

**RIVER BEND PROPERTIES**

P.O. BOX 9440  
RANCHO SANTA FE, CA 92067  
(858) 756-6632 FAX (858) 756-3506  
cof@cox.net

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**FACSIMILE TRANSMITTAL FORM**

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**DATE:** August 23, 2005      **PAGES:** 3 (including cover page)

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**TO:** Amir Gholami      **FAX:** 510-337-9335

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**TO:**      **FAX:**

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**FROM:** Eric O. Freeberg

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**RE:** Fuel Leak Case No. RO 161, American Auto Dismantlers  
3744 Depot Road, Hayward CA

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**IMPORTANT/CONFIDENTIAL:** The information contained in this facsimile message is privileged and confidential and intended only for the use of the individual or entity named above. If you receive this communication in error, please immediately notify us by telephone, and/or return the original communication to us at the above address.

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# RIVER BEND PROPERTIES

P.O. BOX 9440  
RANCHO SANTA FE, CA 92067  
(858) 756-6632 Fax (858) 756-3506  
eof@cox.net

ERIC O. FREEBERG  
President

August 16, 2005

Ms. Donna Drogos  
Alameda Country Health Services Agency  
Environmental Protection Division  
1131 Harbor Bay Parkway, Suite 250  
Alameda, CA 94502-6577

**RE: Fuel Leak Case No. RO 161, American Auto Dismantlers  
3744 Depot Road  
Hayward, CA ("Property")**

Dear Ms. Drogos,

Last fall we spoke in regard to the above referenced Property. In our conversation, you were upset that PIERS Environmental Services, Inc. ("PIERS") had petitioned the Regional Water Quality Control Board ("RWQCB") to take over jurisdiction of the case, and you wanted to confirm that Riverbend Properties, Inc. ("RBP") had authorized this action. I confirmed that RBP had in fact authorized the action, and I explained why we had taken this action. During our conversation, I apologized if we upset anyone and confirmed that both PIERS and RBP had the utmost admiration for the professionalism of your office and how busy your office was. I expressed my frustration that we had worked with so many different representatives of Alameda County but the constant turnover in the office had made it difficult to achieve closure as the parameters of what the county seemed to want PIERS to do changed with every departure, and the workload made it hard to find anyone who had the time to stay focused upon this case.

I told you that I was delighted at your interest in the case, and agreed that the RWQCB request would not be necessary if Alameda County would stay focused on this case so that we could get it closed. As we talked about the case, you told me that in your file you could not find any response by PIERS to the questions and concerns raised by Scott Seery of your office in May 2004. I pulled out my Property file, and confirmed that PIERS had in fact submitted a written response to Mr. Seery in July of 2004. You did not have a copy of this submittal.

After talking to you, I suggested that PIERS should send you another copy of its response to Mr. Seery's letter of May 2004, and you agreed that this would make sense. After our conversation, I immediately requested PIERS to send you another copy of the report entitled "Work Plan for Additional Soil and Groundwater Investigation and Site Conceptual Model with Preferential Pathway Study ("Work Plan"). This Work Plan was submitted to you on November 12, 2004 by Dawn Murray of PIERS. This Work Plan had previously been submitted to Scott Seery of your office in July 2004. The Work Plan

Ms. Donna Drogos  
August 4, 2005  
Page 2

was prepared in response to requests made by Mr. Seery in May 2004. From May to November 2004, despite repeated telephone calls by PIERS to Alameda County requesting feedback to this submittal, we heard nothing until your telephone call. Given the fact that we could not get any feedback, and the fact that after you took over the case from Mr. Seery you did not see our July 2004 response, it is not surprising that we are all frustrated at the failure to get this case closed.

Since the November re submittal of the Work Plan, you called me once this spring and I have called back at least twice and maybe more. I am not being critical, but it would be deeply appreciated if you would respond to the Work Plan so we can proceed to hopefully close this case. As I told you in our telephone conversation, I am not technically competent to discuss the merits of the Work Plan and I would request that you contact PIERS and discuss any issues you have with them. If for any reason, you find their cooperation or response to not be adequate, please contact me immediately. I have always found every representative of PIERS to be professional and eager to respond to any reasonable request by Alameda County.

The failure to get this case closed is now causing RBP severe economic distress and RBP stands ready, willing and able to immediately implement the Work Plan, or to respond to any reasonable request for modifications to the submitted Work Plan to move this case to closure.

Thank you very much for your time and attention to this matter.

Very truly yours,

Eric O. Freeberg,  
President

cc: Dawn Murray,  
REA/CEO/President PIERS

Baryalai Feroz  
American Auto Dismantler

**Drogos, Donna, Env. Health**

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**From:** Kay Pannell [piers@pierses.com]  
**Sent:** Thursday, December 09, 2004 10:26 AM  
**To:** Drogos, Donna, Env. Health  
**Subject:** Questions on projects

Dear Ms. Drogos:

I am emailing you to follow up on two of our projects. PIERS sent you a package, on November 12, 2004, at your request of a work plan for additional sampling at 3744 Depot Road, Hayward, CA, on behalf of our client, RiverBend Properties. We have not received confirmation that it arrived. We would greatly appreciate it if you would please tell me if you have received it and what the status is. We want to move forward on this, thank you.

Also, we have been asked by a client to look into a problem. Perhaps, you could let me know what I need to do to approach this matter, or whom to contact. The client owns two adjacent parcels in Oakland, the addresses are 10500 and 10550 International Blvd. The property at 10500 International Blvd. is a LUST case; however, the property at 10550 International Blvd. is not. Sampling conducted on the site for the adjacent property's site investigation showed the site (10550) is clean. The problem is that the clean site at 10550 International Blvd. is erroneously listed as a LUST case, due to a typographical error. Is there any way of getting some kind of documentation for the client that states this? Aside from the site investigation report itself. I would greatly appreciate any assistance you can give on this matter.

Thank you in advance for your assistance.

Sincerely,  
Kay Pannell  
Chief Operations Officer  
PIERS Environmental Services, Inc.

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

June 17, 2004

Kenneth Hein  
29127 Colorado Road  
Hayward, CA 94544

**Re: Fuel Leak Case No. RO 161, American Auto Dismantlers, 3744 Depot Road, Hayward**

Dear Mr. Hein:

Please find attached a May 19, 2004 letter from this office that was sent to your last known address on Peterman Avenue, Hayward. The noted letter presents a request to complete a Preferential Pathway Study, Soil and Water Investigation (SWI), Site Conceptual Model (SCM), and prepare a Corrective Action Plan (CAP) for the subject site in accordance with California Code of Regulations (CCR), Title 23, Division 3, Chapter 16, Article 11, "Corrective Action Requirements"; State Water Resources Control Board Resolution 9249, "Policies and Procedure for Investigation, Cleanup and Abatement of Discharges Under Water Code Section 13304"; and the Regional Water Quality Control Board (Regional Board) Water Quality Control Plan for the basin.

The May 19, 2004 letter was also sent to others identified as "responsible parties" according to provisions of 23 CCR for the purpose of completing corrective action measures at a leaking underground storage tank site.

If you have any questions, please call me at (510) 567-6783.

Sincerely,

Scott O. Seery, R.G., CHMM  
Senior Hazardous Materials Specialist

Attachment

c: Roger Brewer, RWQCB  
Dave Charter, SWRCB UST Fund  
Masood Feroz, 3744 Depot Road, Hayward, CA 94545-2720  
Eric Freeberg, River Bend Properties, P.O. Box 9440, Rancho Santa Fe, CA 92067-4440  
Jack Lotz, Lotz & Assoc., 22320 Foothill Blvd., Ste. 410, Hayward, CA 94541  
D.Drogos

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



May 19, 2004

Masood Feroz  
3744 Depot Road  
Hayward, CA 94545-2720

Eric Freeberg  
River Bend Properties  
P.O. Box 9440  
Rancho Santa Fe, CA 92067-4440

Jack Lotz  
Lotz and Associates  
22320 Foothill Boulevard, Ste. 410  
Hayward, CA 94541

Kenneth Hein  
25858 Peterman Avenue  
Hayward, CA 94545

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

Alameda County  
JUN 01 2004  
Environmental Health

**Re: Fuel Leak Case No. RO 161, American Auto Dismantlers, 3744 Depot Road, Hayward**

Dear Messrs. Feroz, Freeberg, Lotz and Hein:

This letter follows a review of the fuel leak case file for the above referenced site, up to and including the February 2004 PIERS Environmental Services, Inc. (PIERS) report entitled *Additional Soil and Groundwater Investigation Report*. The cited PIERS report documents the results of a limited February 2004 investigation of the former underground storage tank (UST) excavations, and concludes by recommending additional assessment work to delineate the extent of petroleum hydrocarbon impacts.

This letter presents a request to complete a Preferential Pathway Study, Soil and Water Investigation (SWI), Site Conceptual Model (SCM), and prepare a Corrective Action Plan (CAP) for the subject site in accordance with California Code of Regulations (CCR), Title 23, Division 3, Chapter 16, Article 11, "Corrective Action Requirements"; State Water Resources Control Board Resolution 9249, "Policies and Procedure for Investigation, Cleanup and Abatement of Discharges Under Water Code Section 13304"; and the Regional Water Quality Control Board (Regional Board) Water Quality Control Plan for the basin.

The following technical comments address investigation and related performance objectives that shall be considered as part of the required Preferential Pathway Study, SWI, SCM and CAP. **We request that you complete the Preferential Pathway Study, and prepare and submit a SCM and work plan for a SWI by July 19, 2004, that addresses each of the following comments.**

## TECHNICAL COMMENTS

### 1. Preferential Pathway Study

A conduit / preferential pathway survey shall be prepared for the site that identifies potential groundwater and contaminant migration pathways and conduits (utilities, storms drains, etc.) that may be present on, and in the vicinity of, the site. This survey will include, among other components, the submittal of map(s) showing the location and depth of all utility lines and trenches identified in the study. You shall also identify the presence of all wells within a ½ mile radius of the site (i.e., monitoring and production wells; active, inactive, standby, destroyed, abandoned).

Using the results of the conduit / preferential pathway study, tank operational histories and records, and data from previous investigations at the site, you are to develop the initial *three-dimensional* Site Conceptual Model (SCM) of site conditions, as discussed below. Briefly, you are to use this initial SCM to determine the appropriate configuration for samplings points in the pending SWI phase of work at this site. Discuss your analysis and interpretation of the results of the conduit study and explain your rationale for the configuration of sampling points in the SWI work plan.

### 2. Site Conceptual Model

Starting with a critical review of the preferential pathway/conduit study and data from previous investigations and tank operational records for this site, you are to develop the initial three-dimensional SCM of site conditions. A SCM is a set of working hypotheses pertaining to all aspects of the contaminant release, including site geology, hydrogeology, release history, residual and dissolved contamination, attenuation mechanisms, pathways to nearby receptors, and likely impacts to receptors. The SCM is used to identify data gaps that are subsequently filled as the investigation proceeds. As the data gaps are filled, the working hypotheses are modified, and the overall SCM is refined and strengthened. Subsurface investigations continue until the SCM no longer changes as new data are collected. At this point the SCM is considered "validated". The validated SCM forms the foundation for developing the most cost-effective final Corrective Action Plan (CAP).

You are to use this initial SCM to determine the appropriate configuration for sampling points in the pending SWI phase of work at this site. Discuss your analysis and interpretation of the results of the conduit study, among other elements of the SCM, and explain your rationale for the configuration of sampling points in the SWI work plan.

Although this is not strictly considered an MtBE release site, your attention is nevertheless directed to "*Strategies for Characterizing Subsurface Releases of Gasoline Containing MtBE*", American Petroleum Institute Publication No. 4699, dated February 2000 as a comprehensive resource for development of the SCM. Your attention is also directed to the State Water Resources Control Board (SWRCB) "*Guidelines for Investigation and Cleanup of MTBE and Other Ether-Based Oxygenates, Final Draft*", dated March 27, 2000, as well as the June 2002 ChevronTexaco Energy Research and Technology Company technical

bulletin entitled "*Mass Flux Estimates to Assist Decision-Making*" to help in development of the SCM, among other related tasks.

### 3. Contaminant Plume Definition – Soil and Groundwater

The purpose of contaminant plume definition is to determine the *three-dimensional* extent of contamination in soil and groundwater, including a determination of 3-D extent of impacts in the source area(s) and released contaminant mass, and a demarcation of potential geogenic and anthropogenic flow pathways. As you know, up to 350,000 parts per billion (ppb) Total Petroleum Hydrocarbons as Diesel (TPH-d) and 120 ppb Benzene were detected in shallow groundwater collected from temporary sample points emplaced during the February 2004 investigation near the former waste oil UST excavation, located within the heart of the subject site. Up to 2000 parts per million (ppm) Total Recoverable Petroleum Hydrocarbons (TRPH) and 0.081 ppm Benzene, among others, were also identified at a depth of 11.5' below grade (bg) near the waste oil UST excavation. These soil concentrations are similar to those identified previously in soil samples collected during an August 1995 investigation in proximity to the former waste oil UST excavation.

Also during the 1995 investigation, up to 43,000 ppb TPH as Gasoline (TPH-g) and 300 ppb Benzene were identified in shallow water collected from one boring emplaced near the northwestern-most corner of the former gasoline UST excavation. The former gasoline UST excavation is located near the northwest corner of the subject site. The February 2004 investigation of the former gasoline UST excavation area did not identify gasoline constituents in shallow groundwater collected from temporary sample points.

Note that all sample points completed during the 1995 and 2004 projects, in addition to the 1996 installations of wells MW-1 and MW-2, focused on the investigation of shallow soil and groundwater encountered in proximity to the former UST excavations. No investigations have extended beyond a depth of approximately 15' bg. A preexisting shallow production well ("MW-3") has been used for sample collection and determination of groundwater flow, as well as for water uses at the site other than drinking purposes (e.g., irrigation). Although well MW-3 has reportedly been sounded for total depth, its construction, screen interval, and the nature (e.g., lithology) of the shallow zone across which the screen is set are unknown. Its validity as a monitoring point is questionable.

Further assessment of the areas in proximity to the former UST excavations is needed to understand site geology and hydrogeology and the nature and extent of the releases at this site. We therefore request a *three-dimensional* investigation of both former UST source area(s). The horizontal and vertical distribution of impacts is to be determined. Mass-balance calculations are to be completed for the source area(s). The SWI work plan should present your plan to accomplish these tasks. We fully expect that this phase of work will require encroachment onto adjoining properties.

Conventional investigation techniques and monitoring well networks currently used at fuel leak sites, including this one, are generally insufficient to adequately characterize fuel and other petroleum hydrocarbon impacts. It is recommended that your investigation initially incorporate expedited site assessment techniques and borings. We also recommend that you consider another cost-effective approach by beginning the investigation with single CPT



points at each former UST excavation to determine lithologies and zones of higher permeabilities, followed by focused water and soil sampling from targeted zones with subsequent borings in each area of interest. Plans for additional "step out" borings should be made so that the extent of impacts may be determined with a single mobilization to the site, if possible.

The borings are to be continuously cored and logged, with close attention paid to changes in lithologies that might facilitate solute transport (e.g., silty/sandy stringers in otherwise fine grained sediments). The methodology employed should minimize the potential for cross-contamination, especially should the investigation encounter multiple water-bearing zones. Minimum depth of this investigation shall be 50' bg.

Soil samples should be collected for laboratory analysis at 5-foot intervals, areas of obvious contamination, the soil/groundwater interface, and at each lithologic change noted during boring advancement, at a minimum. Water samples are to be collected at discrete depths to total depth explored. Detailed cross-sections, fence diagrams, structural contours and isopachs, and rose diagrams for groundwater flow (incorporating all historic data) should be subsequently incorporated into the SWI reports, as appropriate. Cross-sections should be scaled to clearly illustrate subsurface lithologies, including the locations of stringers and other zones of relatively higher permeability, particularly in those areas where such zones may be intercepted by buried utilities.

Final well locations and screen depths, should they appear appropriate following this phase of work, will be substantially based on the results of the SWI and refined SCM. The monitoring of multiple discrete water-bearing zones with short-screened intervals is anticipated. Generally, these screened intervals should not be greater than 2' in length. We will expect that the SWI Report will propose the locations of such wells, the anticipated well screen depths, their configurations (e.g., well cluster or multi-level), and the reasoning behind the location and configuration of each, should such wells appear prudent.

Discuss your proposal for performing this work outlined, above, in the SWI work plan. The results of the conduit study, and the initial SCM, are to be presented and discussed in the SWI work plan to justify your proposed scope of work.

Expedited site assessment tools and methods are a scientifically valid and cost-effective approach to fully define the three-dimensional extent of the plume. Technical protocol for expedited site assessments are provide in the US EPA "*Expedited Site Assessment Tools for Underground Storage Tank Sites: A guide for Regulators*" (EPA 510-B-97-001), dated March 1997.

#### 4. Corrective Action Plan

The purpose of the CAP is to use the information obtained during investigation activities to propose cost-effective final cleanup objectives and remedial alternatives for both soil and groundwater impacts that will adequately protect human health and safety, the environment, eliminate nuisance conditions, and protect water resources.

A final CAP for the soil and groundwater impacts caused by an unauthorized release at the site will be requested upon completion of the SWI in accordance with the schedule specified

below. The CAP shall address at least two technically and economically feasible methods to restore and protect beneficial uses of water and to meet the cleanup objectives for each contaminant established in the CAP. The CAP must propose verification monitoring to confirm completion of corrective actions and evaluate CAP implementation effectiveness.

5. Additional issues

The February 2004 PIERS report did not present the borings logs for the soil borings emplaced in the course of this investigation. Boring logs for EB-1 through EB6 are to be submitted within 30 days.

### TECHINCAL REPORT REQUEST

Please submit technical reports according to, or otherwise comply with, the following schedule:

**June 19, 2004** - Boring logs for borings EB1 though EB6

**July 19, 2004** – Work plan for Soil and Water Investigation, incorporating the Site Conceptual Model and results of the Preferential Pathway Study

**90 Days from SWI Work Plan Approval** – Soil and Water Investigation Report (which contains the results of the SWI assessment work, and a proposal for additional assessment work and installation of monitoring wells, as appropriate)

**90 Days after Submittal of Soil and Water Investigation Report** - Corrective Action Plan

These reports and work plans are being requested pursuant to the Regional Board's authority under Section 13267(b) of the California Water Code. **Each technical report shall include conclusions and recommendations for the next phases of work required at the site should more appear necessary to refine the SCM.** We request that all required work be performed in a prompt and timely manner, as suggested by the noted schedule, above. Revisions to this schedule shall be requested in writing with appropriate justification for anticipated delays.

The California Business and Professions Code (Sections 6735, 6835, and 7835.1) requires that all work plans and technical reports containing professional geologic or engineering evaluations and/or judgments be completed under the direction of an appropriately registered or certified professional. This registered or certified professional shall sign and wet stamp all such reports and work plans.

**All reports and work plans are to be submitted under cover, signed under penalty of perjury, by the Responsible Party(ies) who have taken a lead role in compliance with corrective action directives.**

### AGENCY OVERSIGHT

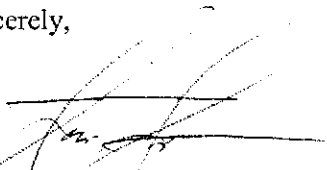
If it appears as though significant delays are occurring or reports are not submitted as requested, we will consider referring your case to the Regional Board or other appropriate agency, including the

Messrs. Feroz, Freeberg, Lotz and Hein  
Re; 3744 Depot Rd., Hayward  
May 19, 2004  
Page 6 of 6

Alameda County District Attorney, for possible enforcement follow up. Enforcement follow up may include administrative action or monetary penalties of up to \$10,000 per day for each day of violation of the California Health and Safety Code, Division 20, Chapter 6.76.

If you have any questions, please call me at (510) 567-6783.

Sincerely,



Scott O. Seery, R.G., CHMM  
Hazardous Materials Specialist

c: Roger Brewer, RWQCB  
Dave Charter, SWRCB UST Fund  
Joel Gregor, PIERS Env. Services, Inc., 1330 So. Bascom Ave., Ste. F, San Jose, CA 95128  
D.Drogos



ALAMEDA COUNTY <sup>4520</sup>  
**HEALTH CARE SERVICES AGENCY**  
 Environmental Health Services Administration  
 1131 Harbor Bay Parkway, Suite 250  
 Alameda, CA 94502-6577

S. SEERY



RETURN TO SENDER  
 ADDRESS UNKNOWN



Re 161

~~KENNETH HEIN  
 25858 PETERMAN AVENUE  
 HAYWARD, CA 94545~~

94545 94545 94545



## Seery, Scott, Env. Health

---

**From:** PIERS Environmental Services Inc. [piers@pierses.com]  
**Sent:** Wednesday, April 30, 2003 7:57 AM  
**To:** sseery@co.alameda.ca.us  
**Subject:** 3744 Depot Road

Dear Mr. Seery:

As per your request, the present owners of 3744 Depot Road, Hayward Ca 94545, as listed on the Chicago Title Company property profiles are:

**Baryalai & Masood Feroz**  
mailing address is also 3744 Depot Road, Hayward, CA 94545.

If there is anything else we can help you with, please call or email me at (408) 559-1248 or piers@pierses.com.

Thank you for your prompt attention, we appreciate it.

Sincerely,  
Kay Pannell  
Chief Operations Officer  
PIERS Environmental Services, Inc.

RIVER BEND PROPERTIES

P.O. Box 9440  
Rancho Santa Fe, CA 92067-4440  
(858) 756-6632 Fax (858) 756-3506

ERIC O. FREEBERG  
President

February 20, 2003

Masood Feroz  
AMERICAN AUTO DISMANTLER  
3744 Depot Road  
Hayward, CA 94544

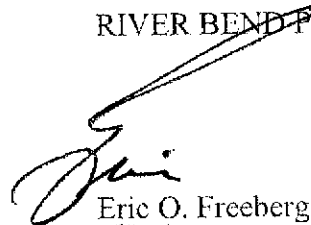
Re: 3744 Depot Road, Hayward, CA

Dear Masood:

Enclosed please find a copy of correspondence which we recently sent to Alameda County. I am attempting to see if we can obtain closure on this matter since there is a new case worker on the file. If we do obtain closure, you would be able to refinance the property.

Sincerely yours,

RIVER BEND PROPERTIES



Eric O. Freeberg  
President

EOF/gc

Enclosure

**PIERS**



**Environmental  
Services, Inc.**

1330 S. Bascom Ave., Suite F  
San Jose, CA 95128

Tel (408) 559-1248 Fax (408) 559-1224

February 10, 2003

Mr. Scott Serry  
Alameda County Department of Environmental Health  
1131 Harbor Bay Parkway  
Alameda, CA 94502

Alameda County  
FEB 13 2003  
Environmental Health

**RE: Response to Comments and Case Closure Request**  
3744 Depot Road  
Hayward, California ("Property")

Dear Mr. Serry:

This letter is in response to your recent telephone conversation with Dawn Murray of PIERS Environmental Services, Inc. ("PIERS"). PIERS understands that you wish us to respond to the May 14, 2001 letter from Mr. Amir K. Gholami of the Alameda County Environmental Health Services (ACEHS), concerning the case closure request at the above-mentioned Property.

The following is a brief summary of the work performed for this case:

**Synopsis of Previous Environmental Investigations**

A 500-gallon waste oil tank and a 1,000-gallon gasoline tank were apparently excavated and disposed of in early 1990's by a previous tenant, without a permit. Samples were later collected by an environmental consultant, but no report was ever issued, and the owner for whom this work was performed was foreclosed upon.

The Property was acquired by another owner who retained PIERS to complete a "Limited Phase II Environmental Assessment" at the Property in August 1995 (dated September 12, 1995). Five exploratory borings were installed at the site. Soil samples and grab groundwater samples were collected from borings located down-gradient of the two tank pits. Up to 3,300 parts per million (ppm) of oil and grease and 2,795 parts per billion (ppb) of volatile organic compounds were detected in a grab groundwater sample from the boring located down-gradient of the former waste oil tank. The grab groundwater sample collected from the boring located down-gradient from the former gasoline tank contained 43,000 ppb of Total Petroleum Hydrocarbons as gasoline and 300 ppb of benzene.

To meet the requirements of the ACDEH and the Regional Water Quality Control Board (RWQCB), PIERS performed a Preliminary Site Assessment to delineate and assess the extent of soil and groundwater impact. This work was outlined in a workplan submitted to the ACDEH on July 2, 1996. Two exploratory borings and two monitoring wells were subsequently installed at the site. Soil samples were obtained from the borings and wells, and groundwater grab samples were obtained from the borings. The newly installed monitoring wells and the onsite existing well were developed and sampled. A report summarizing this work was prepared, entitled "Preliminary Site Assessment, Groundwater Well Installation and 1<sup>st</sup> Quarterly Report for 3744 Depot Road", dated February 10, 1997.

Soil and groundwater sample results from this investigation indicated little, if any, migration of contaminants outside the immediate vicinities of the former tanks. A second sampling was conducted on April 29, 1997, with laboratory testing per the ACDEH. The samples collected from the wells yielded non-detectable results for all analytes.

In a letter to the Property owner dated March 1, 1999, the ACDEH requested an additional sampling event be conducted prior to consideration of the site for closure. The two monitoring wells were subsequently sampled on March 30, 1999. The samples collected from the two monitoring wells yielded non-detectable results for all of the analytes requested by the ACDH, except in MW-2, in which MTBE, bromodichloromethane, and dibromo-dichloromethane were detected at concentrations ranging between 5.5 and 9.3 ppb. The two tri-halomethane compounds were considered to be trace amounts not associated with fuels or solvents. A confirmatory analysis from MTBE by EPA method 8240 indicated no detectable concentration in MW-2. Based on all of the sample results obtained to date, PIERS recommended that the site be granted a "no further action" status, and that case closure be granted. PIERS issued a sampling report and request for no further action status in a July 12, 1999 letter to Mr. Amir Gholami of the ACDEH.

PIERS prepared a "Site Closure Summary and Request for Case Closure for 3744 Depot Road, Hayward, California" in August 2000, and submitted it to the ACDEH. The document included the previously requested final groundwater sampling event.

On May 9, 2001, PIERS responded to comments by the ACDEH on five remaining issues and submitted a revised case closure summary that showed "Before" and "After" concentrations of contaminants.

On May 14, 2001, the ACDEH caseworker, Mr. Amir Gholami, sent a letter to the Property owner with comments on the May 9, 2001 document provided by PIERS. This correspondence appears to be the last action performed for this site to date.

A telephone call from PIERS to the ACDEH in February 2002, requested the final status of the Property, specifically, asking if the case been closed. The ACDEH informed PIERS of the outstanding letter with comments.



## **Response to Comments**

PIERS wishes to respond to the comments in the following format.

### **Comment 1:**

ACDEH: I understand that you have concluded the groundwater flow gradient to be northwest to west due to the several factors, which you indicated within this report even though due to the site and well limitations at the above site, this can not be documented using the water data available at the above site alone.

PIERS: This appears to be a comment, not a request for action. The measured groundwater gradient at the site on March 30, 1999 was 0.0017 ft/ft to the northwest. In general, the gradient is relatively flat and flows towards the nearby San Francisco Bay.

### **Comment 2:**

ACDEH: Some of the concentrations of pollutants indicated in the table exceed the allowed concentrations indicated in Tier 1 look up tables by California Regional Water Quality Control Board (CRWQCB), San Francisco Bay Region. Therefore, use of Tier II and or further remediation might be necessary. To be specific Oil & Grease as well as Chromium levels in soil exceed the "allowed values within this guideline".

PIERS: Oil & Grease was found at 390 ppm in soil, and chromium was found at 27 ppm in soil. The original ACDEH caseworker, Ms. Amy Leach, in 1997, considered over-excavation of soil not to be warranted, and recommended evaluating the next sampling event to determine if it was even necessary. The next sampling event on April 29, 1997 showed non-detectable concentrations of contaminants in all three wells. In addition, both of the former tank excavation pits were left open after the tanks had been removed, and allowed to aerate for more than two years. Aromatic fuels, VOC's or SVOC's in soil and groundwater in the immediate vicinity would likely have dissipated and/or biologically degraded over this extended period of time. Both tank pits were observed and noted to contain plants and foliage prior to being backfilled, indicating significant biological activity.

The on-site irrigation well is the source of non-potable water for the site, and because the San Francisco Bay is close enough to exert tidal influences, the water in this area is brackish. Tier 1 standards should not apply for this reason.

In the case of chromium, Bradford et al, 1966, states that background levels for chromium in California range from 23 to 1,579 ppm in soil (Bradford et al, Background Concentrations of Trace and Major Elements in California Soils, 1966). Although the chromium level may exceed risk-based screening levels, the level is well within the range of background values. PIERS does not consider that the site requires further remediation on the basis of these two values.

**Comment 3:**

ACDEH: The values of the other elements in the table seemed "acceptable and within allowed limits". However, please discuss the high and low groundwater levels versus the sampling events to conclude an accurate picture of the plume and the possibility of "missing" pollutants during the sampling events at the above referenced site.

PIERS: The two monitoring wells were screened from 5 feet to 15 feet, and the irrigation well is screened to 30 feet, in anticipation of high and low groundwater levels. All sampling events, with the exception of the first event in 1995, have shown non-detectable concentrations for all hydrocarbon constituents. There is no "plume".

**Formal Request for Case Closure**

PIERS again requests that a formal Case Closure be granted for the site. This case closure is extremely important for financial issues. The Property owner has been unable to obtain conventional financing for the Property for many years and this has caused considerable hardship and damages to the Property Owner. We would greatly appreciate it if you could complete the closure within the next 30 days. Please call if you have any further questions.

Respectfully,



Kay Parnell, REP #05800  
Chief Operations Officer

COM No.	REMOTE STATION	START TIME	DURATION	PAGES	RESULT	USER ID	REMARKS
523	408 559 1224 <i>Piers Env.</i>	01-30 16:34	00' 40	02/02	OK		

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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 2017**

May 14, 2001

Mr. Eric Freeberg  
Riverbend Properties  
P.O. Box 9440  
Rancho Santa Fe, CA 92067-4440

**RE: American Auto Dismantler, 3744 Depot Road, Hayward, CA**

Dear Mr. Eric Freeberg:

I am in receipt of a document dated May 9, 2001, regarding Case Closure of the above referenced site by Mr. Joel G. Greger of Piers Environmental Services, Inc. regarding the above referenced site. I would like to make the following comments regarding this document:

- I understand that you have concluded the groundwater flow gradient to be northwest to west due to the several factors, which you indicated within this report even though due to the site and the well limitations at the above site, this can not be documented using the water data available at the above site alone.
- Some of the concentrations of pollutants indicated in the table exceed the allowed concentrations indicated in Tier 1 look up tables by California Regional Water Quality Control Board (CRWQCB), San Francisco Bay Region. Therefore, use of Tier II and or further remediation might be necessary. To be specific Oil & Grease as well as Chromium levels in soil exceed the "allowed" values within this guideline.
- The values of the other elements in the table seemed "acceptable and within allowed limits". However, please discuss the high and low groundwater levels versus the sampling events to conclude an accurate picture of the plume and the possibility of "missing" pollutants during the sampling events at the above referenced site.

ALAMEDA COUNTY  
**HEALTH CARE SERVICES**

AGENCY  
DAVID J. KEARS, Agency Director



ENVIRONMENTAL HEALTH SERVICES  
ENVIRONMENTAL PROTECTION  
1131 Harbor Bay Parkway, Suite 250  
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**Stid 2017**

May 14, 2001

Mr. Eric Freeberg  
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P.O. Box 9440  
Rancho Santa Fe, CA 92067-4440

**RE: American Auto Dismantler, 3744 Depot Road, Hayward, CA**

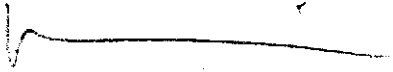
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- The values of the other elements in the table seemed "acceptable and within allowed limits". However, please discuss the high and low groundwater levels versus the sampling events to conclude an accurate picture of the plume and the possibility of "missing" pollutants during the sampling events at the above referenced site.

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

Sincerely,



Amir K. Gholami, REHS  
Hazardous Materials Specialist

C: Ms. Dawn Murray, Piers Environmental Services, Inc., 1330 S. Bascom Ave., Suite F  
San Jose, CA 95128  
KJ & PG. Hein, American Auto Wreckers, Inc., 25858 Peterman Ave.,  
Hayward, CA 945-3102  
J Lotz & J Allen, Lotz and Associates, 22320 Foothill Blvd., Hayward, CA 94541  
Mr. Hugh Murphy, City of Hayward Hazardous Material Office, 777 B Street, Hayward,  
CA 94541  
Files



SHD  
2017

May 9, 2001

MAY 11 2001

RECEIVED  
5/11/01  
AG

Mr. Amir K. Gholami  
Alameda County Health Services Agency  
Environmental Protection Division  
1131 Harbor Bay Parkway, Suite 250  
Alameda, California 94502-6577

RE: Case Closure, 3744 Depot Road, Hayward, CA

Mr. Gholami:

This letter is in response to your letter to Mr. Eric Freeberg of Riverbend Properties (owner) dated April 4, 2001, regarding remaining issues to be addressed prior to case closure consideration. For clarity, I have responded to your numbered items using the same format as in your letter.

1. Regarding the direction of groundwater flow, it does appear that the predominant direction of flow at the site and vicinity should be towards the west. A review of the previous monitoring events indicates that the north arrow on the figures was slightly off and the calculated direction of groundwater flow on March 30, 1999, was to the northwest at approximately 0.0017 feet per foot. On both of the monitoring events conducted on November 26, 1996, and April 29, 1997, the groundwater elevations were the same in the agricultural well and nearby monitoring well MW2. The total depth of the agricultural well has been measured at 30 feet. While it extends 15 feet deeper than the two monitoring wells on site, the fact that it has displayed the same groundwater elevation as MW2 on two of the three events suggests that it does not represent different groundwater conditions. However, with the relatively flat groundwater gradient and the long linear geometry of the Property, there is very poor triangulation between the two relatively close wells (the agricultural well and MW2) and well MW1, near the northern perimeter of the Property. So although it has not been documented due to the site and well limitations mentioned above, and likely cannot be with the existing wells, it is reasonable to conclude that the direction of groundwater flow at the site is most likely northwest to west.

2. Regarding the variable directions of groundwater flow at the three other sites, the predominant direction of groundwater flow at 3600 Depot Road, approximately 0.25 miles to the east, is westerly (Request for Closure dated January 12, 1998, page 1). At 3600 Depot Road, approximately 0.7 miles to the east, the direction of flow is reported as to the west (Ground Water Monitoring Report dated September 30, 1996, page 2). Finally, at the 23510 Berhart site approximately 0.26 miles to the north, the predominant direction of flow was to the southwest, per the Case Closure Summary dated July 1, 1997. These flow directions appear to be consistent with the assumed regional flow to the west, varying from northwest to southwest.

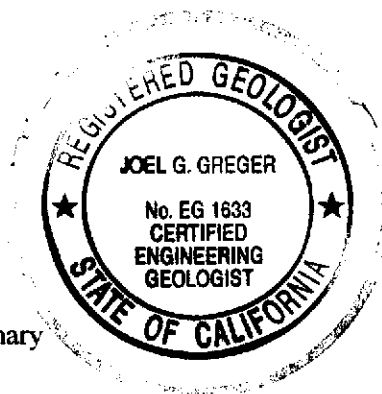
3-5. Regarding your request for the sources of the concentrations of constituents in the summary table, please see the revised Case Closure Summary. The maximum concentrations of contaminants encountered in the soil borings completed in August, 1995, are now shown as both the "before" and "after" quantities, as no soil excavation has been performed. The previous version of the Case Closure Summary had used non-detectable results from the two nearby monitoring wells as the "after" maximum concentrations.

Per your request, all documents submitted to you for this project will be signed by a registered geologist.

At your convenience, please call me to discuss, rather than responding by letter. I can be reached at (510) 787-6867.

Sincerely,  
PIERS Environmental Services, Inc.

  
Joel G. Greger, C.E.G. No EG 1633  
Certified Engineering Geologist



Attachments: Revised Case Closure Summary

# SITE CLOSURE SUMMARY

## I. AGENCY INFORMATION

Date: 05/09/2001

Page 1 of 4

Agency Name: <b>Alameda County-Hazmat</b>	Address: <b>1131 Harbor Bay Pkwy</b>
City/State/Zip: <b>Alameda, CA 94502</b>	Phone: <b>(510) 567-6700</b>
Responsible Staff Person: <b>Amir K. Gholami</b>	Title: <b>Hazardous Materials Specialist</b>

## II. SITE INFORMATION

Site Facility Name: <b>American Auto Dismantlers</b>				
Site Facility Address: <b>3744 Depot Road, Hayward, CA 94545</b>				
RB/SMS Case No.: <b>NA</b>	Local or LOP Case No: <b>Stid 2017/LOP</b>	Priority: <b>N/A</b>		
URF Filing Date:	SWEEPS No.: <b>NA</b>			
Responsible Parties (include addresses and phone numbers):  Mr. Eric Freeberg, Riverbend Properties PO Box 9440 Rancho Santa Fe, CA 92067-4440      Phone: 858-756-6632				
Tank No.	Size in Gallons	Contents	Removed	Date
A	500	Waste oil	Removed	1992
B	1000	Gasoline	Removed	1992

## III. RELEASE AND SITE CHARACTERIZATION INFORMATION

Cause and Type of Release: <b>Leaking Underground Storage Tanks</b>		
Site characterization complete? <b>Yes</b>	Date Approved By Oversight Agency:	
Monitoring wells installed? <b>Yes</b>	Number <b>2</b>	Proper screened interval? <b>Yes</b>
Highest GW Depth below top of well casing: <b>5.74'</b>	Lowest Depth: <b>8.25'</b>	Flow Direction: <b>S, NW and N (3 events)</b>
Most Sensitive Current Use: <b>Industrial Process Supply</b>		
Most Sensitive Potential Use: <b>Domestic or municipal supply</b> and Probability of Use: <b>Possibly none.</b>		
Are drinking water wells affected? <b>No</b>	Aquifer Name:	
Is surface water affected? <b>No</b>	Nearest/Affected SW Name:	
Off-Site Beneficial Use Impacts (Addresses/Locations): <b>None</b>		
Report(s) on file? <b>Yes</b>	Where is report(s) filed? <b>ACHCSA</b>	



**TREATMENT AND DISPOSAL OF AFFECTED MATERIAL**

Material	Amount (Include Units)	Action (Treatment or Disposal w/Destination)	Date
Waste Oil Tank	500 Gallons	disposed of offsite	1992
Gasoline Tank	1000 Gallons	disposed of offsite	1992

No soil or groundwater was removed from the site.

**MAXIMUM DOCUMENTED POLLUTANT CONCENTRATIONS—BEFORE AND AFTER CLEANUP**

POLLUTANT	Soil (ppm)		Water (ppb)		POLLUTANT	Soil (ppm)		Water (ppb)	
	Before	After	Before	After		Before	After	Before	After
TPH (Gas)	7.0 ppm (4) Gas-NW @ 7'	7.0 ppm (4) Gas-NW @ 7'	43,000 ppb (4) Gas- GWS	ND 2 wells - all 3 events	Xylene	1.0 ppm (4) Gas-NW @ 7'	1.0 ppm (4) Gas-NW @ 7'	10000 ppb (4)	ND 2 wells all 3 events (1,2,3)
TPH (Diesel)	56 ppm (4) WO-NW @ 9.5'	56 ppm (4) WO-NW @ 9.5'	600 ppb (4) WO- GWS	ND MW2- 3/30/99 (2)	Oil & Grease (TRPH)	3300 ppm (4) WO-NW @ 9.5'	3300 ppm (4) WO-NW @ 9.5'	390,000 ppb (4) WO- GWS	ND 2 wells all 3 events (1,2,3)
Benzene	0.012 ppm (4) Gas-NW @ 7'	0.012 ppm (4) Gas-NW @ 7'	300 ppb (4) Gas- GWS	ND 2 wells all 3 events (1,2,3)	PCE	NA	NA	NA	NA
Toluene	0.014 ppm (4) Gas-NW @ 7'	0.014 ppm (4) Gas-NW @ 7'	360 ppb (4) Gas- GWS	ND 2 wells all 3 events (1,2,3)	MTBE	NA	NA	NA	ND MW2- 3/30/99 (2)
Ethylbenzene	0.11 ppm (4) WO-NW @ 9.5'	0.11 ppm (4) WO-NW @ 9.5'	1400 ppb (4) Gas- GWS	ND 2 wells - all 3 events (1,2,3)	Heavy Metal	43 ppm nickel * (4) WO-NW @ 9.5'	43 ppm nickel * (4) WO-NW @ 9.5'	0.085 Ni (4) WO- GWS	0.085 Ni (4) WO- GWS

\*Chromium was detected at a concentration of 27 ppm, Lead at 12 ppm, and zinc at 34 ppm, and cadmium was non-detectable.

Sources of data:

- (1) Site Closure Summary and Request for Case Closure, August, 2000.
- (2) Final Groundwater Monitoring Well Sampling Report and Request for No Further Action Status, April, 1999.
- (3) Preliminary Site Assessment, Groundwater Monitoring Well Installation and 1<sup>st</sup> Quarterly Report, February, 1997.
- (4) Limited Phase II Site Assessment, September, 1995.

*W/HR  
W/MS  
of  
Chromium  
3/7/99*

*Chromium  
in soil?  
2/6/99*



STIP  
2017

Review of documents to be made  
May 9, 2001  
MAY 15 2001  
Aka

Mr. Amir K. Gholami  
Alameda County Health Services Agency  
Environmental Protection Division  
1131 Harbor Bay Parkway, Suite 250  
Alameda, California 94502-6577

RE: Case Closure, 3744 Depot Road, Hayward, CA

Mr. Gholami:

This letter is in response to your letter to Mr. Eric Freeberg of Riverbend Properties (owner) dated April 4, 2001, regarding remaining issues to be addressed prior to case closure consideration. For clarity, I have responded to your numbered items using the same format as in your letter.

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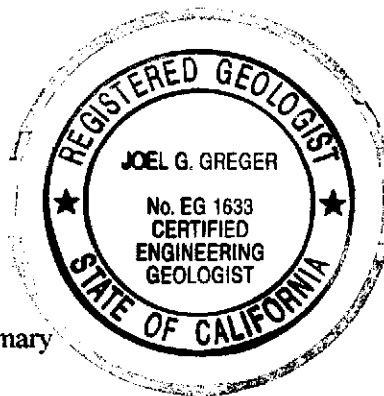
Per your request, all documents submitted to you for this project will be signed by a registered geologist.

At your convenience, please call me to discuss, rather than responding by letter. I can be reached at (510) 787-6867.

Sincerely,  
**PIERS Environmental Services, Inc.**



Joel G. Greger, C.E.G. No EG 1633  
Certified Engineering Geologist



Attachments: Revised Case Closure Summary

# SITE CLOSURE SUMMARY

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Date: 05/09/2001

Page 1 of 4

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City/State/Zip: <b>Alameda, CA 94502</b>	Phone: <b>(510) 567-6700</b>
Responsible Staff Person: <b>Amir K. Gholami</b>	Title: <b>Hazardous Materials Specialist</b>

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URF Filing Date:		SWEEPS No.: <b>NA</b>		
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Most Sensitive Current Use: <b>Industrial Process Supply</b>		
Most Sensitive Potential Use: <b>Domestic or municipal supply</b> and Probability of Use: <b>Possibly none.</b>		
Are drinking water wells affected? <b>No</b>		Aquifer Name:
Is surface water affected? <b>No</b>		Nearest/Affected SW Name:
Off-Site Beneficial Use Impacts (Addresses/Locations): <b>None</b>		
Report(s) on file? <b>Yes</b>		Where is report(s) filed? <b>ACHCSA</b>

TREATMENT AND DISPOSAL OF AFFECTED MATERIAL									
Material	Amount (Include Units)		Action (Treatment or Disposal w/Destination)				Date		
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Gasoline Tank	1000 Gallons		disposed of offsite				1992		
No soil or groundwater was removed from the site.									
MAXIMUM DOCUMENTED POLLUTANT CONCENTRATIONS—BEFORE AND AFTER CLEANUP									
POLLUTANT	Soil (ppm)		Water (ppb)		POLLUTANT	Soil (ppm)		Water (ppb)	
	Before	After	Before	After		Before	After	Before	After
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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 2017

April 4, 2001

Mr. Eric Freeberg  
Riverbend Properties  
P.O. Box 9440  
Rancho Santa Fe, CA 92067-4440

**RE: American Auto Dismantler, 3744 Depot Road, Hayward, CA**

Dear Mr. Eric Freeberg:

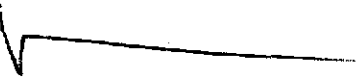
This office is in receipt of "Case Closure Summary Additional Data" document dated March 30, 2001 by Ms. Dawn Murray of Piers Environmental Services, Inc. regarding the above referenced site. Please address the following:

1. Per previous correspondences from this office there is a concern regarding the groundwater flow gradient and that the groundwater should be going toward west even though the calculated gradient indicates otherwise. Furthermore, I added that this office believes that the water in the agricultural well might be confined or semi-confined causing the water level to come up and distort the calculation of the groundwater flow gradient.
2. There are numerous other data at three other sites attached with the above document with each site showing a different flow gradient from Southwesterly to West and Southeasterly direction. However, you do not conclude as to how this may relate to the site at the above referenced site and you do not provide explanation for our concern indicated above.
3. I had requested that you provide information regarding the document (lab reports) you used for the concentration of constituents in the summary table submitted previously.
4. I have emailed and left messages for your consultant, Ms. Dawn Murray, through Ms. Garcia of Piers Environmental. I have requested Ms. Murray to provide updated information on the "closure package", discussed previously.
5. Please inform this office as to how or based on what document (lab reports) you indicated the concentration of constituents in the summary table included in this report.

Additionally, I would appreciate it if you could have all the documents signed by either a registered geologist (RG) or a professional engineer (PE).

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

Sincerely,



Amir K. Gholami, REHS  
Hazardous Materials Specialist

C: Ms. Dawn Murray, Piers Environmental Services, Inc., 1330 S. Bascom Ave., Suite F  
San Jose, CA 95128  
KJ & PG. Hein, American Auto Wreckers, Inc., 25858 Peterman Ave.,  
Hayward, CA 945-3102  
J Lotz & J Allen, Lotz and Associates, 22320 Foothill Blvd., Hayward, CA 94541  
Mr. Hugh Murphy, City of Hayward Hazardous Material Office, 777 B Street, Hayward,  
CA 94541  
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 2017

March 6, 2000  
Mr. Eric Freeberg  
Riverbend Properties  
P.O. Box 9440  
Rancho Santa Fe, CA 92067-4440

**RE: American Auto Dismantler, 3744 Depot Road, Hayward, CA**

Dear Mr. Eric Freeberg:

I am in receipt of copy of "site closure and request for case closure" document dated August 2000. I would like to make some comments regarding this document:

Per this report the concentrations of all the constituents were found at or near ND, non-detect levels as it had been in the last round. However, I would like to clarify some issues prior to being able to actually close this site as requested.

As discussed before there is a concern regarding the groundwater flow gradient. I discussed this case with one of my colleagues and it seems to both of us that the groundwater should be going toward west even though the calculated gradient indicates otherwise. This could be due to the fact that we do not have information on the structure of the agricultural well as to at what depth it has been screened. This office believes that the water in the agricultural well might be confined or semi-confined causing the water level to come up and screw up the calculation of the groundwater flow gradient.

In my previous correspondence, I had requested that you might verify the groundwater flow gradient using the available neighboring sites at the City of Hayward Fire Department to substantiate the accuracy of the flow gradient. This was discussed with Mr. Stuart G. Solomon of E/Risk Information Services, your previous consultant. To this date this office has not received this document.

Prior to closing this case, this issue must be resolved. Additionally please inform this office as to how or based on what document (lab reports) you indicated the concentration of constituents in the summary table included in this report.

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: Mr. Ben Halsted, Piers Environmental Services, Inc., 1330 S. Bascom Ave., Suite F  
San Jose, CA 95128  
KJ & PG. Hein, American Auto Wreckers, Inc., 25858 Peterman Ave.,  
Hayward, CA 945-3102  
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Mr. Hugh Murphy, City of Hayward Hazardous Material Office, 777 B Street, Hayward,  
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ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



STID 2017

1/5/2000

ENVIRONMENTAL HEALTH SERVICES

ENVIRONMENTAL PROTECTION

1131 Harbor Bay Parkway

Alameda, CA 94502-6577

(510) 567-6700

(510) 337-9432

Mr. Eric Freeberg  
Riverbend Properties  
P.O. Box 9440  
Rancho Santa Fe, CA 94501

RE: The Property at 3744 Depot Rd, Hayward CA

LANDOWNER NOTIFICATION AND PARTICIPATION REQUIREMENTS

Dear Mr. Freeberg:

This office is in receipt of your letter dated December 22<sup>nd</sup>, 1999 regarding the above referenced property. In your letter you identified River Bend Properties (RBP), a California corporation, as the sole primary property owner of the above referenced site. I also understand that Mr. Ben Halsted at PIERS Environmental and Mr. Stuart Soloman at E/Risk are the only individuals who may receive copies of correspondences from this office.

I would like to remind you of a letter regarding the landowner notification and participation requirements. I explained about the law and its requirements. I also enclosed "Sample Letter 2" and "Sample 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

# RIVER BEND PROPERTIES

P.O. Box 9440  
Rancho Santa Fe, CA 92067-4440  
(619) 756-6632 Fax (619) 756-3506

ENVIRONMENTAL  
PROTECTION

99 DEC 27 PM 4:59

ERIC O. FREEBERG  
President

December 23, 1999

Amir K. Gholami, REHS  
ALAMEDA COUNTY  
ENVIRONMENTAL HEALTH SERVICES  
1131 Harbor Bay Parkway, Suite 250  
Alameda, CA 94502-6577

Re: American Auto Dismantler, 3744 Depot Road, Hayward, CA

Dear Mr. Gholami:

SHD  
2017

This is in response to your letter to me dated 12/16/99. My answers to your questions are as follows:

1. I am unfamiliar with KJ & PG Hein. I have no idea who they are, and I have never had any contractual relationship with them. In my opinion, they do not need to receive copies of any correspondence.

2. River Bend Properties ("RBP"), a California corporation, remains the property owner of the above-referenced site. The property was acquired from Jack Lotz. He and Jessie Allen have had no ownership interest in the property for many years. Ms. Allen is deceased. Mr. Lotz holds a deed of trust secured by the property, but that is his only interest in the property. RBP is a financially solvent corporation, and it has been contractually obligated to Mr. Lotz to be responsible for cleanup of this site.

3. The property is leased to American Auto Dismantler.

4. The professional consultants who have been retained by River Bend Properties to process the cleanup and obtain closure of the property are Stuart Solomon at E/Risk, 1566 La Pradera, Suite 12, Campbell, CA 95008; telephone (408)341-0207. Additionally Mr. Ben Halsted at PIERS Environmental Services is a consultant retained by River Bend Properties to consult with Mr. Solomon as necessary. His address is 1330 S. Bascom Ave., Suite F, San Jose, CA 95128; telephone (408)559-1248.

In reality, the only people that need to be copied with any correspondence regarding this matter are my corporation, c/o me, Mr. Solomon, and Mr. Halsted.

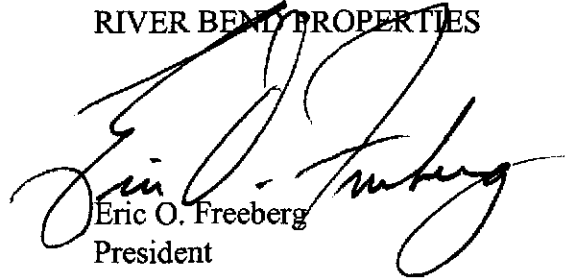
Amir K. Gholami  
December 23, 1999  
Page 2

We are very anxious to obtain conformation from the Regional Water Quality Control Board that closure of this site has been approved, and we appreciate your assistance in obtaining an expeditious closure. Please coordinate with Mr. Solomon and Mr. Halsted to obtain this closure at your earliest convenience.

Thank you very much for your assistance. I wish you the happiest of holidays and a wonderful New Year.

Very truly yours,

RIVER BEND PROPERTIES



Eric O. Freeberg  
President

EOF/gc

cc: Stuart Solomon  
Ben Halsted  
Jack Lotz

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY  
DAVID J. KEARS, Agency Director



COPY

**Stid 2017**

December 16, 1999

Mr. Eric Freeberg  
Riverbend Properties  
P.O. Box 9440  
Rancho Santa Fe, CA 92067-4440

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

**RE: American Auto Dismantler, 3744 Depot Road, Hayward, CA**

Dear Mr. Eric Freeberg:

I would like to inform you that the letter which, I sent you on October 13<sup>th</sup>, 1999, has been returned to me by the U.S. Post Office. The returned mail was actually sent to KJ & PG. Hein, at American Auto Wreckers, Inc. located at 25858 Peterman Ave., Hayward, CA 945-3102

Please inform me whether KJ & PG. Hein are still working with you on this project. I would appreciate it if you could inform me whether they still need to get a copy of our correspondences and if so at what address.

In addition please verify that you are still the property owner of the above referenced site.

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

Sincerely,

Amir K. Gholami, REHS  
Hazardous Materials Specialist

C: Mr. Stuart G. Solomon, E/Risk Information Services, 100 N. Winchester Blvd., Suite  
240 Santa Clara, CA 95050  
J Lotz & J Allen, Lotz and Associates, 22320 Foothill Blvd., Hayward, CA 94541  
Files

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY  
DAVID J. KEARS, Agency Director



Stid 2017

October 13, 1999  
Mr. Eric Freeberg  
Riverbend Properties  
P.O. Box 9440  
Rancho Santa Fe, CA 92067-4440

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

**RE: American Auto Dismantler, 3744 Depot Road, Hayward, CA**

Dear Mr. Eric Freeberg:

This office is in receipt of "Final 1999 Groundwater Monitoring Well Sampling Report" dated April 20<sup>th</sup>, 1999. Thank you for the submittal of the report. Per this report the concentrations of all the constituents were found at or near ND, non-detect levels. I discussed the scenario at the above referenced site and how our office process works in regard to closing any site with Mr. Solomon. I would like to clarify some issues prior to being able to actually close this site. Please address the following issue:

There is a concern regarding the groundwater flow gradient. The groundwater should be going toward west even though the calculated gradient is to the southeast. This could be due to the fact that we do not have information on the structure of the agricultural well as to at what depth it has been screened. Thus the water in the agricultural well might be confined or semi-confined causing the water level to come up and screw up the calculation of the groundwater flow gradient.

You may verify the groundwater flow gradient using the available neighboring sites at the City of Hayward Fire Department to substantiate the accuracy of the flow gradient.

I will be looking forward to receive your written response to this issue to further evaluate the site for closure.

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

Sincerely,

Amir K. Gholami, REHS  
Hazardous Materials Specialist



C: Mr. Stuart G. Solomon, E/Risk Information Services, 100 N. Winchester Blvd., Suite 240  
Santa Clara, CA 95050

KJ & PG. Hein, American Auto Wreckers, Inc., 25858 Peterman Ave., Hayward, CA 945-  
3102

J Lotz & J Allen, Lotz and Associates, 22320 Foothill Blvd., Hayward, CA 94541

✓ 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)

July 15, 1999

STID 2017

Mr. Eric Freeberg  
Riverbend Properties  
P.O. Box 9440  
Rancho Santa Fe, CA 94501

RE: The Property at 3744 Depot Rd, Hayward CA

LANDOWNER NOTIFICATION AND PARTICIPATION REQUIREMENTS

Dear Mr. Freeberg:

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: 3744 Depot Rd, Hayward

July 15, 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: KJ & PG. Hein, American Auto Wreckers, Inc., 25858 Peterman Ave., Hayward, CA 945-3102  
J Lotz & J Allen, Lotz and Associates, 22320 Foothill Blvd., Hayward, CA 94541  
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

DAVID J. KEARS, Agency Director



July 15, 1999

STID 2017

Mr. Eric Freeberg  
Riverbend Properties  
P.O. Box 9440  
Rancho Santa Fe, CA 94501

ENVIRONMENTAL HEALTH SERVICES

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

**RE: The Property at 3744 Depot Rd, Hayward CA**

**INTENT TO MAKE A DETERMINATION THAT NO FURTHER ACTION IS  
REQUIRED OR ISSUE A CLOSURE LETTER FOR THE ABOVE REFERENCED  
SITE**

Dear Mr. Eric Freeberg:

This letter is to inform you that Alameda County Environmental Health Department, Local Oversight Program (LOP), intends to make a determination that no further action is required at the above site or to issue a closure letter. Please notify this agency of any input and recommendations you may have on these proposed actions within 20 days of the date of this letter.

In accordance with section 25297.15 of Ch. 6.7 of the Health & Safety Code, you must provide certification to the local agency that all of the current record fee title owners have been informed of the proposed action. Please provide this certification to this office within 20 days of the date of this letter.

If you have any questions about these proposed actions, please contact Amir K. Gholami at (510) 567-6876.

Sincerely,

Thomas Peacock  
Manager, LOP

cc: **KJ & PG. Hein**, American Auto Wreckers, Inc., 25858 Peterman  
Ave., Hayward, CA 945-3102  
**J Lotz & J Allen**, Lotz and Associates, 22320 Foothill Blvd.,  
Hayward, CA 94541  
**Chuck Headlee**, RWQCB

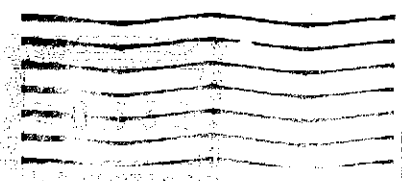
cc:4580



ALAMEDA COUNTY  
**HEALTH CARE SERVICES AGENCY**  
Environmental Health Services  
Environmental Protection  
1131 Harbor Bay Parkway  
Alameda, CA 94502-6577

RETURNED  
TO  
SENDER  
ADDRESSEE UNKNOWN

OAKLAND CA 94612  
PM  
19 JUL 1983



KJ & PG Hein  
American Auto Wreckers, Inc.,  
25858 Peterman Ave.,  
Hayward, CA 94545

NOT  
AT  
ADDRESS

94545-3102593/6577



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 2017

May 10, 1999  
Mr. Eric Freeberg  
Riverbend Properties  
P.O. Box 9440  
Rancho Santa Fe, CA 92067-4440

**RE: American Auto Dismantler, 3744 Depot Road, Hayward, CA**

Dear Mr. Eric Freeberg:

I am in receipt of your letter dated May 6, 1999. I do appreciate your correspondence. Per your letter, the result of the test will be forwarded to this office soon. In addition, if you recall, an accurate calculation of groundwater flow gradient is also necessary due to some confusion in regard to the flow gradient as reported in the previously submitted reports.

I will be looking forward to receive the above document to further evaluate the site for closure.

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

Sincerely,

Amir K. Gholami, REHS  
Hazardous Materials Specialist

C: Mr. Stuart G. Solomon, E/Risk Information Services, 100 N. Winchester Blvd., Suite 240  
Santa Clara, CA 95050  
KJ & PG. Hein, American Auto Wreckers, Inc., 25858 Peterman Ave., Hayward, CA 945-  
3102  
J Lotz & J Allen, Lotz and Associates, 22320 Foothill Blvd., Hayward, CA 94541  
Files

RIVER BEND PROPERTIES

P.O. Box 9440  
Rancho Santa Fe, CA 92067-4440  
(619) 756-6532 Fax (619) 756-3506

*Responded to 5/10/99*

ERIC O. FREEBERG  
President

May 6, 1999

*STIB  
2017*

VIA FACSIMILE

Amir K. Gholami, REHS  
ALAMEDA COUNTY  
ENVIRONMENTAL HEALTH SERVICES  
1131 Harbor Bay Parkway, Suite 250  
Alameda, CA 94502-6577

Re: American Auto Dismantler, 3744 Depot Road, Hayward, CA

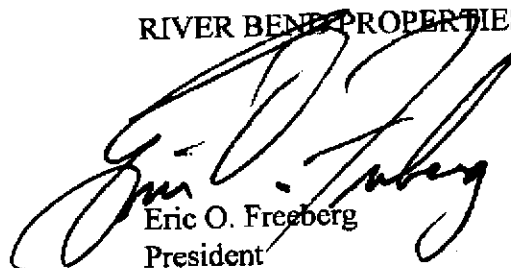
Dear Mr. Gholami:

Thank you for your letter dated 4/26/99. Mr. Stuart G. Solomon has always been authorized to fully cooperate with your office and provide any information that has been requested. He assures me he has been and continues to do so, and we look forward to your continued patience. We have been attempting to resolve this closure for quite some time. I understand that the last test is nondetect, and you are prepared to close this site upon confirmation of this test result. You should have the test results shortly.

Thank you very much.

Very truly yours,

RIVER BEND PROPERTIES

  
Eric O. Freeberg  
President

EOF/gc

cc: Jack Lotz  
Stuart Solomon  
Ben Halsted

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



Stid 2017

April 26, 1999  
Mr. Eric Freeberg  
Riverbend Properties  
P.O. Box 9440  
Rancho Santa Fe, CA 92067-4440

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

**RE: American Auto Dismantler, 3744 Depot Road, Hayward, CA**

Dear Mr. Eric Freeberg:

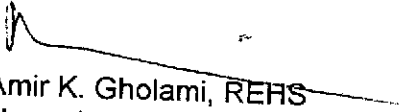
This office has not received any report on the items requested previously in my correspondence dated March 1, 1999. This report was due on or before April 1, 1999. If you recall an additional round of groundwater monitoring of all wells on site was requested to indicate the current status of groundwater contamination. Additionally a request was made to accurately calculate groundwater flow gradient, as there seemed to be some confusion as reported in the previously submitted reports.

As indicated previously, the above information is necessary to evaluate this site for closure.

Please respond to the above items within 30 days from the date of this letter or by May 26, 1999. This is a formal request for technical information and hence any delays should be requested in writing.

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

Sincerely,

  
Amir K. Gholami, REHS  
Hazardous Materials Specialist

C: Mr. Stuart G. Solomon, E/Risk Information Services, 100 N. Winchester Blvd., Suite 240  
Santa Clara, CA 95050  
KJ & PG. Hein, American Auto Wreckers, Inc., 25858 Peterman Ave., Hayward, CA 945-  
3102  
J Lotz & J Allen, Lotz and Associates, 22320 Foothill Blvd., Hayward, CA 94541  
Files



HAZARDOUS WASTE GENERATOR INSPECTION REPORT <sup>567-6376</sup> AMIR K. GHOLAMI

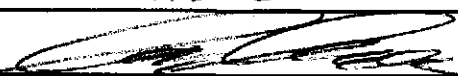
STID #: 2017 FACILITY NAME: AMERICAN AUTO DEMANTLER PG. 1 OF 1

SUPPLEMENTAL FORM 3744 DEPUT RD, HAYWARD, CA

- on site to observe the final round of groundwater monitoring
- on site was BIN 110520 of PIRLS environmental services inc. as well.

- Groundwater seemed turbid & muddy. [on MW-1]  
Groundwater level at 5-74 initially  
According to 6 after a short delay  
About 15 gallons was pumped out prior to sampling.

- method 8240 is also necessary to use for organics including PCBs & other organics
- ~~method~~ - All EPA methods kept reference to have relevant values & consistency.
- MW-2 will be pumped & sampled

PRINT NAME: ERIC LISSOL INSPECTED BY: Amir K. Gholami  
SIGNATURE:  DATE: 3/30/99

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



Stid 2017

March 1, 1999  
Mr. Stuart G. Solomon  
E/Risk Information Services  
100 N. Winchester Blvd., Suite 240  
Santa Clara, CA 95050

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

**RE: American Auto Dismantler, 3744 Depot Road, Hayward, CA**

Dear Mr. Solomon:

Based on a review conducted by this department, several items have come to our attention prior to consideration of this site for closure. **Please address the following:**

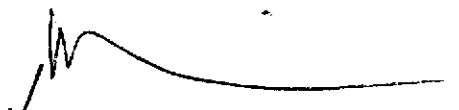
1. **Perform an additional round of groundwater monitoring of all wells on site to indicate the current status of groundwater contamination.**
2. **Submit an accurate calculation of groundwater flow gradient as there seems to be some confusion as reported in the previously submitted documents.**

The above information is necessary to evaluate this site for closure.

Please respond to the above items within 30 days from the date 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: Eric FreebBerg, Riverbend Properties, P.O. Box 9440 Rancho Santa Fe, CA 92067-4440

KJ & PG. Hein, American Auto Wreckers, Inc., 25858 Peterman Ave., Hayward, CA 945-3102

J Lotz & J Allen, Lotz and Associates, 22320 Foothill Blvd., Hayward, CA 94541  
Files

**VISTA-E/Risk**

**FAX**

**COVER SHEET**

**To:** Mr. Amir Gholami and Mr. Scott Seery  
**Fax #:** (510) 337-9335  
**Subject:** Amendment - 3744 Depot Road  
**Date:** November 4, 1998  
**Pages:** 4 pages, including this cover sheet.

*stid 207  
 Ammiran Auto Disman*

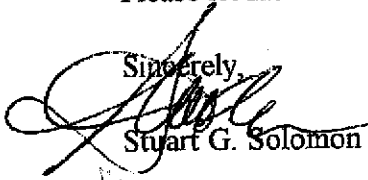
**COMMENTS:**

Gentlemen,

Here is the correction to the 3744 Depot Road gradient map for the September 1995 sampling event. Thank you, Scott, for bringing this to our attention. I also want to thank you for helping to move this case to closure. We have sent the hard copy in the mail. My direct phone no. is (408) 341-0205, and the fax (408) 378-7098.

*1997? 1998? Sept.??*

Please let me know what I can do to help further.

Sincerely,  
  
 Stuart G. Solomon

*GW Now  
 GRADIENT  
 was calculated  
 by Newer Dikeman*

*AG*

From the desk of...

Stuart G. Solomon, President  
 VISTA-E/Risk Information Services

100 N. Winchester Blvd., Suite 240  
 Santa Clara, CA 95050

(408) 261-6450  
 Fax: (408) 261-6445



100 N. Winchester Blvd., Suite 240, Santa Clara, CA 95050  
(408) 261-6450 • (888) 261-6450 • Fax (408) 261-6455

November 3, 1998

Mr. Eric Freeberg  
River Bend Properties, Inc.  
P.O. Box 9440  
Rancho Santa Fe, CA 92067-4440

AND

Mr. Amir Gholami and Mr. Scott Seery  
Alameda County Department of Environmental Health  
1131 Harbor Bay Parkway  
Alameda, CA 94502

**Subject: Amendment to Preliminary Site Assessment, Groundwater Well Installation and 1<sup>st</sup> Quarterly Report Dated February 10, 1997 for, 3744 Depot Road, Hayward, California, and Request to Consider Case Closure**

Gentlemen,

A recent review of the subject report revealed a mistake in the calculation of groundwater gradient at the subject site. ~~Our Figure 1 and Appendix "E" maps show the estimated groundwater gradient flowing toward the north, whereas, according to our recalculation, the arrows are positioned in the opposite direction (southerly).~~ We have attached a corrected Appendix "E" map showing the correction. Please excuse this inadvertent error.

~~Regardless of the gradient error, we believe that the data presented to date is still adequate to warrant case closure. We believe that the following should also be considered:~~

- 1) After the initial "Limited Phase II Site Assessment" was performed in September 1995, the regional gradient was estimated (not accurately measured) to flow in a northerly direction. Evaluating the data from the 1995 study, and the available regional data on groundwater flow, Amy Leech (the ACDEH case worker at the time), suggested and approved the positioning of the borings and wells which were installed during the PSA performed in February, 1997.
- 2) Measured gradient during the initial 1997 sampling, by mistake, estimate the flow to be northerly. When corrected to show a southerly flow, the gradient was calculated to be approximately .002 ft. per foot. This gradient is relatively "flat".

---

*What do you need to know today?*

- 3) Measured gradient during the last sampling event in May, 1997 shows the flow to be northerly @ .0009 ft. per foot - again a relatively "flat" gradient.
- 4) Boring logs have characterized the shallow subsurface materials to be "high plasticity ~~organic clay~~", also known in this region as "~~clay~~". This clay is known for its innate impermeability.

Given the relatively flat gradient, the ~~impermeable clay material~~ within which the groundwater, ~~and the consistent ND results~~, it would seem senseless to continue the investigation, as this site appears not to have had a significant impact on groundwater quality. We respectfully request that you consider closing the case.

Please feel free to call if you have any questions whatsoever.

Very truly yours



Stuart G. Solomon  
Senior Consultant

(408) 341-0205

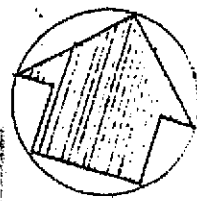
(408) 378-7098 - Fax



**JAMES RASP P.E.**  
Civil and Structural Engineering  
5134 Elrose Avenue  
San Jose, California 95124  
(408) 448-6768

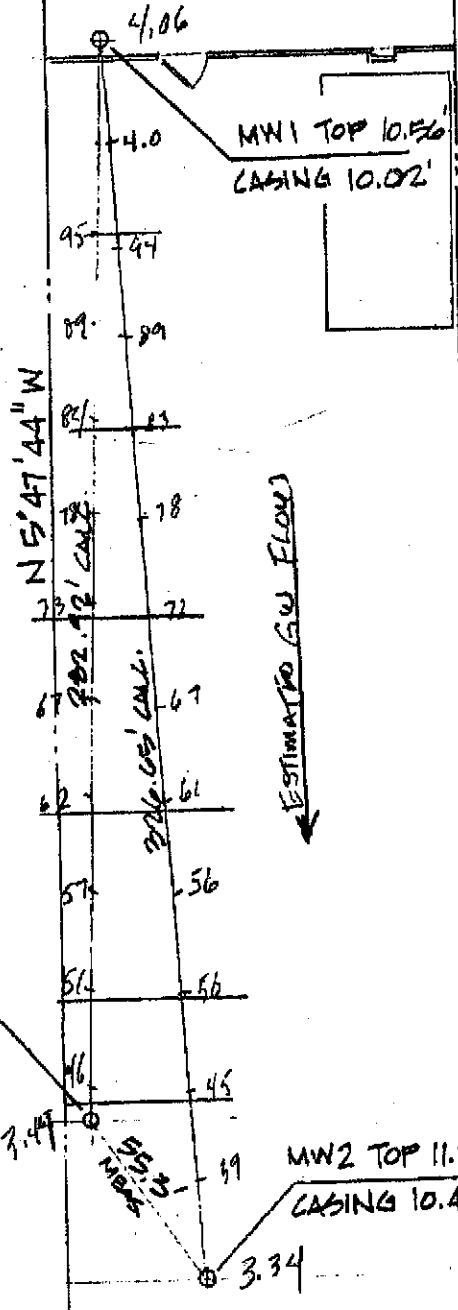
JOB 76121 / ENVIRONMENTAL  
SHEET NO. 1 OF 1  
CALCULATED BY J RASP DATE 12/96  
CHECKED BY GRAHAM REINSON DATE 10/98  
SCALE 1" = 50'

DEPOT ROAD



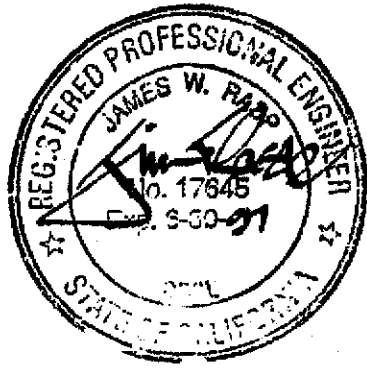
1" = 50'

S 80° 15' W  
3744 DEPOT ROAD  
HAYWARD, CA.



CITY OF HAYWARD BENCHMARK  
AT E OF CARROT BLVD & DEPOT  
ROAD; ELEV 841' MSL

Flow: .062 FT/FT



LOP - CHANGE RECORD REQUEST FORM

printed:  
10/08/98

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

Insp:

AGENCY # : 10000      SOURCE OF FUNDS: F      SUBSTANCE: 8006619  
 StID : 2017      LOC: -0-  
 SITE NAME: American Auto Wreckers, Inc.      DATE REPORTED : 01/18/95  
 ADDRESS : 3744 Depot Rd      DATE CONFIRMED: -0-  
 CITY/ZIP : Hayward      94545      MULTIPLE RPs : Y

SITE STATUS

-----  
 CASE TYPE: U      CONTRACT STATUS: 4      PRIOR CODE:2A4      EMERGENCY RESP: -0-  
 RP SEARCH: S      DATE COMPLETED: 01/30/95  
 PRELIMINARY ASMNT: -      DATE UNDERWAY: -0-      DATE COMPLETED: -0-  
 REM INVESTIGATION: -      DATE UNDERWAY: -0-      DATE COMPLETED: -0-  
 REMEDIAL ACTION: -      DATE UNDERWAY: -0-      DATE COMPLETED: -0-  
 POST REMED ACT MON:-      DATE UNDERWAY: -0-      DATE COMPLETED: -0-

ENFORCEMENT ACTION TYPE: 1      DATE ENFORCEMENT ACTION TAKEN: 01/30/95  
 LUFT FIELD MANUAL CONSID: -0-  
 CASE CLOSED: -      DATE CASE CLOSED: -0-  
 DATE EXCAVATION STARTED : -0-      REMEDIAL ACTIONS TAKEN: UK

RESPONSIBLE PARTY INFORMATION

-----  
 RP#1-CONTACT NAME: Eric Freeberg  
 COMPANY NAME: Riverbend Properties  
 ADDRESS: P. O. Box 9440  
 CITY/STATE: Rancho Santa Fe, Ca 92067-4440

-----  
 RP#2-CONTACT NAME: K. J. & P. G. Hein  
 COMPANY NAME: American Auto Wreckers, Inc.  
 ADDRESS: 25858 Peterman Ave.  
 CITY/STATE: Hayward, C A 94545-3102

-----  
 RP#3-CONTACT NAME: J. Lotz & J. Allen  
 COMPANY NAME: Lotz And Associates  
 ADDRESS: 22320 Foothill Blvd  
 CITY/STATE: Hayward, C A 94541

INSPECTOR VERIFICATION:

NAME \_\_\_\_\_ SIGNATURE \_\_\_\_\_ DATE \_\_\_\_\_

DATA ENTRY INPUT:

Name/Address Changes Only			Case Progress Changes	
ANNPGRMS _____	LOP _____	DATE _____	LOP _____	DATE _____



- Determine a base-line picture of an employee's health against which future changes can be measured.
- Identify underlying illnesses or conditions that might be aggravated by certain exposures at work or during job activities.
- Recognize abnormalities, toxic reactions, or other changes in an employee's health at the earliest opportunity so corrective measures can be taken.
- Determine an individual's fitness for duty, including the ability to work while wearing personal protective clothing and respiratory equipment.

Our medical examinations are conducted in facilities with medical professionals experienced in occupational medicine. All medical examinations and procedures are performed by or under the supervision of a licensed physician who is knowledgeable in occupational medicine. Medical exam are provided without cost to the employee, without a loss of pay, at a reasonable time and place.

### ***Forms Given to the Employee***

The following forms are given to the employee to be completed:

- Medical History and Health Questionnaire. A copy of the questionnaire is included as part of *Appendix B*.

### ***Schedule for Baseline Physical Examination***

The following schedule for Physical Examinations is observed:

- (1) Pre-employment Physicals
  - (2) Annual physicals for personnel who do any work in the field.
  - (3) Exit physicals for employees handling hazardous waste materials
  - (4) Substance-Specific Testing - Whenever an employee has been
-



100 N. Winchester Blvd., Suite 240, Santa Clara, CA 95050  
(408) 261-6450 • (888) 261-6450 • Fax (408) 261-6455

September 23, 1998

Mr. Tom Peacock  
Alameda County Department of Environmental Health  
1131 Harbor Bay Parkway  
Alameda, CA 94502

**Subject: 3744 Depot Road Site Closure**

Dear Tom,

The subject site formerly contained two tanks which were illegally removed by a former tenant in the late 1980's. Subsequent owners of the property were required to perform several investigations to ascertain soil and groundwater conditions. These reports are on file with your agency. Some soil contamination in the immediate vicinity of the former tanks was discovered, which prompted a groundwater investigation. Wells were installed and sampled, but no significant detectable groundwater contamination has ever been discovered in the sampling events. Brian Oliva reviewed the case history, and agreed that the case should be closed. As a final step, he asked for us to fill out a Site Closure Summary, which we forwarded to him on August 15, 1998. He had stated that a letter would be forthcoming soon after he had the Summary in hand. Our problem is that he has now retired, and this case is in abeyance.

Our client has been refused financing on the Property until we can produce for him a letter of case closure from your agency. Can you help us? We realize that you are short-handed, and we not want to put any undue pressure on your system. But given the circumstances, and the simplicity of completing the documentation, we think that this case should not be postponed.

In our last conversation, Brian told me that the file was "on his desk", and would be forwarded to yours. If you have any trouble whatsoever finding the documentation, I will reproduce it for you immediately. Just give me a call. Thank you, Tom, for your help.

Respectfully,

A handwritten signature in dark ink, appearing to read "Stuart G. Solomon".

Stuart G. Solomon, President

---

*What do you need to know today?*

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



Std 2017/lop

April 9, 1997

Attn: Eric Freeberg  
Riverbend Properties  
PO Box 9440  
Rancho Santa Fe CA 92067-4440

Subject: Investigations at 3744 Depot Rd., Hayward CA 94545

Dear Mr. Freeberg:

This office has completed a review of PIERS Environmental Services, Inc.'s *Preliminary Site Assessment, Groundwater Well Installation and 1st Quarterly Report*, dated February 1997, regarding the subject site. This investigation included the installation of two groundwater monitoring wells adjacent to the former gasoline and waste oil underground storage tank pits.

At this time, please complete two consecutive quarters of groundwater monitoring and sampling of the three wells (i.e., monitoring wells MW-1 and MW-2 and the six inch water supply well MW-3). Please complete analyses on groundwater samples from each well for the constituents indicated below:

- MW-1 TPH-G, BTEX, and Methyl-Tert Butyl Ether (MTBE)
- MW-2 TPH-G, TPH-D, Total Oil and Grease, BTEX, MTBE, chlorinated hydrocarbons (HVOCs), and semi-volatile hydrocarbons (SVOCs)
- MW-3 TPH-G, TPH-D, Total Oil and Grease, BTEX, and MTBE

After review of this additional data, this office will notify you if further monitoring or corrective action will be required at this site prior to reviewing this site for closure. **The next groundwater monitoring should occur no later than May 30, 1997. The quarterly report is due to this office no later than June 30, 1997.**

Please call me at (510)567-6755 if you have questions.

Sincerely,

Amy Leech  
Hazardous Materials Specialist

c: Attn: Stuart Solomon,  
PIERS Environmental Services, Inc., 100 N Winchester Blvd., Suite 230, Santa Clara, CA 95050  
K.J. & P.G. Hein, American Auto Wreckers, 25858 Peterman Ave., Hayward CA 94545-3102  
J. Lotz and J. Allen, Lotz and Associates, 22320 Foothill Blvd., Hayward CA 94541  
ALL-file

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

**PIERS**



**Environmental  
Services**

ENVIRONMENTAL  
PROTECTION

100 N. Winchester Blvd., Suite 230  
Santa Clara, CA 95050

STAMP 8 PM 1:50

Tel. (408) 559-1248 Fax (408) 559-1224

**March 31, 1997**

**Alameda County Water District  
P. O. Box 5110  
43885 S. Grimmer Blvd.  
Fremont, CA 94538**

2017

**Re: 3744 Depot Road, Hayward, CA  
Preliminary Site Assessment, Groundwater Monitoring Well  
Installation and First Quarterly Report**

**Dear Amy Leech;**

**Enclosed please find corrected map (Figure 2) for the above mentioned report along with the rest of the sampling Chains of Custody and laboratory results that you requested.**

**Please accept our apologies for any inconvenience the replacement of these corrected pages may cause you. Just insert these pages in the proper places of each report and destroy the previous pages that were included in your reports.**

**Thank you for your time.**

  
**Cheryl  
Office Administrator**

ALAMEDA COUNTY  
HEALTH CARE SERVICES



AGENCY  
DAVID J. KEARS, Agency Director

Alameda County  
Environmental Protection Division  
1131 Harbor Bay Parkway, Room 250  
Alameda CA 94502-6577

CC4580

July 22, 1996  
STID 2017

Riverbend Properties  
ATTN: Eric Freeberg → (619) 456-6632 Call before 12 PM  
P.O. Box 9440  
Rancho Santa Fe, CA 92067-4440

Re: 3744 Depot Rd., Hayward, CA 94545

Dear Eric Freeberg:

This office has received and reviewed a Workplan for Preliminary Site Assessment (of Soil and Groundwater) by PIERS Environmental Services Inc. dated <sup>July</sup> July 2, 1996. The workplan is acceptable to this office. Please notify this office at least 3 days prior to implementation of the workplan in the field.

You are expected to accomplish field implementation of the workplan within 30 days. If you have any questions please call this office at (510) 567-6782.

Sincerely,

Thomas F. Peacock, Manager  
Hazardous Material Division

c: Stuart Solomon, PIERS Environmental Services Inc., 2242  
Camden Ave., Suite 202, San Jose, CA 95124  
K. J. & P. G. Hein, American Auto Wreckers, Inc., 25858  
Peterman Ave., Hayward, CA 94545-3102  
J. Lotz & J. Allen, Lotz and Associates, 22320 Foothill  
Blvd., Hayward, CA 94541  
~~Gordon Coleman, Acting Chief - Files~~  
Gil Jensen, Alameda County District Attorney's Office

ALAMEDA COUNTY  
HEALTH CARE SERVICES



AGENCY

DAVID J. KEARS, Agency Director

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

StId 2017

May 23, 1996

Eric Freeberg  
Riverbend Properties  
PO Box 9440  
Ranch Santa Fe CA 92067-4440

Kenneth and Patricia Hein  
25858 Peterman Ave  
Hayward CA 94545

Jack Lotz  
Lotz & Associates  
22320 Foothill Blvd., Suite 410  
Hayward CA 94541

**NOTICE OF VIOLATION**

Subject: Investigations at 3744 Depot Road, Hayward, CA 94545

On November 16, 1995, the Alameda County Department of Environmental Health, sent a letter to Mr. Jack Lotz and Mr. and Mrs. Hein, both former owners of the subject site, requiring that they submit a work plan for a soil and groundwater investigation to determine the vertical and lateral extent of soil and ground water contamination from past releases from the former underground storage tanks (USTs) at the subject site. Please see attached a copy of that letter. To this date, we have not received any communication from you on this matter other than the subject property has been transferred to Eric Freeberg of Riverbend Properties. 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 groundwater 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 required to submit a work plan for a soil and groundwater investigation **within 30 days** of the date of this letter, or by June 24, 1996. 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.

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

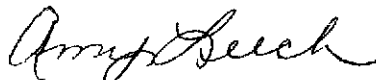
On January 5, 1996, the San Francisco Bay Area Regional Water Quality Control Board (RWQCB) issued "Interim Guidance on Required Cleanup at Low Risk Fuel Sites". Please find enclosed a copy of this document for your review.

Freeberg/Hein/Lotz  
Re: 3744 Depot Rd.  
May 23, 1996  
Page 2 of 2

The Interim Guidance provides definitions of what constitutes a low risk soil and groundwater site. Essentially, the vertical and lateral extent of soil and groundwater contamination must be defined and cleanup goals established prior to implementing a *Corrective Action Plan* for this site. Cleanup goals for soil and groundwater should be established by evaluating the health and safety risks/environmental impact to potential receptors (e.g., employees working inside nearby buildings, impact to nearby surface waters, etc.). Should, for example, human receptors be identified as a potential receptor at the site, an initial risk evaluation can be completed using the 3-Tier approach of the ASTM E 1739-95 Standard Guide for Risk-Based Corrective Action (RBCA) Applied at Petroleum Release Sites.

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

Sincerely,



Amy Leech  
Hazardous Materials Specialist

#### ATTACHMENTS

c: Stuart Solomon w/attachments  
PIERS Environmental Services  
3131 S. Bascom Ave., #5  
Campbell CA 95008

Kevin Graves, RWQCB  
Gil Jensen, Alameda County District Attorney's Office  
Gordon Coleman - ~~File~~ (ALL)

ALAMEDA COUNTY  
HEALTH CARE SERVICES  
AGENCY

DAVID J. KEARS, Agency Director



RAFAT A. SHAHID, DIRECTOR

DEPARTMENT OF ENVIRONMENTAL HEALTH  
State Water Resources Control Board  
Division of Clean Water Programs  
UST Local Oversight Program  
1131 Harbor Bay Parkway  
Alameda, CA 94502-6577  
(510) 567-6700

StId 2017

November 16, 1995

Jack Lotz  
Lotz & Associates  
22320 Foothill Blvd., Suite 410  
Hayward CA 94541

Subject: Investigations at 3744 Depot Road, Hayward, CA 94545

Dear Mr. Lotz:

This office has received and reviewed PIERS Environmental Services Limited Phase II Site Assessment report dated September 12, 1995. This report documented soil and "grab" groundwater sampling activities that occurred at the subject site on August 29, 1995.

Two underground storage tanks (USTs) were reportedly removed without permits from this site prior to May 1992: one 500-gallon waste oil UST and one 1,000-gallon gasoline UST. Soil and groundwater samples were *not* collected at the time of UST removals, nor was a report documenting the removal submitted to this office. The August 1995 investigation was to determine if impact to soil and groundwater had occurred in the vicinity of the former USTs. Soil and "grab" groundwater samples were collected from the former locations of the gasoline and waste oil USTs.

Analytical results of soil samples collected from the gasoline UST pit identified contaminant levels ~~at~~ up to 7.0 parts per million (ppm) Total Petroleum Hydrocarbons as gasoline (TPHg), 0.012 ppm benzene, 0.014 ppm toluene, 0.089 ppm ethylbenzene, and 1.0 ppm total xylenes (BTEX); and 43,000 parts per billion (ppb) TPHg, 300, 360, 14,000, and 10,000 ppb BTEX was identified in the "grab" groundwater sample.

Lab analysis results of soil samples collected from the former waste oil UST area identified contaminant levels as high as 3,300 ppm Total Recoverable Petroleum Hydrocarbons, 56 ppm TPH as diesel, 2.0 ppm TPHg, trace concentrations of BTEX, 825 ppb naphthalene, 1970 ppb 2-methylnaphthalene, and free product was noted in groundwater collected from the former waste oil UST area.

Guidelines established by the California Regional Water Quality Control Board (RWQCB) require that soil and ground water investigations be conducted when there is evidence to indicate that a release from an UST will impact or may have impacted the ground water.

This recent investigation has clearly identified an impact to groundwater and soil resulting



Lotz  
Re: 3744 Depot Rd.  
November 16, 1995  
Page 2 of 3

from UST releases at this site. Therefore, you are required to conduct a **Soil and Water Investigation (SWI)** to determine the lateral and vertical extent and severity of **both soil and ground water** contamination resulting from the release(s) at the site. The information gathered by the SWI will be used to determine an appropriate course of action (Corrective Action Plan) to remediate the site, if deemed necessary. The SWI must be conducted in accordance with the RWQCB's Staff Recommendations for the Initial Evaluation and Investigation of Underground Tanks, and be consistent with requirements set forth in Article 11 of Title 23, California Code of Regulations. **Both soil and ground water samples must be analyzed for TPHg and BTEX in regard to the gasoline UST investigation and TPHg, TPHd, Total oil and grease, volatile and semi-volatile constituents, and BTEX in regard to the waste oil UST investigation.** The major elements of such an investigation are summarized in the attached **Appendix A**.

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

In order to properly conduct a site investigation, you are required to obtain professional services of a reputable environmental consultant. **All reports and proposals must be submitted under seal of a California-Registered Geologist, -Certified Engineering Geologist, or -Registered Civil Engineer.**

**The SWI proposal (work plan) is due within 60 days of the date of this letter or by January 19, 1996.** Once the proposal is approved, field work should commence within 30 days. A report must be submitted within 45 days after the completion of this phase of work at the site.

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

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

Sincerely,



Amy Leech  
Hazardous Materials Specialist

**ATTACHMENTS**

Lotz

Re: 3744 Depot Rd.

November 16 1995

Page 3 of 3

TP

c: Stuart Solomon  
PIERS Environmental Services  
3131 S. Bascom Ave., #5  
Campbell CA 95008

Kenneth and Patricia Hein  
25858 Peterman Ave  
Hayward CA 94545

Acting Chief of Environmental Protection - File (ALL)

Meeting on 11/9/95

34Id. 2017

Meeting w/

Joseph Sabagan, Buyer

Roger Anderson, Agent Rep. Buyer

Roger Anderson, the pending buyer/owner of the property, requested a meeting to discuss PIER's report dated 9/12/95 and what the County's future requirements

Discussed source removal and delineation of soil & gw issues. Also, discussed defining cleanup goal parameters.

## CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD

SAN FRANCISCO BAY REGION

2101 WEBSTER STREET, SUITE 500

OAKLAND, CA 94612

(510) 286-1255

ENVIRONMENTAL  
PROTECTION

JLL



95 JUL 20 PM 1:59

Kenneth and Patricia Hein  
American Auto Wreckers  
25858 Peterman Avenue  
Hayward, CA 94545

JUL 18 1995  
File NO. 2198.17 (KLG)  
RB Case NO. 01-2091

Jesse Allen and Jack Lotz  
Lotz & Associates  
22320 Foothill Blvd., Suite 410  
Hayward, CA 94541

RE: **Legal Request for Submittal of a Technical Report Resulting from the Alameda County Department of Environmental Health's Enforcement Panel Meeting of July 5, 1995.**

Dear Mesdames and Sirs:

It has been brought to my attention by Regional Board staff that a condition of soil and ground water pollution may exist at the property located at **3744 Depot Road, Hayward CA 94545**, from an underground storage tank release. The Alameda County Department of Environmental Health (ACDEH) staff have requested technical reports from you to fulfill your obligations per California Code of Regulations, Title 23, Waters, Chapter 16, Underground Storage Tank Regulations, Article 11, Corrective Action Requirements. It is my understanding that ACDEH staff were unsuccessful in eliciting your co-operation in resolving these issues through normal correspondence.

A Pre-Enforcement Review Panel was held at the ACDEH Offices on **July 5, 1995**. Pursuant to the Regional Board's authority under Section 13267(b) of the California Water Code, you are hereby required to submit technical reports to address soil and ground water pollution by the following dates. The technical reports should specifically address the following numbered items:

- 1) A workplan for a Preliminary Site Assessment must be submitted **within 30 days** for the investigation of soil and groundwater contamination at the site. The proposal should outline an investigation to determine the vertical and lateral extent of contamination in soil and groundwater. The investigation should begin **within 45 days** of the approval of the workplan.
- 2) A report of work accomplished should be submitted to Alameda County Department of Environmental Health (ACDEH) **within 45 days** of the field work accomplishment. Subsequent groundwater monitoring shall continue on a quarterly basis, with all reports submitted to ACDEH.

Enforcement Panel Meeting  
3744 Depot Road, Hayward CA  
Page 2 of 2

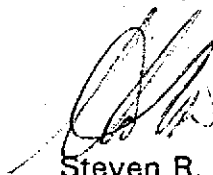
All proposed work should adhere to the requirements articulated in The Tri-Regional Board Staff Recommendations for the Preliminary Evaluation and Investigation of Underground Storage Tank Sites - 8/10/90 and Article 11 of Title 23, Waters, California Code of Regulations.

I am hereby transmitting this request for a technical report to ACDEH for service and continued case handling. You should be aware that failure on your part to submit the requested technical report, or a submittal received after the date specified in this request may result in fines up to \$1,000 per day of delinquency. Your response to this technical report request should be sent to **Ms. Amy Leech**, at ACDEH. Please inform **Ms. Amy Leech** at least three working days in advance of all field activities.

**Please be advised that this is a formal request for technical reports pursuant to California Water Code Section 13267(b). Any extensions of the stated deadlines, or modifications of the required tasks, must be confirmed in writing by either this agency or the Alameda County Department of Environmental Health, Environmental Protection Division.**

If you have any questions regarding the contents of this letter, please contact **Ms. Amy Leech**, of ACDEH, at (510) 567-6755.

Sincerely,



Steven R. Ritchie  
Executive Officer

cc: Gil Jensen, Alameda County District Attorney's Office, Consumer & Environmental Protection Division.  
Thomas Peacock, Supervising HMS, ACDEH

Meeting Notes from 6/1/95 Meeting w/Jack Lotz and George Larsen

Meeting Attendees: Jack Lotz, George Larsen representing his client Jerry Evazion, Tom Peacock, and Amy Leech

Purpose: Meeting requested by Jack Lotz to discuss sale of property to Jerry Evazion and to clarify what requirements the County has in regard to site mitigation at this site.

- Mr. Lotz informed us that he does not intend to do any work toward site mitigation at this site. He plans to sell the property to someone, possibly Jerry Evazion, who would take responsibility to satisfy the State/County requirements for site mitigation at this site.
- We informed Mr. Lotz and Mr. Larsen that this office at this time holds the following parties responsible for site mitigation:
  - Kenneth and Patricia Hein, Business Operators and Former Property Owners
  - Jack Lotz and Jesse Allen, Current Property Owners
- We further informed them that if Mr. Evazion took ownership of the property, he too would be named a responsible party.
- We emphasized that if a Tank Closure Report and Preliminary Site Assessment were not submitted to this office by ~~July~~ 18, 1995, then all responsible parties would be required to attend a Pre-Enforcement Panel Review on July 5th.
- Mr. Larsen indicated that Mr. Evazion is currently in escrow to purchase the property. He indicated that Mr. Evazion would need more time to have a PSA prepared.
- We agreed at the end of the meeting that we could postpone the Panel Review date if this office received a letter from the RP's and Mr. Evazion. This letter would need to include their plans for completing site assessment and cleanup as indicated to them in the January 27, 1995 letter from this office. The letter would also need to include a time schedule. However, even if the contents of that letter was approved by this office and a Tank Closure Report/PSA was not received by approx. July 18th, then all RP's would be required to attend a Pre-Enforcement Panel Review in August.

*- Letter due by June 18th*

602857-248(WC)

white - env. health  
yellow - facility  
pink - files

# ALAMEDA COUNTY, DEPARTMENT OF ENVIRONMENTAL HEALTH

## Hazardous Materials Inspection Form

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

II, III

Site ID # 2017 Site Name \_\_\_\_\_ Today's Date 8/29/95

Site Address 3744 Depot Rd

City Hayward Zip 94 Phone \_\_\_\_\_

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

### Inspection Categories:

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

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

### Comments:

On-site to witness soil and groundwater sampling in the area of the gasoline and waste oil pits. See attached map for sampling locations.

Gasoline Pit Area - NW soil sample collected in adjacent borehole  
 - Northwest samples collected in the presumed downgradient direction. Pit has been disturbed and left open for many years, therefore, soil samples were collected in areas where it is presumed not to have been disturbed. ~~Dark~~ Dark, stiff clay and then green/grey clay encountered to 7-8' bgs. Soil had odor of petroleum hydrocarbon and felt slippery. SW encountered at 8' bgs and sampled. SW sample had strong petroleum odor and was dark grey.

→ Southwest boring - collected a soil sample at 7' bgs. Soil had petroleum odor.

Waste Oil Pit Area  
 → Southwest soil sample collected at 8' bgs. Slight organic odor. Stiff dark clay w/ some green mottling at sampling point.  
 → Northwest soil sample collected at 7' bgs. Very dark plastic clay soil. Proceeded to drill down to 9 1/2' bgs & encountered ~~petroleum~~ odor w/ grey staining. Resampled at 9.5' bgs. SW sampled at 11' bgs. floating product was present.

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

Inspector A. Leech  
 Signature A. Leech

*LOP Investigation*  
HAZARDOUS WASTE GENERATOR INSPECTION REPORT

STID #:

*2017*

FACILITY NAME:

PG.

OF

*2 2*

SUPPLEMENTAL FORM

*On-site well located approximately 11' from UST pit along property fence was sampled for all waste oil constituents listed under table 2. Well dtw was 11' bgs. Water was sampled using a boiler. A heavy scum of black material w/ odor of petroleum (?) was coating the rubber piping in well; however, water samples were clear w/ slight odor*

PRINT NAME:

*Amy Leech*

INSPECTED BY:

*A Leech*

SIGNATURE:

DATE:

*7/29/95*



Aug. 29, 1995 Investigation

Aug 29, 1995 Investigation



3744 Depot Rd Hayward 8/29/95  
Gasoline tank pit. Location of  
soil borings



3744 Depot Rd Hayward 8/29/95  
On-site domestic well located  
approx west of waste oil tank



3744 Depot Rd, Hayward 8/29/95  
Soil  
Cuttings from this boring at gas  
pit. Soil had strong petrol odor



3744 Depot Rd. Hayward 8/29/95  
Location of soil borings collected  
from waste oil tank pit

## Environmental Restoration Services

Efficient Site Investigations • Effective Regulatory Negotiations  
Innovative Remediation Technologies

Ben Halsted

415/325-3216

License # 589652, A. C. 37, Haz.

1115 Merrill Street • Menlo Park, California 94025 ☎



2489 American Ave Hayward,  
re: American Auto Care  
3744 Depot Rd, Hayward 94545

ALAMEDA COUNTY  
HEALTH CARE SERVICES  
AGENCY

DAVID J. KEARS, Agency Director



RAFAT A. SHAHID, DIRECTOR

DEPARTMENT OF ENVIRONMENTAL HEALTH  
State Water Resources Control Board  
Division of Clean Water Programs  
UST Local Oversight Program  
1131 Harbor Bay Parkway  
Alameda, CA 94502-6577  
(510) 567-6700

StId 2017

August 28, 1995

Jack Lotz  
Lotz & Associates  
22320 Foothill Blvd., Suite 410  
Hayward, CA 94541

Subject: Investigations at 3744 Depot Road, Hayward, CA 94545

Dear Mr. Lotz:

This office has reviewed Piers Environmental Services work plan, dated August 22 and 28, 1995. This work plan proposes to collect soil and groundwater samples in the vicinity of an abandoned waste oil underground storage tank (UST) pit and gasoline UST pit to verify if an unauthorized release has occurred at the subject site. This work plan is acceptable to this office with the following additions/comments:

- o In addition to collecting "grab" groundwater samples in the vicinities of the waste oil and gasoline UST pits, collect a groundwater sample from the existing domestic well located approximately west of the waste oil UST pit. The groundwater sample collected from this well should be analyzed for all constituents listed under Table 2 of the Tri-Regional Board Staff Recommendations for waste oil.
- o If the gasoline dispenser was not located over the gasoline UST, then a soil sample must also be collected beneath the gasoline dispenser.

Per my conversations with Stuart Soloman of PIERS Environmental Services, implementation of this work plan is scheduled to occur on August 29, 1995. A report documenting the results of this investigation is due to this office within 45 days after implementing the work plan.

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

Sincerely,

Amy Leech  
Hazardous Materials Specialist

Lotz

Re: 3744 Depot Rd.

August 28, 1995

Page 2 of 2

c: Kenneth and Patricia Hein  
3744 Depot Rd  
Hayward CA 94545

Stuart Soloman  
Piers Environmental Services  
3131 S. Bascom Ave #5  
Campbell CA 95008

Acting Chief of Environmental Protection - Files(ALL)

## CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD

SAN FRANCISCO BAY REGION

2101 WEBSTER STREET, SUITE 500

OAKLAND, CA 94612

(510) 286-1255

ENVIRONMENTAL  
PROTECTION

ALL



95 JUL 20 PM 1:59

Kenneth and Patricia Hein  
American Auto Wreckers  
25858 Peterman Avenue  
Hayward, CA 94545

JUL 18 1995

File NO. 2198.17 (KLG)

RB Case No. 01-2091

Jesse Allen and Jack Lotz  
Lotz & Associates  
22320 Foothill Blvd., Suite 410  
Hayward, CA 94541

RE: **Legal Request for Submittal of a Technical Report Resulting from the Alameda County Department of Environmental Health's Enforcement Panel Meeting of July 5, 1995.**

Dear Mesdames and Sirs:

It has been brought to my attention by Regional Board staff that a condition of soil and ground water pollution may exist at the property located at **3744 Depot Road, Hayward CA 94545**, from an underground storage tank release. The Alameda County Department of Environmental Health (ACDEH) staff have requested technical reports from you to fulfill your obligations per California Code of Regulations, Title 23, Waters, Chapter 16, Underground Storage Tank Regulations, Article 11, Corrective Action Requirements. It is my understanding that ACDEH staff were unsuccessful in eliciting your co-operation in resolving these issues through normal correspondence.

A Pre-Enforcement Review Panel was held at the ACDEH Offices on **July 5, 1995**. Pursuant to the Regional Board's authority under Section 13267(b) of the California Water Code, you are hereby required to submit technical reports to address soil and ground water pollution by the following dates. The technical reports should specifically address the following numbered items:

- 1) A workplan for a Preliminary Site Assessment must be submitted **within 30 days** for the investigation of soil and groundwater contamination at the site. The proposal should outline an investigation to determine the vertical and lateral extent of contamination in soil and groundwater. The investigation should begin **within 45 days** of the approval of the workplan.
- 2) A report of work accomplished should be submitted to Alameda County Department of Environmental Health (ACDEH) **within 45 days** of the field work accomplishment. Subsequent groundwater monitoring shall continue on a quarterly basis, with all reports submitted to ACDEH.

Enforcement Panel Meeting  
3744 Depot Road, Hayward CA  
Page 2 of 2

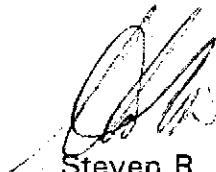
All proposed work should adhere to the requirements articulated in The Tri-Regional Board Staff Recommendations for the Preliminary Evaluation and Investigation of Underground Storage Tank Sites - 8/10/90 and Article 11 of Title 23, Waters, California Code of Regulations.

I am hereby transmitting this request for a technical report to ACDEH for service and continued case handling. You should be aware that failure on your part to submit the requested technical report, or a submittal received after the date specified in this request may result in fines up to \$1,000 per day of delinquency. Your response to this technical report request should be sent to **Ms. Amy Leech**, at ACDEH. Please inform **Ms. Amy Leech** at least three working days in advance of all field activities.

**Please be advised that this is a formal request for technical reports pursuant to California Water Code Section 13267(b). Any extensions of the stated deadlines, or modifications of the required tasks, must be confirmed in writing by either this agency or the Alameda County Department of Environmental Health, Environmental Protection Division.**

If you have any questions regarding the contents of this letter, please contact **Ms. Amy Leech**, of ACDEH, at (510) 567-6755.

Sincerely,



Steven R. Ritchie  
Executive Officer

cc: Gil Jensen, Alameda County District Attorney's Office, Consumer  
& Environmental Protection Division.  
Thomas Peacock, Supervising HMS, ACDEH

7/5/95 Pre-Enforcement Canel Review.

- 2 USTs (gas & w/o) were removed w/o a permit.
- Soil Sampling occurred but did receive results.
- Independent assessment made & letter sent to County indicating concern to soil & groundwater.
- Est. RPI's as
  - MR & MRS. HEIN, Owner & operator of tanks & prop. owner when contam. occurred
  - LOT2/Allen, Current Prop. owners
- Sent letter asking for Tank Closure report.  
+ PSA Jan. 27, 1995

**Alameda County Department of Environmental Health  
Hazardous Materials Division**

80 Swan Way, Rm. 200, Oakland, CA 94621  
Ph: 510-271-4320 FAX: 510-568-3706

**Meeting Attendees**

**Subject** American Auto Wreckers

**Date** 7/5/95

**Location** ALA Co Env. Health

	<u>Name</u>	<u>Affiliation</u>	<u>Phone # / FAX #</u>
1	<u>GIL JENSEN</u>	<u>ALAMEDA Co DA</u>	<u>569-9241 / 569-4545</u>
2	<u>Jim Pearson</u>	<u>ALCO DEP.</u>	<u>567-6782</u>
3	<u>Jim Lotz</u>	<u>Son Jack Lotz</u>	<u>886-5835</u>
4	<u>George Larsen</u>	<u>Real Estate Broker</u>	<u>537-6106</u>
5	<u>Jeri Ewigman</u>	<u>intended to buy</u>	<u>785-1922</u>
6	<u>Renee Stern</u>	<u>American auto Wks</u>	<u>782-2704</u>
	<u>Jack Lotz</u>	<u>Son</u>	<u>886-5835</u>
8	<u>George Lopez</u>	<u>RWQCB</u>	<u>286-3976 -1380</u>
9	<u>Umy Leach</u>	<u>ALCO ENV. HEALTH LOP</u>	<u>567-6755</u>
10			<u>/</u>
11			<u>/</u>
12			<u>/</u>
13			<u>/</u>
14			<u>/</u>
15			<u>/</u>
16			<u>/</u>
17			<u>/</u>



ALAMEDA COUNTY  
HEALTH CARE SERVICES  
AGENCY

DAVID J. KEARS, Agency Director



RAFAT A. SHAHID, DIRECTOR

DEPARTMENT OF ENVIRONMENTAL HEALTH  
State Water Resources Control Board  
Division of Clean Water Programs  
UST Local Oversight Program  
1131 Harbor Bay Parkway  
Alameda, CA 94502-6577  
(510) 567-6700

Alameda County Health Care Services Agency,  
Department of Environmental Health,  
Environmental Protection Division

In Re The Property Known As :	)	Notice of Official Action
	)	By the San Francisco Bay
American Auto Wreckers	)	Regional Water Quality
3744 Depot Road	)	Control Board
Hayward, California	)	
	)	

Dear Mesdames and Sirs:


The attached Official Notice of Request for Technical Reports pursuant to Water Code Section 13267(b) has been forwarded to this office for legal service, and oversight. As the Agency responsible for enforcing the terms of this Official Action, all communication should continue to be directed to this office. Please make arrangements to comply by calling me at (510) 567-6755 to coordinate all future activities.

By way of this letter, we are notifying Jerry Eivazion, a prospective buyer of this property, of the above stated requirements.

Failure to comply could result in liability for civil or administrative penalties of up to \$1000 per day of delinquency.

I Amy Leech, do hereby certify that I served Jesse Allen c/o Jack Lotz with a copy of the attached Notice of Official Action by the Regional Board by certified mailer # Z196 176 895 .

Dated: 08/04/95

  
(signature)

c: Jerry Eivazion  
2355 Bennington Ln.  
Hayward, CA 94545

*File*

#2017  
ALL

Z 196 176 895



### Receipt for Certified Mail

No Insurance Coverage Provided  
Do not use for International Mail  
(See Reverse)

PS Form 3800, March 1993

Sent to Jesse Allen C/O Jack Lotz	
Street and No. 22320 Foothill Blvd., Ste 410	
P. O., State and ZIP Code Hayward CA 94541	
Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, and Addressee's Address	
TOTAL Postage & Fees	\$
Postmark or Date	

Is your RETURN ADDRESS completed on the reverse side?

**SENDER:**

- Complete items 1 and/or 2 for additional services.
- Complete items 3, and 4a & b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

- 1.  Addressee's Address
- 2.  Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to: #2017 A. Leech

Jesse Allen  
C/O Jack Lotz  
Lotz & Associates  
22320 Foothill Blvd., #410  
Hayward CA 94541

5. Signature (Addressee)  
*Billie Madich*

6. Signature (Agent)

4a. Article Number  
Z 196 176 895

4b. Service Type  
 Registered  Insured  
 Certified  COD  
 Express Mail  Return Receipt for Merchandise

7. Date of Delivery  
2/8/95

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

Thank you for using Return Receipt Service.

**ALAMEDA COUNTY  
HEALTH CARE SERVICES  
AGENCY**

DAVID J. KEARS, Agency Director



RAFAT A. SHAHID, DIRECTOR

DEPARTMENT OF ENVIRONMENTAL HEALTH  
State Water Resources Control Board  
Division of Clean Water Programs  
UST Local Oversight Program  
1131 Harbor Bay Parkway  
Alameda, CA 94502-6577  
(510) 567-6700

Alameda County Health Care Services Agency,  
Department of Environmental Health,  
Environmental Protection Division

In Re The Property Known As :	)	Notice of Official Action
	)	By the San Francisco Bay
American Auto Wreckers	)	Regional Water Quality
3744 Depot Road	)	Control Board
Hayward, California	)	

Dear Mesdames and Sirs:

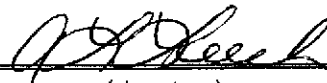
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Dated: 08/04/95

  
(signature)

c: Jerry Eivazion  
2355 Bennington Ln.  
Hayward, CA 94545

*file*

#2017  
ALL

Z 196 176 895



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(See Reverse)

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Street and No. 22320 Foothill Blvd., Ste 410	
P.O., State and ZIP Code Hayward CA 94541	
Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, and Addressee's Address	
TOTAL Postage & Fees	\$
Postmark or Date	

Is your RETURN ADDRESS completed on the reverse side?

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I also wish to receive the following services (for an extra fee):

- Addressee's Address
- Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to: #2017 A. Leech

Jesse Allen  
C/O Jack Lotz  
Lotz & Associates  
22320 Foothill Blvd., #410  
Hayward CA 94541

5. Signature (Addressee)  
*Bellei Madich*

6. Signature (Agent)

4a. Article Number  
Z 196 176 895

4b. Service Type  
 Registered  Insured  
 Certified  COD  
 Express Mail  Return Receipt for Merchandise

7. Date of Delivery  
*8/8/95*

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

Thank you for using Return Receipt Service.

ALAMEDA COUNTY  
HEALTH CARE SERVICES  
AGENCY

DAVID J. KEARS, Agency Director



RAFAT A. SHAHID, DIRECTOR

DEPARTMENT OF ENVIRONMENTAL HEALTH  
State Water Resources Control Board  
Division of Clean Water Programs  
UST Local Oversight Program  
1131 Harbor Bay Parkway  
Alameda, CA 94502-6577  
(510) 567-6700

Alameda County Health Care Services Agency,  
Department of Environmental Health,  
Environmental Protection Division

In Re The Property Known As :	)	Notice of Official Action
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American Auto Wreckers	)	Regional Water Quality
3744 Depot Road	)	Control Board
Hayward, California	)	
	)	

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I Amy Leech, do hereby certify that I served Jack Lotz with a copy of the attached Notice of Official Action by the Regional Board by certified mailer # Z 196 176 893 .

Dated: 08/04/95

Amy Leech  
(signature)

c: Jerry Eivazion  
2355 Bennington Ln.  
Hayward, CA 94545

*file*

2017  
ALL

Z 196 176 893



### Receipt for Certified Mail

No Insurance Coverage Provided  
Do not use for International Mail  
(See Reverse)

PS Form 3800, March 1993

Sent to <b>Jack Lotz</b>	
Street and No. <b>22320 Foothill Blvd., #410</b>	
P.O., State and ZIP Code <b>Hayward CA 94541</b>	
Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, and Addressee's Address	
TOTAL Postage & Fees	\$
Postmark or Date	

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I also wish to receive the following services (for an extra fee):

- Addressee's Address
- Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to: **#2017 A. Leech**  
**Jack Lotz**  
**22320 Foothill Blvd., #410**  
**Hayward CA 94541**

4a. Article Number  
**Z 196 176 893**

4b. Service Type  
 Registered     Insured  
 Certified     COD  
 Express Mail     Return Receipt for Merchandise

7. Date of Delivery  
**8/8/96**

5. Signature (Addressee)  
*Bullis Nidich*

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

6. Signature (Agent)

Thank you for using Return Receipt Service.

ALAMEDA COUNTY  
HEALTH CARE SERVICES  
AGENCY

DAVID J. KEARS, Agency Director



RAFAT A. SHAHID, DIRECTOR

DEPARTMENT OF ENVIRONMENTAL HEALTH  
State Water Resources Control Board  
Division of Clean Water Programs  
UST Local Oversight Program  
1131 Harbor Bay Parkway  
Alameda, CA 94502-6577  
(510) 567-6700

Alameda County Health Care Services Agency,  
Department of Environmental Health,  
Environmental Protection Division

In Re The Property Known As :	)	Notice of Official Action
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American Auto Wreckers	)	Regional Water Quality
3744 Depot Road	)	Control Board
Hayward, California	)	
	)	

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Failure to comply could result in liability for civil or administrative penalties of up to \$1000 per day of delinquency.

I Amy Leech, do hereby certify that I served Kenneth and Patricia Hein with a copy of the attached Notice of Official Action by the Regional Board by certified mailer # Z 196 176 894 .

Dated: 08/04/95 Amy Leech  
(signature)

c: Jerry Eivazion  
2355 Bennington Ln.  
Hayward, CA 94545

*file*

#2017  
ALL

Z 196 176 894



### Receipt for Certified Mail

No Insurance Coverage Provided  
Do not use for International Mail  
(See Reverse)

PS Form 3800, March 1993

Sent to <b>Kenneth &amp; Patricia Hein</b>	
Street and No. <b>25858 Peterman Avenue</b>	
P. O., State and ZIP Code <b>Hayward, CA 94545</b>	
Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, and Addressee's Address	
TOTAL Postage & Fees	\$
Postmark or Date	

Is your RETURN ADDRESS completed on the reverse side?

#### SENDER:

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also wish to receive the following services (for an extra fee):

- Addressee's Address
- Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to: #2017 A. Leech

Kenneth and Patricia Hein  
25858 Peterman Avenue  
Hayward CA 94545

5. Signature (Addressee)

6. Signature (Agent)

4a. Article Number

Z 196 176 894

4b. Service Type

- |   |   |
|---|---|
| <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 |

7. Date of Delivery

MAR 25 1993

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

Thank you for using Return Receipt Service.



Alameda County Health Care Services Agency, Department of  
Environmental Health, Hazardous Materials Division

In Re The Properties Known As : )  
  )  
  )  
American Auto Wreckers, Inc.    )  
3744 Depot Road                    )  
Hayward                                 )

Proof of Service of  
Notice of Pre-Enforcement  
Review Panel

I Amy Leech, do hereby certify that I served Jesse Allen c/o Jack Lotz with a copy of the attached **Notice of Pre-Enforcement Review Panel** to convene on **July 5, 1995** by certified mailer **#P 386 338 297**.

Dated: 6-21-95

Amy Leech  
(signature)

**Alameda County Health Care Services Agency,  
 Department of Environmental Health,  
 Division of Environmental Protection**

In Re The Properties Known As: ) ) ) ) <u>American Auto Wreckers, Inc.</u> ) <u>3744 Depot Road</u> ) <u>Hayward</u> )	Notice of Pre-Enforcement Review Panel
--	--

Notice is hereby given that upon the motion of the Alameda County Environmental Protection Division, and the San Francisco Bay Regional Water Quality Control Board a hearing of the **Review Panel** will convene on July 5, 1995 at 3:00 p.m. in the offices of the Alameda County Environmental Protection Division, located at 1131 Harbor Bay Parkway, Room 250, Alameda, CA 94502. This hearing of the **Review Panel** will convene for the purpose of determining responsible parties as well as appropriate closure, site assessment, clean-up and mitigation of contamination at the above locations.

The Alameda County Environmental Protection Division, and the San Francisco Bay Regional Water Quality Control Board have named and served notice of this **Review Panel** on the following persons or entities as having proposed responsibility for closure, site assessment, clean-up and mitigation of contamination at the above location, and by this notice all parties named herein are informed of the right to appear and show cause, if any they have, for the exclusion or inclusion of any of the parties served herein from said responsibility or obligations:

- |  |  |
|--|--|
| 1. <b>Kenneth and Patricia Hein</b><br>25858 Peterman Ave.<br>Hayward, CA 94545                                  | 3. <b>Jack Lotz</b><br>Lotz & Associates<br>22320 Foothill Blvd., Suite 410<br>Hayward, CA 94541 |
| 2. <b>Jesse Allen c/o Jack Lotz</b><br>Lotz & Associates<br>22320 Foothill Blvd., Suite 410<br>Hayward, CA 94541 |  |

Dated: **June 21, 1995**   
 (signature)

c: Kevin Graves, RWQCB  
 Gil Jensen, Alameda County District Attorney's Office  
 Acting Chief of Environmental Protection-File(Stld 2017)

A. Leech P 386 338 297



Receipt for Certified Mail

No Insurance Coverage Provided  
Do not use for International Mail  
(See Reverse)

PS Form 3800, June 1991

Sent to	Jesse Allen c/o Jack Lotz	
Street	22320 Foothill Blvd, Ste 410	
P.O. State and Zip Code	Hayward CA 94541	
Postage		\$
Certified Fee		
Special Delivery Fee		
Restricted Delivery Fee		
Return Receipt Showing to Whom & Date Delivered		
Return Receipt Showing to Whom, Date, and Addressee's Address		
TOTAL Postage & Fees		\$
Postmark or Date		

Is your RETURN ADDRESS completed on the reverse side?

**BINDER:**

- Complete items 1 and/or 2 for additional services.
- Complete items 3, and 4a & b.
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I also wish to receive the following services (for an extra fee):

- 1.  Addressee's Address
- 2.  Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to: **A. Leech**  
  
 Jesse Allen C/O Jack Lotz  
 Lotz & Associates  
 22320 Foothill Blvd., Ste. 410  
 Hayward CA 94541

4a. Article Number  
**P 386 338 297**

4b. Service Type  
 Registered  Insured  
 Certified  COD  
 Express Mail  Return Receipt for Merchandise

7. Date of Delivery  
**6/26/95**

5. Signature (Addressee)  
*[Signature]*

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

6. Signature (Agent)

Thank you for using Return Receipt Service.

Alameda County Health Care Services Agency, Department of  
Environmental Health, Hazardous Materials Division

In Re The Properties Known As : )

)

)

American Auto Wreckers, Inc. )

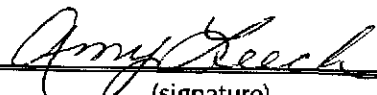
3744 Depot Road )

Hayward )

**Proof of Service of  
Notice of Pre-Enforcement  
Review Panel**

I Amy Leech, do hereby certify that I served Jack Lotz with a copy of the attached  
Notice of Pre-Enforcement Review Panel to convene on July 5, 1995 by certified  
mailer #P 386 338 298.

Dated: 6-21-95

  
(signature)

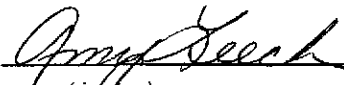
**Alameda County Health Care Services Agency,  
 Department of Environmental Health,  
 Division of Environmental Protection**

In Re The Properties Known As: )	Notice of
)	Pre-Enforcement
)	Review Panel
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<u>3744 Depot Road</u> )	
<u>Hayward</u> )	

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- |   |   |
|---|---|
| <p>1. <b>Kenneth and Patricia Hein</b><br/>         25858 Peterman Ave.<br/>         Hayward, CA 94545</p>  | <p>3. <b>Jack Lotz</b><br/>         Lotz &amp; Associates<br/>         22320 Foothill Blvd., Suite 410<br/>         Hayward, CA 94541</p> |
| <p>2. <b>Jesse Allen c/o Jack Lotz</b><br/>         Lotz &amp; Associates<br/>         22320 Foothill Blvd., Suite 410<br/>         Hayward, CA 94541</p> |   |

Dated: **June 21, 1995**        
 (signature)

c: Kevin Graves, RWQCB  
 Gil Jensen, Alameda County District Attorney's Office  
 Acting Chief of Environmental Protection-File(Std 2017)

A. Leech  
P 386 338 298



**Receipt for Certified Mail**

No Insurance Coverage Provided  
Do not use for International Mail  
(See Reverse)

PS Form 3800, June 1991

Sent to <b>Jack Lotz</b>	
Street <b>22320 Foothill, Ste. 410</b>	
P.O., State and ZIP Code <b>Hayward CA 94541</b>	
Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, and Addressee's Address	
TOTAL Postage & Fees	\$
Postmark or Date	

Is your RETURN ADDRESS completed on the reverse side?

**SENDER:**

- Complete items 1 and/or 2 for additional services.
- Complete items 3, and 4a & b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

- Addressee's Address
- Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to: **A. Leech**

**Jack Lotz  
Lotz & Associates  
22320 Foothill Blvd., Ste. 410  
Hayward CA 94541**

5. Signature (Addressee)

6. Signature (Agent)

4a. Article Number

**P 386 338 298**

4b. Service Type

- |   |   |
|---|---|
| <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 |

7. Date of Delivery

**6/26/95**

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

Thank you for using Return Receipt Service.

Alameda County Health Care Services Agency, Department of  
Environmental Health, Hazardous Materials Division

In Re The Properties Known As : )

)

)

American Auto Wreckers, Inc. )

3744 Depot Road )

Hayward )

Proof of Service of  
Notice of Pre-Enforcement  
Review Panel

I Amy Leech, do hereby certify that I served Kenneth and Patricia Hein with a copy of the attached **Notice of Pre-Enforcement Review Panel** to convene on July 5, 1995 by certified mailer #P 386 338 296.

Dated: 6-21-95

Amy Leech  
(signature)

Alameda County Health Care Services Agency,  
Department of Environmental Health,  
Division of Environmental Protection

In Re The Properties Known As: )  
  )  
  )  
American Auto Wreckers, Inc. )  
3744 Depot Road )  
Hayward )


Notice of  
Pre-Enforcement  
Review Panel

Notice is hereby given that upon the motion of the Alameda County Environmental Protection Division, and the San Francisco Bay Regional Water Quality Control Board a hearing of the **Review Panel** will convene on **July 5, 1995 at 3:00 p.m.** in the offices of the Alameda County Environmental Protection Division, located at 1131 Harbor Bay Parkway, Room 250, Alameda, CA 94502. This hearing of the **Review Panel** will convene for the purpose of determining responsible parties as well as appropriate closure, site assessment, clean-up and mitigation of contamination at the above locations.

The Alameda County Environmental Protection Division, and the San Francisco Bay Regional Water Quality Control Board have named and served notice of this **Review Panel** on the following persons or entities as having proposed responsibility for closure, site assessment, clean-up and mitigation of contamination at the above location, and by this notice all parties named herein are informed of the right to appear and show cause, if any they have, for the exclusion or inclusion of any of the parties served herein from said responsibility or obligations:

- Kenneth and Patricia Hein**  
25858 Peterman Ave.  
Hayward, CA 94545
- Jesse Allen c/o Jack Lotz**  
Lotz & Associates  
22320 Foothill Blvd., Suite 410  
Hayward, CA 94541
- Jack Lotz**  
Lotz & Associates  
22320 Foothill Blvd., Suite 410  
Hayward, CA 94541

Dated: June 21, 1995

  
(signature)

c: Kevin Graves, RWQCB  
Gil Jensen, Alameda County District Attorney's Office  
Acting Chief of Environmental Protection-File(Stld 2017)



A. Leech  
P 386 338 296



### Receipt for Certified Mail

No Insurance Coverage Provided  
Do not use for International Mail  
(See Reverse)

PS Form 3800, June 1991

Sent to <i>Kenneth &amp; Patricia Hein</i>	
Street and No. <i>25858 Peterman Avenue</i>	
P.O., State and ZIP Code <i>Hayward CA 94545</i>	
Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, and Addressee's Address	
TOTAL Postage & Fees	\$
Postmark or Date	

Is your RETURN ADDRESS completed on the reverse side?

#### SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, and 4a & b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

- Addressee's Address
- Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to: *A. Leech*

*Kenneth & Patricia Hein  
25858 Peterman Avenue  
Hayward CA 94545*

4a. Article Number  
*P 386 338 296*

4b. Service Type  
 Registered  Insured  
 Certified  COD  
 Express Mail  Return Receipt for Merchandise

7. Date of Delivery

*Patricia Hein*  
6. Signature (Addressee)

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

6. Signature (Agent)

PS Form 3811, December 1991 \*U.S. GPO: 1993-352-714

DOMESTIC RETURN RECEIPT

Thank you for using Return Receipt Service.

ALAMEDA COUNTY ENVIRONMENTAL  
HEALTH DEPARTMENT

ENVIRONMENTAL PROTECTION DIVISION  
1131 Harbor Bay Parkway, Suite #250  
Alameda, CA 94502-6577  
Telephone (510) 567-6700  
Fax Number (510) 337-9335

FAX COVER SHEET

DATE: June 22, 1995

TO: Neil Jensen  
ALCO D.A.'s Office

FAX # (510) 569-0505

Total number of pages including cover sheet 15

FROM: Amy Keech  
ALCO LOP Program

NOTE:

Please call me if you need more info.  
It does not appear that Mr. Klein was  
fined for removing his USTs illegally.  
I'll double check this w/ Paul Smith. Amy

(SMILE) have a nice day.  
DO SOMETHING FOR OUR ENVIRONMENT.

Alameda County Health Care Services Agency,  
Department of Environmental Health,  
Division of Environmental Protection

In Re The Properties Known As: )  
   )  
   )  
American Auto Wreckers, Inc. )  
3744 Depot Road )  
Hayward )

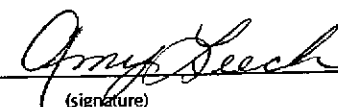
Notice of  
Pre-Enforcement  
Review Panel

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1. **Kenneth and Patricia Hein**  
25858 Peterman Ave.  
Hayward, CA 94545
2. **Jesse Allen c/o Jack Lotz**  
Lotz & Associates  
22320 Foothill Blvd., Suite 410  
Hayward, CA 94541
3. **Jack Lotz**  
Lotz & Associates  
22320 Foothill Blvd., Suite 410  
Hayward, CA 94541

Dated: June 21, 1995

  
(signature)

c: Kevin Graves, RWQCB  
Gil Jensen, Alameda County District Attorney's Office  
Acting Chief of Environmental Protection-File(Std 2017)

Alameda County Health Care Services Agency, Department of Environmental Health, Hazardous Materials Division

In Re The Properties Known As : )  
 )  
 )  
American Auto Wreckers, Inc. )  
3744 Depot Road )  
Hayward )

Proof of Service of Notice of Pre-Enforcement Review Panel

I Amy Leech, do hereby certify that I served Kenneth and Patricia Hein with a copy of the attached Notice of Pre-Enforcement Review Panel to convene on July 5, 1995 by certified mailer #P 386 338 296.

Dated: 6.21.95

Amy Leech  
(signature)

Alameda County Health Care Services Agency, Department of  
Environmental Health, Hazardous Materials Division

In Re The Properties Known As : )

Proof of Service of  
Notice of Pre-Enforcement  
Review Panel

)  
)  
American Auto Wreckers, Inc. )  
3744 Depot Road )  
Hayward )

I Amy Leech, do hereby certify that I served Jack Lotz with a copy of the attached  
Notice of Pre-Enforcement Review Panel to convene on July 5, 1995 by certified  
mailer #P 386 338 298.

Dated: 6-21-95

Amy Leech  
(signature)

Alameda County Health Care Services Agency, Department of  
Environmental Health, Hazardous Materials Division

In Re The Properties Known As : )

Proof of Service of  
Notice of Pre-Enforcement  
Review Panel

)  
)  
)  
American Auto Wreckers, Inc. )  
3744 Depot Road )  
Hayward )

I Amy Leech, do hereby certify that I served Jesse Allen c/o Jack Lotz with a copy of the attached Notice of Pre-Enforcement Review Panel to convene on July 5, 1995 by certified mailer #P 386 338 297.

Dated: 6-21-95

Amy Leech  
(signature)

ALAMEDA COUNTY  
HEALTH CARE SERVICES  
AGENCY

DAVID J. KEARS, Agency Director



RAFAT A. SHAHID, DIRECTOR

DEPARTMENT OF ENVIRONMENTAL HEALTH  
State Water Resources Control Board  
Division of Clean Water Programs  
UST Local Oversight Program  
1131 Harbor Bay Parkway  
Alameda, CA 94502-6577  
(510) 567-6700

May 18, 1995

Jack Lotz and Jesse Allen  
Lotz & Associates  
22320 Foothill Blvd., Suite 410  
Hayward, CA 94541

Kenneth and Patricia Hein  
25858 Peterman Ave.  
Hayward CA 94545

NOTICE OF VIOLATION

StId 2017

Subject: Required investigations at American Auto Wreckers, 3744  
Depot Rd., Hayward, CA 94545

On January 27, 1995, the Alameda County Department of Environmental Health, sent you a letter requiring that you submit a Tank Closure Report and a Preliminary Site Assessment work plan to determine the vertical and lateral extent of soil and ground water contamination from past releases from the former underground storage tanks (USTs) at the subject site. Please see attached a copy of that letter. To this date, we have 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 required to submit a Tank Closure Report and a Preliminary Site Assessment work plan within 30 days of the date of this letter. 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.

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

Sincerely,

A handwritten signature in cursive script that reads "Amy Leech".

Amy Leech  
Hazardous Materials Specialist

ALAMEDA COUNTY  
HEALTH CARE SERVICES  
AGENCY

DAVID J. KEARS, Agency Director



RAFAT A. SHAHID, DIRECTOR

May 18, 1995

Jack Lotz and Jesse Allen  
Lotz & Associates  
22320 Foothill Blvd., Suite 410  
Hayward, CA 94541

Kenneth and Patricia Hein  
25858 Peterman Ave.  
Hayward CA 94545

DEPARTMENT OF ENVIRONMENTAL HEALTH  
State Water Resources Control Board  
Division of Clean Water Programs  
UST Local Oversight Program  
1131 Harbor Bay Parkway  
Alameda, CA 94502-6577  
(510) 567-6700

NOTICE OF VIOLATION

StId 2017

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Depot Rd., Hayward, CA 94545

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Sincerely,

A handwritten signature in cursive script, appearing to read 'Amy Leech', is written over a horizontal line.

Amy Leech  
Hazardous Materials Specialist

ATTACHMENT



Lotz/Allen/Hein  
Re: 3744 Depot Road  
May 18, 1995  
Page 2 of 2

c: Kevin Graves, RWQCB  
Gil Jensen, Alameda County District Attorney's Office  
Acting Chief of Environmental Protection - Files(ALL)

white -env.health  
yellow -facility  
pink -files

ALAMEDA COUNTY, DEPARTMENT OF ENVIRONMENTAL HEALTH

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

Hazardous Materials Inspection Form

II, III

Site ID # 2017 Site Name Amer. Auto & Truck Wreckers Today's Date 3/7/95

Site Address 3744 Depot Rd.

City Hayward Zip 94545 Phone \_\_\_\_\_

\_\_\_\_ MAX AMT stored > 500 lbs, 55 gal., 200 cft.?  
**Inspection Categories:**  
\_\_\_\_ I. Haz. Mat/Waste GENERATOR/TRANSPORTER  
\_\_\_\_ II. Hazardous Materials Business Plan, Acutely Hazardous Materials  
X III. Under ground Storage Tanks LOP

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

**Comments:** w/ Paul Smith of our office  
On-site visit today to meet w/ RP's and prospective buyer of the property, Jerry Ewazian. Also, this was an opportunity to survey the site since ~~the~~ a gasoline tank and waste oil tank were removed w/out permits and no closure reports have been rec'd by this office to date. This is a LOP site. Hand delivered NOR and Tank Closure Report! PSA req'ts, outlined in our letter dated 01/27/95, to RP, Randy Klein, RP's son, signed for these letters and agreed to deliver them to his parents. I discussed in detail our rep'ts for proper tank closure reporting & PSA investigations w/ RP's Jack Kutz & RP's son Randy Klein, and Jerry Ewazian. I explained to Mr. Ewazian that he would be named a Resp. Party if he purchased the property. Randy Klein indicated that he would talk w/ his mom, Patricia Klein, about applying to the Clean up fund.

Contact \_\_\_\_\_  
Title \_\_\_\_\_  
Signature \_\_\_\_\_  
Inspector Amy Leech  
Signature A Leech

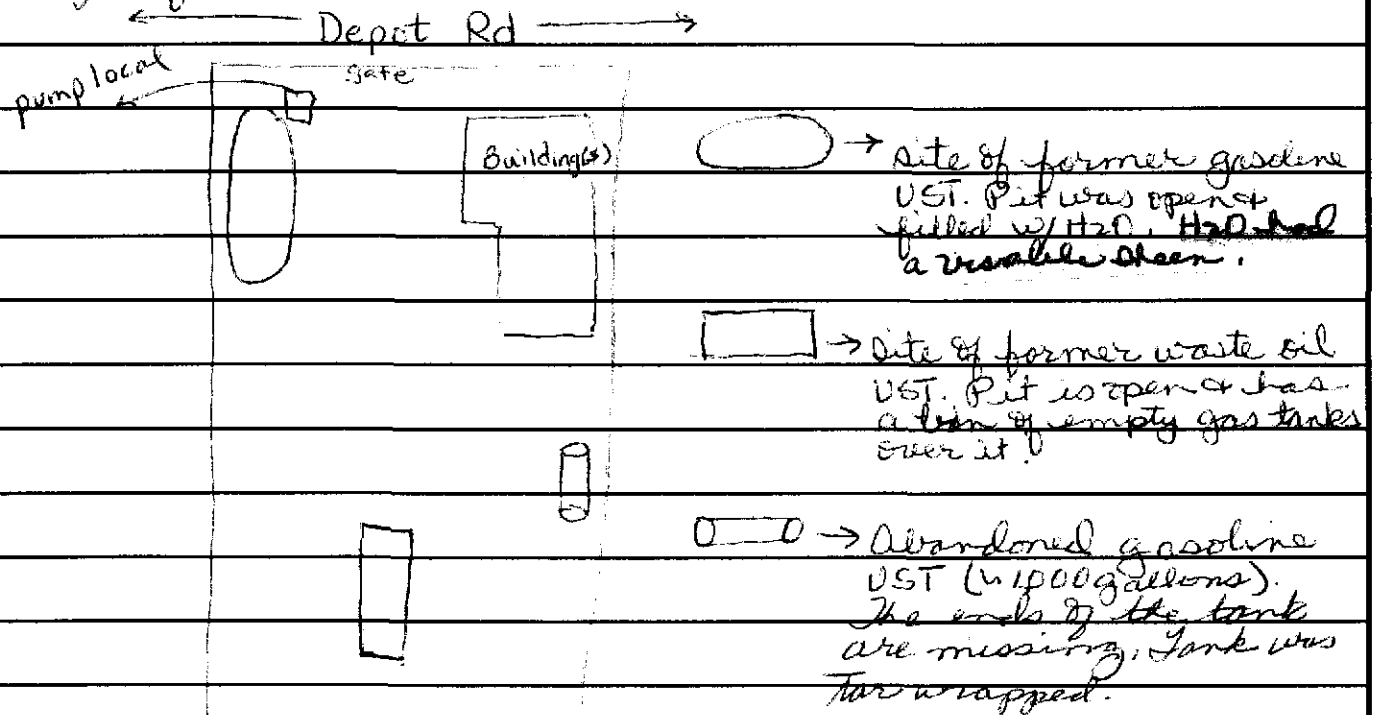
I explained to them that they are currently not in compliance w/ our time frame & they need to request for more time in writing.

HAZARDOUS WASTE GENERATOR INSPECTION REPORT

STID #: <u>2017</u>	FACILITY NAME: <u>Amer Autos &amp; Truck Checkers</u>	PG. <u>2</u> OF <u>2</u>
---------------------	---	--------------------------

SUPPLEMENTAL FORM

Map of site:



PRINT NAME: <u>[Signature]</u>	INSPECTED BY: <u>Amy Leach Pleck</u>
SIGNATURE:	DATE: <u>3/7/95</u>

ALAMEDA COUNTY  
HEALTH CARE SERVICES  
AGENCY

DAVID J. KEARS, Agency Director



*File*

RAFAT A. SHAHID, ASST. AGENCY DIRECTOR

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

StId 2017

January 27, 1995

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

Jack Lotz and Jesse Allen  
Lotz & Associates  
22320 Foothill Blvd., Suite 410  
Hayward, CA 94541

Kenneth and Patricia Hein  
3744 Depot Rd.  
Hayward, CA 94545

Subject: Required investigations for possible groundwater contamination caused by leaking underground storage tanks (USTs) at 3744 Depot Rd., Hayward, CA 94545

Our records indicate that two (2) underground storage tanks (USTs) were removed without the required permits and approval from the subject site on or before May 1992. On May 11, 1992, Testing and Technology reportedly sampled the soil from the gasoline tank pit, waste oil tank pit, and stockpiled soil. Analytical results of these samples were never submitted to this office for review. On September 30, 1994, Environmental Geotechnical Consultants, Inc. (EGC), completed a site assessment that included the sampling of soil and groundwater. This report was not submitted to this office for review. However, we did receive a copy of a letter from EGC which stated that concentrations of total petroleum hydrocarbons as gas (TPHg), benzene, toluene, ethylbenzene and xylene (BTEX), and total oil and grease (TOG) were "well above state action levels".

Guidelines established by the California Regional Water Quality Control Board (RWQCB) require that soil and ground water investigations be conducted when there is evidence to indicate that a release from an UST will impact or may have impacted the ground water.

You are required to conduct a Preliminary Site Assessment (PSA) to determine the lateral and vertical extent and severity of both soil and ground water contamination resulting from the release at the site. The information gathered by the PSA will be used to determine an appropriate course of action to remediate the site, if deemed necessary. The PSA must be conducted in accordance with the RWQCB's Staff Recommendations for the Initial Evaluation and Investigation of Underground Tanks, and be consistent with

Lotz/Allen/Hein  
American Auto Wreckers  
January 27, 1995  
page 2 of 4

requirements set forth in Article 11 of Title 23, California Code of Regulations. The major elements of such an investigation are summarized in the attached **Appendix A**. The major elements of the guidelines include, but are not limited to, the following:

- o At least one permanent ground water monitoring well must be installed within 10 feet of the observed soil contamination, oriented in the confirmed downgradient direction relative to groundwater flow. In the absence of neighboring monitoring wells located within 100 feet of the site, or any other data identifying the confirmed downgradient direction, a minimum of three wells will be required to verify gradient direction. During the installation of these wells, soil samples are to be collected at five-foot-depth intervals and any significant changes in lithology.
- o Subsequent to the installation of the monitoring wells, these wells must be surveyed to an established benchmark, (i.e., Mean Sea Level) with an accuracy of 0.01 foot. Ground water samples are to be collected and analyzed quarterly, and water level measurements are to be collected monthly for the first three months, and then quarterly thereafter. If the initial ground water elevation contours indicate that ground water flow directions vary greatly then you will be required to continue monthly water level measurements until the ground water gradient behavior is known. Both soil and ground water samples must be analyzed for all confirmed and/or suspected contaminants.

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

In order to properly conduct a site investigation, you are required to obtain professional services of a reputable environmental consultant. All reports and proposals must be submitted under seal of a California-Registered Geologist, -Certified Engineering Geologist, or -Registered Civil Engineer.

Lotz/Allen/Hein  
American Auto Wreckers  
January 27, 1995  
page 3 of 4

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

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

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

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

Additionally, you are required to submit documentation regarding the following items. This documentation must be submitted within 15 days of the date of this letter.

- o A Tank Closure Report that includes:
  - Size, age, condition, use and type of tanks removed, and submit a map showing the former tank system and existing buildings on site.
  - Manifests and/or documentation confirming the fate of the tanks, associated piping, and excavated soil.

Is your RETURN ADDRESS completed on the reverse side?

**SENDER:**

- Complete items 1 and/or 2 for additional services.
- Complete items 3, and 4a & b.
- Print your name and address on the reverse of this form so that we can return this card to you.
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- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

- Addressee's Address
- Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to: **A. Leech #2017**

**Jack Lotz and Jesse Allen**  
**Lotz & Associates**  
**22320 Foothill Blvd., Ste. 410**  
**Hayward CA 94541**

4a. Article Number  
**Z 196 176 756**

4b. Service Type

Registered  Insured

Certified  COD

Express Mail  Return Receipt for Merchandise

7. Date of Delivery  
**2/2/92**

5. Signature (Addressee)  
*Jack M. Lotz*

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

6. Signature (Agent)

Thank you for using Return Receipt Service.

Is your RETURN ADDRESS completed on the reverse side?

**SENDER:**

- Complete items 1 and/or 2 for additional services.
- Complete items 3, and 4a & b.
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- Addressee's Address
- Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to: **A. LEECH #2017**

**KENNETH AND PATRICIA HEIN**  
**3744 DEPOT ROAD**  
**HAYWARD CA 94545**

4a. Article Number  
**Z 196 176 757**

4b. Service Type

Registered  Insured

Certified  COD

Express Mail  Return Receipt for Merchandise

7. Date of Delivery

5. Signature (Addressee)  
*Ken Hein*

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

6. Signature (Agent)

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- Addressee's Address
- Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to: **ALL #2017**

**Kenneth J. & Patricia G. Hein**  
**25858 Peterman Avenue**  
**Hayward CA 94545**

4a. Article Number  
**Z 196 176 773**

4b. Service Type

Registered  Insured

Certified  COD

Express Mail  Return Receipt for Merchandise

7. Date of Delivery

5. Signature (Addressee)  
*Pat Hein*

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

6. Signature (Agent)

Note: This mailing included the note by Lotz & Allen

Thank you for using Return Receipt Service.

ALL  
#2017

Z 196 176 756



**Receipt for Certified Mail**

No Insurance Coverage Provided  
Do not use for International Mail  
(See Reverse)

PS Form 3800, March 1993

Sent to <b>Jack Lotz and Jesse Allen</b>	
Street and No. <b>22320 Foothill Blvd, Ste 410</b>	
P.O., State and ZIP Code <b>Hayward CA 94541</b>	
Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, and Addressee's Address	
TOTAL Postage & Fees	\$
Postmark or Date	

#2017  
ALL

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PS Form 3800, March 1993

Sent to <b>KENNETH &amp; PATRICIA HEIN</b>	
Street and No. <b>3744 DEPOT RD.</b>	
P.O., State and ZIP Code <b>HAYWARD CA 94541</b>	
Postage	\$
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Return Receipt Showing to Whom & Date Delivered	
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PS Form 3800, March 1993

Sent to <b>KENNETH &amp; PATRICIA HEIN</b>	
Street and No. <b>2489 AMERICAN AVE.</b>	
P.O., State and ZIP Code <b>HAYWARD CA 94545</b>	
Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, and Addressee's Address	
TOTAL Postage & Fees	\$
Postmark or Date	

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#2017

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PS Form 3800, March 1993

Sent to <b>Kenneth J. &amp; Patricia Hein</b>	
Street and No. <b>25858 Peterman Avenue</b>	
P.O., State and ZIP Code <b>Hayward CA 94545</b>	
Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, and Addressee's Address	
TOTAL Postage & Fees	\$
Postmark or Date	



Lotz/Allen/Hein  
American Auto Wreckers  
January 27, 1995  
page 4 of 4

- Analytical results of soil and/or ground water samples taken from the tank pit and/or piping trench locations.

The State of California has an Underground Storage Tank Cleanup Fund that can provide financial assistance to qualified applicants for costs incurred for corrective action. I have attached a copy of their brochure for your information.

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

Sincerely,



Amy Leech  
Hazardous Materials Specialist

**ATTACHMENT**

cc: Kenneth and Patricia Hein  
~~2489 American Ave.~~ *25858 Detorman Ave*  
~~Hayward, CA 94545~~ *Hayward Ca 94545*

Michael O'Conner, Alameda County District Attorney's Office  
Edgar Howell

ALAMEDA COUNTY  
HEALTH CARE SERVICES  
AGENCY

DAVID J. KEARS, Agency Director



File

RAFAT A. SHAHID, ASST. AGENCY DIRECTOR

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

StId 2017

January 27, 1995

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

Jack Lotz and Jesse Allen  
Lotz & Associates  
22320 Foothill Blvd., Suite 410  
Hayward, CA 94541

Kenneth and Patricia Hein  
3744 Depot Rd.  
Hayward, CA 94545

Subject: Required investigations for possible groundwater contamination caused by leaking underground storage tanks (USTs) at 3744 Depot Rd., Hayward, CA 94545

Our records indicate that two (2) underground storage tanks (USTs) were removed without the required permits and approval from the subject site on or before May 1992. On May 11, 1992, Testing and Technology reportedly sampled the soil from the gasoline tank pit, waste oil tank pit, and stockpiled soil. Analytical results of these samples were never submitted to this office for review. On September 30, 1994, Environmental Geotechnical Consultants, Inc. (EGC), completed a site assessment that included the sampling of soil and groundwater. This report was not submitted to this office for review. However, we did receive a copy of a letter from EGC which stated that concentrations of total petroleum hydrocarbons as gas (TPHg), benzene, toluene, ethylbenzene and xylene (BTEX), and total oil and grease (TOG) were "well above state action levels".

Guidelines established by the California Regional Water Quality Control Board (RWQCB) require that soil and ground water investigations be conducted when there is evidence to indicate that a release from an UST will impact or may have impacted the ground water.

You are required to conduct a **Preliminary Site Assessment (PSA)** to determine the lateral and vertical extent and severity of **both soil and ground water** contamination resulting from the release at the site. The information gathered by the PSA will be used to determine an appropriate course of action to remediate the site, if deemed necessary. The PSA must be conducted in accordance with the RWQCB's Staff Recommendations for the Initial Evaluation and Investigation of Underground Tanks, and be consistent with

Lotz/Allen/Hein  
American Auto Wreckers  
January 27, 1995  
page 2 of 4

requirements set forth in Article 11 of Title 23, California Code of Regulations. The major elements of such an investigation are summarized in the attached **Appendix A**. The major elements of the guidelines include, but are not limited to, the following:

- o At least one permanent ground water monitoring well must be installed within 10 feet of the observed soil contamination, oriented in the confirmed downgradient direction relative to groundwater flow. In the absence of neighboring monitoring wells located within 100 feet of the site, or any other data identifying the confirmed downgradient direction, a minimum of three wells will be required to verify gradient direction. During the installation of these wells, soil samples are to be collected at five-foot-depth intervals and any significant changes in lithology.
- o Subsequent to the installation of the monitoring wells, these wells must be surveyed to an established benchmark, (i.e., Mean Sea Level) with an accuracy of 0.01 foot. Ground water samples are to be collected and analyzed quarterly, and water level measurements are to be collected monthly for the first three months, and then quarterly thereafter. If the initial ground water elevation contours indicate that ground water flow directions vary greatly then you will be required to continue monthly water level measurements until the ground water gradient behavior is known. Both soil and ground water samples must be analyzed for all confirmed and/or suspected contaminants.

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

In order to properly conduct a site investigation, you are required to obtain professional services of a reputable environmental consultant. All reports and proposals must be submitted under seal of a California-Registered Geologist, -Certified Engineering Geologist, or -Registered Civil Engineer.

Lotz/Allen/Hein  
American Auto Wreckers  
January 27, 1995  
page 3 of 4

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

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

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

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

Additionally, you are required to submit documentation regarding the following items. This documentation must be submitted within 15 days of the date of this letter.

- o A Tank Closure Report that includes:
  - Size, age, condition, use and type of tanks removed, and submit a map showing the former tank system and existing buildings on site.
  - Manifests and/or documentation confirming the fate of the tanks, associated piping, and excavated soil.

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American Auto Wreckers  
January 27, 1995  
page 4 of 4

- Analytical results of soil and/or ground water samples taken from the tank pit and/or piping trench locations.

The State of California has an Underground Storage Tank Cleanup Fund that can provide financial assistance to qualified applicants for costs incurred for corrective action. I have attached a copy of their brochure for your information.

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

Sincerely,



Amy Leech  
Hazardous Materials Specialist

**ATTACHMENT**

cc: Kenneth and Patricia Hein  
~~2489 American Ave.~~ *25858 Peterman Ave*  
~~Hayward, CA 94545~~ *Hayward CA 94545*

Michael O'Conner, Alameda County District Attorney's Office  
Edgar Howell

lop\2017.lop

Form 38

4. If you want delivery restricted to the addressee, or to an authorized agent of the addressee, return receipt card, Form 38, attached to the back of the article. Otherwise, affix to back of article. If space permits, return receipt card, Form 38, attached to the back of the article. If space permits, return receipt card, Form 38, attached to the back of the article.

4. If you want delivery restricted to the addressee, or to an authorized agent of the addressee, return receipt card, Form 38, attached to the back of the article. Otherwise, affix to back of article. If space permits, return receipt card, Form 38, attached to the back of the article.

(na) trns to LOP 11/30/25

DATE: 1/27/95 ✓  
TO : Local Oversight Program  
FROM: Amy Leech  
SUBJ: Transfer of Eligible Local Oversight Case

StId ~~XXXXXX~~

Site name: American Auto Wreckers, Inc.  
Address: 3744 Depot Rd city Hayward zip 94545

TO BE ELLIGIBLE FOR LOP A CASE MUST MEET 3 QUALIFICATIONS:

- 1. Number of Tanks: 2 removed?  Y N Date of removal unknown
- 2. Samples received? Y  N Contamination level: n/a  
(ppm and type of test)

Contamination should be over 100 ppm TPH to qualify for LOP

- 3. Petroleum Y N Types: Avgas Jet leaded unleaded Diesel  
fuel oil waste oil kerosene solvents
- DepRef remaining \$ X ~~Closed with Candace/Leslie?~~ Y N  
(If no explain why?)

IF YOUR SITE MEETS ALL OF THE ABOVE QUALIFICATIONS YOU SHOULD DO THE FOLLOWING TO TRANSFER THE SITE:

- 1. YOU MUST CLOSE THE DEPOSIT REFUND CASE AT THIS TIME. YOU MUST ACCOUNT FOR ALL TIME YOU HAVE SPENT ON THE CASE AND TURN IN THE ACCOUNT SHEET TO LESLIE. IF THERE ARE FUNDS STILL REMAINING IT IS STILL BETTER TO TRANSFER THE CASE TO LOP AS THE RATE FOR LOP ALLOWS THE ADDITION OF MANAGEMENT AND CLERICAL TIME. DO NOT ATTEMPT TO CONTINUE TO OVERSEE THE SITE SIMPLY BECAUSE THERE ARE FUNDS REMAINING!
- 2. COMPLETE THE A AND B PERMIT APPLICATION FORMS AND GIVE TO CONNIE/ELAINE
- 3. GIVE THE ENTIRE CASE TO THE PROPER LOP STAFF UPSTAIRS FOR THEM TO DO THE REST OF THE TRANSFER AND YOU ARE DONE!

Illegal removal. Have info from consultants that contamination is present. ~~Because~~ This office has confirmed that a gasoline + waste oil tanks were removed w/out permits - See proposal by EGC + notes to file.

3744 Depot Rd

Kenneth J. & Patricia G. Hein

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

EMERGENCY <input type="checkbox"/> YES <input type="checkbox"/> NO <b>HAZARD</b> HAS STATE OFFICE OF EMERGENCY SERVICES REPORT BEEN FILED? <input type="checkbox"/> YES <input type="checkbox"/> NO		<b>FOR LOCAL AGENCY USE ONLY</b> I HEREBY CERTIFY THAT I HAVE DISTRIBUTED THIS INFORMATION ACCORDING TO THE DISTRIBUTION SHOWN ON THE INSTRUCTION SHEET ON THE BACK PAGE OF THIS FORM.	
REPORT DATE: <u>05 JUN 19 95</u> CASE # <u>9</u>		SIGNED: <u>Paul M. Shue</u> DATE: <u>1/23/95</u>	
REPORTED BY	NAME OF INDIVIDUAL FILING REPORT: <u>Jack Lotz</u> PHONE: <u>(510) 886-5835</u>		SIGNATURE: <u>Jack Lotz</u> DATE: <u>1/18/95</u>
	REPRESENTING: <input type="checkbox"/> OWNER/OPERATOR <input type="checkbox"/> REGIONAL BOARD <input type="checkbox"/> LOCAL AGENCY <input type="checkbox"/> OTHER _____		COMPANY OR AGENCY NAME: _____
ADDRESS: <u>22320 Foothill Blvd. #410 Hayward, CA 94541</u>			
RESPONSIBLE PARTY	NAME: <u>Hein, Kenneth</u> <input type="checkbox"/> UNKNOWN CONTACT PERSON: _____ PHONE: ( )		ADDRESS: <u>25858 Peterman Hayward CA 94544</u>
	ADDRESS: <u>3744 Depot Rd. Hayward Alameda 94544</u>		CROSS STREET: _____
SITE LOCATION	FACILITY NAME (IF APPLICABLE): _____ OPERATOR: _____ PHONE: ( )		ADDRESS: <u>3744 Depot Rd. Hayward Alameda 94544</u>
	LOCAL AGENCY: _____ AGENCY NAME: _____ CONTACT PERSON: _____ PHONE: ( )		REGIONAL BOARD: _____ PHONE: ( )
SUBSTANCES INVOLVED	(1) NAME: _____ QUANTITY LOST (GALLONS): _____ <input type="checkbox"/> UNKNOWN		(2) NAME: _____ QUANTITY LOST (GALLONS): _____ <input type="checkbox"/> UNKNOWN
	DATE DISCOVERED: _____ HOW DISCOVERED: <input type="checkbox"/> INVENTORY CONTROL <input type="checkbox"/> SUBSURFACE MONITORING <input type="checkbox"/> NUISANCE CONDITIONS <input type="checkbox"/> TANK TEST <input type="checkbox"/> TANK REMOVAL <input type="checkbox"/> OTHER _____		DATE DISCHARGE BEGAN: _____ METHOD USED TO STOP DISCHARGE (CHECK ALL THAT APPLY): <input checked="" type="checkbox"/> UNKNOWN <input type="checkbox"/> REMOVE CONTENTS <input type="checkbox"/> CLOSE TANK & REMOVE <input type="checkbox"/> REPAIR PIPING <input type="checkbox"/> REPAIR TANK <input type="checkbox"/> CLOSE TANK & FILL IN PLACE <input type="checkbox"/> CHANGE PROCEDURE <input type="checkbox"/> REPLACE TANK <input type="checkbox"/> OTHER <u>Tanks Removed</u>
DISCOVERY/ABATEMENT	HAS DISCHARGE BEEN STOPPED? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO IF YES, DATE: _____		SOURCE OF DISCHARGE: <input type="checkbox"/> TANK LEAK <input checked="" type="checkbox"/> UNKNOWN <input type="checkbox"/> PIPING LEAK <input type="checkbox"/> OTHER _____
	CAUSE(S): <input type="checkbox"/> OVERFILL <input type="checkbox"/> RUPTURE/FAILURE <input type="checkbox"/> SPILL <input type="checkbox"/> CORROSION <input type="checkbox"/> UNKNOWN <input type="checkbox"/> OTHER _____		CASE TYPE: CHECK ONE ONLY <input type="checkbox"/> UNDETERMINED <input type="checkbox"/> SOIL ONLY <input type="checkbox"/> GROUNDWATER <input type="checkbox"/> DRINKING WATER - (CHECK ONLY IF WATER WELLS HAVE ACTUALLY BEEN AFFECTED)
CASE TYPE	CHECK ONE ONLY <input checked="" type="checkbox"/> NO ACTION TAKEN <input type="checkbox"/> PRELIMINARY SITE ASSESSMENT WORKPLAN SUBMITTED <input type="checkbox"/> POLLUTION CHARACTERIZATION <input type="checkbox"/> LEAK BEING CONFIRMED <input type="checkbox"/> PRELIMINARY SITE ASSESSMENT UNDERWAY <input type="checkbox"/> POST CLEANUP MONITORING IN PROGRESS <input type="checkbox"/> REMEDIATION PLAN <input type="checkbox"/> CASE CLOSED (CLEANUP COMPLETED OR UNNECESSARY) <input type="checkbox"/> CLEANUP UNDERWAY		
	CHECK APPROPRIATE ACTION(S) (SEE BACK FOR DETAILS): <input type="checkbox"/> EXCAVATE & DISPOSE (ED) <input type="checkbox"/> REMOVE FREE PRODUCT (FP) <input type="checkbox"/> ENHANCED BIO DEGRADATION (IT) <input type="checkbox"/> CAP SITE (CD) <input type="checkbox"/> EXCAVATE & TREAT (ET) <input type="checkbox"/> PUMP & TREAT GROUNDWATER (GT) <input type="checkbox"/> REPLACE SUPPLY (RS) <input type="checkbox"/> CONTAINMENT BARRIER (CB) <input type="checkbox"/> NO ACTION REQUIRED (NA) <input type="checkbox"/> TREATMENT AT HOOKUP (HU) <input type="checkbox"/> VENT SOIL (VS) <input type="checkbox"/> VACUUM EXTRACT (VE) <input checked="" type="checkbox"/> OTHER (OT) <u>Unknown</u>		
COMMENTS	Property acquired by default, and secured by a Deed in Lieu of default. Which has been signed by Mr. & Mrs. Hein.		



## INSTRUCTIONS

### EMERGENCY

Indicate whether emergency response personnel and equipment were involved at any time. If so, a Hazardous Material Incident Report should be filed with the State Office of Emergency Services (OES) at 2800 Meadowview Road, Sacramento, CA 95832. Copies of the OES report form may be obtained at your local underground storage tank permitting agency. Indicate whether the OES report has been filed as of the date of this report.

### LOCAL AGENCY ONLY

To avoid duplicate notification pursuant to Health and Safety code Section 25180.5, a government employee should sign and date the form in this block. A signature here does not mean that the leak has been determined to pose a significant threat to human health or safety, only that notification procedures have been followed if required.

### REPORTED BY

Enter your name, telephone number, and address. Indicate which party you represent and provide company or agency name.

### RESPONSIBLE PARTY

Enter name, telephone number, contact person, and address of the party responsible for the leak. The responsible party would normally be the tank owner.

### SITE LOCATION

Enter information regarding the tank facility. At a minimum, you must provide the facility name and full address.

### IMPLEMENTING AGENCIES

Enter names of the local agency and Regional Water Quality Control Board involved.

### SUBSTANCES INVOLVED

Enter the name and quantity lost of the hazardous substance involved. Room is provided for information on two substances if appropriate. If more than two substances leaked, list the two of most concern for cleanup.

### DISCOVERY/ABATEMENT

Provide information regarding the discovery and abatement of the leak.

### SOURCE/CAUSE

Indicate source(s) of leak. Check box(es) indicating cause of leak.

### CASE TYPE

Indicate the case type category for this leak. Check one box only. Case type is based on the most sensitive resource affected. For example, if both soil and ground water have been affected, case type will be "Ground Water". Indicate "Drinking Water" only if one or more municipal or domestic water wells have actually been affected. A "Ground Water" designation does not imply that the affected water cannot be, or is not, used for drinking water, but only that water wells have not yet been affected. It is understood that case type may change upon further investigation.

### CURRENT STATUS

Indicate the category which best describes the current status of the case. Check one box only. The response should be relative to the case type. For example, if case type is "Ground Water", then "Current Status" should refer to the status of the ground water investigation or cleanup, as opposed to that of soil. Descriptions of options follow:

No Action Taken - No action has been taken by responsible party beyond initial report of leak.

Leak Being Confirmed - Leak suspected at site, but has not been confirmed.

Preliminary Site Assessment Workplan Submitted - workplan/proposal requested of/submitted by responsible party to determine whether ground water has been, or will be, impacted as a result of the release.

Preliminary Site Assessment Underway - implementation of workplan.

Pollution Characterization - responsible party is in the process of fully defining the extent of contamination in soil and ground water and assessing impacts on surface and/or ground water.

Remediation Plan - remediation plan submitted evaluating long term remediation options. Proposal and implementation schedule for appropriate remediation options also submitted.

Cleanup Underway - implementation of remediation plan.

Post Cleanup Monitoring in Progress - periodic ground water or other monitoring at site, as necessary, to verify and/or evaluate effectiveness of remedial activities.

Case Closed - regional board and local agency in concurrence that no further work is necessary at the site.

IMPORTANT: THE INFORMATION PROVIDED ON THIS FORM IS INTENDED FOR GENERAL STATISTICAL PURPOSES ONLY AND IS NOT TO BE CONSTRUED AS REPRESENTING THE OFFICIAL POSITION OF ANY GOVERNMENTAL AGENCY

### REMEDIAL ACTION

Indicate which action have been used to cleanup or remediate the leak. Descriptions of options follow:

Cap Site - install horizontal impermeable layer to reduce rainfall infiltration.

Containment Barrier - install vertical dikes to block horizontal movement of contaminant.

Excavate and Dispose - remove contaminated soil and dispose in approved site.

Excavate and Treat - remove contaminated soil and treat (includes spreading or land farming).

Remove Free Product - remove floating product from water table.

Pump and Treat Groundwater - generally employed to remove dissolved contaminants.

Enhanced Biodegradation - use of any available technology to promote bacterial decomposition of contaminants.

Replace Supply - provide alternative water supply to affected parties.

Treatment at Hookup - install water treatment devices at each dwelling or other place of use.

Vacuum Extract - use pumps or blowers to draw air through soil.

Vent Soil - bore holes in soil to allow volatilization of contaminants.

No Action Required - incident is minor, requiring no remedial action.

COMMENTS - Use this space to elaborate on any aspects of the incident.

SIGNATURE - Sign the form in the space provided.

### DISTRIBUTION

If the form is completed by the tank owner or his agent, retain the last copy and forward the remaining copies intact to your local tank permitting agency for distribution.

1. Original - Local Tank Permitting Agency
2. State Water Resources Control Board, Division of Clean Water Programs, Underground Storage Tank Program, P.O. Box 944212, Sacramento, CA 94244-2120
3. Regional Water Quality Control Board.
4. Local Health Officer and County Board of Supervisors or their designee to receive Proposition 65 notifications.
5. Owner/responsible party.



**ENVIRONMENTAL GEOTECHNICAL CONSULTANTS, INC.**

2495 Industrial Parkway West, Hayward, CA 94545  
Telephone (510) 786-0243 • Fax (510) 732-0289

No. E393-01  
October 20, 1994

Mr. Paul Dorris  
Dorris Auto Wreckers  
3720 Depot Road  
Hayward, CA 94545

Subject: Limited Phase II Environmental Site Assessment  
Soil and Groundwater Sampling, American Auto Wreckers, 3744 Depot  
Road, Hayward, California

Dear Mr. Dorris:

Environmental Geotechnical Consultants, Inc. (EGC) has completed the soil and groundwater sampling you authorized at the subject site. Our work plan called for sampling in the location of gasoline and waste oil underground storage tanks (UST) which were previously excavated. The soil sampling at the UST sites was witnessed by Mr. Paul Smith of the Alameda County Health Care Services Agency, Hazardous Materials Division.

Laboratory analysis shows concentrations of total petroleum hydrocarbons (TPH) as gasoline, benzene, toluene, ethylbenzene and xylene (BTEX), and total oil and grease above acceptable limits. Both soil and groundwater appear to have been impacted from possible leaks in the UST's and/or piping.

The concentrations of the contaminants are well above state action levels and remediation of both soil and groundwater may be required.

Additional site assessment would have to be performed to determine the lateral and vertical extent of soil and groundwater contamination before an accurate estimate of the cost of remediation could be presented. Typically, the cost of the additional assessment would run in the \$20,000 to \$40,000 range. Remediation costs vary widely, but costs can range into the hundreds of thousands of dollars in some cases.

Very truly yours,

ENVIRONMENTAL GEOTECHNICAL  
CONSULTANTS, INC.

John F. Hicks, P.E., R.E.A.  
Principal

- need to check legal obligation of reporting content to reg. agencies of content noted by a prospective buyer

9/29/04

onsite 10:00 offsite 1:30

B1-4) = ft. correcting for ground surface sample taken 6 feet below

Sample #1 in fuel tank pit was collected at 4' depth

The material was sand (obviously fill material) which had a grey/green appearance. The sample was saturated at 4' indicating high groundwater table due to either native conditions or from the pit being open for years allowing the pit to change

Sample collected at 6' beneath surface

Sample #2 collected approximately 3 feet into ~~pit~~  
probable native pit

A sample was collected beneath the former dispenser

waste oil tank pit had been open for a # of years  
one sample was collected at the south end of the former tank

At 15' no groundwater was encountered - ~~grey~~

B-4-7

Sample was collected 7 feet below ground surface

The sample was actually 4 feet beneath the bottom of the tank pit  
water boring to 20 feet performed - water collected somewhere between 4' + 20'

Samples will be sent to Excel Chem - Sacramento



Fuel tank Sample B1-4



Dispenser Sample 3' beneath  
9/30/94 American Auto wrecking



waste oil tank pit  
9/30/94



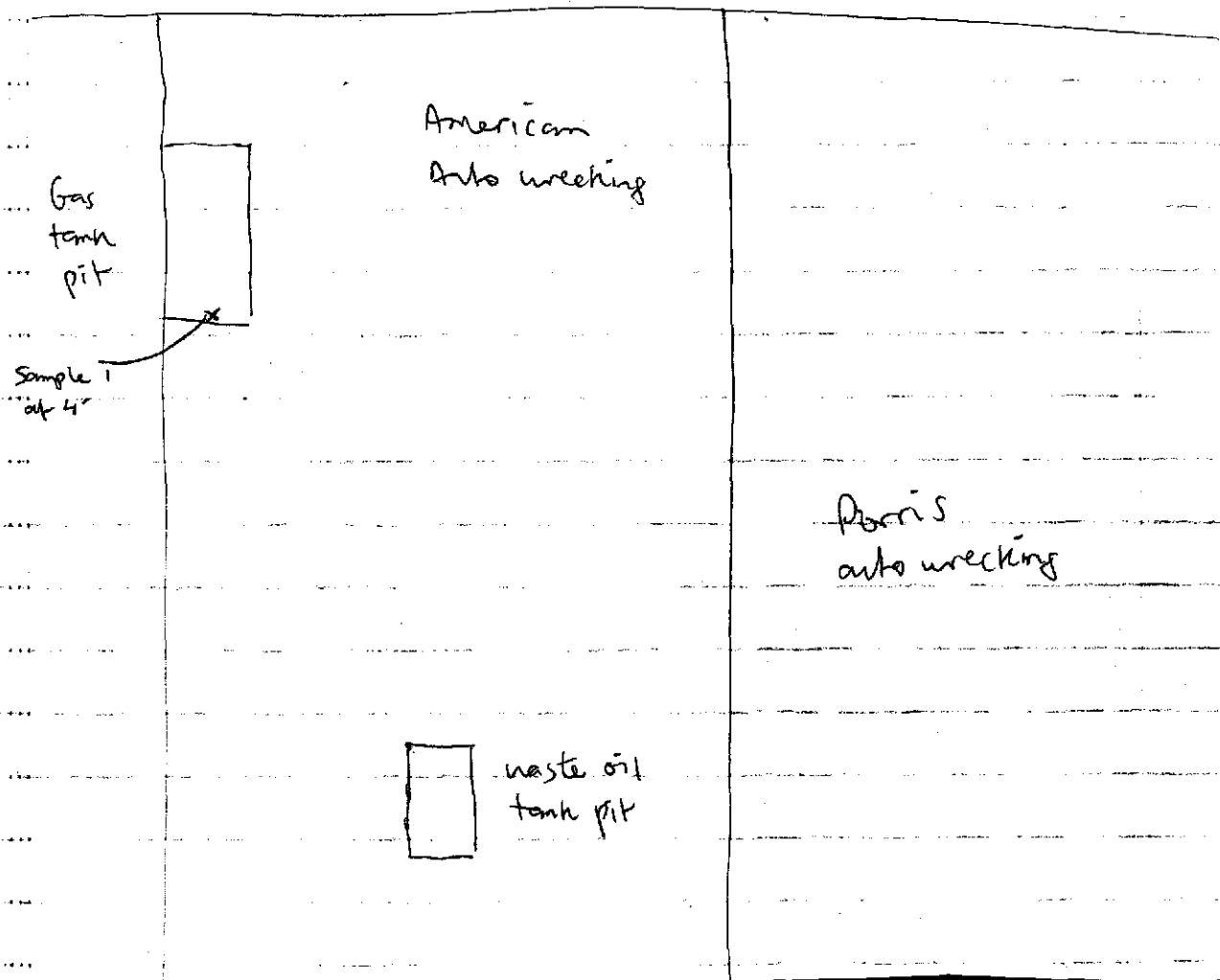
Fuel tank sampling Am. Auto wrecking  
South End Sample #1



waste oil tank pit  
9/30/94

Site visit American Auto Wreckers, 3744 Depot Rd  
onsite Adriana Constantinescu, John Hicks EGC  
Paul Dorris - prospective property owner  
Tim Tyler RCX

Samples of the ~~one fuel~~ tanks one fuel, one waste oil  
will be collected today the fuel tank was 6000 gal  
Two samples will be collected using a 3/4 inch pneumatic hammer approximately  
4 feet below ~~surface~~ ~~to~~ sloughed soil in former tank pit  
Depot Rd



ALAMEDA COUNTY ENVIRONMENTAL HEALTH / HAZARDOUS MATERIALS DIVISION

80 Swan Way, Room 200 / Oakland, CA 94621 / (510) 271-4320

HAZARDOUS WASTE GENERATOR INSPECTION REPORT

STID #:	FACILITY NAME:	PG. _____ OF _____
---------	----------------	--------------------

SUPPLEMENTAL FORM

2.5 acres property

Areas of concern

(1) 500 gallon waste oil tank

(1) 1000 gallon fuel tank

The area in the middle of the property used scrap oil (maybe)

The joint area next to transmissions/wheel - concern from Dennis next door

9/16/94

Let con of Airiana re: disposition of work plan

5 Soil borings are proposed

2 at 1000 gal fuel tank

1 at 500 gal waste oil tank

The back of property where runoff from Hayward accumulated

1 along fence line of neighbor Dennis wheat

Send pending on Dennis's approval of plan will send to me next week

FACILITY CONTACT:	INSPECTED BY:
PRINT NAME:	DATE:

~~Monday~~ Monday

on site 3:00 pm  
offsite 5:00 pm

site visit met with Paul Reby Howard & Harold Davis  
Dean Affeldt, Adriana Constantinescu of EGC  
and two Realtors, representing buyer & seller

We gained access to the site and discussed collection of samples  
via push soil sample & hydro punch in the following areas

- (1) 500 gal waste oil tank
- The junk yard area where previously oils were drained from vehicles approx middle of property
- Two or three areas along the fence next to Bernie Wheat's junk yard next door (to west)
- (1) 1000 fuel tank.

A work plan will be prepared by EGC for approval prior to implementation



DEAN AFFELDT, C.E.G., R.E.A.  
PRINCIPAL

ENVIRONMENTAL GEOTECHNICAL CONSULTANTS, INC.

2495 INDUSTRIAL PARKWAY WEST, HAYWARD, CALIFORNIA 94545  
TELEPHONE (415) 786-0243 FAX (415) 732-0289



ADRIANA CONSTANTINESCU  
R.E.A., C.H.M.M.  
Geologist

ENVIRONMENTAL GEOTECHNICAL CONSULTANTS, INC.

2495 Industrial Parkway West, Hayward, CA 94545  
Telephone (510) 786-0243 Fax (510) 732-0289  
4229 Northgate Blvd, Suite 3 Sacramento, CA 95834  
Telephone (916) 925-4789 Fax (916) 925-5973

7/14/92

Mark Woods (C-Rem) indicated that Lakeshore Financial told them not to do anymore work at the site. C-Rem has not done ~~any~~ work at the site since Jan. 1992, even though their original ~~work~~ <sup>contract</sup> was for ~~the~~ <sup>a</sup> 12 mos. period, incl. GW level measurements. Mr. Woods indicated that Lakeshore is apparently in financial straits and is attempting to sell the property. C-Rem has placed a "mechanics lien" on property because they haven't been paid for the work done to date.

∴ Need to address letter to Lakeshore/Frost regarding reports, etc.

7/21/92 Jorix

Notes on report  
dated 4/30/92

Need:

- ① gradient maps
- ② tabular results of chemical data
- ③ ?





**TESTING  
AND  
TECHNOLOGY**

31-F Commercial Blvd. • Novato, CA 94949 • (415) 883-5070

FAX • (415) 883-0859

California Contractor's License # 640016

JUN 25 11 3: 54

ENVIRONMENTAL SERVICES    PRECISION TANK TESTING    LEAK DETECTION SYSTEMS

June 25, 1992

Ms. Alice Sprague  
Deputy District Attorney  
ALAMEDA COUNTY DISTRICT  
ATTORNEY'S OFFICE  
Suite 400  
7677 Oakport Street  
Oakland, CA 94621

COPY

Subject: American Auto Wreckers, 3744 Depot Road, Hayward, CA

Dear Ms. Sprague:

I am writing this letter to advise you of several matters which have taken place with regards to Mr. Kenneth Hein of American Auto Wreckers.

On May 11, 1992, I personally met with Pamela Evans of the Alameda County Department of Environmental Health at the subject property. On this date, one of my technicians and I extracted soil samples from the subject property under the direct supervision of Ms. Evans. I had outlined the full spectrum of required analyses in my original proposal. I reviewed these with Ms. Evans at the site, and she reduced the spectrum of tests to meet the minimum requirements of the Tri-Regional Guidelines. I then sent the samples to a state-certified lab for analyses and reports, which I have received and have on file.

During this site visit, I discussed the entire matter with Ms. Evans. I witnessed her filling out her paperwork, where she stated that Mr. Hein had 30 days (to June 10, 1992) to remove and dispose of the remaining tank at the site (Mr. Hein advised me that his crew had cut up and scrapped the tank at an earlier date).

In the time period between May 11 and the date of this letter, myself and our Accounting Manager, Mrs. Earlene Lemons, have made numerous attempts to contact Mr. Hein. These attempts were to schedule the remaining services to be performed and collect funds for services performed to date. We have

June 25, 1992  
ALAMEDA COUNTY DISTRICT ATTORNEY  
Page 2

left message after message, but Mr. Hein has failed to return any of our calls to date.

As of this date, Testing and Technology is resigning from any further performance of work for American Auto Wreckers, and has referred this account for collection proceedings. We would entertain further performance of necessary remedial actions only if American Auto Wreckers were to pay for services and materials in advance.

Should you have any questions or comments regarding this matter, please feel free to contact me.

Sincerely,  
TESTING AND TECHNOLOGY



Leonard B. Slape  
Operations Manager

LBS/eml  
cc: File

Ms. Pamela Evans  
Alameda County Dept. of Environmental Health  
80 Swan Way, Suite 200  
Oakland, CA 94621

COPY

Mr. Kenneth Hein  
American Auto Wreckers  
3744 Depot Road  
Hayward, CA 94545

# invoice



TESTING AND TECHNOLOGY  
270 COMMERCIAL CENTER BLVD  
MAYFIELD, CA 94546  
(415) 937-9076

INVOICE NO: 1584-1  
INVOICE DATE: 05/29/92  
PAGE:

AM AUTO

SOLD TO

AMERICAN AUTO WRECKERS  
3744 DEPOT ROAD  
HAYWARD, CA. 94545

SHIP TO

AMERICAN AUTO WRECKERS  
SAME

SALESPERSON: MJB  
TERMS: C.O.D.

ORDERED: 05/29/92 PAYMENT DUE: 05/29/92  
SHIPPED: 05/29/92 VIA:

ITEM	ORDER	SHIP	DESCRIPTION	PRICE	AMOUNT
LABORATORY	0.0		3.0 LAB TEST TPH-EAS	150.00	450.00
	0.0		2.0 HALO VOLATILES	150.00	300.00
	0.0		2.0 GRAVIMETRIC GED C/10	80.00	160.00
	0.0		2.0 SEMI-VOLATILES	500.00	1000.00
	0.0		2.0 TITLE 22 METALS	276.00	552.00

*Mr. Warren  
When I received your  
remittance for the invoice  
that you had sent. Thank  
you very much. Ship copies  
for your records. The credit  
memo attached.*

THANK YOU FOR USING TESTING & TECHNOLOGY

TOTAL 2496.00

*Caroline Brown*

*ck# 2851 \$396.00  
Pd - 7-11-93*

TRACER-TIGHT • PRECISION TANK TESTING • MONITORING WELL SERVICES • ENVIRONMENTAL SERVICES

1578

DATE 5/11, 1992  
 COMPANY American Auto Wreckers JOB NO. AAW 222 No. 1002  
 ADDRESS 3744 Depot Rd. Hayward, Ca 94545 YOUR ORDER NO. \_\_\_\_\_  
 LOCATION Same

NAME	REG. HRS.	RATE	O.T. HRS.	RATE	TOT. HRS.	TOTAL
<u>SOIL SAMPLING</u>						
<u>2 MEN @ 48.00/HR</u>	<u>3.75</u>	<u>48.00 (x2)</u>				<u>360.00</u>

EQUIPMENT	EQUIP. NO.	RATE	TOT. HRS.	TOTAL
<u>1</u>	<u>5</u>	<u>INCLUDED</u>	<u>3.75</u>	<u>          </u>

MATERIALS & OUTSIDE SERVICES	P.O. NO.		
<u>LAB ANALYSIS:</u>		<u>T.B.D.</u>	
<u>3 INDIVIDUAL</u>			
<u>+3 TO BE COMPOSITED @ LAB (RUN</u>			
<u>AS 1 SET OF TESTS</u>			
<u>ESTIMATED LAB CHGS:</u>			<u>2,200.00</u>

FOR OFFICE USE ONLY			SALES TAX	TOTAL
				<u>2,560.00</u>

JOB DESCRIPTION  
Extraction of 6 soil samples

WHITE - ORIGINAL  
 CANARY - OFFICE  
 PINK - CUSTOMER  
 GOLDENROD - FILE

TIME START 09.00 A.M.  
 TIME STOP 10.30 A.M.

WORK ORDERED BY KENNETH HEEN  
 SIGNED BY [Signature]



**TESTING  
AND  
TECHNOLOGY**

31-F Commercial Blvd. • Novato, CA • 94949 • (415) 883-5070

FAX • (415) 883-0859

California Contractor's License # 640016

ENVIRONMENTAL SERVICES

PRECISION TANK TESTING

LEAK DETECTION SYSTEMS

May 5, 1992

Mr. Kenneth Hein  
AMERICAN AUTO WRECKERS  
3744 Depot Road  
Hayward, CA 94545

Subject: Soil Sampling and Analysis Confirmation

Dear Mr. Hein:

This letter is to re-confirm the scheduled soil sampling and analysis for the two tank pits and stockpile at your location in Hayward, California.

We have scheduled the operation for Monday, May 11, 1992 at 9:00 a.m. Pamela Evans of the Alameda County Department of Environmental Health will also be at the site.

Since the excavations are not shored up as required by OSHA, this operation will require two men to be on the site. Ms. Evans has also stated that she will require groundwater samples to be taken from the pits if there is any visible or suspected. The additional labor will be billed on an actual time and materials basis, at an estimated cost of \$240.00 above the stated amount in the original estimate. Water samples (if taken) will also incur additional charges. I cannot state the exact amount of cost until Ms. Evans advises us of what tests need to be conducted.

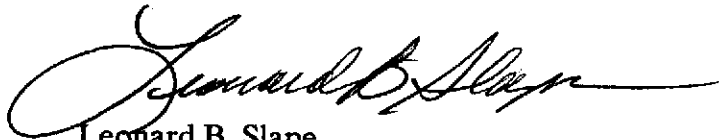
May 5, 1992  
AMERICAN AUTO WRECKERS  
Page 2 of 2

Testing and Technology will submit a written report on the conclusions of the completed test. Payment is due upon receipt of our invoice.

Please feel free to call me should you have any questions concerning the above.

Sincerely,

TESTING AND TECHNOLOGY

A handwritten signature in cursive script, appearing to read "Leonard B. Slape", with a long horizontal flourish extending to the right.

Leonard B. Slape  
Operations Manager

LBS/eml  
cc: File



**TESTING  
AND  
TECHNOLOGY**

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FAX • (415) 883-0859

*John*

TRACER-TIGHT • PRECISION TANK TESTING • MONITORING WELL SERVICES • ENVIRONMENTAL SERVICES

April 16, 1992

Mr. Kenneth Hein  
AMERICAN AUTO WRECKERS  
3744 Depot Road  
Hayward, CA 94545

Subject: Contract Proposal and Hearing before Alameda County DEHS

Dear Mr. Hein:

Please find enclosed the contract for services to be performed at your facility in Hayward. I have itemized each analysis for you, and categorized the list by the requirements for each type of product that was stored in the tanks.

Our WATS number is on the bottom of the business cards attached hereto. Please feel free to use it whenever you call me.

When you go to your hearing on Tuesday, take a copy of this proposal (preferably already signed) and both business cards with you. Mr. Nieman is a Registered Environmental Assessor with the State of California, and is known to many of the regulators in this area. This will show the review board that you are making a good-faith attempt to address this situation, and should give you a little breathing room.

At your hearing, emphasize the fact that the job has not been scheduled at this time because we (your consultants) will need to coordinate a suitable date and time for the project that will be agreeable to Ms. Evans and ourselves. Feel free to release our names to the Review Board, and let them know that it is o.k. with you to contact us directly. Any dialogue between this office and the regulatory agency will be relayed to you.

April 16, 1992  
AMERICAN AUTO WRECKERS  
Page 2 of 2

If you have any questions regarding the enclosed, please call me. I will be glad to answer any questions you may have. When this is signed, place a copy in the mail as soon as possible so that I can get this scheduled.

Thank you for your interest in TESTING AND TECHNOLOGY. We are looking forward to serving you.

Sincerely,

TESTING AND TECHNOLOGY

A handwritten signature in black ink, appearing to read "Leonard B. Slape", with a long, sweeping underline.

Leonard B. Slape  
Operations Manager

LBS/eml  
cc: File  
enclosures





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FAX • (415) 883-0859

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TRACER-TIGHT • PRECISION TANK TESTING • MONITORING WELL SERVICES • ENVIRONMENTAL SERVICES

April 15, 1992

Mr. Kenneth Hein  
AMERICAN AUTO WRECKERS  
3744 Depot Road  
Hayward, CA 94545

Subject: Soil Sampling and Analysis

Dear Mr. Hein:

TESTING AND TECHNOLOGY is pleased to present the following proposal for the testing of the soils from your (previously excavated) tank pits and stockpile at your facility in Hayward, CA.

Scope of Services shall include the extraction of soil samples under direct supervision of Alameda County Department of Environmental Health Services Inspector, Ms. Pamela Evans.

Scope of Work shall include the extraction of samples under Tri-Regional Guidelines, as specified by the Alameda County D. E. H. S. This requires the extraction of at least five (5) soil samples, as follows:

- One sample from each end of the tank bed under the gasoline tank, two (2) feet below tank bottom, for a total of two (2) samples.
- One sample from each end of the tank bed under the waste oil tank, two (2) feet below tank bottom, for a total of two (2) samples.
- (At least) one (1) *composite* sample from the stockpiled soils.

(NOTE: Should the regulator require additional sampling to be done other than specified herein, additional charges shall apply. Should this occur, you will be notified in advance at the time that the directive is given.)

April 15, 1992  
 AMERICAN AUTO WRECKING  
 Page 2 of 4

The following costs are presented on a *per tank bed* basis, with each required analysis and its' cost listed, per the requirements of the Tri-Regional Recommendations and the Alameda County D. E. H. S.

<u>TANK BED #1 - GASOLINE TANK</u>	EACH	TOTAL
TPH gasoline/BTEX (EPA 5030/8015/8020):	\$ 102.00	\$ 204.00
Title 22 CAM-17 Metals (EPA 6010/7000):	\$ <u>302.40</u>	\$ <u>604.80</u>
<b>TOTAL FOR TANK BED #1</b>		<b>\$ 808.80</b>

<u>TANK BED #2 - WASTE OIL TANK</u>	EACH	TOTAL
TPH gasoline/BTEX (EPA 5030/8015/8020):	\$ 102.00	\$ 204.00
TPH extractable (Diesel, Kerosene, Oil) (EPA 3510/8015):	\$ 102.00	\$ 204.00
Oil/Grease (Standard Method 5520 E&F or B&F):	\$ 86.40	\$ 172.80
Chlorinated Hydrocarbons (EPA 8010):	\$ 124.80	\$ 249.60
Polychlorinated Biphenyls (PCB - EPA 8270):	\$ 86.40	\$ 172.80
Title 22 CAM-17 Metals (EPA 6010/7000):	\$ <u>302.40</u>	\$ <u>604.80</u>
<b>TOTAL FOR TANK BED #2</b>		<b>\$1,608.00</b>

<u>SOIL STOCKPILE</u>	EACH	TOTAL
TPH gasoline/BTEX (EPA 5030/8015/8020):	\$ 102.00	\$ 102.00
TPH extractable (Diesel, Kerosene, Oil) (EPA 3510/8015):	\$ 102.00	\$ 102.00
Title 22 CAM-17 Metals (EPA 6010/7000):	\$ 302.40	\$ 302.40
Oil/Grease (Standard Method 5520 E&F or B&F):	\$ 86.40	\$ 86.40
Chlorinated Hydrocarbons (EPA 8010):	\$ 124.80	\$ 124.80
Polychlorinated Biphenyls (PCB - EPA 8270):	\$ <u>86.40</u>	\$ <u>86.40</u>
<b>TOTAL FOR SOIL STOCKPILE</b>		<b>\$ 804.00</b>

(Continued, Next Page)

April 15, 1992  
AMERICAN AUTO WRECKING  
Page 3 of 4

<u>REQUIRED FIELD LABOR</u>	PER HOUR	TOTAL
Field Technician (1 Man, Estimate 5.0 hours)	\$ 48.00	\$ <u>240.00</u>
<b>TOTAL FIELD LABOR</b>		<b>\$ 240.00</b>

**GRAND TOTALS**

Tank Bed #1 (Gasoline Tank) Samples and Analysis	\$ 808.80
Tank Bed #2 (Waste Oil Tank) Samples and Analysis	\$1,608.00
Soil Stockpile Samples and Analysis	\$ 804.00
Field Technician (1 Man, Estimated 5.0 Hours)	\$ <u>240.00</u>
<b>GRAND TOTAL FOR JOB ESTIMATE</b>	<b>\$3,460.80</b>

Note: Remediation and disposal of any contaminated soils are not an integral part of this proposal. Should contamination above allowed limits be discovered, a separate proposal for remediation and disposal will need to be prepared.

TAT personnel performing these tests will be trained as required under 29CFR 1910.120 standards (OSHA 40-Hour Hazardous Materials Training) and shall utilize approved sampling methods and materials. The tests and data shall be performed and prepared by a State-Certified laboratory using approved methodologies.

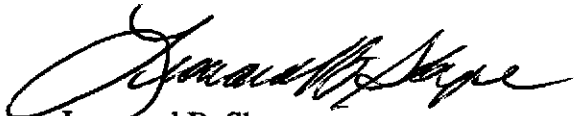
Rates quoted herein are based on current rates and are subject to change without notice. All figures quoted herein are good for 30 days from the date of this correspondence. Any amounts which become past due (more than 30 days) shall accrue interest at the rate of 1.5% per month (18% per annum) of any unpaid balance. Should collection procedures become necessary, client shall be responsible for all costs incurred by TAT to effect payment due, including but not limited to collection fees, court costs, and attorney fees.

April 15, 1992  
AMERICAN AUTO WRECKING  
Page 4 of 4

TESTING AND TECHNOLOGY appreciates the opportunity to submit this proposal. If the above proposal is agreeable please sign and return a copy.

Sincerely,

TESTING AND TECHNOLOGY



Leonard B. Slape  
Operations Manager

IN WITNESS HEREOF, the parties have executed this Agreement as of the dates set forth below. All ink-signed copies of this Agreement shall be deemed originals.

TESTING AND TECHNOLOGY

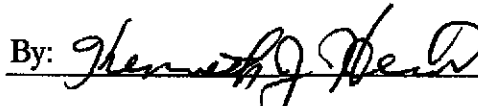
By: 

Name(Print): Leonard B. Slape

Title: Operations Manager

Date: April 15, 1992

AMERICAN AUTO WRECKING

By: 

Name(Print): KENNETH W HEIN

Title: Chairman

Date: 4-17-92

LBS/eml  
cc: File

MEMORANDUM

TO: Gil Jensen, Alameda County District Attorney's Office  
FROM: Pam Evans, Alameda County Environmental Health  
Hazardous Materials Division  
SUBJECT: American Auto Wreckers, 3744 Depot Rd., Hayward  
DATE: March 19, 1991

Recently I received a telephone call from Ken Hein, owner of American Auto Wreckers, regarding his underground fuel storage tanks at the above location. Mr. Hein stated to me that he had recently removed his gasoline tank and asked for instructions on filling out the closure form. He also told me that he had removed his waste oil tank last summer, after my last site inspection.

Below are the dates I have spoken with or sent correspondence to Mr. Hein regarding his tanks and a short description of what these contacts included:

6/22/90	Site inspection	Instructed AAW in writing to submit submit tank closure plan by 8/31/90.
10/15/90	Notice of Violation	Required written timetable of tank tank removal activities by 10/31/90. No timetable has ever been received. Also required closure plan by 11/15/90.
10/30/90	Call from K. Hein	Mr. Hein stated he did not receive a closure plan. I sent a him blank form 10/30/90. Have never received a completed closure form. Form states that this agency is to be contacted prior to site work beginning.
11/29/90	Second NOV	Required timetable and com- pleted plan by 12/15/90.
12/17/90	Call from K.Hein	Mr. Hein stated he mailed closure plan 12/13/90. Plan was never received by hazmat.
1/23/91	Site visit	Dropped off closure plan form
3/5/91	Final NOV	Required timetable and plan by 3/15/91.
3/14/91	Call from K.Hein	Conversation as detailed above

Attached you will find copies of all file documents.

c: Ken Hein, American Auto Wreckers  
Ariu Levi, Supervising Hazardous Materials Specialist  
Tom Peacock, Underground Tank Program Lead  
Ted Ferreira, Alameda County Fire Department

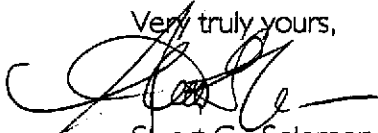
**To:** Amy Leech - ACDEH  
**Fax #:** (510) 337-9335  
**Re:** 3744 Depot Road Map Replacement  
**Date:** November 3, 1984  
**Pages:** 2, including this cover sheet.

**FACSIMILE**

Dear Amy,

Please replace Figure 2 of our Depot Road Assessment Report with this revised map. We have added dimensional measurements to show proximity of various points. The hard copy original has been mailed. We apologize for the delay in getting this to you. Please feel free to call me if you have any questions whatsoever.

Very truly yours,



Stuart G. Solomon

From the desk of...

**Stuart G. Solomon**  
President  
PIERS Environmental Services, Inc.  
3131 S. Bascom Ave. Suite 5  
Campbell, CA 95008

(408) 559-1248  
Fax (408) 559-1224

