

LAW OFFICES OF TOMMY A. CONNER
444 De Haro Street, Suite 121
San Francisco, California 94107
(415) 621-3939
Facsimile: (415) 621-3999

FACSIMILE COVER SHEET

To: BARNEY CHAN
Facsimile: 510/337-9335
Telephone: 510/567-6765
From: TOMMY CONNER
Billing Number: 8060-02
Date: November 17, 1997
Cover page plus 8 page(s)

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MESSAGE: See attached

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444 De Haro Street
Suite 121
San Francisco, CA 94107
Tel: 415-621-3939
Fax: 415-621-3999
t_conner@ix.netcom.com

November 17, 1997

By Facsimile

William L. Nagle, Esq.
Special Master
345 Lorton Avenue
Burlingame, CA 94010

Re: Hausauer/3927 East 14th Street

Dear Mr. Nagle:

This responds to Mr. Sharniyeh's letter dated November 3, 1997.

At the June 2, 1997 settlement conference held in your office Mr. Hausauer settled his claims with all parties other than Owens Motor Partners. At that time Owens Motor Partners was unwilling to dismiss with prejudice its claims against Mr. Hausauer, and Mr. Hausauer proposed a joint investigation and remediation plan. Owens Motor Partners rejected the proposal.

Prior to June 2, 1997 the ACDEH directed Mr. Hausauer to remove the UST at his property, to prepare a risk assessment and to install an additional monitoring well southwest of Hausauer's MW-2. Mr. Hausauer removed the UST, prepared and submitted a conduit study and ASTM risk based assessment, and will install the additional monitoring well next week. The ACDEH also directed Owens Motor Partners to install an additional monitoring well south of Owens' MW-3 and to investigate an appropriate mechanism for removal of petroleum hydrocarbon contamination from soil and groundwater at and around its property. We have not received any information from Owens Motor Partners in response to the ACDEH's directives.

Sampling data reveals significant benzene contamination in groundwater in Hausauer's MW-1 and in Owens' MW-1 and MW-3. At the same time benzene levels in groundwater in Owens' MW-4, which is directly down gradient from Hausauer's MW-1 and up gradient from Owens' MW-3, have decreased to approximately 3 ppb -- a fraction above the maximum contaminant level. This suggests that Owens' property is a continuing source of benzene contamination in groundwater down gradient of both properties, and that the benzene contamination at Hausauer's property is not mobile. A map of the site and a chart setting forth comparative benzene concentrations accompany this letter for your reference.

LAW OFFICES OF
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William L. Nagle, Esq.
November 17, 1997
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Contamination from Mr. Hausauer's and Owen Motor Partners' properties are commingled. The parties were not successful in developing a joint investigation and remedial action plan, and therefore have not agreed upon a mechanism for cost sharing as to further investigation and/or remedial action.

Given the above, Mr. Hausauer is not willing to dismiss with prejudice his claims against Owens Motor Partners. He is willing to stipulate to a mutual dismissal of claims without prejudice, or to stay the action pending completion of the investigation and the ACDEH's response to his proposed remedial action plan.

By copy of this letter to Mr. Shamiyeh we request Owens Motor Partners' response to the above. By copy of this letter to Mr. Chan we request feed back as to Owens Motor Partners' obligations with respect to the ACDEH's past directives.

Thank you for your attention to this matter.

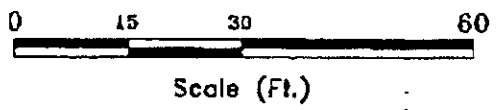
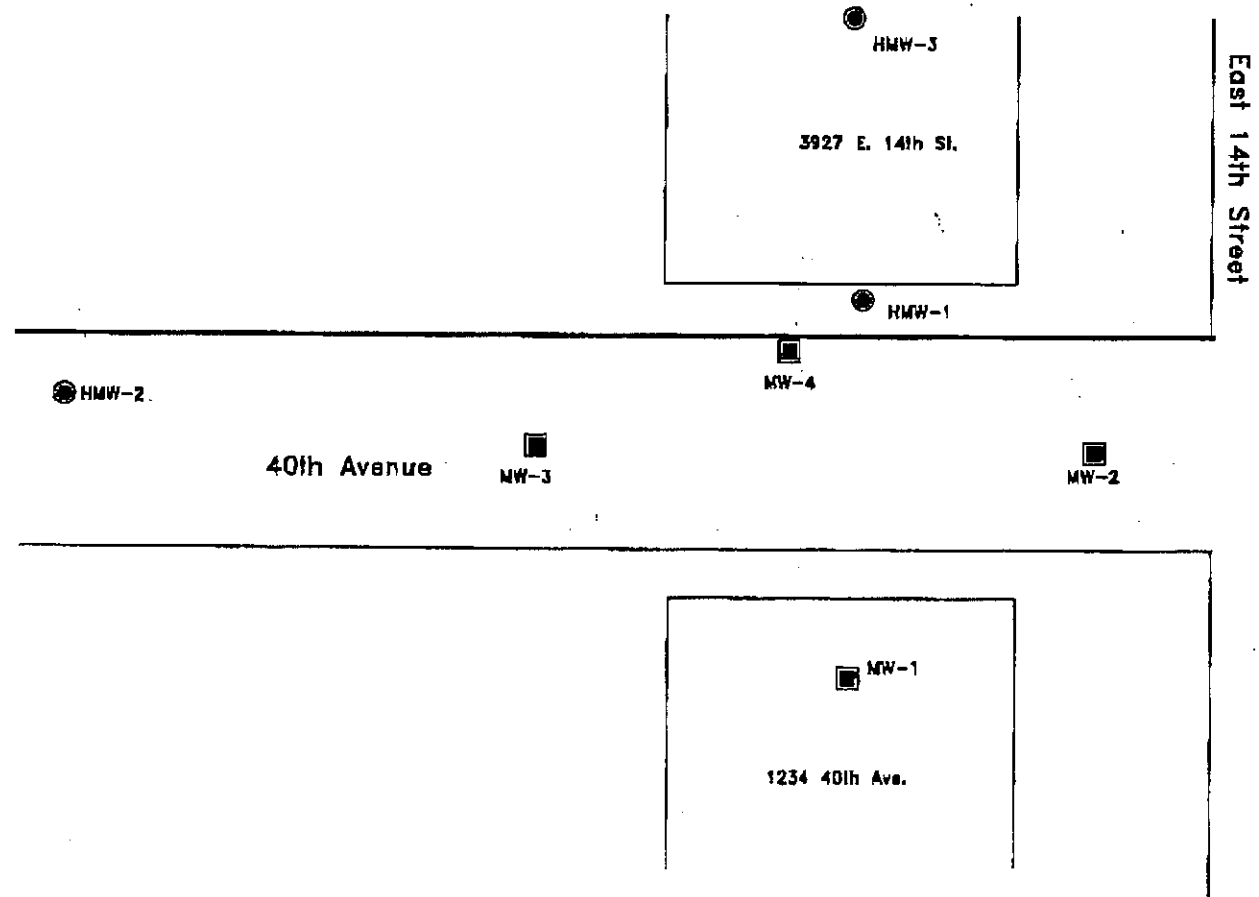
Sincerely yours,



Tommy A. Conner

TAC/jd
Enclosures

cc: A. Nick Shamiyeh (by facsimile)
Barney Chan (by facsimile)



EXPLANATION

- Groundwater Monitoring Well
HMW-3 (3927 E. 14th St.)
- Groundwater Monitoring Well
MW-1 (1234 40th Ave.)

Notes:

1. Base Map developed from survey map provided by Kier & Wright

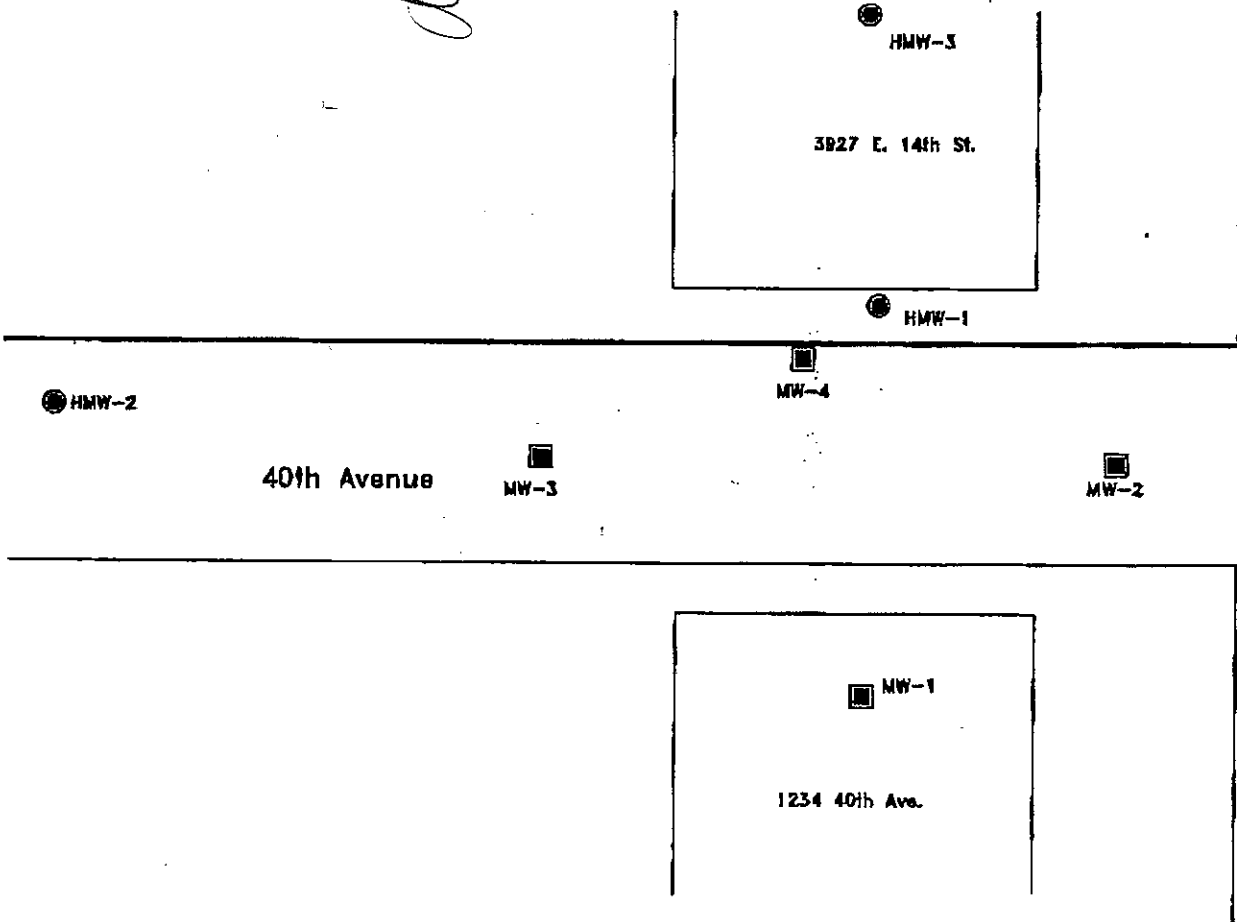
VATC ASSOCIATES INC.
ENVIRONMENTAL, GEOTECHNICAL AND MATERIALS PROFESSIONALS

SITE VICINITY MAP
 3927 E. 14th Street
 Oakland, California

Project No. 61137.0004	Figure 2
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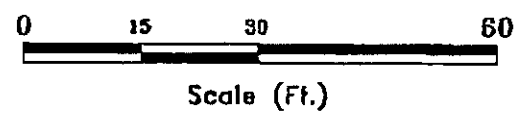


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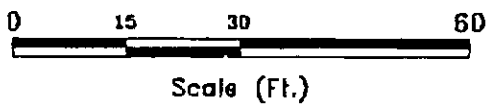
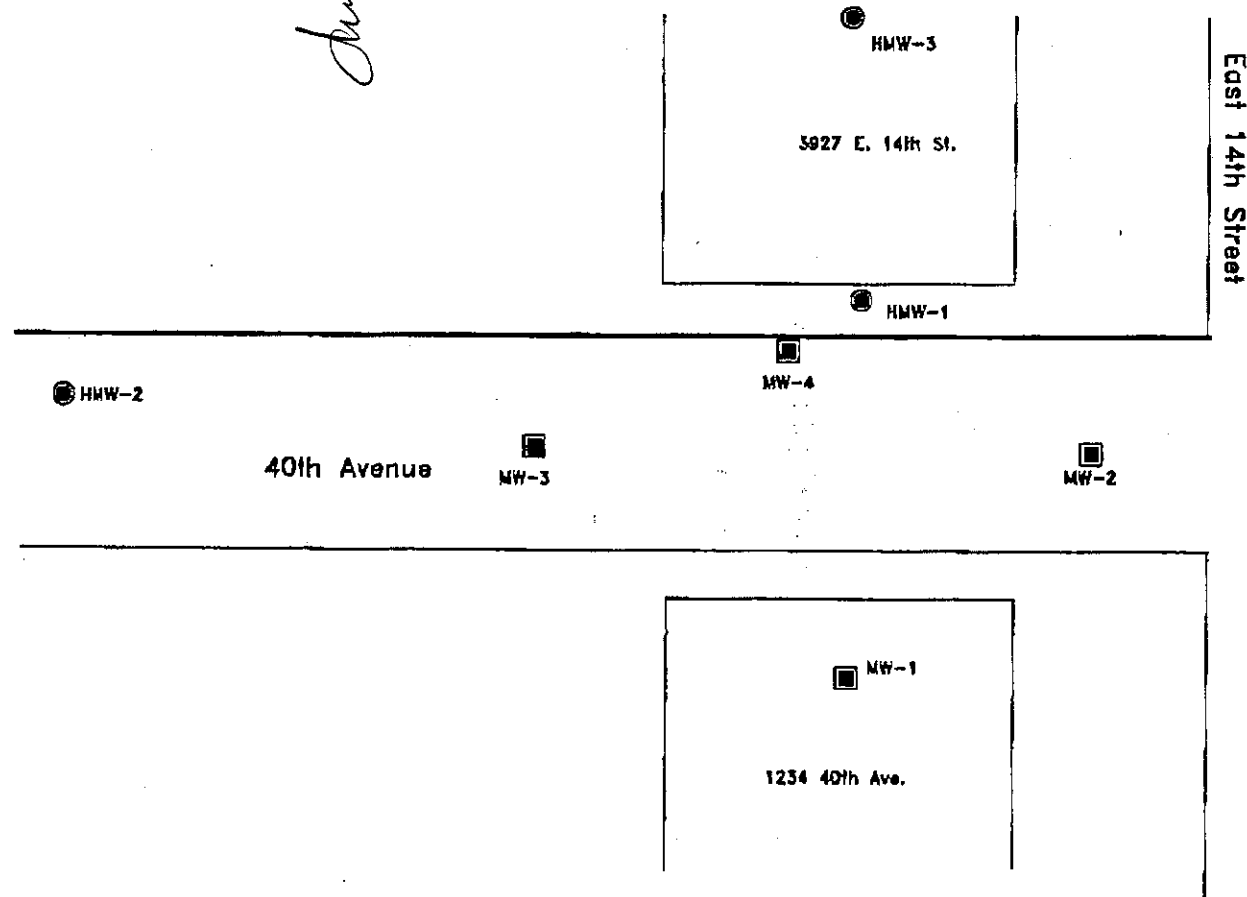
SITE VICINITY MAP
3927 E. 14th Street
Oakland, California

Project No. 61137.0004



Figure 2



dup.



EXPLANATION

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HMW-3 (3927 E. 14th St.)
-  Groundwater Monitoring Well
MW-1 (1234 40th Ave.)

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SITE VICINITY MAP
 3927 E. 14th Street
 Oakland, California

Project No. 61137.0004 Figure 2

BENZENE LEVELS OVER TIME AT HAUSAUER/MOTOR PARTNERS WELLS

Date Sampled	Hausauer			Motor Partners			
	MW1	MW2	MW3	MW1	MW2	MW3	MW4
6/17/94				1,200	ND		
12/7/94					2.1	380	
6/17/95 (typo?)						330	
11/29/95				860	ND	300	
2/23/96				360	ND	270	58
5/21/96				290	ND	220	18
8/22/96	1,200	170	3.1	270	0.58	120	8.6
11/21/96				810	0.60	220	3.6
2/25/97	760	150	ND	430	1.2	260	5.4
5/28/97	1,100	170	ND	110	ND	140	5.6
9/2/97				1,300	ND	240	3.2

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9/2/97				1,300	ND	240	3.2

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