Enclosure

ALAMEDA COUNTY HEALTH CARE SERVICES AGENCY
MEMORANDUM

New Case

6-01

TO Scott Hugenbar
RW & CS FROM Scott Seery DATE 5-5-89

SUBJECT 2896 Castro Valley Blvd., C.V.

Here is an additional set of reports for the referenced site. I didn't hear back from you on Thursday, so I'm sending these along so you'll have them. If they are, in fact, duplicates, so be it. Better you have them than not. On another note, I'm still awaiting receipt of background info dated after July 1985 on another C.V. site: 3940 C.V. Blvd. As you may recall, we discussed this a couple weeks back. Call me with any questions.

Scott

COMPLAINT/EVALUATION

DATE: 2/8/88 TIME: 145 No: 185

COMPLAINT RECEIVED BY: Ken Fujimoto

NAME OF COMPLAINANT: Bldg Dept - 399 Elmwood Rd

ADDRESS: _____ CITY: HAY PHONE: 670-5423

SUBJECT OF COMPLAINT: lot is now vacant; contaminated soil

in lot will be subject to Architect Taylor & Associates

5167 park circle Irving, CA (714) 250-4117

ADDRESS OF FACILITY (SUBJECT OF COMPLAINT): 2896 Costa Valley Blvd

NAME: Quaker State PHONE: (209) 473-2825

CONTACT PERSON: MWR Engineering 820-2423 Barbara Cohen

ACTIONS TAKEN: 3/17 spoke to Ken Fujimoto and he will send soil report to me indicating soil contamination.

INVESTIGATED BY: _____ DATE: _____

APPLIED TIME: _____

SIGNATURE: _____



DATE: 9/24/87
LOG NO.: 5218
DATE SAMPLED: 9/21/87
DATE RECEIVED: 9/21/87

CUSTOMER: J. Quarle and Associates
REQUESTER: Jack Quarle
PROJECT: Walt Quigley Chevron, Castro Valley Boulevard

Sample Type: Soil

<u>Method and Constituent</u>	<u>Units</u>	<u>Detection Limit</u>	<u>Walt Quigley Chevron Concentration</u>
Modified EPA Method 8015: Extractable Hydrocarbons	mg/kg	4	17000
Standard Method 503E, Hydrocarbons: Oil and Grease	mg/kg	10	8800
EPA Method 8010: All constituents	mg/kg	0.2	< 0.2
EPA Method 8020: Benzene	mg/kg	0.4	< 0.4
Chlorobenzene	mg/kg	0.4	< 0.4
1,2-Dichlorobenzene	mg/kg	0.4	< 0.4
1,3-Dichlorobenzene	mg/kg	0.4	< 0.4
1,4-Dichlorobenzene	mg/kg	0.4	< 0.4
Ethyl benzene	mg/kg	0.4	< 0.4
Toluene	mg/kg	0.4	< 0.4
Xylenes	mg/kg	0.4	< 0.4

Hugh R. McLean
Hugh R. McLean
Supervisory Chemist

PROPOSAL

J. Quarle & Associates
88 Kearny Street, Suite 1802
San Francisco, CA 94108
(415) 392-0092

No. _____

Date 7-16-87

Sheet No. _____

Proposal Submitted To:

Name Walter Quigley
Street 2896 Castro Valley Blvd.
City Castro Valley
State California 94546
Phone 582-3608

Work To Be Performed At:

Street -SAME- State _____
City _____
Date of Plans _____
Architect _____

We hereby propose to furnish the materials and perform the labor necessary for the completion of

Removal and disposal of twenty yards of contaminated soil from waste oil tank area, including transportation, dump feed, backfill, compaction and one soil test.

Excludes California taxes if any.

All material is guaranteed to be as specified, and the above work to be performed in accordance with the drawings and specifications submitted for above work and completed in a substantial workmanlike manner for the sum of

Six thousand two hundred fifty and no/100----- Dollars (\$6,250.00).
with payments to be made as follows:

\$3,250 upon signing, balance upon completion. Completion for the purposes of this agreement shall be attained when the backfill and compaction requirements are met.

Any alteration or deviation from above specifications involving extra costs, will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. Owner to carry fire, tornado and other necessary insurance upon above work. Workmen's Compensation and Public Liability Insurance on above work to be taken out by

Respectfully submitted J. Quarle & Associates

Per [Signature]

Note—This proposal may be withdrawn by us if not accepted within _____ days.

ACCEPTANCE OF PROPOSAL

The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

Signature [Signature]

Date 7-20-87

Signature _____

July 9, 1987

Castro Valley Fire Department

Attention: Mr. Bowman
Storage Tank Removal Plan

Location: 2896 Castro Valley Blvd.

Tank Sizes: Gasoline Storage Tanks:
1 - 10,000 gallon
1 - 7,500 gallon
1 - 5,000 gallon

Drain Oil Tank
1 - 550 gallon

Destination of Tanks: Scrap

Destination of Sludges and Residue:
H&H Ship Service - State Manifest #86316361

EPA Generators # CAC000016048

Property Owner: Walter Quigley

Contractor: Champto, 1281 30th Street, Oakland, CA 94608
Telephone: (415)451-3482
Contact: Jim Brinker

Please print or type. (Form designed for use on elite (12-pitch) typewriter.)

UNIFORM HAZARDOUS WASTE MANIFEST		1. Generator's US EPA ID No. CAC10000160481631A	Manifest Document No.	Page 1 of 1	Information in the shaded areas is not required by Federal law.		
3. Generator's Name and Mailing Address WALTS AUTO TECH 2896 CASTRO VALLEY BLVD. CASTRO VALLEY CA 94546		4. Generator's Phone (415) 881-9882					
5. Transporter 1 Company Name H H SHIP SERVICE		6. US EPA ID Number CA10004771168					
7. Transporter 2 Company Name		8. US EPA ID Number					
9. Designated Facility Name and Site Address H H TANK FARM 220 CHINA BARN S.F.		10. US EPA ID Number CA10004771168					
11. US DOT Description (Including Proper Shipping Name, Hazard Class, and ID Number)		12. Containers No.	13. Total Quantity	14. Unit Wt/Vol	15. Waste No.		
a. WASTE HAZARDOUS LIQUID ADS ORME UN9189		1	120.06	6	1		
b.							
c.							
d.							
16. Additional Descriptions for Materials Listed Above 979 WATER 220 PERCELEUM 120 MUD		17. Handling Codes for Wastes Listed Above					
15. Special Handling Instructions and Additional Information Goggles / GLOVES							
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. Unless I am a small quantity generator who has been exempted by statute or regulation from the duty to make a waste minimization certification under Section 3002(b) of RCRA, I also 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 I have selected the method of treatment, storage, or disposal currently available to me which minimizes the present and future threat to human health and the environment.							
Printed/Typed Name JACK DUARTE		Signature <i>[Signature]</i>		Month Day Year 10/6/88			
17. Transporter 1 Acknowledgement of Receipt of Materials		Printed/Typed Name STEVE MESAUTE		Signature <i>[Signature]</i>		Month Day Year 10/6/88	
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		Signature		Month Day Year	

30 COMPANY NAME WALT'S AUTO TECH
 31 PREMISE ADDRESS 2896 CASTRO VALLEY BLVD.
 32 MAILING ADDRESS
 33 CITY CASTRO VALLEY ST CA ZIP 94546
 34 OWNER'S NAME WALTER QUTGLEY
 35 DATE ACCT OPENED 06/01/86
 36 DATE ACCT CHANGE/CLOSE 08/07/87
 37 ACCT NUMBER H61112
 38 # EMPL./# SITES 2 I.D.#
 39 PROG CODE 7
 40 ACCT CLOSED yes

*Station is closed,
No new occupant,
8/19/87 W.C.*

41 CODE LIST
 42 *****
 43 MISC RETURN MAIL NO HAZMATS-SEND UPDATE** * Code Description
 44 CENTRAL COLLECTIONS * 1 Haz Mat
 45 DATE SENT AMOUNT DATE RECD AMOUNT RECEIPT# * 2 Undergrd T
 46 / / / / * 3 Water
 47 / / / / * 4 Mobile Home
 48 / / / / * 6 Recreation
 49 / / / / * 7 Closed
 50 / / / / * 8 Food
 51 LAST UPDATE 07/14/87 *****
 52 F2ENTER F3VIEW F4EXIT F5FORM CLR F6FLD CLR F7DELETE F8MODIFY F9REPOR

53 CUST LIST Record 421 updated
 54 Record 421 on screen

55 CUSTOMER LIST
 56 COMPANY NAME SCANDIC SPRINGS, INC.
 57 PREMISE ADDRESS 901 MONTAGUE AVENUE
 58 MAILING ADDRESS P.O. BOX 2196
 59 CITY SAN LEANDRO ST CA ZIP 94577
 60 OWNER'S NAME RICHARD H. LING
 DATE ACCT OPENED 05/01/86
 DATE ACCT CHANGE/CLOSE 08/07/87
 ACCT NUMBER H51085

*Ed muller inc.
in 6/87*

ALAMEDA COUNTY
HEALTH CARE SERVICES



AGENCY
Agency Director

DAVE KEARS

470-27th Street, Third Floor
Oakland, California 94612
(415) 874-7237

HAZARDOUS WASTE GENERATOR
INSPECTION AND COMPLIANCE REPORT

EPA I.D. # _____

DATE July 25, 1986

GENERATOR NAME/ADDRESS

CONTACT PERSON Walter Quigley

Walt's Auto Tech
2896 Castro Valley Blvd.
Castro Valley, CA 94546

PHONE NUMBER 881-9882

PERSONS PRESENT _____

AVERAGE GENERATION RATE (MONTHLY) _____

OBSERVATIONS: Waste oil is kept in an 100 gal. underground
tanks. It is picked-up by American Waste Oil Co.
Business ~~has~~ been sold and is in process now.
New owners are going to demolish the existing building
and ~~take~~ ^{take} out the existing underground tanks.

Samples Taken¹: Yes No Plan of correction necessary: Yes Due Date _____ No

Authorized Representative of Firm:

Authorized Representative of Alameda County:

Name _____

Name Lawrence Seto

Title _____

Phone Number 874-7237

Signature [Signature]

Signature [Signature]

Date 7-25-86 DMBK

Date 7-25-86

¹All samples will be taken in accordance with Section 25185, California Administrative Code, Division 20, Chapter 6.5

FACILITY NAME

Walt's Auto Tech

NY 1051 S

SECTION # GENERATOR INSPECTION CHECKLIST

In Compliance?

SECTION #

In Compliance?

185 ¹	CAC ²	40 CFR ³	HAZARDOUS WASTE DETERMINATION	Yes	No	N/A
	66505 (a,b)	262 .11	Hazardous waste determination made for all waste	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<u>HAZARDOUS WASTE FACILITY</u>			
25123		262.34 (a)(1)	Generator <u>does not</u> store waste on-site for more than 90 days	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3	66370		Generator <u>does not</u> treat waste on-site	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	66370		Generator <u>does not</u> dispose of waste on-site	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<u>MANIFEST</u>			
	66475	262 .20	Applicable sections accurately completed for all waste transported off-site	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	66475 (a-f)	262 .21&.23	The following is on all manifests:			
			Manifest document number	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
			Name, mailing address, phone #, EPA ID # of Generator	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
			Name, EPA ID # of Transporter(s)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
			Name, address, EPA ID # of designated/ alternative facility	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
			DOT description of waste(s)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
			Total quantity of waste(s) and type/# containers	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
			Certification statement/Required signatures	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	475 (g)		Properly completed copies submitted monthly to DOHS	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
			<u>DEPOSITION OF WASTE</u>			
	66505 (c)		Hazardous waste taken only to a State approved facility	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<u>EXTREMELY HAZARDOUS WASTE</u>			
	66570 (a,b)		Extremely hazardous waste not handled/disposed of without permit	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	66570 (d)		No deviation from DOHS approved handling/disposal methods	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
			<u>USE AND MANAGEMENT OF CONTAINERS</u>			
	66500 (c)	265 .172	Containers are compatible with waste in them	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

H&S ¹	CAC ²	40 CFR ³	HAZARDOUS WASTE DETERMINATION	Yes	No	N/A
	66500 (a)	265 .176	Contact/mixing of incompatibles does not occur	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	66500 (b)	265 .176	Incompatibles are stored/protected in separate containers	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<u>TANKS</u>			
	66500 (b)	265 .199	Incompatibles are stored/protected in separate tanks	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<u>ACCUMULATION TIME</u>			
		25123 .3	All waste moved off-site within 90 days of accumulation commencement to approved facility	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<u>RECORDKEEPING AND REPORTING</u>			
		25342	Submittal of Annual Report to Board of Equilization	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
			<u>UNDERGROUND TANKS INFORMATIONAL SURVEY</u>			
			Does generator have underground tanks containing:			
			Hazardous materials?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
			Hazardous waste?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
			Does generator have leak detection system for underground tanks?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
			<u>KEY TO GENERATOR INSPECTION CHECKLIST</u>			
			¹ H&S - Health and Safety Code, Division 20, Chapter 6.5			
			² CAC - California Administrative Code, Title 22, Division 4, Chapter 30			
			³ 40 CFR - Code of Federal Regulations, Part 40			
			Inspection date: <u>7-25-86</u>			
			Inspector Time Spent: <u>90 min</u>			

ALAMEDA COUNTY
HEALTH CARE SERVICES



AGENCY

CARL N. LESTER, Agency Director

DIVISION OF ENVIRONMENTAL HEALTH
HAZARDOUS MATERIALS MANAGEMENT UNIT

SECTION A
MASTER FILE RECORD **STID 666**

470-27th Street, Third Floor
Oakland, California 94612
(415) 874-7237

A1. ESTABLISHMENT NAME
WALKITSI AVITIO TECH 7 36

A2. MAILING ADDRESS
 STREET NUMBER: 289161 37 44
 STREET DIRECTION (N,S,E,W,ETC.): EW 45 46
 STREET NAME OR P.O. BOX NUMBER: CRISTIRO WALKLEY BLVD 47 66
 CITY: CRISTIRO WALKLEY 67 81
 STATE: CA 82 83
 ZIP CODE: 94546 84 88
 BLDG/PLANT NO: 111 95 96

A3. ESTABLISHMENT PHONE: 818191812 97 103

A4. CONTACT PERSON: WALKITSI B. DIVIGALEY 104 123

A5. ESTABLISHMENT ADDRESS (IF DIFFERENT FROM MAILING ADDRESS)
 STREET NUMBER: _____ 7 14
 STREET DIRECTION (N,S,E,W,ETC.): _____ 15 16
 STREET NAME: _____ 17 36
 CITY: _____ 37 51
 STATE: _____ 52 53
 ZIP CODE: _____ 54 58
 BLDG/PLANT NO: _____ 63 66

A6. OWNER NAME: WALKITSI B. DIVIGALEY 67 86

A7. OWNER PHONE: 5182136181 87 96

A8. NAME OF PREVIOUS OWNER: PIHLLI PISI PETRO/BLUM 97 116

A9. DATE YOU STARTED OR ASSUMED BUSINESS
 MO: 10 DAY: 15 YR: 76 117 122

A10. SIC 1: _____ 12 25

A11. TOTAL NUMBER OF EMPLOYEES: 0151 8 11

A12. DO YOU HAVE PERMITS FOR ANY OF THE FOLLOWING:

AIR POLLUTION CONTROL DISTRICT	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N	HAZARDOUS WASTE HAULER REGISTRATION	<input type="checkbox"/> Y <input checked="" type="checkbox"/> N
SEWER DISTRICT (FOR INDUSTRIAL WASTES)	<input type="checkbox"/> Y <input checked="" type="checkbox"/> N	REGIONAL WATER QUALITY CONTROL BOARD	<input type="checkbox"/> Y <input checked="" type="checkbox"/> N
HAZARDOUS WASTE FACILITY	<input type="checkbox"/> Y <input checked="" type="checkbox"/> N		

SECTION B
UNDERGROUND TANKS CONTAINING HAZARDOUS SUBSTANCES

Identify the type, number and total volume of underground tanks in your firm.

B1. Type	B2. No. of Tanks	B3. Total Volume/Gals.
1. Tank	<u>THREE</u>	<u>22500</u>
2. Sump	<u>ONE</u>	<u>100</u>
3. Lagoon, pit or pond		
4. Other		

SECTION C
HAZARDOUS SUBSTANCES

C1. Please check if any of the following categories of hazardous substances is used or handled by your firm:

TOXIC CORROSIVE
FLAMMABLE OR IGNITABLE REACTIVE

C2. Please check the attached list for any of the chemical substances you receive, store, mix, treat, formulate, generate, manufacture, transport or dispose of, and enter each by the number identified on the list in the spaces below:

Sample:

11311	18113								

CERTIFICATION

I hereby certify that the information on this form is to the best of my knowledge, true and complete

Signature _____

Typed or Printed Name _____

Title _____

Date _____

Please return completed form to:

W. Quigley

Alameda County Division of Environmental Health
470-27th Street, Room 322
Oakland, CA 94612
(415) 874-7237