



# State Water Resources Control Board

## Division of Clean Water Programs

1001 I Street • Sacramento, California 95814

P.O. Box 944212 • Sacramento, California • 94244-2120

(916) 341-5757 • FAX (916) 341-5806 • www.swrcb.ca.gov/cwphome/ustcf



Gray Davis  
Governor

Winston H. Hickox  
Secretary for  
Environmental  
Protection

*The energy challenge facing California is real. Every Californian needs to take immediate action to reduce energy consumption. For a list of simple ways you can reduce demand and cut your energy costs, see our website at www.swrcb.ca.gov.*

December 3, 2002

Donnelly & Kerry  
Morris Donnelly  
463 Elsie Ave  
San Leandro, CA 94577

Alameda County  
DEC 10 2002  
Environmental Health

**PRE-APPROVAL OF CORRECTIVE ACTION COSTS,  
CLAIM NO. 014228, PA # 6  
SITE ADDRESS: 14336 WASHINGTON AVE, SAN LEANDRO, CA 94578**

I have reviewed your request, received on November 6, 2002, for pre-approval of corrective action costs. I have included a copy of the "Cost Pre-Approval Request" form; please use this form in the future for requesting pre-approval of corrective action costs.

With the following provisions, the total cost pre-approved as eligible for reimbursement for completing the September 25, 2001, All Cal workplan approved by the Alameda County EHD (County) in their October 22, 2001 letter, is \$ 8,825; see the table below for a breakdown of costs. *(The total amount that has been reimbursed and approved for payment up to this point is \$ 17,041.)*

Be aware that this pre-approval does not constitute a decision on reimbursement: **necessary** (as determined by the Fund) corrective action costs for action work **directed and approved by the County** will be eligible for reimbursement at costs consistent with those pre-approved in this letter. However, depending on what happens in the field, some costs may not actually be necessary.

In an effort to expedite future reimbursement requests associated with the implementation of the corrective action tasks pre-approved in this letter, we ask that the attached 'Pre-Approval Specific Reimbursement Request Form' be completed, updated and submitted with each reimbursement request. All relevant supporting documentation must also be included with each reimbursement request.

***In order for future costs for corrective action to be part of the expedited reimbursement process, they must be pre-approved in writing by Fund staff.***

***All costs for corrective action must meet the requirements of Article 11, Chapter 16, Underground Storage Tank Regulations in order to be eligible for reimbursement.***

California Environmental Protection Agency



**COST PRE-APPROVAL BREAKDOWN**

#	Task*	Amount Pre-Approved	Comments
1	Health and Safety Plan & PM, Install 2-22' Borings, and 1 Well, Analytical, Survey, GPS and Report	\$8,825	This cost includes all time, materials and markups associated with this task. Copies of all sub-invoices and reports must be submitted to the Fund.
	<b>TOTAL PRE-APPROVED</b>	<b>\$ 8,825</b>	

\* Task descriptions are the same as those identified in PSI's October 22, 2002 cost estimate.

- Only the tasks/costs reflected on the above table are pre-approved at this time. The Fund will review any tasks/costs that go beyond the pre-approved amount to be determined if the additional tasks and costs are necessary and reasonable. However, if costs exceed the above pre-approved amounts, the Fund will be unable to expedite your Reimbursement Request.
- The work products must be acceptable to the County and the Regional Water Quality Control Board.
- If a different scope of work becomes necessary, then you must request pre-approval of costs on the new scope of work.
- Although I have referred to the PSI proposal in my pre-approval above, please be aware that you will be entering into a private contract: the State of California cannot compel you to sign any specific contract. This letter **pre-approves the costs** as presented in the proposal dated October 22, 2002 by PSI for conducting the work approved by the County.

I also want to remind you that the Fund's regulations require that you obtain at least three bids, or a bid waiver from Fund staff, from qualified firms for all necessary future corrective action work. If you need assistance in procuring contractor and consultant services, don't hesitate to call me.

Please remember that it is still necessary to submit the actual costs of the work as explained in the Reimbursement Request Instructions to confirm that the costs are consistent with this pre-approval before you will be reimbursed. *Please insure that your consultant prepares their invoices to include the required breakdown of costs on a time and materials basis, that invoiced tasks are consistent with the original proposal, and that reasonable explanations are provided for any changes made in the scope of work or increases in the costs.*

*When the invoices are submitted you must include copies of all:*

- *subcontractor invoices,*
- *technical reports, when available, and*
- *applicable correspondence from the County.*

Please call if you have any questions; I can be reached at (916) 341-5757.

Sincerely,

*Sunil Ramdass*

Sunil Ramdass, Water Resources Control Engineer  
Technical Review Unit  
Underground Storage Tank Cleanup Fund

Enclosure

cc: Ms. Donna Drogos  
Alameda County EHD  
1131 Harbor Bay Pkway, 2nd Fl.  
Alameda, CA 94502-6577

Ro-208

REALTORS • APPRAISERS

**kerry & associates**

SUITE 300 • 151 CALLAN AVE. • SAN LEANDRO, CA 94577 • (510) 483-4211  
FAX 483-4200

August 14<sup>th</sup>, 2002

AUG 16 2002

SWRCB-UST Cleanup Fund  
P.O. Box 94412  
Sacramento, California 94244-2120

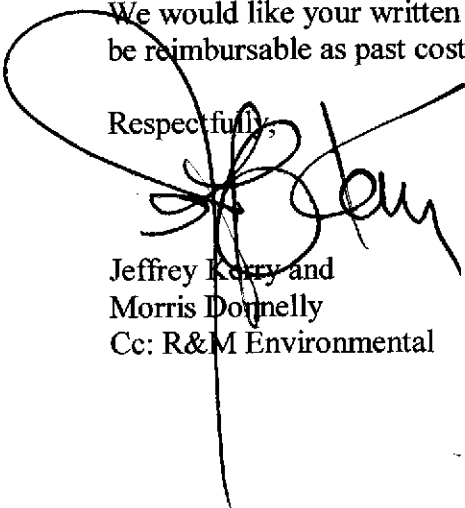
Scott O. Serry, CHMM  
Environmental Health Services  
1131 Harbor Bay Parkway, Suite 250  
Alameda, California 94502-6577

Gentlemen: Regarding: Clean up at 14336 Washington Avenue, San Leandro, CA  
and Cost Estimate for Well Installation and Sampling.

Enclosed is a 5-20-02 letter from R&M Environmental, which estimates costs for work.

We would like your written approval of these costs and charges and that these costs will  
be reimbursable as past costs.

Respectfully,



Jeffrey Kerry and  
Morris Donnelly  
Cc: R&M Environmental

7996 Capwell Drive  
Oakland, CA 94621-2015  
Telephone: (510) 553-2146  
Fax: (510) 553-2145; (415) 856-1348  
mghassemi@randmenvironmental.com

**R&M Environmental and  
Infrastructure Engineering, Inc.**  
**www.randmenvironmental.com**

# Fax

AUG 16 2002

To: **Mr. Jeff Kerry** From: Masood Ghassemi

Fax: (510) 483-4200 Pages: 7

Phone: (510) 483-4211 Date: August 13, 2002

Re: **Cost Estimate for Well Installation and Sampling,  
Palace Garage**

Urgent     For Review     Please Comment     Please Reply     Please Recycle

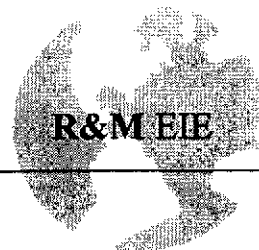
● **Comments:**

Dear Mr. Kerry:

The attached revised cost estimate incorporates the change suggested by Mr. Morris Donnely. A hard copy is being sent to you via U.S. mail

We look forward to proceeding with this project.

Masood Ghassemi  
(510) 553-2146



R&M Environmental and Infrastructure Engineering, Inc.		(May 20, 2002)
7901 Oakport Street, Suite 4700		
Oakland, CA 94621-2015		
Tel.: (510) 553-2146; Fax: (510) 553-2145; E-mail: mghassemi@randmenvironmental.com		
<b>PRICE SCHEDULE</b>		
<b>SOIL AND GROUNDWATER INVESTIGATIONS</b>		
PALACE GARAGE		
14336 WASHINGTON AVENUE		
SAN LEANDRO, CALIFORNIA, 94587		
R&M Project No. 1339		
<b>COST SUMMARY</b>		
		<b>Estimated Cost</b>
TASK 1 - Prepare Cost Estimate, Negotiate Subcontracts, Prepare Job Hazard Analysis, Prepare Work plan, and Obtain Permits		\$ 2,291.56
TASK 2 - Sample borings and install two monitoring wells using Geoprobe		\$ 6,019.39
TASK 3 - Prepare report and assist with recouping funds from the California Water Resources Control Board Underground Storage Tank Cleanup Fund		\$ 1,827.91
TASK 4 - Disposal Of Existing 11- Drums of Soil cutting IDW		\$ 1,001.30
TASK 5 - Sampling 3-existing Monitoring wells and 2- New Installed wells		\$ 2,428.80
<b>TOTAL COST:</b>		<b>\$ 13,568.96</b>



R&M Environmental and Infrastructure Engineering, Inc. (May 20, 2002)  
 7901 Oakport Street, Suite 4700  
 Oakland, CA 94621-2015  
 Tel.: (510) 553-2146; Fax: (510) 553-2145; E-mail: mghassemi@randmenviro.com

**TASK 1 - Prepare Cost Estimate, Negotiate Subcontracts, Prepare Job Hazard Analysis, Prepare Work plan (May 20, 2002)**

- a) Prepare a cost estimate for tasks detailed in proposal/contract
- b) Negotiate subcontracts
- c) Prepare a job hazard analysis for Tasks 2 and 3
- d) Prepare a work plan
- e) Secure drilling and encroachment permits

**Assumptions:**

- a) No drilling fee is required for work in San Leandro

Cost item	Qty	Unit	Unit price	Extended price	Extended price
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**LABOR**

Principal-in-charge/Program Director	2	Hour	\$ 100.00	\$ 200.00	
Senior Engineer/Scientist	2	Hour	\$ 85.00	\$ 170.00	
Project Engineer/Scientist	16	Hour	\$ 65.00	\$ 1,040.00	
Administrative Assistant	2	Hour	\$ 30.00	\$ 60.00	
<b>TOTAL DIRECT LABOR COST</b>				<b>\$ 1,470.00</b>	

**ODCs**

**Other Direct Costs (ODCs)**

Obtaining Drilling Permit	N/C	Lump	\$ -		
Obtaining Encroachment Permit:					
a) Deposit Required by the City (will be returned)	1	Lump sum	\$ 500.00	\$ 500.00	
b) Well # SB- 16	1	Unit	\$ 75.00	\$ 75.00	
c) Well # SB- 17	1	Unit	\$ 75.00	\$ 75.00	
d) Permit processing fee	1	Unit	\$ 50.00	\$ 50.00	
Personal Car Mileage	20	Mile	\$ 0.37	\$ 7.40	
Reproduction	100	Page	\$ 0.07	\$ 7.00	
<b>TOTAL ODCs</b>				<b>\$ 714.40</b>	
G&A @ 15%				\$ 107.16	
				<b>\$ 821.56</b>	

**TASK 1 Total Cost \$ 2,291.56**



R&M Environmental and Infrastructure Engineering, Inc.				(May 20, 2002)
7901 Oakport Street, Suite 4700				
Oakland, CA 94621-2015				
Tel.: (510) 553-2146; Fax: (510) 553-2145; E-mail: mghassemi@randmenvironmental.com				
<b>TASK 2 - Sample borings and install two monitoring wells using</b>		<b>Geoprobe</b>		<b>(May 20, 2002)</b>
method				
a). Secure services of driller, subsurface utility locator, surveyor and analytical laboratory				
b). Install two monitoring wells about 22-ft deep via Geoprobe method				
c). Collect soil sample at about 2 feet above the groundwater in each of the boring				
d). Develop the monitoring wells				
<b>ASSUMPTIONS:</b>				
1) Geoprobe methods will be employed. Any change in drilling technique will significantly affect production and this cost estimate.				
2) Installation will be completed in 8 hours (Repeated refusals or other extreme conditions will not be encountered)				
3) Drill crews will work 8 hr per day; field crews will work 10-hr per day including sample packaging/shipment time				
4) Water samples will be collected with a small-diameter bailer, inertial method, or electrical pump				
5) Groundwater sampling will require an average of 1-hr per sample				
6) Soil cutting and development water will be stored on site pending analytical results and will be disposed of along with existing waste drums on site				
Cost item	Qty	Unit	Unit price	Extended price
<b>LABOR</b>				
Principal-in-charge /Program Director	1	Hour	\$100.00	\$ 100.00
Senior Engineer / Scientist	3	Hour	\$85.00	\$ 255.00
Project Engineer /Scientist	16	Hour	\$65.00	\$ 1,040.00
Administrative Assistant	2	Hour	\$30.00	\$ 60.00
<b>Total Direct Labor</b>				<b>\$ 1,455.00</b>
<b>ODCs</b>				
<b>Subcontractors</b>				
- Subsurface Utility Locator	1	Lump	\$300.00	\$300.00
- Driller	1	Lump	\$2,950.00	\$2,950.00
-Surveying wells (Horizontal and vertical)	1	Lump	\$350.00	\$350.00
- Laboratory Analyses	1	Lump	\$400.00	\$400.00
<b>Equipment and Supplies</b>				
-Truck Rental (1)	2	Days	\$75.00	\$ 150.00
-Photoionization detector	1	Days	\$100.00	\$ 100.00
-Supplies, gloves, baggies, ice, etc.	1	Days	\$35.00	\$ 35.00
- 55 gallon drum for IDVV	2	Lump	\$35.00	\$ 70.00
-Health and safety supplies	1	Lump	\$30.00	\$ 30.00
- Communication (Cell Phone)	2	Days	\$15.00	\$ 30.00
- Disposable bailers	1	Lump	\$20.00	\$ 20.00
-Mileage	0.22	Mile	\$30.00	\$ 6.60
Repro	20	Page	\$0.07	\$ 1.40
Overnight delivery (Samples)	1	Each	\$65	\$ 65.00
<b>TOTAL ODCs</b>				<b>\$4,508.00</b>
G&A @15 % (on all ODCs, except Subcontractors' costs)				\$ 56.39
				\$4,564.39
<b>Task 2 - Total Cost</b>				<b>\$6,019.39</b>





R&M Environmental and Infrastructure Engineering, Inc.				(May 20, 2002)
7901 Oakport Street, Suite 4700				
Oakland, CA 94621-2015				
Tel.: (510) 553-2148; Fax: (510) 553-2145; E-mail: mghassemi@randmenvironmental.com				
				(May 20, 2002)
<b>TASK 3 - Prepare report and assist with recouping funds from the</b>				
<b>California Water Resources Control Board Underground Storage Tank</b>				
<b>Cleanup Fund</b>				
Cost Item	Qty	Unit	Unit price	Extended price
<b>LABOR</b>				
Principal-in charge /program Director	2	Hour	\$100.00	\$ 200.00
Project Engineer / Scientist	24	Hour	\$65.00	\$ 1,560.00
Administrative Assistant	2	Hour	\$30.00	\$ 60.00
Quality Control/Data Processor	6	Hour	\$55.00	\$ 330.00
<b>Total Direct Labor</b>				<b>\$ 1,820.00</b>
<b>ODCs</b>				
Repro	100	Page	\$0.07	\$ 7.00
<b>TOTAL ODCs</b>				<b>\$ 7.00</b>
<b>G&amp;A @ 15 %</b>				<b>\$ 0.91</b>
				<b>\$ 7.91</b>
<b>TASK 3 - Total Cost</b>				<b>\$ 1,827.91</b>



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 Oakland, CA 94621-2015  
 Tel.: (510) 553-2146; Fax: (510) 553-2145; E-mail: mghassemi@randmenvironmental.com

**TASK 4 Disposal OF Existing 11 Drums Of Soil Cutting Waste (May 20, 2002)**  
 and waste generated as result of drilling and well development and sampling

- a) Drums containing waste will be sampled and samples analyzed to determine proper disposal method
- b) Eleven drums of waste currently on site will be disposed of in an appropriate offsite disposal facility
- c) Three drums of water and 2 drums of soil generated as result of drilling, sampling, and well development will also be disposed of as above.

**ASSUMPTIONS:**

- 1) The 11 drums currently on site contain soil cuttings from previous drilling activities
- 2) The 11 drums from past drilling will be sampled individually and composited to obtain one composite sample that will be analyzed for contaminant(s) required by the disposal facility
- 3) One composite sample of water and one composite sample of soil from the new drums generated in this project will also be obtained and tested as required by the disposal facility
- 4) All wastes will be suitable for disposal as non-hazardous waste

Cost item	Qty	Unit	Unit price	Extended price
<b>LABOR</b>				
Principal-in charge / Project Director	1	Hour	\$100.00	\$ 100.00
Project Engineer / Scientist	12	Hour	\$65.00	\$ 780.00
Administrative Assistant	1	Hour	\$30.00	\$ 30.00
<b>Total Direct Labor</b>				<b>\$ 910.00</b>
<b>Subcontractors</b>				
- Waste Disposal	1	Lump	\$ 1,210.00	\$ 1,210.00
- Laboratory Analyses	1	Lump	\$ 600.00	\$ 600.00
- Shipping sample to Lab	1	Lump	\$ 65.00	\$ 65.00
<b>ODCs</b>				
Gasoline for field vehicle	20	Miles	\$ 0.22	\$ 4.40
Truck Rental (1)	1	Days	\$ 75.00	\$ 75.00
Repro	20	Page	\$ 0.07	\$ 1.40
<b>TOTAL ODCs</b>				<b>\$ 80.80</b>
G&A @ 15%				\$ 10.50
				\$ 91.30
<b>TASK 4 - Total Cost</b>				<b>\$ 1,001.30</b>



R&M Environmental and Infrastructure Engineering, Inc. (May 20, 2002)  
 7901 Oakport Street, Suite 4700  
 Oakland, CA 94621-2015  
 Tel.: (510) 553-2146; Fax: (510) 553-2145; E-mail: mghassemi@randmenvironmental.com

(May 20, 2002)

**TASK 5- SAMPLING EXISTING 3-MONITORING WELL AND THE 2 NEWLY INSTALLED MONITORING WELLS**

- 1) Measure depth to water and estimate water elevations
- 2) Purge wells prior to sampling
- 3) Obtain water samples from each well using disposable bailer
- 4) Water samples will be sent to a certified laboratory for total petroleum hydrocarbon (TPH-g, TPH-d), BTEX, and MTBE

**Assumptions:**

- 1) Three Existing monitoring wells and Two New Installed wells sampled at the same Day
- 2) Well purge water will be stored on site pending analytical results

Cost Item	Qty	Unit	Unit Price	Extended Price
<b>LABOR</b>				
Principal-in charge / Project Director	2	Hour	\$ 100.00	\$ 200.00
Project Engineer / Scientist	12	Hour	\$ 65.00	\$ 780.00
Administrative Assistant	2	Hour	\$ 30.00	\$ 60.00
<b>Total Direct Labor</b>				<b>\$ 1,040.00</b>

**Subcontractors**

- Laboratory Analyses	1	Lump	\$ 840.00	\$ 840.00
<b>Equipment and Supplies</b>				
-Truck Rental (1)	1	Days	\$ 75.00	\$ 75.00
- Gasoline for field vehicle	20	miles	\$ 0.22	\$ 4.40
-Photoionization detector	1	Days	\$ 100.00	\$ 100.00
-Water level indicator	1	Days	\$ 25.00	\$ 25.00
-Supplies: gloves, baggies, ice, etc.	1	Days	\$ 35.00	\$ 35.00
- 55 gallon drum for IDW	2	Lump	\$ 35.00	\$ 70.00
-Health and safety supplies	1	Lump	\$ 30.00	\$ 30.00
- Disposable bailers	1	Lump	\$ 20.00	\$ 20.00
-Mileage	25	Mile	\$ 0.33	\$ 8.25
<b>TOTAL ODCs</b>				<b>\$ 1,207.65</b>
G&A @ 15 %				\$ 181.15
				\$ 1,388.80
<b>TOTAL TASK 5</b>				<b>\$ 2,428.80</b>



# kerry & associates

SUITE 202 • 151 CALLAN AVE. • SAN LEANDRO, CA 94577 • (510) 483-4211  
FAX 483-4200

APR 19 2002

April 16, 2002

SWRCB-UST Cleanup Fund  
P.O. Box 94412  
Sacramento, California 94244-2120

Scott O. Serry, CHMM  
Environmental Health Services  
1131 Harbor Bay Parkway, Suite 250  
Alameda, California 94502-6577

Gentlemen: Regarding: Clean up at 14336 Washington Avenue, San Leandro, CA

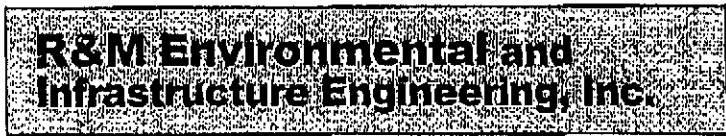
Enclosed is a 4-15-02 letter from R&M Environmental that explains our situation and delay in corresponding to you. We feel we are on track and will be proceeding.

Respectfully,



Jeffrey Kerry and  
Morris Donnelly

7901 Oakport St.  
Suite 4700  
Oakland, CA 94621-2015  
(510) 553-2144  
FAX: (510) 553-2145



APR 19 2002

# Fax

**To:** Jeffery & Morris/Kerry & Associates      **From:** D'Artagnan Lloyd

---

**Fax:** 510.483.4200      **Pages:** 1

---

**Phone:** 510.483.4211      **Date:** 4/15/02

---

**Re:** Environmental Assessment of 14336 Washington Avenue, San Leandro, CA

---

Urgent     For Review     Please Comment     Please Reply     Please Recycle

• **Comments:**

Dear Mr. Donnelly and Mr. Kerry,

Thank you for meeting with Ahmad and I this afternoon. We should have a cost estimate for you by next Monday April 22 at the latest. After the cost is worked out and we have a contract with you we will make all possible efforts to complete the work in a timely manner, probably within 30-45 days.

Regarding the delays in getting to the point where we could meet you, do a site walk, and get started on this project, here are some explanations. This work was referred to us by John Mrakovich of ALLCAL Environmental, so ALLCAL was originally planning performing the work but eventually decided that it would be better to turn it over to us, which took a good amount of time. At the time R&M received the information package we were in the middle of big project and did not have time to get to it straight away, which caused another delay. Finally, we have been having trouble finding a time when both you an R&M representative could meet at the site. Now that those items are cleared up I am certain that the work will proceed quickly.

Thank you,  
D'Artagnan  
Mobile: 510.364.4430  
Office: 510.553.2113



**R&M Environmental**  
and Infrastructure Engineering, Inc.

D'Artagnan Lloyd  
Staff Hydrogeologist

7901 Oakport St., Suite 4700  
Oakland, CA 94621-2015  
E-mail: dlloyd@randmenvironmental.com  
(510) 553-2113  
~~Cell (510) 986-4433~~  
Fax (510) 553-2145  
Mobile: 510.364.4430

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

October 22, 2001

STID 2355

Morris F. Donnelly  
Jeffrey W. Kerry  
Kerry & Associates  
151 Callahan Avenue, Ste. 202  
San Leandro, CA 94577

RE: Palace Garage, 14336 Washington Avenue, San Leandro

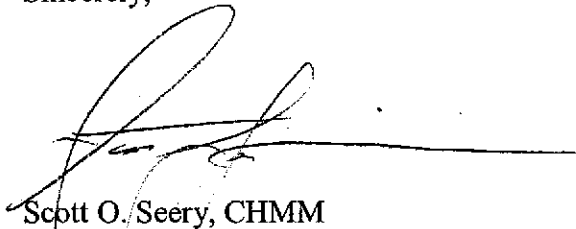
Dear Messrs. Donnelly and Kerry:

Thank you for our receipt of the September 25, 2001 All Cal Property Service, Inc. (All Cal) proposal for the continuing assessment of the fuel release at the subject site. All Cal proposes two additional push-tool sampling points, with up to two of the boreholes completed as small diameter monitoring wells following specific selection criteria.

This workplan is accepted as submitted.

Please call me at (510) 567-6783 should you have any questions and to inform me when field work has been scheduled.

Sincerely,



Scott O. Seery, CHMM  
Hazardous Materials Specialist

cc: Chuck Headlee, RWQCB  
Mike Bakaldin, San Leandro Hazardous Materials Program  
John Mrakovich, All Cal Property Services, Inc.  
P. O. Box 1652, Twain Harte, CA 95383



# State Water Resources Control Board



Winston H. Hickox  
Secretary for  
Environmental  
Protection

## Division of Clean Water Programs

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Gray Davis  
Governor

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For a list of simple ways you can reduce demand and cut your energy costs, see our website at [www.swrcb.ca.gov](http://www.swrcb.ca.gov).*

August 23, 2001

**AUG 30 2001**

Donnelly & Kerry  
Morris Donnelly  
463 Elsie Ave  
San Leandro, CA 94577

**PRE-APPROVAL OF CORRECTIVE ACTION COSTS,  
CLAIM NO. 014228, PA # 4  
SITE ADDRESS: 14336 WASHINGTON AVE, SAN LEANDRO, CA 94578**

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With the following provisions, the total cost pre-approved as eligible for reimbursement for completing the July 20, 2001, ALLCAL Environmental proposal for a workplan requested by the Alameda County EHD (County) in their July 13, 2001 letter, is \$720; see the table below for a breakdown of costs.

Be aware that this pre-approval does not constitute a decision on reimbursement: **necessary** (as determined by the Fund) corrective action costs for action work **directed and approved by the County** will be eligible for reimbursement at costs consistent with those pre-approved in this letter. However, depending on what happens in the field, some costs may not actually be necessary.

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***All costs for corrective action must meet the requirements of Article 11, Chapter 16, Underground Storage Tank Regulations in order to be eligible for reimbursement.***

**COST PRE-APPROVAL BREAKDOWN**

#	Task*	Amount Pre-Approved	Comments
1	Work plan	\$ 720	This cost is for all time and material associated with the preparation of a work plan as requested by Alameda County.
<b>TOTAL PRE-APPROVED</b>		<b>\$ 720</b>	

\* Task descriptions are the same as those identified in ALLCAL Environmental's July 20, 2001 cost estimate.

- Only the tasks/costs reflected on the above table are pre-approved at this time. The Fund will review any tasks/costs that go beyond the pre-approved amount to be determined if the additional tasks and costs are necessary and reasonable. However, if costs exceed the above pre-approved amounts, the Fund will be unable to expedite your Reimbursement Request.
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- If a different scope of work becomes necessary, then you must request pre-approval of costs on the new scope of work.
- Although I have referred to the ALLCAL Environmental proposal in my pre-approval above, please be aware that you will be entering into a private contract: the State of California cannot compel you to sign any specific contract. This letter **pre-approves the costs** as presented in the proposal dated July 20, 2001 by ALLCAL Environmental for conducting the work requested by the County.

I also want to remind you that the Fund's regulations require that you obtain at least three bids, or a bid waiver from Fund staff, from qualified firms for all necessary future corrective action work. If you need assistance in procuring contractor and consultant services, don't hesitate to call me.

Please remember that it is still necessary to submit the actual costs of the work as explained in the Reimbursement Request Instructions to confirm that the costs are consistent with this pre-approval before you will be reimbursed.



Donnelly & Kerry  
Claim No. 014228, PA # 4

-3-

August 23, 2001

*Please insure that your consultant prepares their invoices to include the required breakdown of costs on a time and materials basis, that invoiced tasks are consistent with the original proposal, and that reasonable explanations are provided for any changes made in the scope of work or increases in the costs. When the invoices are submitted you must include copies of all:*

- *subcontractor invoices,*
- *technical reports, when available, and*
- *applicable correspondence from the County.*

Please call if you have any questions; I can be reached at (916) 341-5757.

Sincerely,

*Sunil Ramdass.*

Sunil Ramdass, Water Resources Control Engineer  
Technical Review Unit  
Underground Storage Tank Cleanup Fund

Enclosure

cc: Scott O. Serry, CHMM  
Alameda County EHD  
1131 Harbor Bay Pkway, 2nd Fl.  
Alameda, CA 94502-6577

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

July 13, 2001

STID 2355

Morris F. Donnelly  
Jeffrey W. Kerry  
Kerry & Associates  
151 Callahan Avenue, Ste. 202  
San Leandro, CA 94577

RE: Palace Garage, 14336 Washington Avenue, San Leandro

Dear Messrs. Donnelly and Kerry:

Thank you for our receipt of the February 27, 2001 All Cal Property Service, Inc. (All Cal) report documenting the results of the 1<sup>st</sup> quarter 2001 sampling and monitoring activities at your site. This report represents one full year of well sampling and monitoring at this site.

The assessment work performed to date has generated good data, allowing a fairly good understanding of the dissolved gasoline plume geometry and contaminant distribution. However, the plume, as currently investigated, is still not fully defined, particularly in the downgradient direction from the former underground storage tank (UST) location. The downgradient "end point" of the plume has not been identified. Consequently, additional assessment work is required to satisfy this fundamental requirement.

I spoke with All Cal's John Mrakovich last week to discuss the expected scope of the next phase of the assessment. We still anticipate using GeoProbe<sup>®</sup> push-tool technology, as in the earliest phases of the investigation. Two sample points located close to Washington Avenue appear appropriate - one in front of your building, and another at the foot of the driveway leading between your and the neighboring building - with the option of installing one or two small-diameter, prepackaged wells if deemed prudent at the time of drilling to facilitate future sampling.

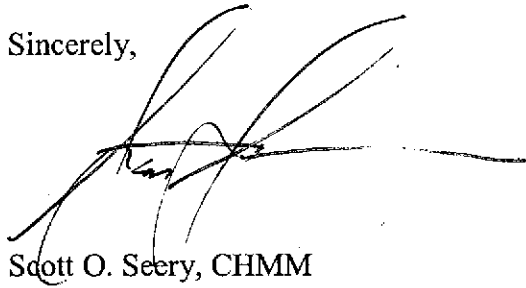
Please have your consultant submit a work plan for this next phase of the assessment to this office for review.

Messrs. Donnelly and Kerry  
RE: 14336 Washington Ave., San Leandro  
July 13, 2001  
Page 2 of 2

This work plan is due within 60 days of the date of this letter.

Please call me at (510) 567-6783 should you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read 'Scott O. Seery', with a long horizontal flourish extending to the right.

Scott O. Seery, CHMM  
Hazardous Materials Specialist

cc: Chuck Headlee, RWQCB  
Mike Bakaldin, San Leandro Hazardous Materials Program  
John Mrakovich, All Cal Property Services, Inc.  
P. O. Box 1652, Twain Harte, CA 95383



# State Water Resources Control Board



Winston H. Hickox  
Secretary for  
Environmental  
Protection

Division of Clean Water Programs  
2014 T Street • Sacramento, California 95814 • (916) 227-7748  
Mailing Address: P.O. Box 944212 • Sacramento, California • 94244-2120  
FAX (916) 227-4530 • Internet Address: <http://www.swrcb.ca.gov/cwphome/ustcf>

Gray Davis  
Governor

August 4, 2000

Morris Donnelly  
Donnelly & Kerry  
463 Elsie Ave  
San Leandro, CA 94577

RO-0208  
# ~~2355~~ SOS

**PRE-APPROVAL OF CORRECTIVE ACTION COSTS, CLAIM NO. 014228,  
SITE ADDRESS: 14336 WASHINGTON AVE, SAN LEANDRO, CA 94578**

I have reviewed your request, received on July 21, 2000, for pre-approval of corrective action costs; I will place these documents in your file for future reference. I have included a copy of the "Cost Pre-Approval Request" form; please use this form in the future for requesting pre-approval of corrective action costs.

With the following provisions, the total cost pre-approved as eligible for reimbursement for completing the July 13, 2000, ALLCAL Environmental proposal/workplan requested by the Alameda County EHD (County) in their July 10, 2000 letter, is \$ 5,588; see the table below for a breakdown of costs.

*Be aware that this pre-approval does not constitute a decision on reimbursement: necessary (as determined by the Fund) corrective action costs for corrective action work directed and approved by the County will be eligible for reimbursement at costs consistent with those pre-approved in this letter. However, depending on what happens in the field, some costs may not actually be necessary. If the Fund agrees that they were in fact necessary, the Fund will reimburse at reasonable rates (rates consistent with those pre-approved.)*

*In an effort to expedite future reimbursement requests associated with the implementation of these pre-approved tasks, we request that the attached 'Pre-Approval Specific Reimbursement Request Spreadsheet' be completed/updated and submitted with the relevant supporting documentation.*

*In order for future costs for corrective action to be part of the expedited reimbursement processes they must be pre-approved in writing by Fund staff and must meet the requirements of Article 11, Chapter 16, Underground Storage Tank Regulations.*

00 AUG -9 AM 9:21  
CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY

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

July 10, 2000

STID 2355

Morris F. Donnelly  
Jeffrey W. Kerry  
Kerry & Associates  
151 Callahan Avenue, Ste. 202  
San Leandro, CA 94577

RE: Palace Garage, 14336 Washington Avenue, San Leandro

Dear Messrs. Donnelly and Kerry:

Thank you for our receipt of the June 23, 2000 All Cal Property Service, Inc. (All Cal) report documenting the recent well installations at your site.

At this time, please adhere to a quarterly schedule of well sampling, monitoring and reporting. You are requested to initiate these scheduled tasks during the current quarter (3<sup>rd</sup> quarter, July – September) of 2000, and continuing until a year's worth of well sampling and monitoring data have been collected. Reports are due for submittal to this agency within 60 days of the completion of field activities for each quarterly event. This case will be tracked over this period of time, and the direction or scope of the project revised based on the nature of the data submitted.

Please call me at (510) 567-6783 should you have any questions.

Sincerely,



Scott O. Seery, CHMM  
Hazardous Materials Specialist

cc: Chuck Headlee, RWQCB  
Mike Bakaldin, San Leandro Hazardous Materials Program  
John Mrakovich, All Cal Property Services, Inc.  
27973 High Country Dr., Hayward, CA 94542-2530



# State Water Resources Control Board



Gray Davis  
Governor

## Division of Clean Water Programs

2014 T Street • Sacramento, California 95814 • (916) 227-7883  
Mailing Address: P.O. Box 944212 • Sacramento, California • 94244-2120  
FAX (916) 227-4530 • Internet Address: <http://www.swrcb.ca.gov/~cwphome/ustcf>

ENVIRONMENTAL  
PROTECTION  
00 APR 10 AM 10:02

Winston H. Hickox  
Secretary for  
Environmental  
Protection

April 4, 2000

cc  
Morris F. Donnelly  
Jeffrey Kerry  
Kerry & Associates  
151 Callahan Avenue, Suite 202  
San Leandro, CA 94577

### PRE-APPROVAL OF CORRECTIVE ACTION COSTS, CLAIM NO. 14228, SITE ADDRESS: 14336 WASHINGTON AVENUE, SAN LEANDRO

I have reviewed your request, received on March 27, 2000, for pre-approval of corrective action costs; I will place these documents in your file for future reference. I have included a copy of the "Cost Pre-Approval Request" form; please use this form in the future for requesting pre-approval of corrective action costs.

With the following provisions, the **total cost pre-approved** as eligible for reimbursement for the monitoring well installation (3), is **\$8,390.00**. The cost proposal for this work by ALLCAL is pre-approved for eligible costs as submitted. Note that the Fund does not reimburse for preparation of DWR forms.

*In an effort to expedite future reimbursement requests associated with the implementation of these pre-approved tasks, we request that the attached budget tracking form be completed/updated and submitted with the relevant supporting documentation.*

*Be aware that this pre-approval does not constitute a decision on reimbursement: **all reasonable and necessary** corrective action costs for work **directed and approved by the local regulator** will be eligible for reimbursement per the terms of your Letter of Commitment at costs consistent with those pre-approved in this letter.*

**All future costs for corrective action must be approved in writing by Fund staff.  
Future costs for corrective action must meet the requirements of  
Article 11, Chapter 16, Underground Storage Tank Regulations.**

- The actual costs and scope of work performed must be consistent with the pre-approval for it to remain valid.
- The work products must be acceptable to Alameda County Health Care Services (ACHCS).
- If a different scope of work becomes necessary, then you must request pre-approval of costs on the new scope of work.

**California Environmental Protection Agency**

Morris Donnelly  
Jeffrey Kerry

- 2 -

4/4/00

- Although I have referred to the ALLCAL proposal in my pre-approval above, please be aware that you will be entering into a private contract: the State of California cannot compel you to sign any specific contract.

I also want to remind you that the Fund's regulations require that you obtain at least three bids, or a bid waiver from Fund staff, from qualified firms for all future necessary corrective action work.

Please remember that it is still necessary to submit the actual costs of the work as explained in the Reimbursement Request Instructions to confirm that the costs are consistent with this pre-approval before you will be reimbursed. ***Please insure that your consultant prepares their invoices to include the required break down of costs on a time and materials basis, that invoiced tasks are consistent with the original proposal, and that reasonable explanations are provided for any changes made in the scope of work or increases in the costs. When the invoices are submitted you must include copies of all:***

- *subcontractor invoices (includes lab invoices)*
- *technical reports, when available, and*
- *applicable correspondence from ACHCS.*

Please call if you have any questions; I can be reached at (916) 227-7883.

Sincerely,



Mark Owens, Water Resources Control Engineer  
Technical Review Unit  
Underground Storage Tank Cleanup Fund

cc: Mr. Scott Seery, Alameda County Health Care Services, Alameda



ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



December 29, 1999

STID 2355

Morris F. Donnelly  
Jeffrey W. Kerry  
Kerry & Associates  
151 Callahan Avenue, Ste. 202  
San Leandro, CA 94577

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

RE: Palace Garage, 14336 Washington Avenue, San Leandro

Dear Messrs. Donnelly and Kerry:

Thank you for our receipt of the December 10, 1999 All Cal Property Service, Inc. (All Cal) well installation workplan for the pending third stage of the environmental investigation at your site. This All Cal workplan calls for the construction of three (3) permanent monitoring wells in locations that reflect the apparent gasoline plume geometry mapped during the previous two Geoprobe® investigations completed earlier this year at this site.

The current All Cal well installation workplan is accepted as submitted.

Please call me at (510) 567-6783 when fieldwork has been scheduled or should you have any questions.

Sincerely,



Scott O. Seery, CHMM  
Hazardous Materials Specialist

cc: Chuck Headlee, RWQCB  
Mike Bakaldin, San Leandro Hazardous Materials Program  
John Mrakovich, All Cal Property Services, Inc.  
27973 High Country Dr., Hayward, CA 94542-2530





# State Water Resources Control Board



## Division of Clean Water Programs

2014 T Street • Sacramento, California 95814 • (916) 227-7883

Mailing Address: P.O. Box 944212 • Sacramento, California • 94244-2120

FAX (916) 227-4530 • Internet Address: <http://www.swrcb.ca.gov/~cwphome/ustcf>

Winston H. Hickox  
Secretary for  
Environmental  
Protection

99 DEC -1 PM 2:41  
Gray Davis  
Governor  
CALIFORNIA  
ENVIRONMENTAL  
PROTECTION

November 29, 1999

Morris Donnelly  
Donnelly & Kerry  
463 Elsie Ave  
San Leandro, CA 94577

RO 0208  
~~# 2355~~  
SOS

**PRE-APPROVAL OF CORRECTIVE ACTION COSTS, CLAIM NO. 014228,  
SITE ADDRESS: 14336 WASHINGTON AVE, SAN LEANDRO, CA 94578**

I have reviewed your request, received on November 10, 1999, for pre-approval of corrective action costs; I will place these documents in your file for future reference. I have included a copy of the "Cost Pre-Approval Request" form; please use this form in the future for requesting pre-approval of corrective actions costs.

With the following provisions, the total cost pre-approved as eligible for reimbursement for completing the November 8, 1999, All Cal Property Services, Inc. workplan approved by the Alameda County EHD (County) in their October 20, 1999 letter to **create a workplan for installing groundwater monitoring wells, is \$ 900**; see the table below for a breakdown of costs. (The total amount approved for payment through request number 0.0 for work at your site that has been directed and approved by the County is \$ 0.)

*Be aware that this pre-approval does not constitute a decision on reimbursement: all reasonable and necessary corrective action costs for work directed and approved by the County will be eligible for reimbursement per the terms of your Letter of Commitment at costs consistent with those pre-approved in this letter.*

**All future costs for corrective action must be approved in writing by Fund staff.  
Future costs for corrective action must meet the requirements of  
Article 11, Chapter 16, Underground Storage Tank Regulations.**

**COST PRE-APPROVAL BREAKDOWN**

Task	Amount Pre-Approved	Comments
1. Create Workplan	\$900	Create a workplan for the installation of groundwater monitoring wells. Site Safety Plan will also be included.
<b>TOTAL PRE-APPROVED</b>	<b>\$ 900</b>	

- The actual costs and scope of work performed must be consistent with the pre-approval for it to remain valid.
- The work products must be acceptable to the County and the Regional Water Quality Control Board.
- It is my opinion that it is unnecessary to obtain three bids for this scope of work; the Fund's three bid requirement is waived for this scope of work.
- If a different scope of work becomes necessary, then you must request pre-approval of costs on the new scope of work.
- Although I have referred to the All Cal Property Services, Inc. proposal in my pre-approval above, please be aware that you will be entering into a private contract: the State of California cannot compel you to sign any specific contract. This letter **pre-approves the costs** as presented in the proposal dated 00/00/00 by All Cal Property Services, Inc. for conducting the work approved by the County for implementing the November 8, 1999, All Cal Property Services, Inc. workplan.

I also want to remind you that the Fund's regulations require that you obtain at least three bids, or a bid waiver from Fund staff, from qualified firms for all necessary corrective action work. The legislation governing the Fund requires that the Fund assist you in procuring contractor and consultant services for corrective action. If you need assistance in contracting for corrective action services, don't hesitate to call me.

Please remember that it is still necessary to submit the actual costs of the work as explained in the Reimbursement Request Instructions to confirm that the costs are consistent with this pre-approval before you will be reimbursed. *Please insure that your consultant prepares their invoices to include the required break down of costs on a time and materials basis, that invoiced tasks are consistent with the original proposal, and that reasonable explanations are provided for any changes made in the scope of work or increases in the costs. When the invoices are submitted you must include copies of all:*

- *subcontractor invoices,*
- *technical reports, when available, and*
- *applicable correspondence from the County.*

Please call if you have any questions; I can be reached at (916) 227-7883.

Sincerely,



Mark Owens, Water Resources Control Engineer  
Technical Review Unit  
Underground Storage Tank Cleanup Fund

Enclosure

cc: Mr. Thomas Peacock  
Alameda County EHD  
1131 Harbor Bay Pkway, 2nd Fl.  
Alameda, CA 94502-6577

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)

October 20, 1999

STID 2355

Morris F. Donnelly  
Jeffrey W. Kerry  
Kerry & Associates  
151 Callahan Avenue, Ste. 202  
San Leandro, CA 94577

RE: Palace Garage, 14336 Washington Avenue, San Leandro

Dear Messrs. Donnelly and Kerry:

Thank you for our receipt of the August 25, 1999 All Cal Property Service, Inc. (All Cal) report for the third stage of the environmental investigation at your site. This report also presents recommendations for additional tasks associated with the investigation.

The recent investigation was performed using Geoprobe™ tools as in the two previous stages. Eight (8) such borings were advanced, with soil and groundwater samples collected from each. All Cal reports that up to 59,000 micrograms per liter (ug/l) total petroleum hydrocarbons as gasoline (TPH-G) and 6000 ug/l benzene, among other fuel constituents, were identified in groundwater sampled from boring SB-12, located a distance of ~120' from the former tank location. In addition, up to 460 parts per million (ppm) TPH-G and 6.3 ppm benzene, among other compounds sought, were identified in soil samples collected at a depth of 15 - 15.5' in boring SB-13.

Boring logs appear to demonstrate that groundwater is first encountered in coarser-grained sediments (i.e., sand, gravel) reached at depths of ~12 - 15' below grade. These coarser sediments are overlain by a thick sequence of fine-grained materials, predominantly clay.

This office concurs with All Cal's assessment that plume geometry has been defined to the extent necessary to contemplate monitoring well placement. All Cal's proposed well locations (Fig. 1, August 1999 report) appear reasonable. However, a more complete work plan is now necessary as the project moves into the next significant phase of the investigation.

Messrs. Donnelly and Kerry  
RE: 14336 Washington Ave., San Leandro  
October 20, 1999  
Page 2 of 2

Please have your consultant submit a well installation work plan to this office for review. Attached to this letter please find a copy of Appendix A, a broad outline to be followed by professional engineering or geologic consultants when preparing work plans of this sort.

This work plan is due within 60 days of the date of this letter.

Please call me at (510) 567-6783 should you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read 'Scott O. Seery', with a long horizontal flourish extending to the right.

Scott O. Seery, CHMM  
Hazardous Materials Specialist

Attachment

cc: Chuck Headlee, RWQCB (w/o)  
Mike Bakaldin, San Leandro Hazardous Materials Program (w/o)  
John Mrakovich, All Cal Property Services, Inc. (w/attachment)  
27973 High Country Dr., Hayward, CA 94542-2530



Winston H. Hickox  
Secretary for  
Environmental  
Protection

# State Water Resources Control Board

## Division of Clean Water Programs

2014 T Street • Sacramento, California 95814 • (916) 227-4366  
Mailing Address: P.O. Box 944212 • Sacramento, California • 94244-2120  
FAX (916) 227-4530 • Internet Address: <http://www.swrcb.ca.gov/~cwphome/ustcf>



Gray Davis  
Governor

OCT - 8 PM 2: 36

RO 0208  
~~2355~~  
SOS

OCT - 5 1989

Morris Donnelly  
Donnelly & Kerry  
463 Elsie Ave  
San Leandro, CA 94577

UNDERGROUND STORAGE TANK CLEANUP FUND, CLAIM NO. 014228, FOR SITE ADDRESS: 14336 WASHINGTON AVE, SAN LEANDRO

The State Water Resources Control Board (State Board) is able to issue, pursuant to applicable regulations, the enclosed Letter of Commitment (LOC) in an amount not to exceed \$12,500. This LOC is based upon our review of the corrective action costs you reported to have incurred to date. The LOC may be modified by the State Board.

It is very important that you read the terms and conditions listed in the enclosed LOC. Claims filed with the Underground Storage Tank Cleanup Fund far exceed the funding available and it is very important that you make use of the funding that has been committed to your cleanup in a timely manner.

You are reminded that you must comply with all regulatory agency time schedules and requirements and you must obtain three bids for any required corrective action. Only corrective action costs *required* by the regulatory agency to protect human health, safety and the environment can be claimed for reimbursement. **Unless waived in writing, you are required to obtain preapproval of costs for all future corrective action work (form enclosed).** If you have any questions on obtaining preapproval of your costs or the three bid requirement, please call Mark Owens, our Technical Reviewer assigned to claims in your Region, at (916) 227-7883. Failure to obtain preapproval of your future costs may result in the costs not being reimbursed.

The following documents needed to submit your reimbursement request are enclosed:

"Reimbursement Request Instructions" package. **Retain this package for future reimbursement requests.** These instructions must be followed when seeking reimbursement for corrective action costs incurred after January 1, 1988. Included in the instruction package are samples of completed reimbursement request forms and spreadsheets.

"Bid Summary Sheet" to list information on bids received which **must be completed and returned.**

"Reimbursement Request" forms which you **must use to request reimbursement of costs incurred.**

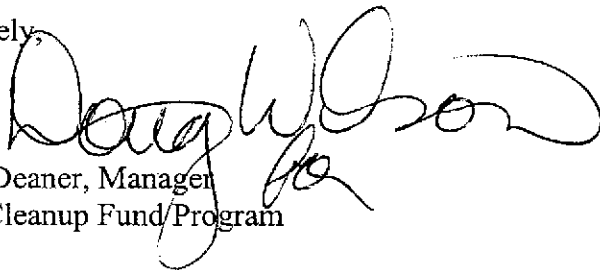
"Spreadsheet" forms which you **must use in conjunction with your reimbursement request.**

\* **THIS IS IMPORTANT TO YOU, PLEASE NOTE:**

You have 90 calendar days from the date of this letter to submit your first reimbursement request for incurred corrective action costs. **NO EXTENSIONS CAN BE GRANTED.** If you fail to do so, your LOC funds will automatically be reduced to zero (deobligated). Once this occurs, any future funds for this site are subject to availability when you submit your first reimbursement request. We continuously review the status of all active claims. You must continue to remain in compliance and submit a reimbursement request every 6 months. Failure to do so will result in the Fund taking steps to withdraw your LOC.

If you have any questions regarding the enclosed documents, please contact Anna Torres at (916) 227-4388.

Sincerely,



Dave Deaner, Manager  
UST Cleanup Fund/Program

Enclosures

cc: Mr. Steve Morse  
RWQCB, Region 2  
1515 Clay Street, Ste. 1400  
Oakland, CA 94612

Mr. Thomas Peacock  
Alameda County EHD  
1131 Harbor Bay Pkway, 2nd Fl.  
Alameda, CA 94502-6577

# ALLCAL

## PROPERTY SERVICES, INC.

### ENVIRONMENTAL INVESTIGATIONS

TO: SCOTT SEERY  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

FROM: JOHN MRAKOVICH  
8/18  
3 PAGES TOTAL  
\_\_\_\_\_

WE ARE SENDING YOU  ATTACHED  UNDER SEPARATE COVER  
VIA \_\_\_\_\_ THE FOLLOWING ITEMS:

- LETTER(S)       PROPOSAL(S)       TABLE(S)       FIGURE(S)
- SPECIFICATION(S)     CHANGE ORDER(S)     REPORT(S)
- \_\_\_\_\_

COPIES	DATED	DESCRIPTION

THESE ARE TRANSMITTED FOR:

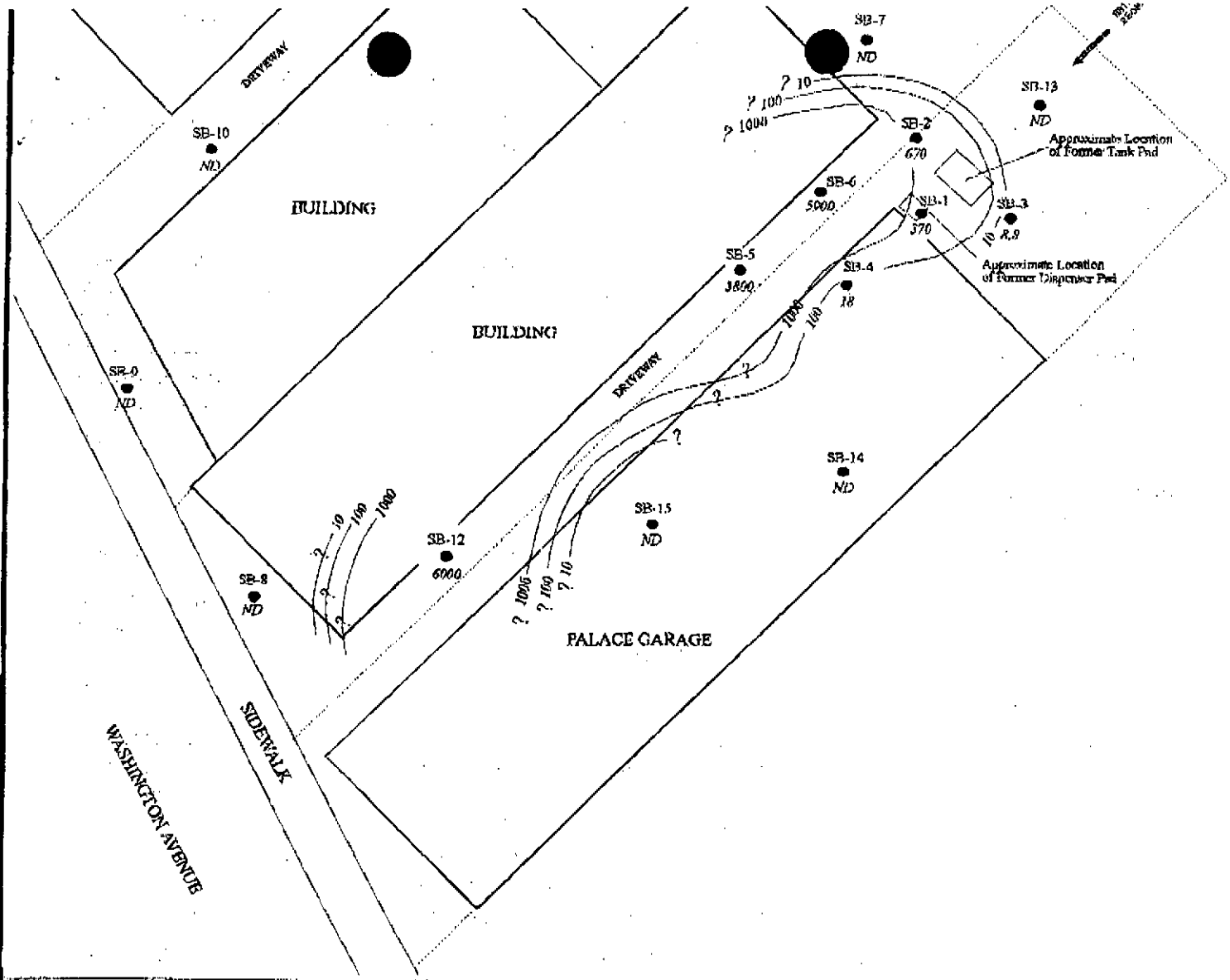
- YOUR REVIEW AND COMMENT
- YOUR REQUEST
- YOUR APPROVAL
- \_\_\_\_\_
- YOUR FILES
- APPROVED AS SUBMITTED
- APPROVED AS NOTED

REMARKS: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

CC: \_\_\_\_\_  
\_\_\_\_\_

SIGNATURE: \_\_\_\_\_





**Legend**

SB-1  
● Name and Location of Soil Boring with Benzene Concentration in ppb

ND = Nondetectable

1000 Benzene Isoconcentration Contour (ppb)

Logarithmic Contour Interval Beginning with 10 ppb

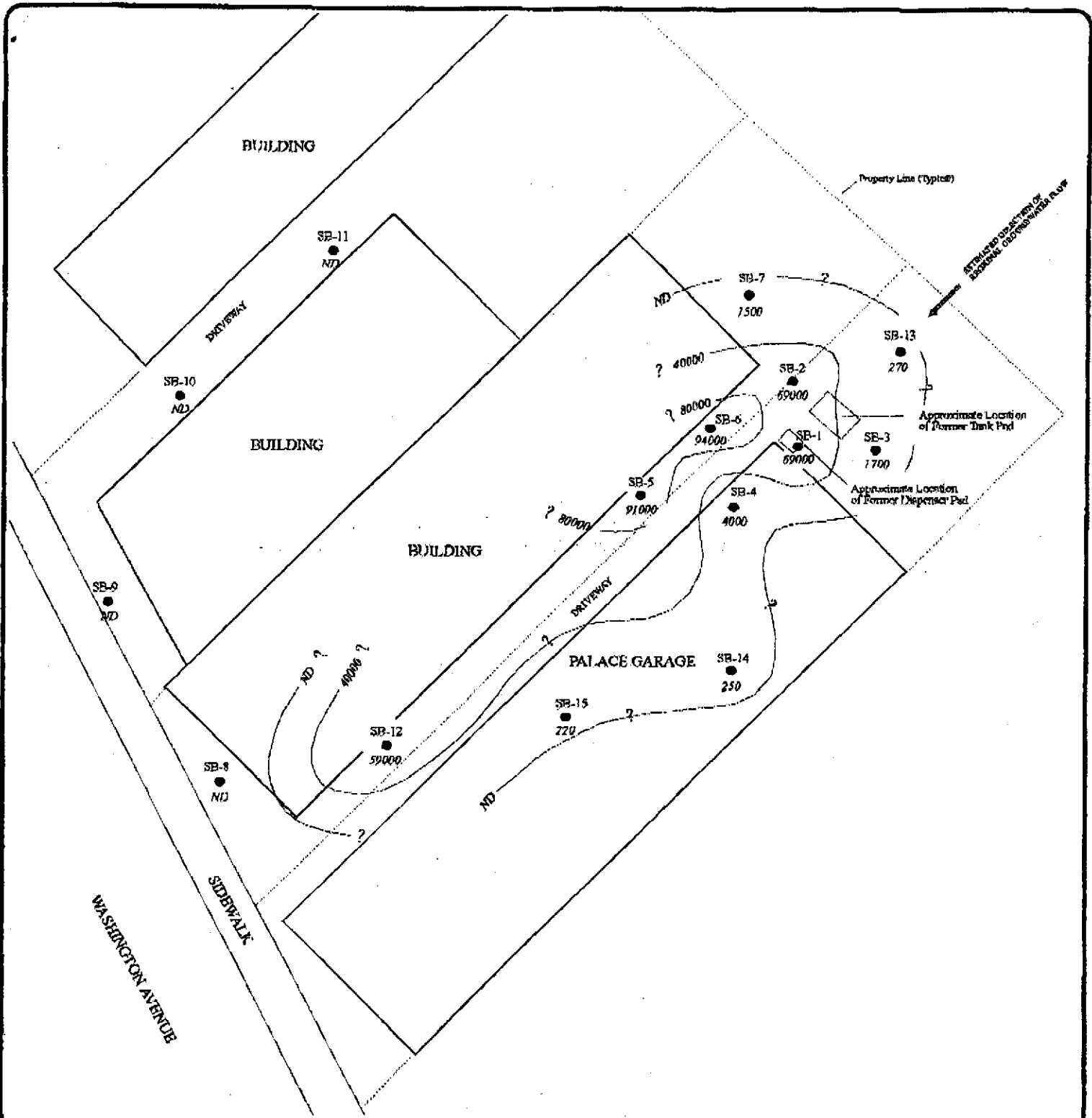


**ALLCAL PROPERTY SERVICES**

**SITE PLAN - PALACE GARAGE**

ESTIMATED BENZENE ISOCONCENTRATION MAP  
GROUNDWATER

14336 WASHINGTON AVENUE  
SAN LEANDRO, CA 94577



### Legend

● **SE-1**  
 Name and Location of  
 Soil Boring with TPHG  
 Concentration in ppb

ND = Nondetectable

40000 TPHG Isoconcentration  
 Contour (ppb)

Contour Interval = 40000 ppb



## ALLCAL PROPERTY SERVICES

### SITE PLAN - PALACE GARAGE

ESTIMATED TPHG ISOCONCENTRATION MAP  
 GROUNDWATER

14336 WASHINGTON AVENUE  
 SAN LEANDRO, CA 94577

Palace Garage  
14336 Wilmington  
San Leandro

7-29-99

MEMO to file:

I was on-site today during GeoProbe work on the site proper and adjoining sites. When I left, all that remained were the two (2) holes planned for inside the Palace Garage structure (SB-8 and -9). During SB<sup>12</sup>~~10~~, advanced at the SW end of the joint driveway, was the first to show obvious signs of HC impact in capillary soils and GW.

SSS

**kerry & associates**SUITE 202 • 151 CALLAN AVE. • SAN LEANDRO, CA 94577 • (510) 483-4211  
FAX 483-4200

May 28, 1999

Mr. Hassien Farahbakhsh  
c/o Ali Khaghani  
4319 Bristolwood Road  
Pleasanton, CA 94588-4308

Re: Gasoline in the Ground Water Under or Near our Property at  
14336 Washington Avenue, San Leandro, CA

Dear Mr. Farahbakhsh:

We have removed the gas tank on our property at 14336 Washington Avenue. We have been requested by and have provided the Alameda County Health Services with seven gasoline test borings to this date to obtain a site clearance from that agency for our site.

Attached is a May 10th letter from Alameda County Health Services.

Due to the close proximity of our properties, the County has made a request for further testing of the soils and water for gasoline beneath the surface of the land to determine the extent of our contamination and to any possible spreading which may have been caused by our tank into your property. They have requested three test holes on your property, 14330 Washington, three more on our property at 14336 Washington, and two more on Mr. Marment's property at 14334 Washington.

The County's map is attached and the borings on your property are marked C, D and E. I have marked the intended test holes on you property in green, the completed borings in yellow. The new test holes to be drilled at the same time as the borings on your property, are in pink.

Because this Agency is making this requirement of our property,, we will pay for all the costs of this drilling and will fill the approximate two inch hole, according to their standards. The maximum time period for this drilling process is approximately four hours. We will, with your permission, coordinate a convenient time for this activity with you and your tenant. Please provide me with phone numbers.

99 JUN -1 PM 4:42  
ENVIRONMENTAL  
PROTECTION

Please indicate your acceptance to this request and test boring on your property by signing below and returning a copy of this letter in the enclosed envelope.

Respectfully,

THE OWNERS OF 14336 WASHINGTON AVENUE  
PROPERTY

\_\_\_\_\_  
MORRIS DONNELLY (Phone 510-537-9835)

\_\_\_\_\_  
JEFFREY W. KERRY

ACCEPTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 1999

\_\_\_\_\_  
HASSIEN FARAHAHBAKSH

JWK:lk  
Enc.

CC: Scott O. Seery CHMM, Alameda County Health Services  
John Mrakovich, All Cal Property Services



STID 2355

SOS

# State Water Resources Control Board



## Division of Clean Water Programs

2014 T Street • Sacramento, California 95814 • (916) 227-4539  
Mailing Address: P.O. Box 944212 • Sacramento, California • 94244-2120  
FAX (916) 227-4530 • Internet Address: <http://www.swrcb.ca.gov/~cwphome/ustcf>

May 19, 1999

Morris Donnelly  
Donnelly & Kerry  
463 Elsie Ave  
San Leandro, CA 94577

UNDERGROUND STORAGE TANK CLEANUP FUND PROGRAM, NOTICE OF PERMIT WAIVER AND ELIGIBILITY DETERMINATION: CLAIM NUMBER 014228 ; FOR SITE 14336 WASHINGTON AVE, SAN LEANDRO 94578

Your claim has been accepted for placement on the Priority List in Priority Class "C".

**Permit Waiver:** Under the amended provisions of Section 25299.57 of the Health and Safety Code (H&SC), the State Board has granted your request for a waiver for the permit requirement as a condition for eligibility to the Fund. It is important to note that when a claimant failed to apply for or obtain the permits required pursuant to Chapter 6.7, Division 20, of the H&SC, by January 1, 1990, and the State Board grants a waiver pursuant to Section 2811(a)(2)(B) of the Underground Storage Tank Cleanup Fund Regulations, the claimant's level of financial responsibility (deductible) is twice the amount otherwise required. In this case, you will be responsible for the first \$10,000 of eligible corrective action costs before the Fund coverage begins.

**Compliance Review:** After adoption of the Priority List, staff will review, verify, and process applications based on their priority and rank within a priority class. During this Compliance Review, staff may request additional information needed to verify eligibility. Once review of the application is complete and the claim is determined to be valid, a Letter of Commitment will be issued obligating funds toward the cleanup. After the compliance review, your claim may be rejected if Division staff determine that you have not complied with regulations governing site cleanup, you have not supplied necessary information or documentation, or your claim application contains a material error. In such event, you will be issued a Notice of Intended Removal from the Priority List, informed of the basis for the proposed removal of your claim and provided an opportunity to correct the condition that is the basis for the proposed removal. Your claim will be barred from further participation in the Fund, however, if the claim application contains a material error resulting from fraud or intentional or negligent misrepresentation.

**Record keeping:** During your cleanup project you should keep complete and well organized records of all corrective action activity and payment transactions. If you are eventually issued a Letter of Commitment, you will be required to submit: (1) copies of detailed invoices for all corrective action activity performed (including subcontractor invoices), (2) copies of canceled checks used to pay for work shown on the invoices, (3) copies of technical documents (bids, narrative work description, reports), and (4) evidence that the claimant paid for the work performed (not paid by another party). These documents are necessary for reimbursement and failure to submit them could impact the amount of reimbursement made by the Fund. *It is not necessary to submit these documents at this time; however, they will definitely be required prior to reimbursement.*

**Compliance with Corrective Action Requirements:** In order to be reimbursed for your eligible costs of cleanup incurred after December 2, 1991, you must have complied with corrective action requirements of Article 11, Chapter 16, Division 3, Title 23, California Code of Regulations. Article 11 categorized the

88-10-10  
PH 2-38  
ENVIRONMENTAL PROTECTION

corrective action process into *phases*. In addition, Article 11 requires the responsible party to submit an *investigative workplan/Corrective Action Plan* (CAP) before performing any work. This phasing process and the workplan/CAP requirements were intended to:

1. help the responsible party undertake the necessary corrective action in a cost-effective, efficient and timely manner;
2. enable the regulatory agency to review and approve the proposed cost-effective corrective action alternative before any corrective action work was performed; and
3. ensure the Fund will only reimburse the most cost-effective corrective action alternative required by the regulatory agency to achieve the minimum cleanup necessary to protect human health, safety and the environment.

In some limited situations *interim cleanup* will be necessary to mitigate a demonstrated immediate hazard to public health, or the environment. Program regulations allow the responsible party to undertake interim remedial action after: (1) notifying the regulatory agency of the proposed action, and; (2) complying with any requirements that the regulatory agency may set. Interim remedial action should only be proposed when necessary to mitigate an immediate demonstrated hazard. ***Implementing interim remedial action does not eliminate the requirement for a CAP and an evaluation of the most cost-effective corrective action alternative.***

**Three bids and Cost Preapproval:** Only corrective action costs required by the regulatory agency to protect human health, safety and the environment can be claimed for reimbursement. You must comply with all regulatory agency time schedules and requirements and you must obtain three bids for any required corrective action. Unless waived in writing, you are required to obtain preapproval of costs for all future corrective action work. ***If you do not obtain three bids and cost preapproval, reimbursement is not assured and costs may be rejected as ineligible.***

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

Sincerely,



Cheryl Gordon  
Claims Review Unit  
Underground Storage Tank Cleanup Fund

cc: Mr. Thomas Peacock  
Alameda County EHD  
1131 Harbor Bay Pkway, 2nd Fl.  
Alameda, CA 94502-6577

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY  
DAVID J. KEARS, Agency Director



May 10, 1999

STID 2355

Morris F. Donnelly  
Jeffrey W. Kerry  
Kerry & Associates  
151 Callahan Avenue, Ste. 202  
San Leandro, CA 94577

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

RE: Palace Garage, 14336 Washington Avenue, San Leandro

Dear Messrs. Donnelly and Kerry:

Thank you for our receipt of the April 9, 1999 All Cal Property Service, Inc. (All Cal) report for the second stage of the environmental investigation at your site. This report also encloses a work plan proposing an additional phase of investigation.

All Cal reports that up to 91,000 micrograms per liter (ug/l) total petroleum hydrocarbons as gasoline (TPH-G) and 5900-ug/l benzene, among other fuel constituents, were identified in sampled groundwater encountered beneath the site. In addition, up to 3200 parts per million (ppm) TPH-G and 22 ppm benzene, among others, were also identified in soil samples collected at a depth of 15 - 15.5' in boring SB-6. These concentrations, particularly benzene, are higher than those collected from the borings advanced during the initial phase of the investigation.

All Cal correctly concludes that further assessment work is required to reasonably define the extent of the release from this site.

I contacted All Cal's John Mrakovich today to discuss the expected scope of the next phase of the assessment. We still anticipate using so-called "rapid site assessment tools" as in the prior two phases. However, it appears prudent at this time to increase the number of sample points and to expand their locations laterally from the source zone in an attempt to reach the leading edge of the plume quickly. I anticipate that this expanded scope will prove more cost-effective in the long run, reducing remobilization and associated labor costs.

Attached please find a base map supplied by All Cal on which is indicated the proposed additional sample locations Mr. Mrakovich and I discussed today (A-E). These sample locations are in addition to those already proposed by All Cal for the pending phase of work (SB-8, -9, and -10).

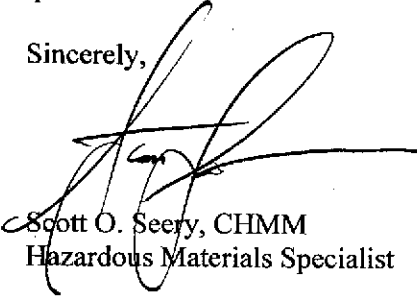
The cited All Cal work plan is accepted, with the addition of five more sample points, for the next phase of this investigation.



Messrs. Donnelly and Kerry  
RE: 14336 Washington Ave., San Leandro  
May 10, 1999  
Page 2 of 2

Please call me at (510) 567-6783 when fieldwork has been scheduled or should you have any questions.

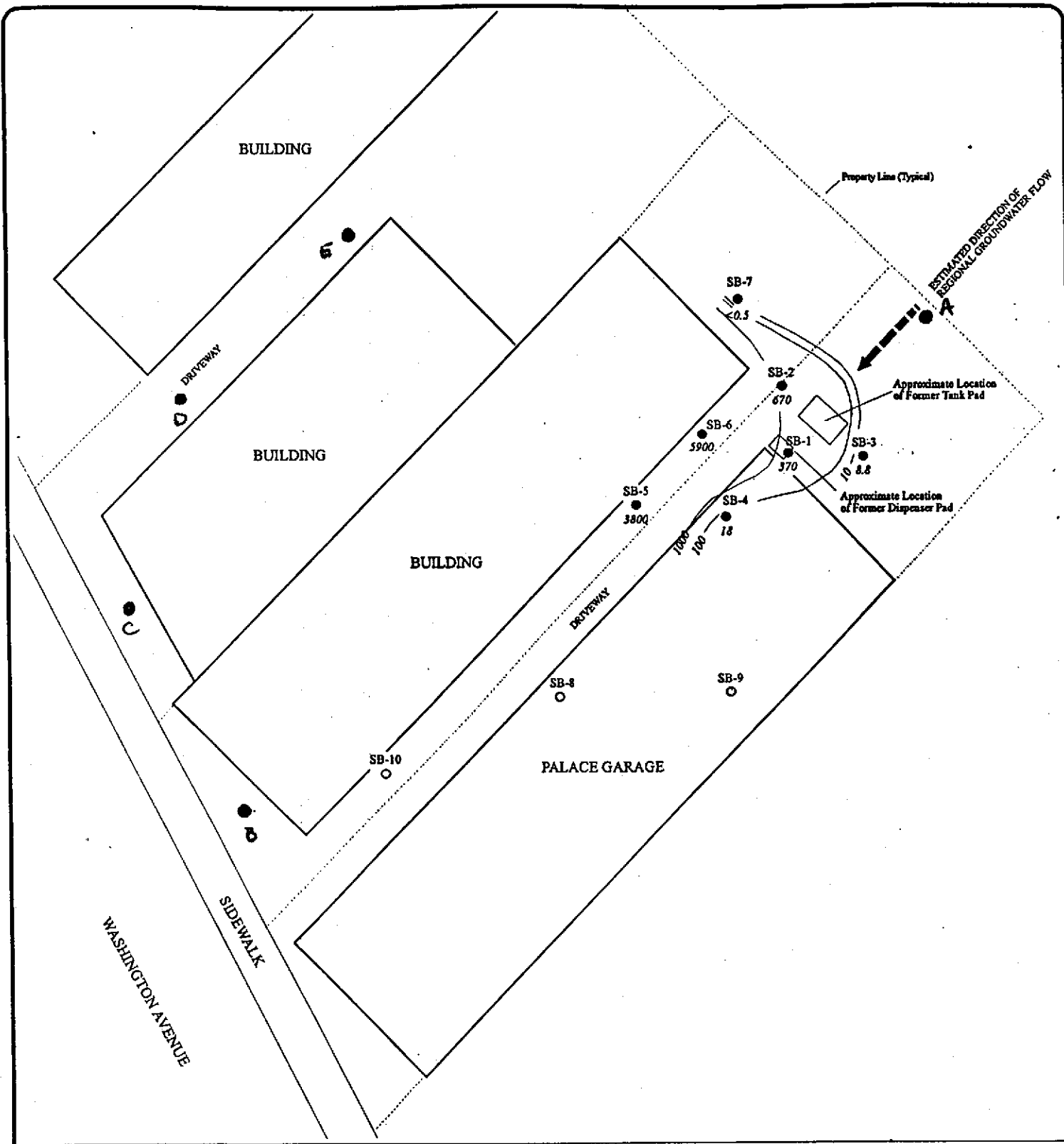
Sincerely,



Scott O. Seery, CHMM  
Hazardous Materials Specialist

Attachment

cc: Chuck Headlee, RWQCB (w/o)  
Mike Bakaldin, San Leandro Hazardous Materials Program (w/o)  
John Mrakovich, All Cal Property Services, Inc. (w/ attachment)  
27973 High Country Dr., Hayward, CA 94542-2530



SB-8  
 ○ Proposed Name and Location of Soil Boring

SB-1  
 ● Name and Location of Soil Boring with Benzene Concentration in ppb  
 1500

**Legend**

1000 — Benzene Isoconcentration Contour (ppb)  
 Logarithmic Contour Interval Beginning with 10 ppb

0 — 30  
 Approximate Scale (ft)



**ALLCAL PROPERTY SERVICES**

**SITE PLAN**  
**PALACE GARAGE**  
**ESTIMATED BENZENE ISOCONCENTRATION MAP**  
 14336 WASHINGTON AVENUE  
 SAN LEANDRO, CA 94577

# kerry & associates

SUITE 202 • 151 CALLAN AVE. • SAN LEANDRO, CA 94577 • (510) 483-4211  
FAX 483-4200

Mr. George Marment  
403 Oak Lane  
Pleasanton, Ca. 94566

March 3, 1999

99 MAR -4 PM 3:52  
ENVIRONMENTAL  
PROTECTION

Regarding: Gasoline in the ground under or near our  
property at 14336 Washington Avenue, San Leandro, Ca

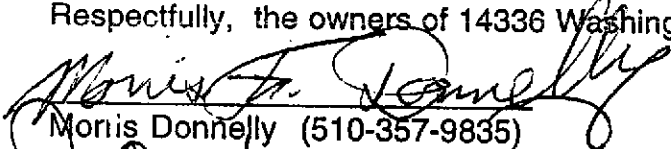
Dear Mr. Marment:

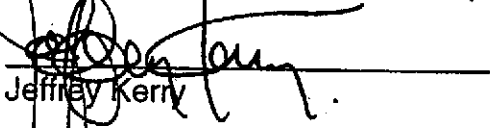
We have removed the gas tank on our property at 14336 Washington Avenue. We have provided the Environmental Protection Agency with four gasoline test borings on our site to this date to obtain a site clearance form that agency.

Do to the close proximity of our properties, the EPA has made a request for further testing of the soils and water for gasoline beneath the surface of the land to determine the extent of our contamination and to any possible spreading which may have been caused by our tank into your property. Do to the fact that our tanks former location was next to our common driveway, they have requested three more test holes, two on your side of the common driveway and one in the yard behind your building a short distance from the former tank. Because this is requested from EPA to us, we will pay for all the cost of this drilling and will fill the approximate two inch hole, according to their standards. The maximum time period for this drilling process is approximately four hours, we will with your permission coordinate a convenient time for this activity with you or your tenant.

Please indicate your acceptance to this request by signing below and returning a copy of this letter in the enclosed envelope .

Respectfully, the owners of 14336 Washington Avenue Property.

  
Morris Donnelly (510-357-9835)

  
Jeffrey Kerry

Date \_\_\_\_\_

\_\_\_\_\_  
George Marment

CC : Scott O. Seery CHMM, Alameda County Health Services  
John Mrakovich All Cal Property Services

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY  
DAVID J. KEARS, Agency Director



February 26, 1999

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

STID 2355

Morris F. Donnelly  
Jeffrey W. Kerry  
Kerry & Associates  
151 Callahan Avenue, Ste. 202  
San Leandro, CA 94577

RE: Palace Garage, 14336 Washington Avenue, San Leandro

Dear Messrs. Donnelly and Kerry:

Thank you for our receipt of the February 17, 1999 All Cal Property Service, Inc. (All Cal) report for the initial stage of the environmental investigation at your site. This report also encloses a work plan proposing an additional phase of investigation.

All Cal reports that up to 69,000 micrograms per liter (ug/l) total petroleum hydrocarbons as gasoline (TPH-G) and 670-ug/l benzene, among other fuel constituents, were identified in sampled ground water encountered beneath the site. In addition, up to 4700 parts per million (ppm) TPH-G and 12 ppm benzene, among others, were also identified in soil samples collected at a depth of 15 - 15.5' in boring SB-1. SB-1 was advanced through the area of the former fuel dispenser.

All Cal correctly concludes that further assessment work is required to reasonably define the extent of the release from the former tanks at this site. A phased approach will be necessary. The enclosed work plan scope appears to adequately address this issue. Therefore, the All Cal work plan is accepted as submitted for the next phase of this investigation.

Please call me at (510) 567-6783 when fieldwork has been scheduled.

Sincerely,

Scott O. Seery, CHMM  
Hazardous Materials Specialist

cc: Chuck Headlee, RWQCB  
Mike Bakaldin, San Leandro Hazardous Materials Program  
Bob Chambers, Alameda County District Attorney's Office  
John Mrakovich, All Cal Property Services, Inc.  
27973 High Country Dr., Hayward, CA 94542-2530

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)

January 25, 1999

STID 2355

Morris F. Donnelly  
Jeffrey W. Kerry  
Kerry & Associates  
151 Callahan Avenue, Ste. 202  
San Leandro, CA 94577

RE: Palace Garage, 14336 Washington Avenue, San Leandro

Dear Messrs. Donnelly and Kerry:

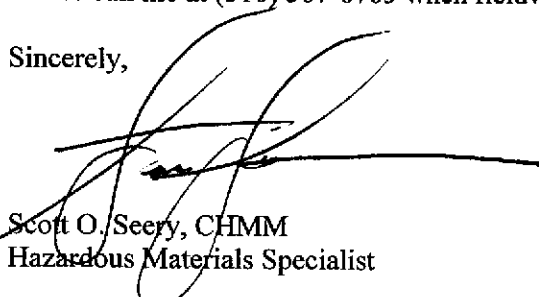
Thank you for our receipt of the January 20, 1999 All Cal Property Service, Inc. (All Cal) work plan for the initial phase of the investigation at the subject site. All Cal proposes the installation of up to four (4) "Geoprobe" soil borings in locations about the former underground storage tank pit. The results of this work will help guide any additional work that might be required to adequately assess the extent of the impact, and will assist in determining the appropriate corrective action.

The cited All Cal work plan has been accepted with the following clarification:

- Groundwater samples are to be collected from the completed boreholes using a device that will minimize the potential for the loss of volatile constituents in collected samples. A "mini" bailer is such a device.

Please call me at (510) 567-6783 when fieldwork has been scheduled.

Sincerely,



Scott O. Seery, CHMM  
Hazardous Materials Specialist

cc: Mee Ling Tung, Director, Environmental Health  
Chuck Headlee, RWQCB  
Mike Bakaldin, San Leandro Hazardous Materials Program  
Bob Chambers, Alameda County District Attorney's Office  
John Mrakovich, All Cal Property Services, Inc.  
27973 High Country Dr., Hayward, CA 94542-2530



Alameda County  
District Attorney's Office  
Thomas J. Orloff, District Attorney

January 12, 1999

Jeffrey Kerry  
Morris Donnelly  
Kerry & Associates  
151 Callahan Avenue, Ste. 202  
San Leandro, CA 94577

Re: Case No. 99FE021  
Site: Palace Garage, 14336 Washington Avenue, San Leandro

Dear Messrs. Kerry and Donnelly:

As you are aware, this office, in conjunction with the Alameda County Health Care Services Agency, Environmental Health Services ("ACDEH"), has been involved in ongoing enforcement efforts involving your facility named above. This action followed the discovery of numerous violations of the California Health and Safety Code, the California Water Code and the California Code of Regulations requiring you to conduct an investigation of the unauthorized release of fuel hydrocarbons from an underground storage tank detected during the February 1991 tank closure at the site.

You received a Notice of Violation dated October 30, 1995 and a Final Notice of Violation dated January 10, 1997 for your chronic failure to satisfy requirements to provide a Preliminary Site Assessment work plan. On December 29, 1998 ACDEH referred you to this office for further enforcement action.

While serious violations still exist at the above site, it appears that since receiving the December 29, 1998 letter from ACDEH you have made a commitment to correct this chronic noncompliance and instead to satisfy the requirements. Therefore this office intends to defer formal enforcement action against you pending determination of whether or not violations are adequately mitigated. While a decision on whether or not to proceed with an enforcement action has yet to be made, it is our practice to seek civil penalties and enforcement costs, as well as appropriate injunctive relief, for noncompliance.

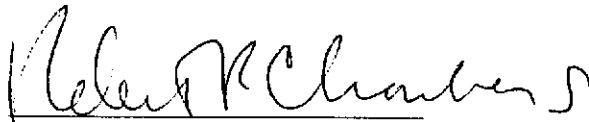
Prior to any commencement of formal action, we will again contact you. Please call me

at 510 639-7205 if you and/or your legal representative have any questions.

Very truly yours,

THOMAS J. ORLOFF  
District Attorney

By:

A handwritten signature in cursive script, appearing to read "Robert F. Chambers". The signature is written in dark ink and is positioned above a horizontal line.

Robert F. Chambers  
Senior Deputy District Attorney

Palace Garage  
14336 Washington Ave.  
S. Leandro

1-8-99

memo to file:

I met yesterday on-site with Jeff and Dee Kerry, and Morris Donnelly to discuss the scope of work for the requisite PSD. Consultant John Marakovich was also present representing the property owners.

A work plan will be prepared by Marakovich and presented for review within the next several weeks.

A meeting with the District Attorney will be scheduled in early February.

SJK



Jeff Kerry  
Realtor, Appraiser

151 Callan Ave., #202 • San Leandro, California 94577  
Bus. 510/483-4211 Home 510/357-5420  
Fax 510/483-4200



ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



December 29, 1998

STID 2355

ENVIRONMENTAL HEALTH SERVICES

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

Mr. Jeffrey Kerry  
Mr. Morris Donnelly  
Kerry & Associates  
151 Callahan Avenue, Ste. 202  
San Leandro, CA 94577

RE: Palace Garage, 14336 Washington Avenue, San Leandro

Dear Messrs. Kerry and Donnelly:

In correspondence from this office dated May 23, 1994, you were requested to submit a Preliminary Site Assessment (PSA) work plan for the assessment of the release of gasoline from the underground storage tank (UST) previously located at the subject site. You were advised of the California law and regulations that support this request, and the steps involved with the assessment process. The requested work plan was due for submittal by July 8, 1994. No work plan was received.

In subsequent correspondence from this office dated August 7, 1995, you were again requested to submit a PSA work plan. A period of 45 days was given to submit the requested work plan. As before, no work plan was received.

On October 30, 1995, a "NOTICE OF VIOLATION" was issued due to your failure to submit the requested PSA work plan. You were given until November 30, 1995 to submit a work plan. You were advised that failure to comply with this request was a violation of provisions of the California Health and Safety Code (HSC). You were also advised that HSC Section 25299(b) provided for civil penalties of up to \$5000 per day of violation for failure to comply with this request. No work plan was submitted.

On January 10, 1997 a "FINAL NOTICE OF VIOLATION" was issued for your continued failure to comply with our requests for the submittal of a PSA work plan. You were directed to submit the requested work plan by February 10, 1997. You were again advised of the civil penalties of up to \$5000 per day for failure to comply with this request. No work plan was ever submitted. Copies of the aforementioned correspondence are attached for your reference.

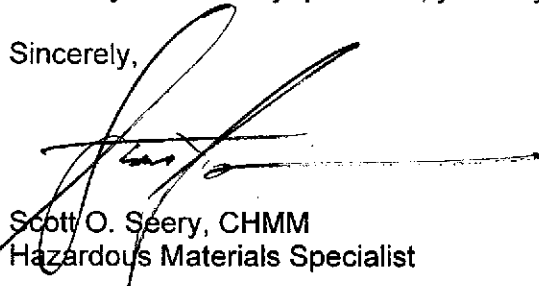
There is a clear record documenting your chronic failure to comply with the statutory requirement to assess the release from the UST at this site. Ample opportunity to comply has been provided over the last 4 years, yet compliance has not been realized.

Messrs. Kerry and Donnelly  
RE: 14336 Washington Ave., San Leandro  
December 29, 1998  
Page 2 of 2

Please be advised that this case has now been referred to the Alameda County District Attorney's Office to pursue enforcement action.

Should you have any questions, you may contact me at (510) 567-6783.

Sincerely,

A handwritten signature in black ink, appearing to read "Scott O. Seery", with a long horizontal line extending to the right.

Scott O. Seery, CHMM  
Hazardous Materials Specialist

Attachments

cc: Mee Ling Tung, Director, Environmental Health  
Chuck Headlee, RWQCB  
~~Bob Chambers~~, Alameda County District Attorney's Office (w/attachments)  
Mike Bakaldin, San Leandro Hazardous Materials Program



January 10, 1997

STID 2355

Jeffrey Kerry  
Morris Donnelly  
Kerry & Associates  
151 Callahan Avenue, Ste. 202  
San Leandro, CA 94577

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

**"FINAL NOTICE OF VIOLATION"**

RE: PALACE GARAGE, 14336 WASHINGTON BOULEVARD, SAN LEANDRO

Dear Messrs. Kerry and Donnelly:

This letter is in response to your continued failure to submit a work plan which was requested in two separate Alameda County Health Care Services Agency's letters dated May 23, 1994, August 4, 1995, and October 30, 1995. This office has not received a work plan for a preliminary site assessment (PSA) work plan for the initial assessment of soil and ground water conditions following the 1991 discovery of an apparent release from the former underground storage tank. The requested PSA work plan was due November 30, 1995.

**At this time you are directed to submit the referenced PSA work plan within 30 days of the date of this letter or by February 10, 1997.**

Please be advised that failure to satisfy this request will result in the referral of this case to the Alameda County District Attorneys Office. Please be further advised that Section 25299(b) of the California Health and Safety Code, among other possible statutes, provides for civil penalties of up to \$5000 per tank per day for failure to comply with this directive.

Please call me at your earliest convenience concerning this matter. Failure to reply to this request may subject you additional penalties. Please contact me at 510/567-6880 should you have any questions about the content of this letter.

Sincerely,

A handwritten signature in cursive script that reads "Dale Klettke". The signature is written in black ink and is positioned above the typed name.

Dale Klettke, CHMM  
Hazardous Materials Specialist

Messrs. Kerry and Donnelly  
RE: Palace Garage, 14336 Washington Ave., San Leandro  
January 10, 1997  
Page 2 of 2

c: Dale Klettke--files  
John Maracavich, c/o ALLCAL Property Services, Inc., 27973 High Country Drive,  
Hayward, CA 94542  
Bob Chambers, Alameda County District Attorney's Office  
Mike Bakaldin, San Leandro Hazardous Materials Program

2355nov1fml

2355 Century West Engineering James Gribi 510.551.7774 FX.7776  
Palace Garage, 14336 Washington Avenue, SL 94577

7/20/95 Review file-dated June 8, 1994. Summary: This site had a 550 gallon gasoline tank which was installed in 1966. During excavation of the 550 gallon gasoline tank, four holes were observed with the largest hole being ½ inch in diameter and evidence of product leakage was confirmed by analysis of VOC's in the soil using a PID. Sample results for the one soil sample taken from approximately three (3) feet under the tank were 19 ppm for gasoline, 210 ppb, 410 ppb, 140 ppb and 43 ppb for BTEX, respectively. Levels for these constituents in the sample of the stockpiled soil show 1,900 ppm gasoline and 1.2 ppm, 14 ppm, 67 ppm and 11 ppm for the BTEX fractions, respectively. Letter sent May 23, 1994 requesting a PSA for this site was due by July 8, 1994.

Recommendations is to have second PSA letter sent to the RP.

7/27/95 Initial draft of second PSA letter. Initial letter sent May 23, 1994.

8/4/95 Final draft of second PSA letter. (dated 8-7-95)

10/30/95 Draft and final draft of "Notice Of Violation" letter. Letter sent.

11/7/95 **Call from Dee Kerry concerning site.** She was somewhat upset about the NOV letter requesting a PSA plan. Faxed her copy of Jennifer's list of consultants and informed her of the UST "The Fund". Also faxed her copy of original PSA letter sent by SOS.

1/5/96 Call from/to John Maracavich (510)581-2320 concerning requirements for PSA and eventual site closure. Review file. Requested copies of disposal manifests for excavated soils. Need to check database for groundwater gradients in close proximity to site. Groundwater data from 14985 Washington (Roto Rooter site). Groundwater gradient has consistently been in a south-southwesterly direction, except for the 1/95 monitoring event, which shows a northeast-northwest gradient associated with the heavy amounts of rainfall occurring in late 1994/early 1995. Site information for 701 Fremont Avenue shows a south gradient for 1/95, 4/95 and 8/95 and southwest for 11/94. Site information for 900 143 Avenue shows a west-southwest gradient for 12/94 and 6/94 and south-southwest gradient for 3/94. Call to John Maracavich to give him this information on nearby gradient.

1/10/97 Draft "Final NOV" letter sent after BC review. Call to John Maracavich of ALLCAL Property Services, 27973 High Court Drive, Hayward, CA 94542..



October 30, 1995

STID 2355

Jeffrey Kerry  
Morris Donnelly  
Kerry & Associates  
151 Callahan Avenue, Ste. 202  
San Leandro, CA 94577

DEPARTMENT OF ENVIRONMENTAL HEALTH  
1131 Harbor Bay Parkway  
Alameda, CA 94502-6577  
(510) 567-6777

**“NOTICE OF VIOLATION”**

RE: PALACE GARAGE, 14336 WASHINGTON BOULEVARD, SAN LEANDRO

Dear Messrs. Kerry and Donnelly:

This letter is in response to your continued failure to submit a work plan which was requested in two separate Alameda County Health Care Services Agency's letters dated May 23, 1994 and August 4, 1995. This office has not received a work plan for a preliminary site assessment (PSA) work plan for the initial assessment of soil and ground water conditions following the 1991 discovery of an apparent release from the former underground storage tank. The requested PSA work plan was due July 8, 1994.

**At this time you are directed to submit the referenced PSA work plan within 30 days of the date of this letter or by November 30, 1995.**

Please be advised that failure to satisfy this request will result in the referral of this case to the Alameda County District Attorneys Office. Please be further advised that Section 25299(b) of the California Health and Safety Code, among other possible statutes, provides for civil penalties of up to \$5000 per tank per day for failure to comply with this directive.

Please call me at your earliest convenience concerning this matter. Failure to reply to this request may subject you additional penalties. Please contact me at 510/567-6880 should you have any questions about the content of this letter.

Sincerely,

Dale Klettke, CHMM  
Hazardous Materials Specialist

Messrs. Kerry and Donnelly  
RE: Palace Garage, 14336 Washington Ave., San Leandro  
October 30, 1995  
Page 2 of 2

c: Jun Makishima, Interim Agency Director  
Gil Jensen, Alameda County District Attorney's Office  
Mike Bakaldin, San Leandro Hazardous Materials Program

2355nov1.dkt

ALAMEDA COUNTY  
HEALTH CARE SERVICES  
AGENCY

DAVID J. KEARS, Agency Director



RAFAT A. SHAHID, Director

August 7, 1995

DEPARTMENT OF ENVIRONMENTAL HEALTH  
Environmental Protection Division  
1131 Harbor Bay Parkway, #250  
Alameda, CA 94502-6577  
(510) 567-6700

STID 2355

Jeffrey Kerry  
Morris Donnelly  
Kerry & Associates  
151 Callahan Avenue, Ste. 202  
San Leandro, CA 94577

RE: PALACE GARAGE, 14336 WASHINGTON BOULEVARD, SAN LEANDRO

Dear Messrs. Kerry and Donnelly:

Your attention is directed to the attached correspondence from this office dated May 23, 1994 in which is requested, among others, the submittal of a preliminary site assessment (PSA) work plan for the initial assessment of soil and ground water conditions following the 1991 discovery of an apparent release from the former underground storage tank. The requested PSA work plan was due July 8, 1994.

Although a response to this work plan request, dated June 8, 1994, was received, this response attempted to address an issue regarding soil stockpile transport and disposal. To date, a PSA work plan has not been received.

At this time you are directed to submit the referenced PSA work plan within 45 days of the date of this letter.

Please be advised that failure to satisfy this request will result in the referral of this case to the appropriate enforcement agency. Please be further advised that Section 25299(b) of the California Health and Safety Code, among other possible statutes, provides for civil penalties of up to \$5000 per tank per day for failure to comply with this directive.

I have taken over management of this case effective July 12, 1995 from Scott Seery of this office. Please call feel free to contact me at 510/567-6880 should you have any questions about the content of this letter.



Messrs. Kerry and Donnelly  
RE: Palace Garage, 14336 Washington Ave., San Leandro  
August 7, 1995  
Page 2 of 2

Sincerely,



Dale Klettke  
Hazardous Materials Specialist

attachments

cc: Rafat A. Shihid, Agency Director  
Gil Jensen, Alameda County District Attorney's Office  
Mike Bakaldin, San Leandro Hazardous Materials Program

# kerry & associates

SUITE 202 • 151 CALLAN AVE. • SAN LEANDRO, CA 94577 • (510) 483-4211  
FAX 483-4200

June 8, 1994

Scott Seery, Senior Hazardous Materials Specialist  
c/o Department of Environmental Health  
State Water Resources Control Board  
80 Swan Way No. 200  
Oakland, CA 94621

Reference: STID 2355, May 23, 1994  
Property at 14336 Washington Ave., San Leandro, CA

Dear Mr. Seery:

We don't know what the correct terminology is for the process to fill the excavated hole so we will try to describe the process as best we can.

After the tank removal, the backhoe was used to create a much larger hole and place the soil on sheets of plastic, and covered and protected it from the rain. In the digging the backhoe went as deep as could be reached, 18 to 20 feet. No ground water was encountered. Next it was recommended to fill the hole and not leave it open. The hole was lined with plastic and filled with pea gravel.

The next thing done was to spread the soil out and continually rototill it and rake the soil to remediate it. Then Century West Engineering Company was called in to take soil samples to the laboratory to be analyzed. The lab reported back non-detectible and the soil was removed to a land fill in Richmond. The truck and driver were rented from VCI of California, the same company that removed the tank. The Richmond site was recommended as the place to take the soil.

We hope this explanation and documents together will cover the explanations needed by your office.

We look to you for advice on how to finalize this process.

*①*  
*②*  
1 load To Richmond (New Land Fill)  
2 load To Winter Land Fill

Respectfully,

*[Signature]*  
MORRIS DONNELLY  
*[Signature]*  
JEFFREY W. KERRY

JWK:lk

MEMBER:  
SOUTHERN ALAMEDA COUNTY ASSOCIATION OF REALTORS  
NATIONAL ASSOCIATION OF REALTORS  
CALIFORNIA ASSOCIATION OF REALTORS

ALAMEDA COUNTY  
HEALTH CARE SERVICES  
AGENCY

DAVID J. KEARS, Agency Director



RAFAT A. SHAHID, ASST. AGENCY DIRECTOR

STID 2355

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

May 23, 1994

Jeffrey Kerry  
Morris Donnelly  
Kerry & Associates  
151 Callahan Avenue, Ste. 202  
San Leandro, CA 94577

RE: PALACE GARAGE, 14336 WASHINGTON BOULEVARD, SAN LEANDRO

Dear Messrs. Kerry and Donnelly:

This office has completed a subsequent review of the case file for this site, up to and including the information submitted under Kerry & Associates cover dated October 11, 1993. Of the two documents submitted under the October 1993 cover, only one of the documents, a May 28, 1993 Century West Engineering Corporation (CWEC) letter report presenting recent soil stockpile analyses, is information not previously in our case file.

We understand that the tank pit has been restored to grade and is now asphalt capped. However, information describing the source of the materials used for pit restoration, or the eventual disposition of the previously-excavated, stockpiled, and treated soil, has not been presented. Please present these data. Should the treated soil still be found on site, however, please contact me to discuss the variety of options available to you for disposal or reuse.

As we have written previously, several throughgoing holes were observed in the former underground storage tank (UST) during its February 1991 closure. Although high concentrations of fuel compounds were not discovered in native soil collected from below the removed UST, high concentrations were discovered in excavated material. Further, as the depth of UST excavation was increased following tank removal, field evidence of contamination likewise increased. We are not aware whether final soil samples were collected from the bottom of the UST pit once excavation ceased. Our interpretation of these data is that an unauthorized release of fuel hydrocarbons has occurred at this site.

Please be advised that the San Francisco Bay Regional Water Quality Control Board (RWQCB), and the Corrective Action Regulations, Article 11, Title 23, California Code of Regulations (CCR), require additional environmental investigations to be performed when unauthorized releases are discovered. The initial

Messrs. Kerry and Donnelly  
RE: 14336 Washington Blvd.  
May 23, 1994  
Page 2 of 4

investigation is in the form of a **Preliminary Site Assessment**, or PSA. The information gathered by the PSA is used to determine the extent of the environmental impact resulting from the release, and whether further assessment or cleanup are necessary. A PSA must be conducted in accordance with the RWQCB Staff Recommendations for the Initial Evaluation and Investigation of Underground Tanks, the State Water Resources Control Board (SWRCB) Leaking Underground Fuel Tank (LUFT) Field Manual, and Article 11 of 23CCR.

**A PSA is required at this site.**

In order to proceed with a PSA, you should obtain the professional services of a reputable environmental consultant. Your responsibility is to have the consultant submit a PSA work plan outlining planned activities pertinent to meeting the criteria described in the referenced guidance documents. These criteria are broadly outlined in the attached **Appendix A** from the RWQCB.

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

The PSA work plan is due within 45 days of the date of this letter, or by July 8, 1994. Work should commence no later than 30 days following work plan approval.

A report must be submitted within 45 days of the completion of field activities associated with this phase of work at the site. Subsequent reports are to be submitted **quarterly** until this site qualifies for final RWQCB "sign off."

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

- o Details and results of all work performed during the designated reporting period: records of field observations

Messrs. Kerry and Donnelly  
RE: 14336 Washington Blvd.  
May 23, 1994  
Page 3 of 4

and data, boring and well construction logs, water level data, chain-of-custody forms, laboratory results for all samples collected and analyzed (including QA/QC data), tabulations of free product thicknesses and dissolved fractions, etc.

- o Status of ground water contamination and characterization
- o Interpretation of results: water level contour maps showing gradients, free and dissolved product plume definition maps for each target compound, geologic cross sections, etc.
- o Recommendations for additional work

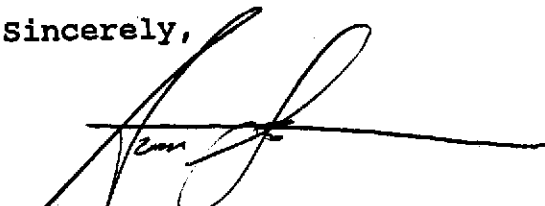
All reports and proposals must be submitted under seal of a California-registered geologist or civil engineer with the appropriate environmental background. Please include a statement of qualifications for each lead professional involved with this project.

Additionally, your site does appear on the State Water Resources Control Board (SWRCB) listing of reported unauthorized releases. Please find attached the notification form to be used for this purpose. Please supply the information requested in this notification form and return to this office within 15 days.

Please be advised that this is a formal request for technical reports pursuant to California Water Code Section 13267(b). Failure to respond may result in the referral of this case to the RWQCB or other appropriate agency for enforcement action.

Please feel free to call me at 510/271-4530, should you have any questions.

Sincerely,



Scott O. Seery, CHMM  
Senior Hazardous Materials Specialist

attachments

Messrs. Kerry and Donnelly  
RE: 14336 Washington Blvd.  
May 23, 1994  
Page 7 of 4

cc: Rafat A. Shahid, Assistant Agency Director, Env. Health  
Gil Jensen, Alameda County District Attorney's Office  
Mike Bakaldin, San Leandro Fire Department  
Rob Weston, ACDEH

ALAMEDA COUNTY  
HEALTH CARE SERVICES  
AGENCY

DAVID J. KEARS, Agency Director



RAFAT A. SHAHID, ASST. AGENCY DIRECTOR

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

STID 2355

August 25, 1993

Jeffrey Kerry  
Morris Donnelly  
Kerry & Associates  
151 Callahan Avenue, Ste. 202  
San Leandro, CA 94577

RE: PALACE GARAGE, 14336 WASHINGTON BOULEVARD, SAN LEANDRO -  
UNDERGROUND STORAGE TANK LEAK AND ASSESSMENT FILE

Dear Messrs. Kerry and Donnelly:

This office is currently reviewing the underground storage tank (UST) leak and assessment file for the referenced site. The information presently available in this file appears incomplete. Absent are any reports describing environmental assessment work occurring at the site since submittal of the March 7, 1991 Century West Engineering Corporation (CWE) report documenting the results of the February 11, 1991 UST closure.

The observation of holes in the tank and significant fuel hydrocarbon concentrations in excavated soils indicate an unauthorized release had occurred at this site, requiring some degree of additional assessment of the site. The cited CWE report reached the same conclusion. Your letter of March 13, 1991 indicated CWE's recommendations for additional assessment would occur.

Please submit all documents relating to activities occurring at the site since March 1991. These documents are due within the next 30 days. Please be advised that this letter constitutes an official request for technical reports pursuant to California Water Code Section 13267(b).

You may contact me at 510/271-4530 should you have any questions. Thank you in advance for your timely attention to this matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'Scott O. Seery', written over a horizontal line.

Scott O. Seery, CHMM  
Senior Hazardous Materials Specialist

cc: Rafat A. Shahid, Assistant Agency Director  
Gil Jensen, Alameda County District Attorney's Office  
Mike Bakaldin, San Leandro Fire Department



**centurywest**  
ENGINEERING CORPORATION

*Mailed  
to Mr. Bid.  
6-7-93*

May 28, 1993

Mr. Morris F. Donnelly  
463 Elsie Avenue  
San Leandro, CA 94577

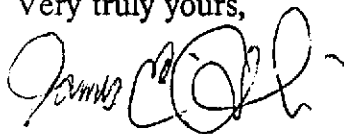
Subject: Lab Report for Soil Stockpile  
Palace Garage UST Site  
14336 Washington Avenue  
San Leandro, California  
CWEC 20512-001-01

Dear Mr. Donnelly:

Pursuant to your request, enclosed please find a copy of the laboratory data report and chain-of-custody record for the composite sample taken of the stockpiled soil after the soil had been aerated for approximately four months. As you can see, the aeration was effective in removing all significant levels of gasoline constituents from the soil.

We appreciate the opportunity to assist you with your project. Please call if you have questions or require additional information.

Very truly yours,



James E. Gribi  
Geologist

JEG:cac  
Enclosure



ALAMEDA COUNTY - ENVIRONMENTAL HEALTH - HAZARDOUS MATERIALS DIVISION

MEMORANDUM

DATE: March 31, 1993  
TO : Former Palace Garage file, 14336 Washington Ave., San Leandro  
FROM: Robert Weston *RW*  
SUBJ: Complaint letter

---

On ~~March 30, 1993~~ this office recieved an anonymously sent letter describing a tank removal and soil stockpile at the above address. A review of the file for that site revealed that a copy of the letter's contents also was present in the file. The file verified the letters allegations. I visited the site on March 31, 1993 to observe the condition of the property. The building is now painted with the name of the auto body shop next door at 14332 Washington Ave. At the back of the building I observed a smooth paved surface without any evidence of breaks or openings. It looked like a slurry seal had been applied to the asphalt surface. No soil stockpile or other evidence of an on-going remediation.

I have transferred the case to LOP and asked Scott Seery to begin proceedings to investigate the site cleanup.

Environmental Health Department  
80 Swan Way  
Oakland, CA 94621

93 MAR 30 PM 3:02

Re: 14336 Washington Avenue  
San Leandro, CA

Enclosed is a copy of a letter of February 25, 1991 to the owners of the above property. By this letter the owners were advised of the probable nature and extent of, and action necessary to clean up, toxic contamination which had resulted from leakage from a five hundred gallon underground gasoline tank which had then recently been removed from the rear of the building at that address. No action was taken to remove the contaminated soil and the area from which the tank had been removed was eventually repaved.

The owners of the property are Jeffrey Kerry and Morris Donnelly. Mr. Kerry's phone number is 483-4211 and his address is 151 Callan Avenue, Suite 202, San Leandro.

Very truly yours,

A concerned citizen

# kerry & associates

SUITE 202 • 151 CALLAN AVE. • SAN LEANDRO, CA 94577 • (415) 483-4211

March 13, 1991

Alameda County Health Department  
Division of Hazardous Materials  
No. 80 Swan Way No. 200  
Oakland, California 94621

Attention: Lowell Miller

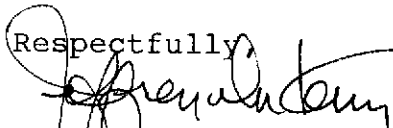
Re: Removal of a 550 Gallon Gasoline Tank at  
14336 Washington Blvd., San Leandro, CA  
In Accordance with Appropriate Standards

Dear Mr. Miller:

Please be advised that the above tank was removed from the premises. A copy of Verl's Construction (our contractor) letter dated February 25, 1991 and a copy of a portion of our engineer's (Century West) letter of March 8, 1991 are attached for your review.

We intend to proceed with Century West Engineering and the San Leandro Fire Department's recommendations for further investigation and clean-up.

Respectfully,

  
JEFFREY W. KERRY and  
MORRIS F. DONNELLY,  
Owners of the Site

JWK:lk  
Enc.

CC: Mike Bakaldin  
San Leandro Fire Department  
Division of Hazardous Materials  
835 East 14th Street  
San Leandro, CA 94577

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

EMERGENCY <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		HAS STATE OFFICE OF EMERGENCY SERVICES REPORT BEEN FILED? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		FOR LOCAL AGENCY USE ONLY I HEREBY CERTIFY THAT I AM A DESIGNATED GOVERNMENT EMPLOYEE AND THAT I HAVE REPORTED THIS INFORMATION TO LOCAL OFFICIALS PURSUANT TO SECTION 25100.7 OF THE HEALTH AND SAFETY CODE. SIGNED: <u>Michael Bakaldin</u> DATE: <u>3/12/91</u>	
REPORT DATE <u>03/12/91</u>		CASE #			
REPORTED BY	NAME OF INDIVIDUAL FILING REPORT <u>Michael Bakaldin</u>		PHONE <u>(415) 577-3331</u>	SIGNATURE <u>Michael Bakaldin</u>	
	REPRESENTING <input checked="" type="checkbox"/> LOCAL AGENCY <input type="checkbox"/> OWNER/OPERATOR <input type="checkbox"/> REGIONAL BOARD <input type="checkbox"/> OTHER		COMPANY OR AGENCY NAME <u>San Leandro Fire Dept.</u>		
	ADDRESS <u>835 East 14<sup>th</sup> Street San Leandro CA 94577</u>				
RESPONSIBLE PARTY	NAME <u>Morris Donnelly</u> <input type="checkbox"/> UNKNOWN		CONTACT PERSON		PHONE <u>(415) 357-9835</u>
	ADDRESS <u>463 Elsie Ave San Leandro CA 94577</u>				
SITE LOCATION	FACILITY NAME (IF APPLICABLE) <u>Palace Garage</u>		OPERATOR <u>Jamie McCoy</u>	PHONE <u>(415) 483-8200</u>	
	ADDRESS <u>143<del>86</del> Washington Ave San Leandro Alameda 94578</u>				
	CROSS STREET <u>143rd Ave.</u>				
IMPLEMENTING AGENCIES	LOCAL AGENCY <u>SLFD</u>		AGENCY NAME		CONTACT PERSON <u>M. Bakaldin</u>
	REGIONAL BOARD <u>SF Bay</u>				PHONE ( )
SUBSTANCES INVOLVED	(1) NAME <u>Gasoline</u>				QUANTITY LOST (GALLONS) <input checked="" type="checkbox"/> UNKNOWN
	(2) NAME _____ <input type="checkbox"/> UNKNOWN				
DISCOVERY/ABATEMENT	DATE DISCOVERED <u>02/15/91</u>		HOW DISCOVERED <input type="checkbox"/> TANK TEST <input checked="" type="checkbox"/> TANK REMOVAL <input type="checkbox"/> INVENTORY CONTROL <input checked="" type="checkbox"/> SUBSURFACE MONITORING <input type="checkbox"/> NUISANCE CONDITIONS <input type="checkbox"/> OTHER		
	DATE DISCHARGE BEGAN <input checked="" type="checkbox"/> UNKNOWN		METHOD USED TO STOP DISCHARGE (CHECK ALL THAT APPLY) <input checked="" type="checkbox"/> REMOVE CONTENTS <input type="checkbox"/> REPLACE TANK <input type="checkbox"/> CLOSE TANK <input type="checkbox"/> REPAIR TANK <input type="checkbox"/> REPAIR PIPING <input type="checkbox"/> CHANGE PROCEDURE <input checked="" type="checkbox"/> OTHER <u>Remove tank</u>		
	HAS DISCHARGE BEEN STOPPED? <input type="checkbox"/> YES <input type="checkbox"/> NO IF YES, DATE _____				
SOURCE/CAUSE	SOURCE OF DISCHARGE <input checked="" type="checkbox"/> TANK LEAK <input type="checkbox"/> UNKNOWN <input checked="" type="checkbox"/> PIPING LEAK <input type="checkbox"/> OTHER		CAUSE(S) <input checked="" type="checkbox"/> OVERFILL <input type="checkbox"/> RUPTURE/FAILURE <input checked="" type="checkbox"/> SPILL <input checked="" type="checkbox"/> CORROSION <input type="checkbox"/> UNKNOWN <input type="checkbox"/> OTHER		
	CHECK ONE ONLY <input checked="" 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)				
CURRENT STATUS	CHECK ONE ONLY <input type="checkbox"/> NO ACTION TAKEN <input type="checkbox"/> PRELIMINARY SITE ASSESSMENT WORKPLAN SUBMITTED <input type="checkbox"/> POLLUTION CHARACTERIZATION <input checked="" 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) <input type="checkbox"/> CAP SITE (CD) <input type="checkbox"/> EXCAVATE & DISPOSE (ED) <input type="checkbox"/> REMOVE FREE PRODUCT (FP) <input type="checkbox"/> ENHANCED BIO DEGRADATION (IT) <input type="checkbox"/> CONTAINMENT BARRIER (CB) <input type="checkbox"/> EXCAVATE & TREAT (ET) <input type="checkbox"/> PUMP & TREAT GROUNDWATER (GT) <input type="checkbox"/> REPLACE SUPPLY (RS) <input type="checkbox"/> VACUUM EXTRACT (VE) <input type="checkbox"/> NO ACTION REQUIRED (NA) <input type="checkbox"/> TREATMENT AT HOOKUP (HU) <input type="checkbox"/> VENT SOIL (VS) <input type="checkbox"/> OTHER (OT)				
COMMENTS	_____				

VERL'S CONSTRUCTION, INC.

CA LIC. #487537

753 PERALTA AVENUE  
SAN LEANDRO, CA 94577  
(415) 568-1234

February 25, 1991

Palace Garage  
14336 Washington Blvd.  
San Leandro, CA. 94577  
Attn: Mr. Jeff Kerry

Subject: Removal of Underground Storage Tank.

Dear Mr. Kerry;

As per our conversation on February 24th, there are a couple of items that need to be addressed. Foremost is the problem with the contaminated soil that has been excavated and the scope of work that needs to be done to eliminate said problem.

I would recommend airtighting the excavated pile and sampling the pile after we feel that it has had sufficient time to remediate. VCI can help you in setting up an appropriate airtightening pad and contacting for you a technician to do the sampling. After the soil is below 100 ppm we would recommend transporting said soil to a landfill that is capable of accepting contaminated soil. VCI can give you a cost estimate for this scope of work and provide the needed documentation.

In addressing the excavation, the analytical results point to the scenario that there has been several large spills at the location of the filler area. This is why the PID unit was reading high and for the high numbers from the excavated pile. When the hard copy of the reports are available, you will be immediately notified and reports will be sent to your offices.

Soil samples taken from the bottom of the excavation were substantially lower but still are above detectable levels. Alameda County could be asked what levels would be allowed for leaving soil in the excavation. It's been our experience that Alameda County will more likely ask that the soil be excavated till you reach non-detectable levels.

The County might also ask you for the installation of at least one monitoring well 10 feet within the excavation. They might also ask you to prove that the well is down-gradient from the excavation. To do this, you could contact the Water District Zone 7 office in Pleasanton, asking for well installations in that area. The wells need to be within 100 yards of your site. If you can find wells that can determine gradient levels you can save yourself the drilling of at least two additional holes.

If there is not sufficient data showing gradient levels you could use aqua bores, which are less expensive than monitoring wells to help you triangulate for gradient levels.

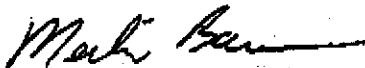
Century West Engineering also came up with an idea that may be used for this site. They were thinking of using 1" borings down to 14' to 16' levels and using a PID unit to give you an inexpensive way to determine the plume of contaminated soil. There are several factors that need to be addressed before this method can be used though. One is that the clayish nature of the soil can give you cleaner readings than are actually there. Another problem is keeping the borings straight when you are drilling with a 1" bit.

Century West Engineering would also recommend putting in a bore hole up-gradient ( East ) to the excavation and to the South of the property to ensure that off-site contamination has not effected your property.

I would recommend to you that you let Century West Engineering approach the County with a work plan that you and the environmental company have agreed upon. Century West Engineering is qualified to make these recommendations and the cost would be minimal compared to the run around and guess work that would ultimately be a task not agreeable to you nor to your benefit.

If there are any other questions that I can help you with please contact me. Thank you for using our services and I know that with constant contact between our offices we can keep the costs down and keep you from wasting your money.

Sincerely yours,



Merlin Bowen  
Operations Supervisor

BILLING FOR 48.25

TONS OF MATERIAL @ 22.57 PER TON

4.5 TONS IS NOT CHARGED TO CLIENT BECAUSE IT IS BACKFILL INCLUDED IN CONTRACT.

TOTAL \$ 1,086.10

PALACE GARAGE BACKFILL

ADDENDUM TO PROFESSIONAL SERVICES CONTRACT

ELLY CLIENT/JOB NO.: 154  
VE. ADDENDUM NO.:  
CA. 94577 ADDENDUM DATE: 2/12/91

REFERENCE: PROPOSAL/CONTRACT NO.: DATED: 154 1/15/91

PROJECT: PALACE GARAGE  
14336 WASHINGTON BLVD.  
SAN LEANDRO, CA. 94577

DESCRIPTION OF ADDITIONAL SERVICES: TRANSPORTATION AND LABOR  
NEEDED TO FILL IN EXCAVATION THAT HAS BEEN ENLARGED. TOTAL  
ADDITIONAL FILL

ADDITIONAL FEE FOR THESE SERVICES: \$ 1,125.50  
ONE THOUSAND ONE HUNDRED TWENTY FIVE DOLLARS AND FIFTY CENTS

PRESENTED BY: MERLIN BOWEN  
CONSULTANT REPRESENTATIVE  
NAME: MERLIN BOWEN  
TITLE: SUPERVISOR  
SIGNATURE: *Merlin Bowen*  
DATE: 2/12/91

AUTHORIZED BY:  
CLIENT REPRESENTATIVE  
NAME:  
TITLE:  
SIGNATURE:  
DATE: 2/12/91

Billing attached \$1125.50.

enll's Construction, Inc.  
53 Peralta Avenue  
San Leandro, CA 94577

Date: 02/12/91  
Invoice #: 1540212

Job Name: PALACE GARAGE  
14336 WASHINGTON AVE.  
SAN LEANDRO, CA. 94578

Bill to:  
MORRIS DONNELLY  
463 ELSIE AVE.  
SAN LEANDRO, CA. 94577

=====  
Your order #: AS PER ADDENDUM DATED 2-12-91  
Due Date: 02/22/91  
=====

Subcontract.....\$ 0.00  
Plus 20%.....\$ 0.00  
=====  
Net due this inv....\$ 1125.50

=====  
Contract summary:

Original contract.....\$ 5400.00  
Net change orders.....\$ 1125.50  
Net invoices to date.....\$ 2045.50