### William C. Ellis Consultant in Groundwater and Geology

P.O. Box 3414 Saratoga, CA 95070 May 25, 1993

(408) 741-1621

Some Com.

5110 P

Susan L. Hugo Senior Hazardous Materials Specialist Health Care Services Agency Alameda County 80 Swan Way, Room 200 Oakland, California 94621

SUBJECT: Soil and Groundwater Investigation/Remediation - Auto Pro

property, 5200 Telegraph Avenue, Oakland, CA

Dear Ms. Hugo:

This is in response to your letter of April 19, 1993, directed to George Tuma, owner of the subject Auto Pro property. Since mostly technical matters are dealt with in your letter, he and his legal counsel, Jeffrey Widman, have asked me to answer the questions posed to the extent possible at this time.

I believe you are aware that, although Mr. Tuma and the Tri Star Group presently own the property and operate an auto repair facility, the site was operated as a gasoline service station until 1978 under previous ownership by the Shell Oil Company as tenant. As would be expected under this property use history, there has been an ongoing dispute as to responsibility for subsurface contamination by petroleum hydrocarbons, and also for the funding of associated investigation and remediation. The assigning of these responsibilities is the subject of a court trial scheduled to start on July 2.

Your letter cites reports received by your office related to this property. A recent report by Environmental Science & Engineering, Inc. was completed, giving the results of limited additional investigation by one of the previous owners. A copy is enclosed for your information.

Issues raised in your letter concerning this property are addressed below, referenced by your numbers.

1) The TPH and BTEX content of overexcavation soil samples for the 8,000 gallon tank pit and the 3-5,000 gallon tank pit which you cite

Page 2

Ms. Susan L. Hugo

Re: 5200 Telegraph Av., Oakland

May 25, 1993

appear essentially correct, however, cannot be confirmed by our possibly incomplete records in all detail. Regardless, these data appear to indicate the adequacy of soil remediation in those locations.

We understand that you were present at several intervals during both the removal of the tanks and the overexcavation and sampling of the tank pits on this site. We also understand that Pacific Excavators, the contractor for removal of the tanks and all other site work, acted as liaison between the property owner and your office. Accordingly, Joe Madison, principal of Pacific Excavators, reported all results directly to you and received directions and approvals from you. In compliance with your previous directive, the owner authorized Pacific Excavators to also have a workplan prepared for site investigation and remediation (Streamborn, May 17, 1991).

Unfortunately, Mr. Tuma has received no written reports and only fragmentary data records from Pacific Excavators with regard to the work performed and administered by them. However, he was informed by Madison that details of the pit overexcavation and soil remediation work were implemented under the direction of your office, and that your approval was received to backfill and pave over the pits, including the waste oil tank pit, discussed further under Item 2).

- 2) Clarification is needed on the stated requirement for a proposal "for implementation of remedial measures to address the residual soil contamination along ... the excavation of the former waste oil tank". Property owner Tuma advises that the waste oil tank pit was overexcavated according to the same procedures used for the other two tank pits, that two rounds of soil samplings were made in the process, and that satisfactory contaminant levels were reached. This includes the side against the building, where overexcavation reached to within 1-2 feet of the structure. A total of two or three 18-c.y. truck loads of spoil were reportedly removed from this pit. Madison reported to Tuma that your office approved backfilling and paving over of this pit, as for the others. Thus, according to the contractor's report, there is no residual soil requiring remediation on the site.
- 3) Copies of disposal records and manifests for the tanks and excavated soil obtained from Pacific Excavators are enclosed herewith.
- 4) Concerning the various piping associated with the removed tanks, Mr. Tuma advises that all such piping was removed by Pacific Excavators in process of the other work.

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Ms. Susan L. Hugo

Re: 5200 Telegraph Av., Oakland

May 25, 1993

5) A program for the investigation of shallow groundwater beneath the property was set forth in the workplan by Streamborn (May 17, 1991). This plan included three piezometers to establish groundwater gradient, and two monitoring wells downgradient from former pits. This plan has not been implemented to date, primarily due to the need for further hydrogeologic review and investigational planning. Two questions must be addressed before an updated groundwater investigative plan can be finalized, namely:

- Your letter states that a monitoring well must be sited 10 feet downgradient of each tank pit. Since the waste oil tank pit was only perhaps 3 feet from the building, the well will have to either be essentially within the perimeter of the old pit, or else more distant on a downgradient line on the other side of the building.
- In reviewing the needs of a groundwater investigation with you on April 2, you kindly provided me with information and data on investigations of the old Chevron gas station site southwesterly of Auto Pro across Telegraph Avenue. I feel that the local ground-water gradient established for that site should be the same as under the adjacent Auto Pro site. I also discussed this question with the investigating geologist with Pacific Environmental Group. Accordingly, I propose that monitoring wells on the Auto Pro site be located according to the gradient established for the Chevron site, eliminating the need for preliminary piezometers. We would like your approval to do so before proposing a new investigation plan.

6) As indicated under Item 5), the Streamborn workplan for groundwater investigation has not been implemented, primarily because it is no longer applicable. A new workplan will be prepared after further guidance from your office on the questions posed herein.

7) We will be pleased to submit a "time schedule for all phases of the investigation and remediation activities". However, we will need further information and guidance from you, as noted above, before a meaningful work scope for groundwater investigation can be formulated. Of course, no groundwater cleanup schedule can be anticipated until cleanup requirements are determined by the investigation.

Jane Jane

Ms. Susan L. Hugo

Re: 5200 Telegraph Av., Oakland

May 25, 1993

We will plan to submit quarterly reports to your office and the Regional Water Quality Control Board, as you specify. Reports and proposals will be submitted under the seal of a Certified Engineering Geologist. I am both a Registered Geologist (#929) and a Certified Engineering Geologist (#363) in California.

There are obviously critical gaps in our written record of the soil investigation and remediation conducted on the Auto Pro site. We are now told that the Pacific Excavators field operative who supervised the site work died and his field notes and records cannot be found. Nevertheless, it is hoped that further communication between the concerned parties, and also the impending court action, will clarify the situation and allow site investigation to proceed expediently. Any of us will be pleased to meet with you to discuss these issues.

Sincerely

William C. Ellis

CEG 363

**Enclosures** 

cc: George Tuma

Jeffrey Widman, Atty. Rich Hiett, RWQCB



April 19, 1993

Project No. 6-93-5063

The Law Offices of Jeffery Widman 84 West Santa Clara Street, #690 San Jose, CA 95113 Attention: Mr. Jeff Widman

SUBJECT: Auto Pro, 5200 Telegraph Avenue, Oakland, California

Dear Mr. Widman,

Pursuant to your request for limited soil and ground water investigation at the subject site, Environmental Science & Engineering, Inc. (ESE) presents this letter report of findings. In accordance with telecommunication between you and Mr. Mike Quillin of ESE, two shallow borings were drilled at the site in locations indicated as B-1 and B-2 on the attached site map (adapted from a report prepared by Streamborn). The objectives of these borings was to collect samples of native soil and ground water from beneath the locations of former underground fuel storage tanks (USTs) and to have those samples analyzed for Total Semi-Volatile Petroleum Hydrocarbons (TSVPH). ESE drilled the borings and collected soil and ground water samples on April 8, 1993.

Native soil was found beneath fill materials at a depth of 12 feet below ground surface (bgs) in boring B-1 and at 11 feet bgs in boring B-2. Soil samples B-1@12 and B-2@11, respectively, were collected at those depths.

ESE noted a strong odor of petroleum hydrocarbons in sample B-1@12, but noted no such odor in sample B-2@11. Ground water was found at approximately 13.5 feet bgs in each boring.

Upon reaching ground water in each boring, ESE collected ground water samples using Hydropunch® technique. Briefly, this approach involved drilling to the approximate saturated zone/vadose zone interface using conventional drilling techniques. The Hydropunch® tool was then driven through the center of the augers to a depth of 2-3 feet into the undisturbed saturated zone, and the tool's outer sheath was retracted to expose a Teflon® screen. Ground water was allowed to flow into the screen over a period of 15-20 minutes, at which time ESE collected ground water samples using a dedicated acrylic bailer. Samples were poured into pre-cleaned 1-liter amber glass bottles, placed under ice, and prepared for transport to the analytical laboratory.

Mr. Jeff Widman April 19, 1993 Page 2

ESE transported soil and ground water samples under full chain of custody documentation to Coast-to-Coast Analytical Services, Inc. (CCAS), a State-certified analytical laboratory. CCAS analyzed soil and ground water samples for TSVPH using EPA Method 8270. A copy of the laboratory report and chain of custody documentation are presented as an attachment to this report. Copies of laboratory QA/QC reports and sample chromatograms are also presented.

In soil sample B-1@12, CCAS reported a TSVPH concentration of 31 milligrams per Kilogram (mg/Kg) or parts per million (ppm), and indicated that the fuel pattern was similar to that for motor oil. A TSVPH concentration of 37 ppm was reported for soil sample B-2@11, and CCAS reported that the hydrocarbons were light petroleum distillates in the C7-C12 range. For both samples, CCAS indicated that the observed hydrocarbon pattern was not consistent with that for diesel fuel.

In ground water sample B-1, CCAS reported a TSVPH concentration of 1,700 micrograms per Liter ( $\mu$ g/L) or parts per billion (ppb), which was quantified as light petroleum distillates in the C7-C12 range. Again, the TSVPH did not show a pattern consistent with diesel fuel. TSVPH were not detected in ground water sample B-2.

Based on these findings, ESE concludes that diesel fuel is not present in soil and ground water samples collected at the site as part of this investigation. Furthermore, the hydrocarbons detected do not appear to be gasoline.

If you have any questions about this investigation, or would like to discuss additional investigation that may be appropriate for the site, please contact Mike Quillin at (510) 685-4053.

ERED GEO

MICHAEL E. QUILLIN

Sincerely,

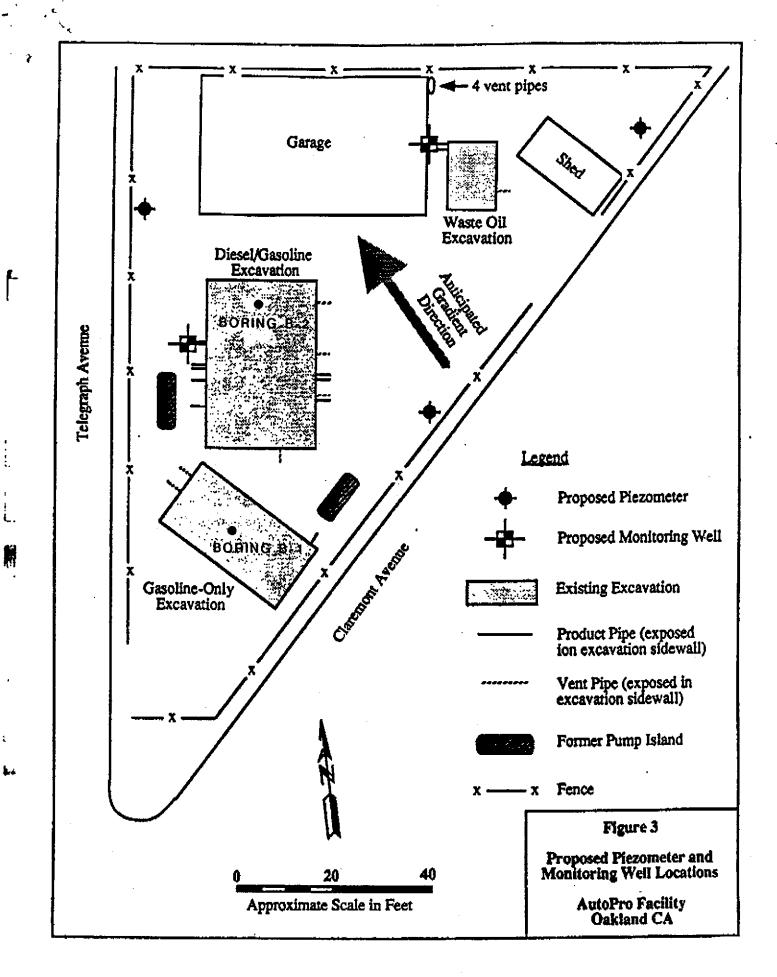
ENVIRONMENTAL SCIENCE & ENGINEERING, INC.

Michael E. Quillin Senior Hydrogeologist California RG No. 5315

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Attachments

F:\...\935063\PSA.rpt





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NorCal Division (San Jose Laboratory) 2059 Junction Ave.

San Jose, CA 95131 (408) 955-9077

CLIENT: Mike Quillin

Environmental Science & Engineering

4090 Nelson Avenue Suite J

Concord, CA 94520

Lab Number: JJ-0374-3

Project : 6-93-506

: 6-93-5063 Tri-Star/Auto

Pro

Analyzed : 04/11/93

Analyzed by: RB

Method: EPA 8270

#### REPORT OF ANALYTICAL RESULTS

Page 1 of 1

SAMPLE DESCRIPTION	MATRIX	SAMPLED BY	SAMPLED DATE RECEIVED				
B-1 @ 12	Soil	Kerry Lefever	04	/08/93	04/09/93		
CONSTITUENT		(CAS RN)	*PQL mg/Kg	RESULI mg/Kg	r note		
Tot. SV Petr. Hydrocarbs Total Petroleum Hydrocarbons Percent Surrogate Recovery	(Motor Oil)		5.	31. 76.	1,2		

San Jose Lab Certifications: CAELAP #1204

\*RESULTS listed as 'ND' were not detected at or above the listed PQL (Practical Quantitation Limit)

(1) Sample Preparation on 04/11/93 by HTH using EPA 3550

(2) Fuel pattern is similar to motor oil.

04/13/93 MSD2/2G61A MC/rlb/mcc BNA0411 Respectfully submitted,
COAST-TO-COAST ANALYTICAL SERVICES, INC.



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San Jose, CA 95131 (408) 955-9077

CLIENT: Mike Quillin

Environmental Science & Engineering

4090 Nelson Avenue Suite J

Concord, CA 94520

Lab Number: JJ-0374-4

Project :

: 6-93-5063 Tri-Star/Auto

Pro

Analyzed : 04/11/93

Analyzed by: RB

Wigthsen ph: Kp

Method : EPA 8270

REPORT OF ANALYTICAL RESULTS

Page 1 of 1

SAMPLE DESCRIPTION	MATRIX	SAMPLED BY	SAMP	LED DATE	RECEIVED	
B-2 @ 11	Soil	Kerry Lefever	04	/08/93	04/09/93	
CONSTITUENT		(CAS RN)	*PQL mg/Kg	RESULI mg/Kg	r note	
Tot. SV Petr. Hydrocarbs Total Petroleum Hydrocarbons (Li	ght Petroleum		5.	37.	1	
Distillate, C7 - C12) Percent Surrogate Recovery				69.		

San Jose Lab Certifications: CAELAP #1204

\*RESULTS listed as 'ND' were not detected at or above the listed PQL (Practical Quantitation Limit)

(1) Sample Preparation on 04/11/93 by HTH using EPA 3550

04/13/93 MSD2/2G56A MC/rlb/mcc BNA0411 Respectfully submitted, COAST-TO-COAST ANALYTICAL SERVICES, INC.



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San Jose, CA 95131 (408) 955-9077

QC Batch ID: BNA0411

CLIENT: Coast-to-Coast Analytical Services, Inc.

Analyzed : 04/11/93

Analyzed by: RB

Method: EPA 8270

METHOD BLANK

REPORT OF ANALYTICAL RESULTS

Page 1 of 1

SAMPLE DESCRIPTION	MATRIX	SAMPLED BY	SAN	IPLED DATE RE	ECEIVED
METHOD BLANK	Solid				
CONSTITUENT		(CAS RN)	*PQL mg/Kg	RESULT mg/Kg	NOTE
Tot. SV Petr. Hydrocarbs Total Petroleum Hydrocarbons Percent Surrogate Recovery			5.	ND 60.	1

San Jose Lab Certifications: CAELAP #1204

\*RESULTS listed as 'ND' were not detected at or above the listed PQL (Practical Quantitation Limit)

(1) Sample Preparation on 04/11/93 by HTH using EPA 3550

04/13/93 MSD2/2G53A MC/rlb/mcc JJ0374-3 Respectfully submitted, COAST-TO-COAST ANALYTICAL SERVICES, INC.



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San Jose, CA 95131 (408) 955-9077

QC Batch ID: BNA0411

CLIENT: Coast-to-Coast Analytical Services, Inc.

Analyzed : 04/11/93

Analyzed by: RB

Method: EPA 8270

QC SPIKE

REPORT OF ANALYTICAL RESULTS

Page 1 of 1

SAMPLE DESCRIPTION	MATRIX	SAMPLED BY	Y.	SAMPLED DA	TE RECE	IVED
QC SPIKE	Solid					
CONSTITUENT		*PQL mg/Kg	SPIKE AMOUNT	RESULT mg/Kg	%REC	NOTE
Tot. SV Petr. Hydrocarbs Total Petroleum Hydrocarbons (Diesel #2	2)	5.	97.	54.	56.	1

San Jose Lab Certifications: CAELAP #1204

\*RESULTS listed as 'ND' were not detected at or above the listed PQL (Practical Quantitation Limit) (1) Sample Preparation on 04/11/93 by HTH using EPA 3550

04/13/93 MSD2/2G54A MC/rlb JJ0374-3 Respectfully submitted, COAST-TO-COAST ANALYTICAL SERVICES, INC.



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San Jose, CA 95131 (408) 955-9077

QC Batch ID: BNA0411

CLIENT: Coast-to-Coast Analytical Services, Inc.

Analyzed : 04/11/93

Analyzed by: RB

Method: EPA 8270

QC SPIKE

REPORT OF ANALYTICAL RESULTS

Page 1 of 1

SAMPLE DESCRIPTION	MATRIX	SAM	PLED BY	SAMPLED DATE RECEIVED				
QC SPIKE DUPLICATE	Solid							
CONSTITUENT		*PQL mg/Kg	SPIKE AMOUNT	RESULT mg/Kg	%REC	%DIFF	NOTE	
Tot. SV Petr. Hydrocarbs Total Petroleum Hydrocarbons (Diesel #2)	)	5.	97.	46.	47.	16.	1	

San Jose Lab Certifications: CAELAP #1204

\*RESULTS listed as 'ND' were not detected at or above the listed PQL (Practical Quantitation Limit)

(1) Sample Preparation on 04/11/93 by HTH using EPA 3550

04/13/93 MSD2/2G55A MC/rlb JJ0374-3 Respectfully submitted, COAST-TO-COAST ANALYTICAL SERVICES, INC.

Mulumu Marissa Coronel

Laboratory Director



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NorCal Division (San Jose Laboratory) 2059 Junction Ave.

San Jose, CA 95131 (408) 955-9077

CLIENT: Mike Quillin

Environmental Science & Engineering

4090 Nelson Avenue Suite J

Concord, CA 94520

Lab Number : JJ-0374-1

Project :

: 6-93-5063 Tri-Star/Auto

Pro

Analyzed : 04/11/93

Analyzed by: RB

Method: EPA 8270

REPORT OF ANALYTICAL RESULTS

Page 1 of 1

SAMPLE DESCRIPTION	MATRIX	SAMPLED BY	SAM	PLED DATE	RECEIVED
B-1	Monitoring Water	Kerry Lefever	04	1/08/93	04/09/93
CONSTITUENT		(CAS RN)	*PQL µg/L	Resuli µg/L	NOTE
Tot. SV Petr. Hydrocarbs  Total Petroleum Hydrocarbons (Light P	etroleum		200.	1700.	1
Distillate, C7 - C12) Percent Surrogate Recovery Naphthalene Methylnaphthalenes		(91203)	5. 5.	57. 13. 24.	

San Jose Lab Certifications: CAELAP #1204

\*RESULTS listed as 'ND' were not detected at or above the listed PQL (Practical Quantitation Limit)

(1) Sample Preparation on 04/09/93 by HTH using EPA 8270

04/13/93 MSD2/2G51A MC/rlb/mcc BNA0409 Respectfully submitted, COAST-TO-COAST ANALYTICAL SERVICES, INC.

Márissa Coronel

Laboratory Director



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NorCal Division (San Jose Laboratory) 2059 Junction Ave.

San Jose, CA 95131 (408) 955-9077

CLIENT: Mike Quillin

Environmental Science & Engineering

4090 Nelson Avenue Suite J

Concord, CA 94520

Lab Number: JJ-0374-2

Project

: 6-93-5063 Tri-Star/Auto

 $\mathbf{Pro}$ 

Analyzed : 04/11/93

Analyzed by: RB

Method

: EPA 8270

#### REPORT OF ANALYTICAL RESULTS

Page 1 of 1

SAMPLE DESCRIPTION	MATRIX	SAMPLED BY	SAMP	LED DATE	RECEIVED
B-2	Monitoring Water	Kerry Lefever	04	/08/93	04/09/93
CONSTITUENT		(CAS RN)	*PQL μg/L	RESULI µg/L	r note
Tot. SV Petr. Hydrocarbs Total Petroleum Hydrocarbons Percent Surrogate Recovery			200.	ND 69.	1

San Jose Lab Certifications: CAELAP #1204

\*RESULTS listed as 'ND' were not detected at or above the listed PQL (Practical Quantitation Limit)

(1) Sample Preparation on 04/09/93 by HTH using EPA 8270

04/13/93 MSD2/2G52A MC/rlb/mcc BNA0409 Respectfully submitted, COAST-TO-COAST ANALYTICAL SERVICES, INC.



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San Jose, CA 95131 (408) 955-9077

QC Batch ID: BNA0409

CLIENT: Coast-to-Coast Analytical Services, Inc.

Analyzed : 04/11/93

Analyzed by: RB

Method: EPA 8270

METHOD BLANK
REPORT OF ANALYTICAL RESULTS

Page 1 of 1

SAMPLE DESCRIPTION	MATRIX	SAMPLED BY	SA	MPLED DATE	RECEIVED
METHOD BLANK	Aqueous				· · · · · · · · · · · · · · · · · · ·
CONSTITUENT		(CAS RN)	*PQL µg/L	result µg/L	NOTE
Tot. SV Petr. Hydrocarbs Total Petroleum Hydrocarbons Percent Surrogate Recovery			200.	ND 56.	1

San Jose Lab Certifications: CAELAP #1204

\*RESULTS listed as 'ND' were not detected at or above the listed PQL (Practical Quantitation Limit)

(1) Sample Preparation on 04/09/93 by HTH using EPA 8270

04/13/93 MSD2/2G48A MC/rlb/mcc JJ0374-1 Respectfully submitted, COAST-TO-COAST ANALYTICAL SERVICES, INC.

Marissa Coronel

Laboratory Director



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San Jose, CA 95131 (408) 955-9077

QC Batch ID: BNA0409

CLIENT: Coast-to-Coast Analytical Services, Inc.

Analyzed : 04/11/93

Analyzed by: RB

Method: EPA 8270

QC SPIKE

REPORT OF ANALYTICAL RESULTS

Page 1 of 1

SAMPLE DESCRIPTION	MATRIX	SAMPLED I	BY	SAMPLED DA	TE RECE	IVED
QC SPIKE	Aqueous					,
CONSTITUENT		*PQL µg/L	SPIKE AMOUNT	result µg/l	%REC	NOTE
Tot. SV Petr. Hydrocarbs Total Petroleum Hydrocarbons (Diesel #	2)	200.	2900.	1600.	55.	1

San Jose Lab Certifications: CAELAP #1204
\*RESULTS listed as 'ND' were not detected at or above the listed PQL (Practical Quantitation Limit)
(1) Sample Preparation on 04/09/93 by HTH using EPA 8270

04/13/93 MSD2/2G49A MC/rlb JJ0374-1 Respectfully submitted, COAST-TO-COAST ANALYTICAL SERVICES, INC.

Laboratory Director



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QC Batch ID: BNA0409

CLIENT: Coast-to-Coast Analytical Services, Inc.

Analyzed : 04/11/93

Analyzed by: RB

Method: EPA 8270

QC SPIKE

REPORT OF ANALYTICAL RESULTS

Page 1 of 1

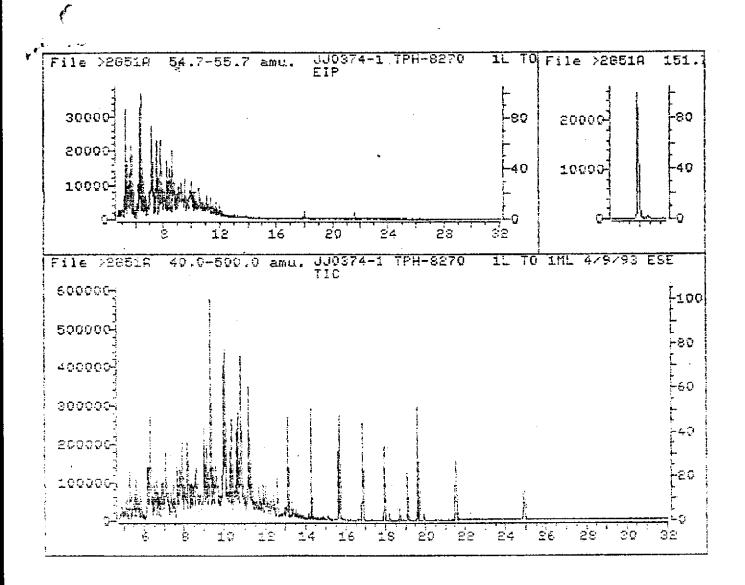
SAMPLE DESCRIPTION	MATRIX S	AMPLED BY	SAMP	SAMPLED DATE RECEIVED			
QC SPIKE DUPLICATE	Aqueous						
CONSTITUENT	*PQL μg/L	SPIKE AMOUNT	result µg/l	*REC	%DIFF	NOTE	
Tot. SV Petr. Hydrocarbs Total Petroleum Hydrocarbons (Diesel #2)	200.	2900.	1600.	55.	0.	1	

San Jose Lab Certifications: CAELAP #1204

\*RESULTS listed as 'ND' were not detected at or above the listed PQL (Practical Quantitation Limit)

(1) Sample Preparation on 04/09/93 by HTH using EPA 8270

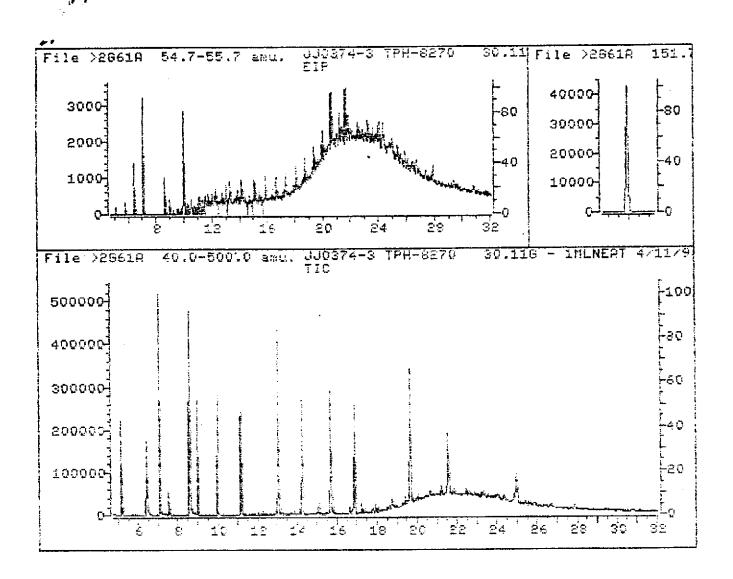
04/13/93 MSD2/2G50A MC/rlb JJ0374-1 Respectfully submitted, COAST-TO-COAST ANALYTICAL SERVICES, INC.



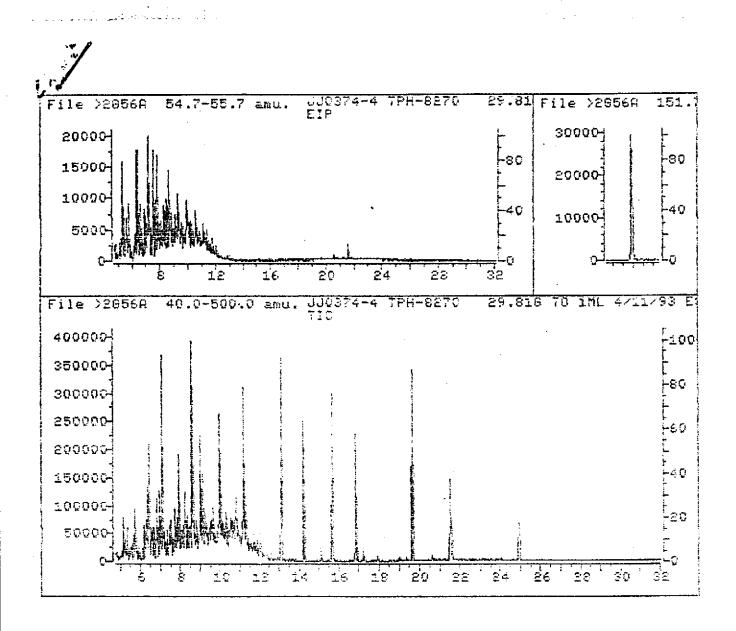
Qg0374-1

980374-2

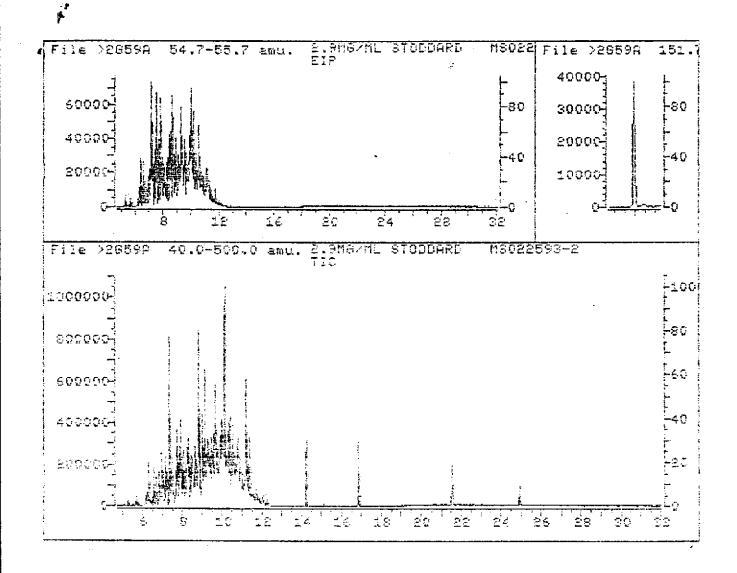
no TPH detected



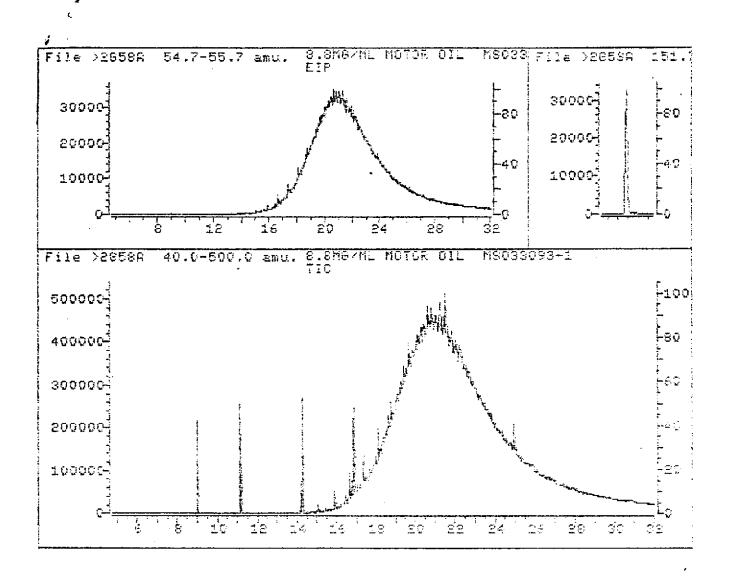
990374-3



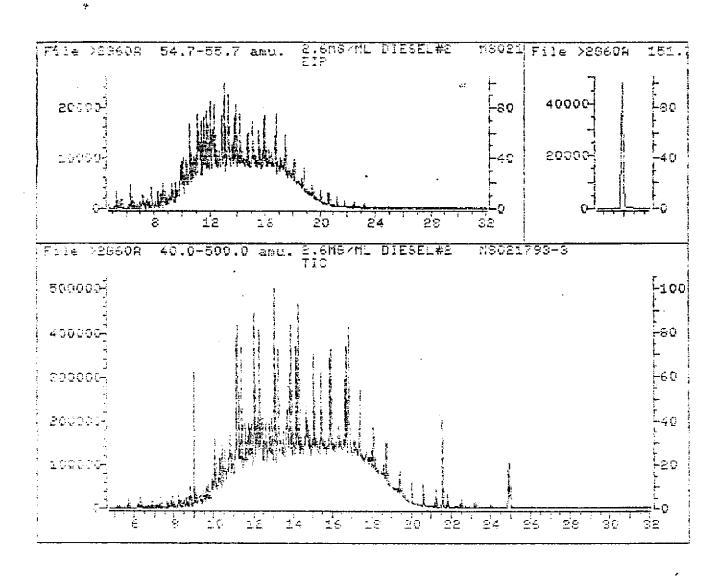
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Stoddard Solvert (Light Petroleum Distillate)
(Standard)



Motor oil Std.



Dierel 2 Std.

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DATE 4/8/93 PAGE 1 OF 1		·									<del></del>	_		でしょう	Environme	ental 💆	
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Oakland, CA	.									Ä	M	Й	4090 N	elson Avenue	•	510) 685-405	і3
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SAMPLE # DATE TIME LOCATION										MATRI	x	3	(0	UNTAIN.	ER, SIZE, E	TC.)	ĺ
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3-2011 4/8/93 1550 Angero	Ι×									991L	. [			ASS R			4
B-1 4/8/93 1705 Autopro	X									MATE	e. 2	-	LITE	re Bo	TILES	'	1.
B-2 4/8/93 1600 AMPREO	X									MATE	N 2	2-	41	ER B	BOTTLES		<u>2</u>
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=> 24- HR		HI	111	<u> </u>		$\geq$							<u>l</u>	CONFOR	MS TO RECOR	D	<u></u>

	Page No. 1 of 1 Pages.
Pacific Excavators 135 Eagle Nest Ct. Martinez, CA 94553 (415) 370-8783	
o: AutoPro	PROPOSAL # 1016 DATE 10/16/90
5200 Telegraph Ave Oakland,CA 94609 415 653-8646	JOB NAME / LOCATION AutoPro
	CONTRACT / PROJECT # 1016
e Hereby Submit Specifications And Estimates Fo	r:
	nderground storage tanks, consisting
of one eight thousand gallon	tank, three five thousand gallon
tanks, and one five hundred a	and fifty gallon tank.
Pacific Excavators shall prov	vide, under normal soil conditions,
	quired by the county of Alameda,
any additional samples, due (	
responsibility of the propert	
•	ide all necessary labor and materials
	ncludes removal and disposal of
	ed, backfill, compaction, paving
	ocate one light pole, located on
pump island, and obtain all	the necessary permits required by
the County of Alameda.	
Pacific Excavators will not	be responsible for any underground
utilities.	
We Drawer hardy to funish the tree	accordance with the above specifications, for the sum of:
era Frohesa Halaby to turnish labot in	
ayment to made as follows:	dollars (\$ 25, 700,00 ).
	cceptance of contract - \$2,700.00
Second installment due upon a Final installment due upon c	removal of tanks - \$17,000.00
	Pacific Medium
	Pacific Excavators  Joe Madison/Owner

Signature

Date of Acceptance:

TRI-STAR PARTNERSHIP
2 North Second Street
Suite 1400
San Jose, CA 95113
(408) 286-2700
FAX: (408) 286-4748

November 5, 1990

Pacific Excavators 435 Eagle Nest Court Martinez, CA 94553

Attn: Mr. Joe Madison

Re: 5200 Telegraph Avenue, Oakland

Removal & Disposition of Underground Storage Tanks

Dear Mr. Madison:

This letter follows your proposal number 1016 of October 16, 1990 concerning the above-referenced work. We hereby accept your proposal as indicated on the bottom thereof by the signature of one of our general partners. A copy of such proposal is delivered to you herewith. However, your proposal is accepted with the following conditions:

- 1. Including in the attached proposal, and in the price of \$25,700 indicated therein, are also all fees and charges which will be due for obtaining necessary permits, including but not limited to final inspection and completion of the job.
- 2. If contamination is found after removal of the underground storage tanks, we will be responsible for all charges connected with such contamination including additional soil samples, excavation, permits, etc. An agreement covering such additional work and charges shall then be negotiated between Pacific Excavators and our partnership. If we should not be able to agree on such additional work and/or charges we will engage the service of a different contractor to perform such additional work, but you will still remain responsible for original back fill, compaction, paving and final inspections.

Mr. Joe Madison November 5, 1990 Page Two

The above are conditions of our acceptance of your proposal and are hereby made a part thereof. If agreeable, please sign one copy of this letter and deliver it to us in due course.

Thank you for your understanding and cooperation.

Very truly yours,

TRI-STAR PARTNERSHIP

BY:

AUMA, General Partner

Encs.

Agreed To:

PACIFIC EXCAVATORS

Date: ///6,



# PACIFIC EXCAVATORS 435 EAGLE NEST CT. MART(NEZ, CA 94553 (415) 370-8783

## **INVOICE** 001504

INVOICE DATE 1/8/91 INVOICE NO. 001504

CUSTOMER NO.

TERMS 10 Days

BILL TO: Autopro 5200 Telegraph Ave Oakland CA, 94609

PAGE 1

DESCRIPTION	AMOUNT
Removel of sludge in waste oil tank	1500.00
Extra soil samples due to counties request	2200.00
Disposal of 385 gallons of waste sludge	2500.00
*	;

4174-



# PACIFIC EXCAVATORS 435 EAGLE NEST CT. MARTINEZ, CA 94553 (415) 370-8783

## **INVOICE** 001032

INVOICE DATE 02/

02/27/91 001032

PAGE

CUSTOMER NO.

TERMS Due upon receipt

BILL TO: Autopro 5200 Telegraph Ave. Oakland, CA 94609

		<b></b>	
DESCRIPTION		AMOUNT	
2/25/91 - Excavate soil 7 hours @ 125.00 per hour	_	\$ 875.00	
2/25/91 - Transportation of excavator	<del>-</del> ;	300.00 500.48	,
2/25/91 - Dump truck charges/ 8 hours @ \$62.56 per hour	- · _	585.71	<sub>d</sub> and
2/25/91 - Sanitary landfill charges 2/26/91 - Bobcat rental/ 8 hours @ \$60.00 per hour	· _	480.00	
2/26/91 - Bobcat Tental, o House 2/26/91 - Transportation of Bobcat	<b></b>	50.00 590.00	
2/27/91 - Stockpile composite soil samples	-	50 <b>.00</b>	
2/27/91 - Soil sample collecting fee			

Thank you, Joe

5220 -\$ 3,431.19

TOTAL

PACIFIC EXCAVATORS 435 EAGLE NEST COURT MARTINEZ, CA 94553 Invoice Number: 001033

Invoice Date: 03/13/91

Page: 1

sold Autopro

To: 5200 Telegraph Ave. Oakland, CA 94609

ship Autopro

To: 5200 Telegraph Ave.

Oakland, CA 94609

ship Via.:

Ship Date: 03/13/91 Due Date:: 03/23/91

Terms....: NET 10 DAYS

Cust I.D....: AUTO P.O. Number..:

P.O. Date...: 03/13/91

Our Order No.:

salesperson..: Joe

Item I.D./Desc.	Ordered	shipped	Unit	Price	Net	TX 
Load soil with excav	vator/8 hours	6 @			1000.00	E
Dump truck charges/	14 hours @ 62	2.56 hr.			875.84	E
sanitary landfill consoil @ 19.00 per ya	harges/ 106 y rd	yards of			2014.00	E

 Subtotal:
 3889.84

 Tax...:
 0.00

 Total...:
 3889.84

1671 THE ALAMEDA, SUITE 305 . SAN JOSE, CALIFORNIA 95126 . TELEPHONE (408) 286-9111

24 May 1991

SAA # 64-91

Mr. Andre Kojnok 2 North 2nd Street, Suite 1400 San Jose, CA 95113

Mr. Kojnok:

On 23 May 1991 I made an on-site inspection of the Autopro # 2 site, located at 5200 Telegraph Avenue, Oakland, California. The purpose of my inspection was to determine the approximate earthwork excavation involved in the excavation of the fuel tanks located at the subject site. During my inspection, I made measurements of the existing excavation, including the depth of the excavation. The following numbers indicate that the larger excavation will have an approximate volume of 470 cubic yards. The smaller excavation, located at the apex of the intersection of Claremont Avenue and Telegraph Avenue contains approximately 250 cubic yards.

The existing water level is located approximately 12' below the existing ground surface. I have attached a sketch depicting the location of the two (2) excavations and my analysis of their volumes.

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

Respectfully submitted,

Steven A. Arnold

CE22301

TO, 22301

SO CIVIL

CERTIFICATE EXPIRES 9-30-93

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CALCULATED BY SAA  CHECKED BY SAA  SIGNED BY 1  RCE NO. 22301	STEVEN A.  Civil Eng 1671 The Alamed SAN JOSE, CALIF	gineer la Suite 305 ORNIA 95126	JOB NO. 64-91  DATE 24 May 91  PAGE OF 1
RCE NO		nk Excavation	
	5200 Te Oakland,	clegraph Ave.	
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#### STEVEN A. ARNOLD

Civil Engineer 1671 The Alameda Suite 305 SAN JOSE, CALIFORNIA 95126

Mr Andre Kojnok

### STATEMENT

4 June 1991

NUMBER

64-91

			2 North 2nd St Ste 1400				
			San Jose CA 95113				
<b>-</b>	terms:	ЕТ	FED. TAX LD. NO. 77-0159984  10 Days  PLEASE DETACH AND RETURN WITH YOUR REMITTANCE	:			
	DATE		CHARGES AND CREDITS	<b>%</b>		BALAN	ICE
			BALANCE FORWARD	•		<b>, - , - , - , - , - , - , - , - , - , -</b>	
23	May	19:	Inspection and calculation of fuel				
			tank excavation @ 5200 Telegraph		•		
			Avenue, Oakland, California		 \$	340.	00
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STEVEN A. ARNOLD

Thank You "AN THIST COLUMN



#### PACIFIC EXCAVATORS P.O. BOX 384 MARTINEZ, CA 94553 **LICENSE NO. 605513**

#### INVOICE

INVOICE NUMBER: 001046

INVOICE DATE: 06/15/91

PAGE: 1

SOLD Autopro TO:

SHIP VIA:

SHIP DATE:

DUE DATE:

TERMS:

5200 Telegraph Ave. Oakland, CA 94609

06/15/91

06/15/91

UPON RECPT.

SHIP TO.

Autopro

5200 Telegraph Ave. Oakland, CA 94609

CUST. I.D.,

P.O. NUMBER:

- AUTO -

P.O. DATE:

06/15/91

OUR ORDER NO.. SALESPERSON:

JOE

ITEM I.D./DESC. ORDERED SHIPPED UNIT PRICE NET ΤX

EXCAVATE, AERATE, SAMPLE, HAUL AND DISPOSE OF 75 YARDS OF CONTAMINATED SOIL LOCATED AT SOUTH END OF (3) TANK HOLE EXCAVATION SITE

11250.00 E

ADJUSTMENT FOR OVERCHARGE 12 YARDS @ \$150.00 PER YARD

1800.00-

000237

SUBTOTAL: TAX: PAYMENTS: TOTAL:

9450.00 0.00

0.00 9450.00

TIM DIVISION OF W.W. GRAINGER, INC. F.E.I. #36-1150280

(708) 459-5252

ORIGINAL INVOICE NUMBER:

973-087383-4

BUFFALO GROVE IL 60015

DATE:

06/26/91

029922/12606 I

PAGE:

1 OF 1

CONTROL:

029922

SHIPPED TO

AUTOPRO

**5200 TELEGRAPH AVE** 

OAKLAND

CA 94609

SOLD TO **AUTOPRO** 

5200 TELEGRAPH AVE

OAKLAND

94609 CA

				DATE SHIPPED WER		NO. PIECES	CARRIER	AC	COUNT NO.
					39		UPS	560 82	2-650-912-
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	•			وروز المراورة	•				
				411-0048					
DA	TE M	IDSE	RELEASED	- 06/26/91			SHIPPI	NG/HANDLING	19.21
UPS	S PK	e id	ENT #608	9			<del>9</del> 4609	TAX TOTAL	9.93 170.04

000236

PAY THIS INVOICE NO STATEMENT SENT PAYABLE IN U.S. DOLLARS

AMOUNT DUE DATE DUE TFRMS

178.04 07/26/1991

INVOICE

PACIFIC EXCAVATORS P.O. BOX 384 MARTINEZ CA 94553 LICENSE NO. 805513

INVOICE NUMBER: 001054

INVOICE DATE: 09/18/91

PAGE: 1

325 SOLD Autopro TO.

5200 Telegraph Ave. oakland, CA 94609 SHIP

TO.

SHIPPED:

Autopio 5200 Telegraph Ave. Oakland, CA 94609

UNIT

CUST. I.D..

PRICE

OTUA

P.O. NUMBER: RO. DATE:

09/18/91

TΧ

6750.00

1650.00

1020.00

OUR ORDER NO...

SALESPERSON: JOE

SHIP VIA SHIP DATE 09/16/91 DUE DATE 09/18/91 TERMS UPON RECPT.

· 自身,不得**操**器。在

**建建** 4.4

LIEW ID DESC 09/16/91 Excavate, aerate & dispose of Marine Charles contaminated soil at \$200 Telegraph Ave. 45 yards of soil @ \$150.00 per yard

ORDERED

Workplan prepared by Streamborn, Inc.

Backfill serezial 12 loads @ \$85.00 load

NOTICE OF ASSIGNMENT THIS INVOICE HAS BEEN ASSIGNED TO AND MUST BE PAID DIRECTLY TO AEROFUND FINANCIAL 2787 MOORPARK AVENUE SAN JOSE, CA 95128 ANY CLAIM OR OFFSET MUST BE REPORTED IMMEDIATELY TO (408) 984-3366 PAYMENT TO ANY OTHER PARTY DOES NOT CONSTITUTE PAYMENT

000235

SUSTOTAL: 9420.00 TAX: 0.00 PAYMENTS: 0.00 TOTAL 9420.00

Page No.	of 1	Pages

Pacific Excavators 435 Eagle Nest Ct. Martinez, CA 94553 (415) 370-8783

TO: Autopro

5200 Telegraph Ave. Oakland, CA

PROPOSAL # 05-04-0892

DATE 4/8/92

JOB NAME / LOCATION Autopro / 5200 Telegraph

CONTRACT / PROJECT # 05-04-0892

We Hereby Submit Specifications And Estimates For:

Pacific Excavators will repair a portion of the fence that has been damaged due to construction. We will also reinstall a light pole and replace electrical lines that were removed during construction. Paving will be completed as discussed with Autopro's representative, George Tuma. The paving will be started April 24, 1992, weather permitting. All repairs outlined in paragraph 1 will be completed prior to the paving

Payments due upon completion of paving and stated repairs;

Invoice No. 1054

date.

\$ 9,420.00

Invoice No. 1055

4,500.00

Credit for overcharge

-1,425.00

(of soil disposal)

Remaining balance due on

original contract

6,000.00

Balance due upon completion

of construction

\$18,495.00

A three party check is required for the final payment.

A check for the total amount due should be made payable to;

Aerofund Financial and Pacific Excavators and Dryco Paving

We Propose hereby to furnish labor in accordance with the above specifications, for the sum of:

TOYAL AMOUNT DUE UPON COMPLETION dollars (\$ 18,495.00

Payment to made as follows:

Pacific Excavators

\*\*\* SUBTECT TO ADDENDUM \*\*\*
Acceptance of Proposal - The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

Signature

\*Star General partner

Date of Acceptance:

Signature

Tri-Star Partnership 2 N. Second St., Ste. 1400 San Jose, CA 95113 April 9, 1992 Pacific Excavators 435 Eagle Nest Ct. Martinez, CA 94553

# Addendum to Work Contract

If the work outlined in the Work Agreement Contract (#05-04-0892) will not be completed by April 27, 1992, Tri-Star Partnership will have the right to engage the services of another contractor to complete the work. The price paid to such contractor for completion of the work shall be subtracted from the contract amount of \$18,495 otherwise due to Pacific Excavators.

Joe Madison, Owner, Pacific Excavators

George Tuma, Tri-Star General Partner

TRI STAR PARTNERSHIP 2 N. SECOND ST., NO. 1400	1152
SAN JOSE, CA. 95113	May 15 19 92 11-24/460 1210(8)
ORDER OF Bernard B. Siner, Trus	stee \$ 17,495.00
Seventeen Thousand Four Hundre	ed Ninety Five & 00/100
SAN JOSE MAIN OFFICE WELLS FARGO BANK 121 PARK CENTER PLAZA SAN JOSE, CA 95115	- DOLLARS
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COPYMENT IN CORP. Centers.

# P.R.C. PATTERSON, INC.

DBA Refineries Service 13331 N. Hwy. 33 / P.O. Box 1167 Patterson, CA 95363 (209) 892-6742 / (800) 874-4444

STATE MANIFEST #	5
USED OIL HAULER #_	86-050
EPA # CAD08	<u> 3166728</u>
HAZARDOUS WASTE HAULER REG #	1500
	* * .

653-86V6	3-15-91 DATE	INV. # 6492
Syon Tolorraph Hope	BILLING ADDRESS IF DIFFERENT	T ORIVER CASH CASH CASH
M ADDRESS HAND 94609	CITY STATE ZIP .	S PO#

# - PLEASE PAY FROM THIS INVOICE -

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HAZARDOUS WASTE					
HOURLY CHARGES					
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MPCo. Z-8092 (REV. 8/90)



PRC PATTERSON, INC.

DBA Refineries Service

13331 N. Hwy 33 / P.O.Box 1167

Patterson, CA 95363

(209) 892-6742 / (800) 874-4444

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HAZARDOU	S WA	STE		
HAULER RE	EG#		1500	)_

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(4/15) 653-8646. F	LEASE PA	Y FROM THIS	S INVOICE .		
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# PRC PATTERSON, INC. DBA Refineries Service

DBA Refineries Service 13331 N. Hwy 33 / P.O.Box 1167 Patterson, CA 95363 (209) 892-6742 / (800) 874-4444

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# · PLEASE PAY FROM THIS INVOICE ·

PRODUCT	GALLONS	HOURS	RATE	AMOUNT
HAZARDOUS WASTE OIL	110			45
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HAZARDOUS WASTE	•			¥
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(Customer Signature)		(Driver Signature)	,	
PAYMENT DUE UPON RECEIPT OF INVOICE. A service charge of on all past due accounts. In the event this account becomes delinquelegal proceedings, purchaser agrees to pay reasonable attorney's fee	ient and it is necessary		TOTAL CHARGES	45

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PINK: Numeric

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# PRC PATTERSON, INC.

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STATE MANIFEST #_	0
USED OIL HAULER#_	86-050
EPA# CAD083	
HAZARDOUS WASTE	

REFINERIES SERVICE	13331 N. Hwy 3 Patterson,	ries Service 3 / P.O.Box 1167 CA 95363 / (800) 874-4444	US EP HA	ATE MANIFEST #
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# PRC PATTERSON, INC DBA Refineries Service 13331 N. Hwy 33 / P.O.Box 1167 Patterson, CA 95363 (200) 87444444

9085525 STATE MANIFEST #_	8
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EPA #CAD083	166728
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HALLER REG#	2591

	) 892-6742 / (800) 874-	4444	HAULER R	EG# <u>2591</u>
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• PLEASE	PAY FROM THIS	HOURS	RATE	AMOUNT
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AZARDOUS WASTE				
OURLY CHARGES				
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			1/1 1	
certify amount shown above to be correct.	K. K.	AM	<u></u>	***
(Customer Signature)		(Driver Signature)		
	arge of 11/2% per month shall	bé charged	TOTAL CHARGE	s 845
PAYMENT DUE UPON RECEIPT OF INVOICE. A service chief on all past due accounts. In the event this account becomes legal proceedings, purchaser agrees to pay reasonable attorned.		A for its areas of F		7



PRC PATTERSON, INC.

DBA Refineries Service

13331 N. Hwy 33 / P.O.Box 1167

Patterson, CA 95363
(209) 892-6742 / (800) 874-4444

• •	STATE MANIFEST # 7/5	
	USED OIL HAULER # 86-050 EPA # CAD083166728	,
	HAZARDOUS WASTE	

			5-18-97		NV.#	26818
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PRODUC	<b>T</b>	GALLONS	HOURS	RATE	AMOUNT
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HAZARDOUS WASTE					
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PAYMENT DUE UPON RECEIPT OF INVOICE. A service charge of 11/2% per on all past due accounts. In the event this account becomes delinquent and it is necessary to institute legal proceedings, purchaser agrees to pay reasonable attorney's fee and court costs.

TOTAL CHARGES

PRC PATTERSON, JNC. **DBA Refineries Serv** 13331 N. Hwy 33 / P.O.Box 1167 USED OIL HAULER # 86-050 Patterson, CA 95363 EPA #\_\_\_\_\_CAD083166728 (209) 892-6742 / (800) 874-4444 HAZARDOUS WASTE PRC HAULER REG # ] 36256 BILLING ADDRESS IF DIFFERENT CASH NET 10 DA PO# · PLEASE PAY FROM THIS INVOICE · PRODUCT: **GALLONS** HOURS RATE **AMOUNT** HAZARDOUS WASTE OIL TEST FEE HAZARDOUS WASTE HOURLY CHARGES I certify amount shown above to be correct.

PAYMENT DUE UPON RECEIPT OF INVOICE. A service charge of 1½% per month shall be charged on all past due accounts. In the event this account becomes delinquent and it is necessary to institute legal proceedings, purchaser agrees to pay reasonable attorney's fee and court costs.

(Customer Signature)

TOTAL CHARGES

45

RSINVMMP91

WHITE: Custom

CANARY: Alphabetical PINK: Numeric

GOLDENROD: File



# PRC PATTERSON, INC. DBA Refineries Servic 13331 N. Hwy 33 / P.O.Box 1167 Patterson, CA 95363 (209) 892-6742 / (800) 874-4444

EPA # CAD083166728 HAZARDOUS WASTE HAULER REG#\_\_\_\_

36683

	DATE		00000
S NAME / UTO PO 3		DRIVER	TRUCK //
ADDRESS 5200 10 la graph flue	NALING ADDRESS IF DIFFERENT	E CASH R M NET 107	-16-1
FOR GIG (#5	CITY STATE ZIP	M NET 10/C	MI L
• PLEASE PA	Y FROM THIS INVOICE .		
PRODUCT	GALLONS HOURS	RATE	AMOUNT
AZARDOUS WASTE OIL	110		59
EST FEE VIDOO			XS/C
IAZARDOUS WASTE			
OURLY CHARGES	naati	n	
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		<b>)</b> (4. 4 gr) - 1. 1.	
certify amount shown above to be correct.	mahl		
(Customer Signature)	(Driver Signature)		
PAYMENT DUE UPON RECEIPT OF INVOICE. A service charge of in all past due accounts. In the event this account becomes delinque egal proceedings, purchaser agrees to pay reasonable attorney's fee	ent and it is necessary to institute	TOTAL CHARGES	59,



PRC PATTERSON, INC.

DBA Refineries Service

13331 N. Hwy 33 / P.O.Box 1167
Patterson, CA 95363
(209) 892-6742 / (800) 874-4444

EPA# CAD083166728 HAZARDOUS WASTE HAULER REG# 2591

Z-10-1

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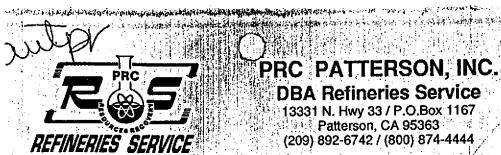
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USED OIL HAULER # 86-050

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/ J-2/	1/100	(Driver Signature)	77-	4
(Customer Signature)  PAYMENT DUE UPON RECEIPT OF INVOICE. A service charge	of 1½% per month sha	Il be charged	TOTAL CHARGES	53 C CO
PAYMENT DUE UPON RECEIPT OF INVOICE. A service charge on all past due accounts. In the event this account becomes delin on all past due accounts. In the event this account becomes delin on all past due accounts.	quent and it is necessa lee and court costs.	ry to institute	r. h.	

**R\$INVMMP91** 

GOLDENROD: File



REFINERIES S	ERVICE	13331 N Pa (209) 89	. Hwy 33 / P.O.Boy tterson, CA 95363 2-6742 / (800) 874 	(1167	USED OIL EPA# HAZARDOL HAULER R	HAULER# 86-050 CAD083166728 IS WASTE 5 EG# 2591
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HAZARDOÚŠ WAST	E OIL	*	//0			*/]
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I certify amount shown a				(Oriver Signature)		
PAYMENT DUE UPON RE on all past due accounts. I legal proceedings, purchas	n the event this acco	unt becomes deling	1½% per month shall lent and it is necessary	be charged	TOTAL CHARGES	145
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