

# Leaking Underground Fuel Tank Data Collection Checklist

LUSTIS

Local Agency

RWQCB

Lead Agency

SITE: KING KNIGHT CO

ADDRESS: 6202 CHRISTIE AVE

CITY: EMERYVILLE COUNTY: ALAMEDA

REVIEWED BY: Donna P. Paochi (Name) Alco (Agency)

REG. BOARD No: 02

DATE: 12-8-97

## I. RELEASE INFORMATION (FROM TECHNICAL REPORTS OR OTHER FILE DOCUMENTS)

a) Check [X] type of product(s) which leaked:  Gasoline  Diesel  Waste Oil  
 Other \_\_\_\_\_

b) Was source of leak identified? YES  NO   
 If YES, check [X] source location(s):  Tank  Piping  Overfill  
 Other \_\_\_\_\_

c) Was rate of release estimated? YES  NO   
 If YES, specify rate: \_\_\_\_\_

d) Was mass/volume of release estimated? YES  NO   
 If YES, specify mass/volume (note unit of measurement): \_\_\_\_\_

e) Was tank removed? YES  NO   
 If YES, specify date removed: Mar. 1, 90

COMMENTS: \_\_\_\_\_

## II. SITE INVESTIGATION INFORMATION (FROM REPORTS OR OTHER FILE DOCUMENTS)

a) Was "free product" reported? YES  NO   
 If YES, check [X] location(s) where free product was noted:  Excavation  Soil Sample  
 Monitoring Well  
 If MONITORING WELL, specify maximum thickness reported (note unit of measurement): 1" - MW-3

b) Was a soil vapor survey conducted? YES  NO

c) Was an aquifer test (e.g., pumping or slug test) performed? YES  NO

d) Number of monitoring wells installed at the site 3

e) Number of soil (or "Hydropunch") borings NOT completed as wells 3

COMMENTS: \_\_\_\_\_

III. REMEDIATION INFORMATION (FROM TECHNICAL REPORTS OR OTHER FILE DOCUMENTS)

a) Was source area "over-excavated"? YES NO  
 If YES, specify volume of soil removed or dimensions of excavation: \_\_\_\_\_

b) Check [X] if any other active remediation at site:

	Date Started	Date Stopped
<input type="checkbox"/> Soil Vapor Extraction/Bioventing _____		
<input type="checkbox"/> Pump and Treat _____		
<input type="checkbox"/> Air sparging _____		
<input type="checkbox"/> Hydrogen peroxide injection _____		
<input type="checkbox"/> Nutrient injection _____		
<input type="checkbox"/> Slurry wall _____		
<input type="checkbox"/> Other _____		

Mass/volume of free product removed (if applicable) \_\_\_\_\_  
 Mass/volume of dissolved product removed (if applicable) \_\_\_\_\_

COMMENTS: \_\_\_\_\_  
 \_\_\_\_\_

IV. INFORMATION ITEMS TO COPY FROM REPORTS OR OTHER FILE DOCUMENTS, INCLUDING TABLES, FIGURES ETC. (check [X] if available)

- Leak history narrative (including most recent summary account of remedial actions to date, if available)
- Site map(s) showing leak "source" area(s)
- Site map(s) showing monitoring well locations
- Site map showing representative ground water elevation contours
- Site map(s) showing pollution concentration isocontours in ground water (initial and most recent)
- Site map(s) showing soil boring locations (if not present on any of the above maps)
- Site map(s) showing isocontours of benzene concentration in soil at representative depths
- Ground water sample analytical data from each well through time (i.e. time series)
- Ground water elevation and depth-to-groundwater measurements from wells thru time (i.e. time series)
- Soil analytical data from tank pit (including over-excavation confirmation samples)
- Soil analytical data from soil boring samples
- Soil boring logs
- Monitoring well construction logs
- Geologic cross-sections
- Aquifer yield test data (e.g., results from pumping or slug tests)
- Other soil or ground water test data (e.g., porosity, soil moisture content, TOC, cone penetrometer, etc.)
- Soil vapor analytical data (if available), including site map showing soil vapor survey locations
- Biological indicator parameters (e.g., dissolved oxygen, etc.), if available
- Local "background" ground water quality, if available

COMMENTS: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**STATE WATER RESOURCES CONTROL BOARD****DIVISION OF CLEAN WATER PROGRAMS**

2014 T STREET, SUITE 130

P.O. BOX 944212

SACRAMENTO, CALIFORNIA 94244-2120

(916) 227-4427

(916) 227-4530 (FAX)

ALSO  
HAZMAT  
55 JAN 13 PM 3:28

January 12, 1995

King Knight Co.  
c/o Matthew Shier, Esq.  
706 Sansome St.  
San Francisco, CA 94111

UNDERGROUND STORAGE TANK CLEANUP FUND PROGRAM, RESPONSE TO  
REQUEST FOR EXTENSION TO SUBMIT REIMBURSEMENT REQUEST: CLAIM  
NUMBER 001548; FOR SITE ADDRESS: 6202 CHRISTIE AVE., EMERYVILLE  
94608

This letter is in response to the January 6, 1995 letter sent by  
Gary C. Epperley of Heller Ehrman White & McAuliffe requesting an  
extension to the January 19, 1995 deadline for submittal of a  
request for reimbursement.

In view of the explanation given in Mr. Epperley's letter, I am  
granting an extension of the deadline to February 15, 1995. No  
further extension will be given. If the reimbursement request is  
not received in this office by February 15, 1995, I will take  
steps to begin the withdrawal process.

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

Sincerely,

*Francine Aguirre*  
Francine Aguirre  
Team Leader, Regions 1 and 2  
Underground Storage Tank Cleanup Fund

cc: Mr. Steve Morse  
California Regional Water Quality  
Control Board, San Francisco Bay Region  
2101 Webster Street, Suite 500  
Oakland, CA 94612

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

Mr. Gary Epperley  
Heller Ehrman White & McAuliffe  
333 Bush Street  
San Francisco, CA 94104-6268

## STATE WATER RESOURCES CONTROL BOARD

## DIVISION OF CLEAN WATER PROGRAMS

2014 T STREET, SUITE 130

P.O. BOX 944212

SACRAMENTO, CALIFORNIA 04244-2120

(916) 227-4307

(916) 227-4530 (FAX)



File  
 CLK  
 STAD 3805

December 19, 1994

King Knight Co.  
 c/o: Matthew Shier, Esq.  
 Attn: Matthew Shier  
 706 Sansome St.  
 San Francisco, CA 94111

**UNDERGROUND STORAGE TANK CLEANUP FUND PROGRAM, NO RESPONSE TO LETTER OF COMMITMENT (LOC): CLAIM NUMBER 001548; FOR SITE ADDRESS: 6202 Christie Ave., Emeryville**

It has come to my attention that the LOC issued to you on July 21, 1994 in the amount of \$20,000 has not been responded to with a request for reimbursement.

Please submit your reimbursement request with all of the required supporting documentation, or a written explanation as to the status of the cleanup and why you have not requested reimbursement to date. If a request or adequate explanation is not received within thirty (30) calendar days from the date of this letter, I will take steps to begin the withdrawal process of your LOC.

Please send your reimbursement request or explanation to:

State Water Resources Control Board  
 Division of Clean Water Programs  
 Underground Storage Tank Cleanup Fund Program  
 Attention: Blessy Torres Claim No. 001548  
 P. O. Box 944212  
 Sacramento, CA 94244-2120

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

Sincerely,

*Cheryl Gordon for*

Francine Aguirre, Team Leader  
 Regions 1 and 2  
 Underground Storage Tank Cleanup Fund

cc: Steve Morse  
 California Regional Water Quality  
 Control Board, San Francisco Bay Region  
 2101 Webster Street, Suite 500  
 Oakland, CA 94612

Tom Peacock  
 Alameda County EHD  
 1131 Harbor Bay Pkwy., 2nd Fl.  
 Alameda, CA 94502-6577

**STATE WATER RESOURCES CONTROL BOARD**

DIVISION OF CLEAN WATER PROGRAMS

2014 T STREET, SUITE 130

P.O. BOX 944212

SACRAMENTO, CALIFORNIA 94244-2120

916/227-4307

916/227-4530 FAX

**AUG - 9 1994**

King Knight Co.  
c/o: Matthew Shier, Esq.  
706 Sansome St.  
San Francisco, CA 94111

**UNDERGROUND STORAGE TANK CLEANUP FUND, CLAIM NO. 001548, FOR SITE ADDRESS: 6202 Christie Ave., Emeryville**

The State Water Resources Control Board (SWRCB) takes pleasure in issuing the enclosed Letter of Commitment in an amount not to exceed **\$20,000**. This Letter of Commitment is based upon our review of the corrective action costs incurred to date and your application received on January 17, 1992 and may be modified by the SWRCB in writing by an amended Letter of Commitment.


**The SWRCB will take steps to withdraw this Letter of Commitment after 90 calendar days from the date of this transmittal letter unless you proceed with due diligence with your cleanup effort.** This means that you must take positive, concrete steps to ensure that corrective action is proceeding with all due speed. For example, if you have not started your cleanup effort, you must obtain three bids and sign a contract with one of these bidders within 90 calendar days. If your cleanup effort has already started and was delayed, you must resume the expenditure of funds to ensure that your cleanup is proceeding in an expeditious manner. You are reminded that you must comply with all regulatory agency time schedules and requirements. We constantly review the status of all active claims, and failure to proceed with due diligence will be grounds for withdrawal of this Letter of Commitment.

You should read the terms and conditions listed in the Letter of Commitment. Also enclosed you will find:

- A "Reimbursement Request Instructions" package. You should retain this package for future reimbursement requests. Among other information, the package includes instructions for completion of the "Reimbursement Request" form and the "Spreadsheet". These instructions must be followed when seeking reimbursement for corrective action costs incurred after January 1, 1988. Included in these instructions are samples of Reimbursement Request forms and completed Spreadsheets. Within the package also included are:
  - A "Bid Summary Sheet" to document data on bids received.
  - Recommended Minimum Invoice Cost Breakdown.
  - A "Certification of Non-Recovery From Other Sources" which must be returned before any reimbursements can be made.
- "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.
- "Vendor Data Record" (Std. Form 204) which must be completed and returned with your first Reimbursement Request.

If you have any questions regarding the Letter of Commitment or the Reimbursement Request package, please contact Donna L. Turcotte at (916) 227-4532.

Sincerely,

  
Dave Deaner, Manager  
Underground Storage Tank  
Cleanup Fund Program

Enclosures

cc: California Regional Water Quality  
Control Board, San Francisco Bay Region  
Attn: Steve Morse  
2101 Webster Street, Suite 500  
Oakland, CA 94612

Alameda County EHD  
Attn: Ed Howell  
1131 Harbor Bay Pkwy., 2nd Fl.  
Alameda, CA 94501

# LETTER OF COMMITMENT FOR REIMBURSEMENT OF COSTS

CLAIM NO: 001548

AMENDMENT NO: 0

CLAIMANT: King Knight Co.

BALANCE FORWARD: \$0

CO-PAYEE: None

THIS AMOUNT: \$20,000

c/o: Matthew Shier, Esq.

Attn: Matthew Shier

CLAIMANT ADDRESS: 706 Sansome St.  
San Francisco, CA 94111

NEW BALANCE: \$20,000

TAX ID / SSA NO.: 94-1111869

Subject to availability of funds, the State Water Resources Control Board (SWRCB) agrees to reimburse King Knight Co. (Claimant) for eligible corrective action costs at King Knight Co. 6202 Christie Ave., Emeryville (Site). The commitment reflected by this Letter is subject to all of the following terms and conditions:

1. Reimbursement shall not exceed \$20,000 unless this amount is subsequently modified in writing by an amended Letter of Commitment.
2. The obligation to pay any sum under this Letter of Commitment is contingent upon availability of funds. In the event that sufficient funds are not available for reasons beyond the reasonable control of the SWRCB, the SWRCB shall not be obligated to make any disbursements hereunder. If any disbursements otherwise due under this Letter of Commitment are deferred because of unavailability of funds, such disbursements will promptly be made when sufficient funds do become available. Nothing herein shall be construed to provide the Claimant with a right of priority for disbursement over any other claimant who has a similar Letter of Commitment.
3. All costs for which reimbursement is sought must be eligible for reimbursement and the Claimant must be the person entitled to reimbursement thereof.
4. Claimant must at all times be in compliance with all applicable state laws, rules and regulations and with all terms, conditions, and commitments contained in the Claimant's Application and any supporting documents or in any payment requests submitted by the Claimant.
5. No disbursement under this Letter of Commitment will be made except upon receipt of acceptable Standard Form Payment Requests duly executed by or on behalf of the Claimant. All Payment Requests must be executed by the Claimant or a duly authorized representative who has been approved by the Division of Clean Water Programs.
6. Any and all disbursements payable under this Letter of Commitment may be withheld if the Claimant is not in compliance with the provisions of Paragraph 5 above.
7. Neither this Letter of Commitment nor any right thereunder is assignable by the Claimant without the written consent of the SWRCB. In the event of any such assignment, the rights of the assignee shall be subject to all terms and conditions set forth in this Letter of Commitment and the SWRCB's consent.
8. This Letter of Commitment may be withdrawn at any time by the SWRCB if completion of corrective action is not performed with reasonable diligence.

IN WITNESS WHEREOF, this Letter of Commitment has been issued by the SWRCB this 21st day of July, 1994.

STATE WATER RESOURCES CONTROL BOARD

BY [Signature]  
Manager, Underground Storage Tank Cleanup Fund Program

BY [Signature]  
Chief, Division Administrative Services

STATE USE :  
CALSTARS CODING :  
0550 - 569.02 - 30530

\$ \_\_\_\_\_

CLACK  
R0892

# DETAILED REVIEW CHECKLIST

CLAIM NO.: 1548	REGION: 2	COUNTY: Alameda	CODE: 01
PRIORITY ASSIGNED: B	LEAD AGENCY AND CONTACT PERSON: Alameda County Hlth		
CURRENT RANK:	CONTACT PERSON:		
DATE REVIEWED:	PHONE NO.: (510) 271-4530		
REVIEWER:			

SITE NAME: King Knight Co  
 SITE ADDRESS: 6202 Christie Ave., Emeryville, CA 94608

CLAIMANT INFORMATION	ACC.	REJ.	HOW INFORMATION WAS VERIFIED
<b>I. Claimant Identification</b>			
1. Claimant is/was the owner and/or operator of the leaking UST?	✓		app
2. Have all applicable past and current UST owners/operators been identified?	✓		app
3. All required tax ID numbers provided?	✓		tax returns
4. Date site/tanks acquired verified?	✓		app
<b>II. Statement of Costs</b>			
1. Valid third party claim?	n/a		
2. Claimed corrective action costs exceed \$10,000?	✓		
<b>III. Joint Claimant</b>			
1. Joint Claimant is an owner and/or operator?	}		
2. Tax ID number provided?	}		
3. Joint Claimant's priority class verified?	}		
<b>IV. Co-Payee</b>			
1. Tax ID No. provided?	}		
2. Mailing address/phone no. provided?	}		
<b>V. Contamination Site/Occurrence Description*</b>			
1. Description of tank and use verified?	✓		URF
2. Registered farm tank?	(Yes) No		na
3. Leaking tank contained eligible substance?	✓		URF; removal permit
4. Is there any evidence that the UAR was the result of a spill, overfill or gross negligence?			
5. If claimant submitted more than one claim for the site, each claim is for a separate occurrence?	✓		n/a
6. Site map provided?	✓		
<b>VII. Priority Class Worksheet</b>			
1. Claimant's priority verified?			
2. Claimant was both the owner and operator at time of leak discovery?	Yes	(No)	operator only
3. Claimant is the current owner and operator?	Yes	No/NA	tank removed
4. If either question = No, other party(s) priority class was verified?	✓		app
<b>VIII. Priority Class Designation</b>			
<b>A. Priority Class A</b>			
Residential Motor Fuel Tanks			
1. UST located at the residence of a person and property zoned residential use only at time of leak discovery?			X
2. UST located at property improved by an owner-occupied single family dwelling or duplex at time of leak discovery?			
3. UST was not used for agricultural purposes or for resale on or after 1/1/85?			
OR			
Residential Small Home Heating Oil Tanks			
4. UST located at the residence of a person at time of leak discovery?			
5. UST located at property improved by an owner-occupied single family dwelling or duplex at time of leak discovery?			
6. UST has a capacity of 1,100 gallons or less?			
7. UST is used only to store home heating oil for consumptive use on property?			
8. UST was not located on agricultural property on or after 1/1/85?			

DETAILED REVIEW CHECKLIST - CONT'D PAGE 2

CLAIM NO. 1548

LOCAL AGENCY NO. 3805

CLAIMANT INFORMATION	ACC	REJ.	HOW INFORMATION WAS VERIFIED
<b>B. Priority Class B</b> Financial Review Team has determined that the claimant qualifies for Priority Class B.			
<b>C. Priority Class C</b> Financial Review Team has determined that the claimant qualifies for Priority Class C.	n/a		signed URF; 6/6/90 per Release Rept.
<b>IX. Eligibility Requirements*</b>			
1. UAR reporting requirements satisfied and date release discovered verified?			
2. If property acquired after 1/1/84, claimant exercised due diligence or previous owner was eligible?	n/a		filing as operator
3. Claimant either had or applied for a permit by 1/1/90, or was able to substantiate why not obtained?	✓		see FSD
4. UST is not grossly out of compliance with permit requirements?	✓		see FSD
5. Claimant was required to initiate corrective action?	✓		see 4/16/91 Alameda ltr.
6. If claimant discovered UAR prior to 1/1/88 required corrective action was initiated on or before 6/30/88?	n/a		3/6/90
7. Corrective action is in compliance with regulatory requirements?			SEE PAGE 3 OF CHECKLIST
8. Claimant is in compliance with financial responsibility requirements?	n/a		
<b>X--XII. Certifications/Agreements/Statements/Verification</b>			
1. Claim contains original signatures of all claimants and joint claimants?	✓		
2. Required documentation was submitted for authorized representative?	✓		
<b>PROBLEM AREAS AND ANY ADDITIONAL COMMENTS</b>			

\* Compliance with requirements for items listed in Section V. (Contamination Site/Occurrence Description) and Section IX. (Eligibility Requirements) may require lead agency confirmation. Any items that cannot be verified through the applicant and which will require lead agency review and confirmation, should be highlighted for further review. In all cases lead agency confirmation of corrective action compliance will be required.



LOP - CHANGE RECORD REQUEST FORM

printed:  
06/25/93

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

AGENCY # : 10000                      SOURCE OF FUNDS: F                      SUBSTANCE: 12034  
 StID : 3805  
 SITE NAME: King Knight Co.                      DATE REPORTED : 06/06/90  
 ADDRESS : 6202 -0 Christie Rd.                      DATE CONFIRMED: 06/06/90  
 CITY/ZIP : Emeryville                      94608                      MULTIPLE RPS : Y

SITE STATUS

CASE TYPE: G	CONTRACT STATUS: 8	EMERGENCY RESP: -0-
RP SEARCH: S		DATE COMPLETED: 10/06/92
PRELIMINARY ASMNT: C	DATE UNDERWAY: 06/06/90	DATE COMPLETED: 11/29/90
REM INVESTIGATION: C	DATE UNDERWAY: 12/06/90	DATE COMPLETED: 10/10/91
REMEDIAL ACTION: C	DATE UNDERWAY: 12/07/90	DATE COMPLETED: 10/10/91
POST REMED ACT MON:-	DATE UNDERWAY: -0-	DATE COMPLETED: -0-

ENFORCEMENT ACTION TYPE: 1                      DATE ENFORCEMENT ACTION TAKEN: 10/06/92  
 LUFT FIELD MANUAL CONSID: 2HSCAWG  
 CASE CLOSED: Y                      DATE CASE CLOSED: 06/25/93  
 DATE EXCAVATION STARTED : 03/01/90                      REMEDIAL ACTIONS TAKEN: ED-

RESPONSIBLE PARTY INFORMATION

RP#1-CONTACT NAME: Ms. Christine Noma  
 COMPANY NAME: Vanco C/o Wendel, Rosen, Black  
 ADDRESS: P O Box 2047  
 CITY/STATE: Oakland, California 94604-2047

RP#2-CONTACT NAME: Mr. Ivan Williams  
 COMPANY NAME: King Knight Company  
 ADDRESS: 10 Crest Road  
 CITY/STATE: San Anselmo, California 94960

INSPECTOR VERIFICATION:			
NAME _____	SIGNATURE <i>Susan L. Hay</i>	DATE	<i>6/25/93</i>
DATA ENTRY INPUT:			
Name/Address Changes Only		Case Progress Changes	
ANPPGMS _____	LOP _____	DATE _____	LOP _____
			DATE _____

ALAMEDA COUNTY  
HEALTH CARE SERVICES  
AGENCY



DAVID J. KEARS, Agency Director

RAFAT A. SHAHID, ASST. AGENCY DIRECTOR

February 26, 1993  
STID 3805

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

Mr. Rich Hiett  
California Regional Water Quality Control Board  
2101 Webster Street, Suite 500  
Oakland, California 94612

**SUBJECT: RECOMMENDATION FOR CASE CLOSURE  
KING-KNIGHT COMPANY  
6202 Christie Avenue, Emeryville CA 94608**

Dear Mr. Hiett:

The Alameda County Department of Environmental Health, Hazardous Materials Division has completed review of the case file and the Site Closure Request for the referenced site dated August 11, 1992 and prepared by Century West Engineering Corporation.

Based on the information provided to this department regarding the site investigation and cleanup associated with the two underground storage tanks ( 1,000 gallon diesel and 550 gallon waste oil; both removed on March 1, 1990), it appears that further monitoring, investigation and remedial actions are not necessary at this time. Therefore, this office recommends that RWQCB formally close this case with a signoff letter. With RWQCB's concurrence, this department will send a letter to the Responsible Party to inform them of the site's certification of closure.

Attached is a copy of the Request for Site Closure Report prepared by Century West Engineering for your review.

If you have any questions or require further information, please give me a call at (510) 271-4530.

Sincerely,

*Susan L. Hugo*

Susan L. Hugo  
Senior Hazardous Materials Specialist

attachment

cc: Rafat A. Shahid, Asst. Agency Director, Environmental Health  
Edgar B. Howell, Chief, Hazardous Materials Division - files  
Ms. Christine Noma, Vanco c/o Wendel, Rosen, Black  
P.O. Box 2047, Oakland, CA 94604-2047  
Mr. Ivan Williams, King Knight Company - 10 Crest Road  
San Anselmo, CA 94960  
Mr. Jim Gribi, Century West Engineering Corporation  
7950 Dublin Blvd., Suite 210, Dublin CA 94568

Varco  
c/o Ms. Christine Norma  
Wendel, Rosen, Block, Dean &  
Levitan

Operator: Susan Williams  
10 Crest Road  
San Anselmo, CA 94966

DATE: 10/6/92  
TO : Local Oversight Program  
FROM: SUSAN  
SUBJ: Transfer of Eligible Oversight Case

P.O. Box 2047  
Oakland 94604-2047  
Property Owner.

Site name: KING KNIGHT CO.

Address: 6202 Christie Road city Emeryville zip 94608

Closure plan attached?  Y N DepRef remaining \$ \_\_\_\_\_

DepRef Project # \_\_\_\_\_ STID #(if any) 3805

Number of Tanks: \_\_\_\_\_ removed? Y N Date of removal 3/1/90

Leak Report filed?  Y N Date of Discovery 6/6/90

Samples received?  Y N Contamination: Soil

Petroleum  Y N Types: Avgas Jet leaded unleaded  Diesel  
fuel oil waste oil kerosene solvents

Monitoring wells on site 3 Monitoring schedule?  Y N

LUFT category 1 2 3 \* H S C A R W G O

Briefly describe the following:

Preliminary Assessment \_\_\_\_\_

Remedial Action \_\_\_\_\_

Post Remedial Action Monitoring \_\_\_\_\_

Enforcement Action \_\_\_\_\_

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



RAFAT A. SHAHID, Assistant Agency Director

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

May 27, 1992

Vanco  
c/o Ms. Christine Noma  
Wendel, Rosen, Black, Dean & Levitan  
P.O. Box 2047  
Oakland, CA 94604-2047

Subject: 6202 Christie Avenue, Emeryville.

Dear Ms. Noma:

I discussed the underground storage tank removal project conducted at 6202 Christie Avenue, Emeryville with the San Francisco Bay Regional Water Quality Control Board. The staff member with whom I met concurred with my opinion that closure is appropriate for this property. The follow-up actions taken satisfy the requirements of Title 23 of the California Code of Regulations and were conducted in conformance with the Board's Guidelines for addressing fuel leaks. Your client is under no obligation to collect additional water data.

Enclosed with this letter is a suggested format for data presentation for review by the Regional Board. Please have your consultant prepare a summary of the work conducted, adhering as closely as possible to the Board's suggested format. The information requested is complex and all of it may not apply to your project. However, please be aware that the close adherence to the Board's suggested format will speed the review process.

On completing the case summary report, please send it to me. I will then send it to the Board with a cover letter recommending that the case be reviewed for closure.

If you have any questions concerning this matter, please feel free to contact me at (510) 271-4530.

Sincerely,

Dennis J. Byrne  
Senior Hazardous Materials Specialist

HELLER, EHRMAN, WHITE & McAULIFFE

ATTORNEYS

A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS

SEP 17 11 03

525 UNIVERSITY AVENUE  
PALO ALTO, CALIFORNIA 94301-1908  
FACSIMILE (415) 324-0638  
TELEPHONE (415) 326-7600

333 BUSH STREET · SAN FRANCISCO, CALIFORNIA 94104-2878  
CABLE HELPOW · TELEX 184-996 · FACSIMILE (415) 772-6268  
TELEPHONE (415) 772-6000

701 FIFTH AVENUE  
SEATTLE, WASHINGTON 98104-7098  
FACSIMILE (206) 447-0849  
TELEPHONE (206) 447-0900

601 SOUTH FIGUEROA STREET  
LOS ANGELES, CALIFORNIA 90017-5758  
FACSIMILE (213) 614-1868  
TELEPHONE (213) 689-0200

1201 PACIFIC AVENUE  
TACOMA, WASHINGTON 98402-4308  
FACSIMILE (206) 572-6743  
TELEPHONE (206) 572-6666

May 14, 1992

1300 S.W. FIFTH AVENUE  
PORTLAND, OREGON 97201-5696  
FACSIMILE (503) 241-0950  
TELEPHONE (503) 227-7400

550 WEST 7TH AVENUE  
ANCHORAGE, ALASKA 99501-3571  
FACSIMILE (907) 277-1920  
TELEPHONE (907) 277-1900

WRITER'S DIRECT DIAL NUMBER  
(415) 772-6722

12792-0001

Alameda County Health Care  
Services Agency  
Department of Environmental Health  
Hazardous Materials Division  
80 Swan Way, Room 200  
Oakland, California 94621

Site Search Request

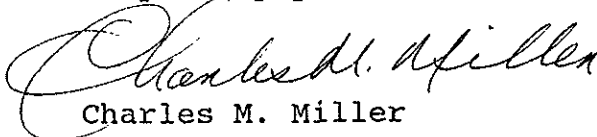
To Whom It May Concern:

This letter is to request a site search to determine whether two underground storage tanks which were removed in 1990 were issued a permit to operate.

The two USTs were located at 6202 Christie Road, Emeryville, California 94608, and were removed pursuant to a permit dated January 26, 1990.

This request is made in preparation of a claim to the California State Underground Storage Tank Fund which must be filed no later than June 12, 1992. We would therefore appreciate your response to this request prior to June 12, 1992.

Very truly yours,

  
Charles M. Miller

WENDEL  
ROSEN  
BLACK  
DEAN &  
LEVITAN

92177-0 01011

ATTORNEYS AT LAW  
Twentieth Floor Clorox Building  
Oakland City Center  
1221 Broadway  
Oakland, California 94612

Please Reply To:  
Post Office Box 2047  
Oakland, California 94604-2047  
Telephone: (510) 834-6600  
Fax: (510) 834-1928

March 5, 1992

Dennis Byrne  
Senior Hazardous Materials Specialist  
Alameda County Healthcare Services Agency  
Division of Hazardous Materials  
Department of Environmental Health  
80 Swan Way, Room 200  
Oakland, CA 94612

Re: 6202 Christie Avenue, Emeryville, California

Dear Dennis:

As you know, this office represents the former owner of the above property, Vanco. Vanco has reached a settlement with its tenant King-Knight as to the clean up related to the removal of the underground storage tanks.

The property has been sold to the City of Emeryville which intends to develop the property. Under the terms of the sale agreement, Vanco is responsible for conducting the clean up work.

The City of Emeryville and Vanco are very anxious to clean up the site. However, in order to do so, it was your opinion that Eddie So of the Regional Board should participate in the decision making process.

We were hoping to have this meeting scheduled in February. To date, we still have no meeting scheduled with Eddie So.

We would appreciate your arranging for a meeting as quickly as possible since we must move forward with this clean up.

Very truly yours,

WENDEL, ROSEN, BLACK, DEAN & LEVITAN



Christine K. Noma

CKN:pm  
cc: Dave Yogi  
Ron Gerber, Redevelopment Agency, City of Emeryville

WENDEL, ROSEN, BLACK, DEAN & LEVITAN

ATTORNEYS AT LAW

TWENTIETH FLOOR CLOROX BUILDING  
OAKLAND CITY CENTER  
1221 BROADWAY  
OAKLAND, CALIFORNIA 94612

PLEASE REPLY TO:  
P.O. BOX 2047  
OAKLAND, CALIFORNIA 94604-2047

TELEPHONE: (510) 834-6600  
CABLE ADDRESS: WENLAW  
FAX: (510) 834-1928

JACOB LEVITAN (1934-1988)

DAVID I. WENDEL  
VICTOR D. ROSEN\*  
DONN L. BLACK  
MICHAEL A. DEAN  
DEANNA D. LYON\*\*  
RONALD P. STURTZ  
LES A. HAUBRATH  
MICHAEL D. COOPER  
WALTER R. TURNER\*

DONALD A. McISAAC  
HOWARD W. LIND  
RODNEY P. JENKS, JR.  
DAVID GOLDMAN  
RANDALL L. KISER  
TIMOTHY S. WILLIAMS  
CHRISTINE K. NOMA  
RICHARD P. WAXMAN

A. MARINA GRACIAS  
GILLIAN M. ROSS  
MARK S. BOSTICK  
JEFFREY C. WURMS  
MICHAEL P. FINK  
M. ERIC OLMSTEAD  
C. GREGG ANKENMAN  
LOIS I. BRADY  
JAMES L. WALLMANN

12:55

\*CERTIFIED SPECIALIST  
TAXATION LAW

\*\*CERTIFIED SPECIALIST  
PROBATE, ESTATE PLANNING AND TRUST LAW

December 24, 1991

Dennis Byrne  
Alameda County Health Care Services Agency  
Division of Hazardous Materials  
80 Swan Way, Room 200  
Oakland, CA 94612

Re: 6202 Christie Avenue  
Emeryville, California

Dear Mr. Byrne:

As you know, this office represents Vanco, the landlord of King-Knight, and the former owner of the above-referenced property. This is to notify you that today, December 24, 1991, Vanco sold the property to the City of Emeryville.

Under the terms of the purchase agreement, the City of Emeryville as the buyer of the property is holding Vanco responsible for the contamination of the property caused by King-Knight's use of the premises. In connection with the purchase of the property, the City of Emeryville hired Harding Lawson & Associates to conduct an environmental Phase II assessment of the property. The result of Harding Lawson's report indicates that there continues to exist contamination on the property caused by King-Knight's underground storage tanks and the 55 gallon drums stored on the property by King-Knight.

More specifically, according to Harding Lawson, they found one-inch of hydrocarbon product, probably diesel and motor oil, floating on the top of ground water adjacent to the tank excavation. In addition, Harding Lawson found high concentrations of oil and grease compounds of 11,000 ppm in the soil samples taken from six inches below the drum storage area. Minor amounts of TCE at .017 ppm were found in the soil sample, as well as 7.7 ppb of DCA cleaning solvent in the ground water. At this point, Vanco is having its environmental consultant, Century West Engineering review Harding Lawson's reports and to provide that information to your office for review.

*how this was measured?*

Dennis Byrne  
December 24, 1991  
Page 2

WENDEL, ROSEN, BLACK, DEAN & LEVITAN

We may be requesting a follow up meeting with your office along with King-Knight and its environmental representatives, the City of Emeryville and Harding Lawson, and our office and Century West Engineering to discuss how best to proceed in this case.

Very truly yours,

WENDEL, ROSEN, BLACK, DEAN & LEVITAN

  
Christine K. Noma

CKN:pm

cc: Matt Shier, Esq.  
David I. Wendel, Esq.  
Dave Yogi  
Herman Fitzgerald, Esq.



ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY  
DAVID J. KEARS, Agency Director



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

16 April 1991

Ivan Williams  
King-Knight Company  
10 Crest Road  
San Anselmo, CA 94960

Subject: Ground Water Investigation Being Conducted at 6202  
Christie Avenue, Emeryville.

Dear Mr. Williams:

Thank you for the analytical data collected in April of 1991 from the ground water monitoring wells located on the site listed above. The data has been reviewed and this agency is satisfied that no ground water contamination has been detected.

Guidelines established by the San Francisco Bay Regional Water Quality Control Board require a minimum of one year of quarterly ground water monitoring whenever soil hydrocarbon contamination that exceeds 100 parts per million is detected. The data submitted with the Scott Company report dated 8 April 1991, constitutes the second quarter of ground water data from this site. We anticipate that two more quarters of data showing no ground water contamination will fulfill the requirements of the Regional Board and the project will be recommended for closure.

If you have any questions concerning this matter, please contact me at (415) 271-4320.

Sincerely,

Dennis J. Byrne  
Senior Hazardous Materials Specialist

cc: Lester Feldman, SFBRWQCB  
Rafat Shahid, Assistant Director, Alameda County Department of  
Environmental Health.  
Matthew Shier, Poppin & Shier  
Christine Noma, Wendel, Rosen, Black, Dean & Levitan  
Jay Groh, Scott Company

**WENDEL, ROSEN, BLACK, DEAN & LEVITAN**

ATTORNEYS AT LAW

DAVID I. WENDEL  
VICTOR D. ROSEN\*  
DONN L. BLACK  
MICHAEL A. DEAN  
DEANNA D. LYON  
RONALD P. STURTZ  
LES A. HAUSRATH  
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M. ERIC OLMSTEAD  
C. GREGG ANKENMAN  
LINDA R. BECK  
JACQUELYNNE M. JENNINGS  
LISA S. MUNDEL  
TERRI L. CIPPONERI  
LAWRENCE M. NEAL

OF COUNSEL

MICHAEL D. COOPER

\*CERTIFIED SPECIALIST

TAXATION LAW

TWENTIETH FLOOR CLOROX BUILDING  
OAKLAND CITY CENTER  
1221 BROADWAY  
OAKLAND, CALIFORNIA 94612

PLEASE REPLY TO:  
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OAKLAND, CALIFORNIA 94604-2047

TELEPHONE: (415) 834-8600  
CABLE ADDRESS: WENLAW  
FAX: (415) 834-1928

JACOB LEVITAN (1934-1988)

November 16, 1990

Dennis Byrne  
Alameda Health Care Services Agency  
Environmental Health Services  
80 Swan Way  
Oakland, CA 94621

Re: 6202 Christie Avenue, Emeryville, CA 94608

Dear Mr. Byrne:

This office represents Vanco, the owner of real property located at 6202 Christie Avenue, Emeryville, CA 94608. As you know, the tenant on the property King-Knight, is in the process of preparing a site assessment for hazardous materials in connection with the removal of two abandoned underground storage tanks. King-Knight is in bankruptcy and as a result, the process of remediation has proceeded rather slowly. Nevertheless, it is my understanding that the King-Knight has just recently authorized Scott Company to proceed with the completion of the site assessment and the development of a plan of remediation.

It has come to our attention that you have expressed a concern regarding activity in the area by another engineering consultant. We are writing to inform you that the work by the other consultant is being conducted in connection with the potential acquisition of the property by the City of Emeryville. The consultant's activity is independent of the activities being undertaken by Scott Company. It is our understanding that Scott Company will be fully responsive to the County's requirements of assessing whether the underground storage tanks created an environmental hazard.

The activities of the other consultant are being conducted in connection with pending preliminary eminent domain litigation and are completely confidential by court order. The consultants' work is merely for the purposes of conducting an "environmental audit" and is activity which we believe does not require a permit nor the intervention of the County of Alameda.

Dennis Byrne  
November 16, 1990  
Page 2

WENDEL, ROSEN, BLACK, DEAN & LEVITAN

If you have any further questions regarding this matter,  
please feel free to give me a call.

Very truly yours,

WENDEL, ROSEN, BLACK, DEAN & LEVITAN



Christine K. Noma

CKN:sm

cc: David I. Wendel, Esq.  
Les A. Hausrath, Esq.  
Micheal D. Cooper, Esq.



**Kaldveer Associates  
Geoscience Consultants**

Peter Kaldveer, PE, G.E.  
President

Richard Short, PE, G.E.  
Executive Vice President

Ronald L. Bajunleli, PE, G.E.  
Vice President Engineering

Patrick Stevens, PE, G.E.  
Associate

David Hoexter, CEG, R.E.A.  
Associate

Michael McRae, PE  
Associate

William Bender, PE, S.E., A.I.A.  
Associate

Dawn Rinaldi, PE

Barbara L. Potter, PE.

Randy P. Rowley, R.E.A.

Polly L. Worrell, R.E.A.

June 4, 1990  
KE1126-4A, 16301

County of Alameda  
Department of Environmental Health  
Hazardous Materials Division  
80 Swan Way, Room 200  
Oakland, California 94621

Attention: Mr. Larry Seto *Parsons*

RE: ENVIRONMENTAL INFORMATION  
ON SITE AT 6202 CHRISTIE  
AVENUE  
EMERYVILLE, CALIFORNIA

Ladies and Gentlemen:

Kaldveer Associates, Inc. has been contracted to provide environmental consultations on a site located at 6202 Christie Avenue, in Emeryville, California. The location of the site is shown on the attached Thomas Brothers Map. Presently there is a vacant single story warehouse/light industrial structure located on the site. The City proposes to purchase the property which is currently owned by a trust. The trustee for the property is David I. Wendel, Esq. of Wendel, Rosen, Black, Dean, and Levitan, 1221 Broadway/P.O. Box 2047, Oakland, California 94604: Telephone (415) 834-6600. The assessors parcel number is APN 049-1493-001.

An underground diesel and an underground waste oil tank were removed by the Scott Company on March 1, 1990, witnessed by George Warren, inspector for the City of Emeryville Fire Department. Apparently some soil and groundwater contamination were observed.

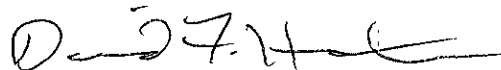
We are interested in obtaining any information relating to the recent tank pull or other information which would relate to environmental concerns at the site or sites in the immediate near vicinity. We understand there is an hourly charge for this information. The City's deadline for obtaining this information is June 22, 1990. We understand this is a short period of time and may not allow the property owner a complete opportunity to review the files; however as this work is being done for the City we would appreciate your cooperation in assisting us with the relatively short time frame available.

County of Alameda  
June 4, 1990, 16301  
Page 2

Thank you very much for your assistance.

Very truly yours

KALDVEER ASSOCIATES, INC.



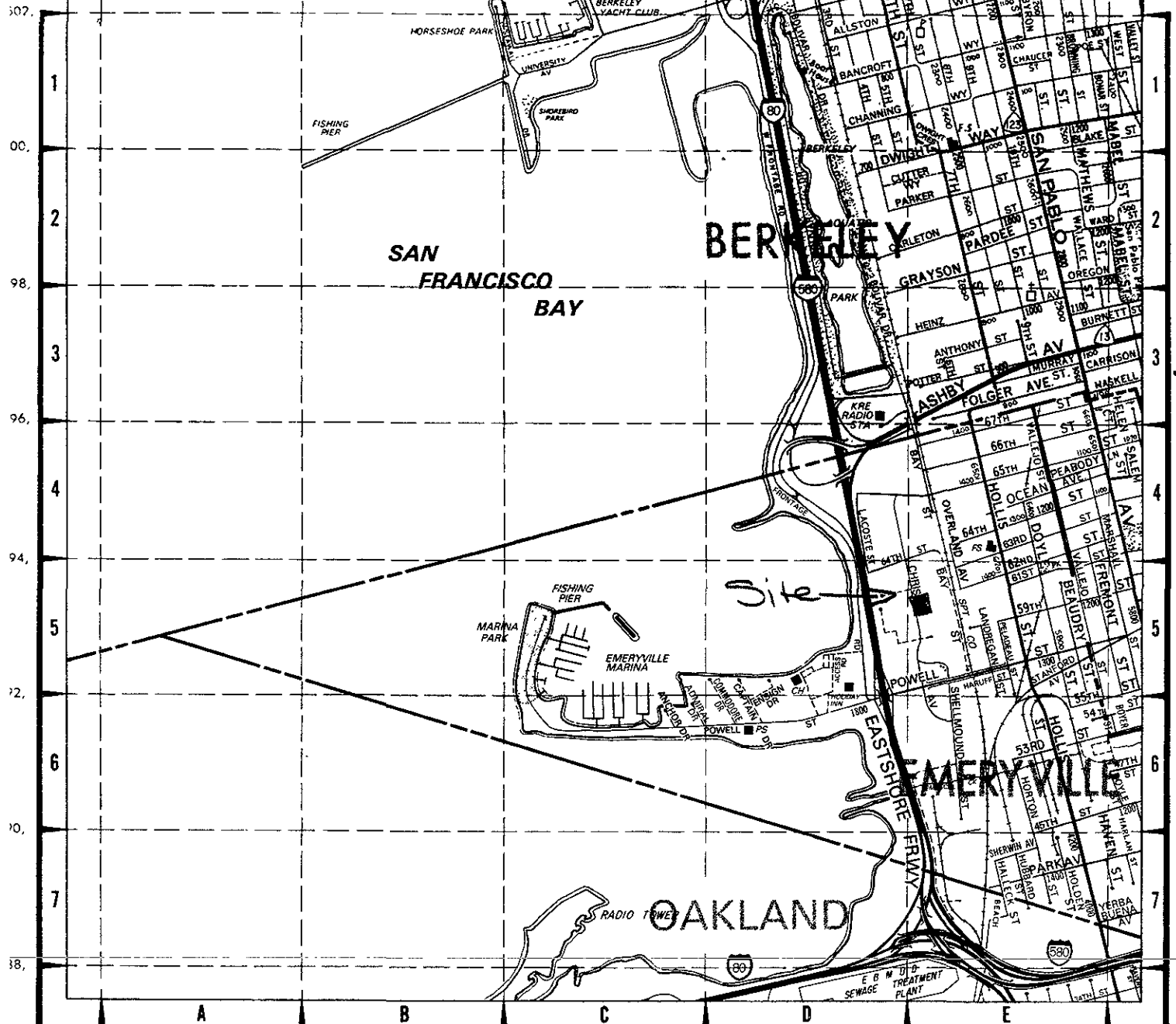
David F. Hoexter R.E.A./C.E.G.  
Environmental Geologic Services  
Associate

DFH;jd  
Copies: Addressee (1)  
Attachments: Thomas Brothers Map

3

FOR CONTINUATION SEE MAP 1

3



ALAMEDA CO.

FOR CONTINUATION SEE MAP 4

DETAIL

1,470,

1,473,

FOR CONTINUATION SEE MAP 7

1,482,

1,485,

706 Sansome Street  
San Francisco, California 94111  
Telephone (415) 398-6700

John Poppin  
Matthew J. Shier  
Leslie C. Thorpe

[REDACTED] 1990

Mr. Larry Seto, Senior,  
Hazardous Materials Specialist  
Alameda County Health Care Services  
Department of Environmental Health  
Hazardous Materials Program  
80 Swan Way, Rm. 200  
Oakland, CA 94621

Re: Re: King-Knight Company, Debtor, No. 4-86-04171 W  
Chapter 11  
6202 Christie Ave., Emeryville, CA 94608

Dear Mr. Seto:

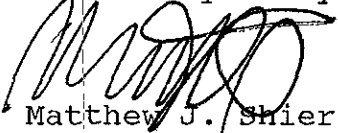
This will confirm our telephone conversation of this date in which I advised you of the following:

1. I am counsel for King-Knight Company, Debtor in the captioned Chapter 11 case, pending in the United States Bankruptcy Court in Oakland, California.
2. Debtor is the lessee of the real property described as 6202 Christie Avenue, Emeryville, California.
3. Debtor is in the process of contracting with Scott Company (Jay Groh) to remove the 55 gallon drums the subject of your letter and related matters. Formal authorization from the Bankruptcy Court is required to undertake this work; however, an application for such authority has been submitted to the Court and we expect that the application will be granted in the next day or so.
4. You may communicate with Mr. Groh directly as to the status of the work.

Mr. Larry Seto  
May 31, 1990  
Page 2

If you have any questions in this regard, please let me know.

Yours very truly,

A handwritten signature in black ink, appearing to read "Matthew J. Shier", written over the typed name below.

Matthew J. Shier

MJS:tes

cc: David Kanel, Esq.  
Michael Cooper, Esq.  
Mr. Ivan Williams



ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY  
DAVID J. KEARS, Agency Director



Certified Mail #P 062 127 942

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

May 25, 1990

Mr. Mat Shear, Attorney  
Poppin and Shear  
706 Sansome St.  
San Francisco, CA 94111

**RE: 6202 Christie Ave., Emeryville, CA 94608**

Dear Mr. Shear:

On May 23, 1990, I performed a complaint inspection at the above site. In the yard area in the back of the property are a number of 55 gallon drums (approximately 8) that contain various volumes of an oily liquid and white powder. These drums are not covered and some are leaking.

This storage area is not secured and the public has direct access to this area. In addition to the potential liability problems that can surface, there is a potential threat to the public health and the environment.

Section 66471, Title 22, California Code of Regulations requires a generator to determine whether a waste is hazardous.

Section 66508, Title 22, California Code of Regulations requires a hazardous waste to be disposed of within 90 days unless they obtain a permit or interim status from the Department of Health Services.

It is my understanding that you are the Trustee for the funds that can be used for the clean-up of this property. Please submit to this office within five (5) days of the receipt of this letter, your plan of correction. Your plan must include, but shall not be limited to:

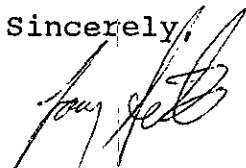
1. Method(s) you will use to characterize the waste in the drums
2. Name of the laboratory
3. Name of your hauler

Mr. Mat Shear, Attorney  
Poppin and Shear  
706 Sansome St.  
San Francisco, CA 94111  
May 25, 1990  
RE: 6202 Christie Ave., Emeryville, CA 94608

4. Name of your disposal site
5. Expected date when the drums will be disposed

If you have any questions, please contact me at (415) 271-4320.

Sincerely,



Larry Seto, Senior,  
Hazardous Materials Specialist

LS:mnc

cc: David Windell, Attorney  
Jay Groh, Scott Co.  
Charles Greer, City of Emeryville  
Dennis Byrne, Alameda County Hazardous Materials Specialist  
Gil Jensen, Alameda County District Attorney, Consumer and  
Environmental Protection Agency  
RWQCB  
Rafat A. Shahid, Assistant Agency Director, Environmental Health  
Files

P 062 127 942

**RECEIPT FOR CERTIFIED MAIL**

NO INSURANCE COVERAGE PROVIDED  
NOT FOR INTERNATIONAL MAIL

(See Reverse)

PS Form 3800 June 1985

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

or

P 062 127 942

**RECEIPT FOR CERTIFIED MAIL**

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(See Reverse)

PS Form 3800, June 1985

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Return Receipt showing to whom and Date Delivered	
Return Receipt showing to whom Date and Address of Delivery	
TOTAL Postage and Fees	\$
Postmark or Date	

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY  
DAVID J. KEARS, Agency Director



Certified Mail #P 062 127 942

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

May 25, 1990

Mr. Mat Shear, Attorney  
Poppin and Shear  
706 Sansome St.  
San Francisco, CA 94111

**RE: 6202 Christie Ave., Emeryville, CA 94608**

Dear Mr. Shear:

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Section 66508, Title 22, California Code of Regulations requires a hazardous waste to be disposed of within 90 days unless they obtain a permit or interim status from the Department of Health Services.

It is my understanding that you are the Trustee for the funds that can be used for the clean-up of this property. Please submit to this office within five (5) days of the receipt of this letter, your plan of correction. Your plan must include, but shall not be limited to:

1. Method(s) you will use to characterize the waste in the drums
2. Name of the laboratory
3. Name of your hauler

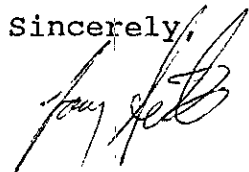
Mr. Mat Shear, Attorney  
Poppin and Shear  
706 Sansome St.  
San Francisco, CA 94111  
May 25, 1990

RE: 6202 Christie Ave., Emeryville, CA 94608

4. Name of your disposal site
5. Expected date when the drums will be disposed

If you have any questions, please contact me at (415) 271-4320.

Sincerely,



Larry Seto, Senior,  
Hazardous Materials Specialist

LS:mnc

cc: David Windell, Attorney  
Jay Groh, Scott Co.  
Charles Greer, City of Emeryville  
Dennis Byrne, Alameda County Hazardous Materials Specialist  
Gil Jensen, Alameda County District Attorney, Consumer and  
Environmental Protection Agency  
RWQCB  
Rafat A. Shahid, Assistant Agency Director, Environmental Health  
Files

**KING-KNIGHT COMPANY**

POST OFFICE BOX 8366  
EMERYVILLE, CALIFORNIA 94662

6202 CHRISTIE AVENUE  
EMERYVILLE, CALIFORNIA 94608

~~XXXXXXXXXXXX400~~

~~XXXXXXXXXXXX39~~

March 7, 1990

*DB*

DEPT. OF ENVIROMENTAL HEALTH  
HAZARDOUS MATERIAL PROGRAM  
80 Swan Way  
Oakland, CA. 94621

RE: UNDERGROUND TANK REMOVAL

Gentlemen,

The attached notice is in error in that you have been notified that the Bankruptcy Court handling King Knight's current affairs has contracted with the Scott Co. in Oakland to remove the two abandoned underground tanks with proper permits etc.

The removal process is now going on and should be completed in the near future. If you have any further questions, please contact the Scott Co. Mr. Jay Groh, 834-2333.

Sincerely,

King Knight Co.

*Ivan A. Williams*  
by Ivan A. Williams  
Corporate Representative.

90 MAR 12 AM 11:15



FACSIMILE TRANSMITTAL

TO:

(415) 763-0106 Floor/Room # \_\_\_\_\_  
Fax Phone Number

Name: Michael Schweickert - Stary Title/Section \_\_\_\_\_

Agency: Scott company

Address: 1919 Market Street Oakland

Phone #: (415) 834-2333

FROM:

(415) 568-3706 Floor/Room # \_\_\_\_\_  
Fax Phone Number

Date: 3/6/90 Time Sent: 1200

Sender: Dennis Byrne Title/Section Haz Mat Spec

Phone #: (415) 271-4326

Number of Pages Including Transmittal Sheet: 2

Special Instructions/Comments:

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY  
DAVID J. KEARS, Agency Director



RAFAT A. SHAHID, Assistant Agency Director

February 23, 1990

King-Knight Company  
6202 Christie Ave.  
Emeryville, CA 94608

DEPT. OF ENVIRONMENTAL HLTH  
HAZARDOUS MATERIALS PROG.  
80 SWAN WAY, SUITE 200  
OAKLAND, CA 94621

RE: 6202 Christie Ave.

**SECOND NOTICE OF VIOLATION**

Dear owner/operator:

Our records indicate that there are underground tank(s) at your site at the above facility. You were notified of this situation months ago and have not taken the appropriate action as described below.

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

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

You are directed to notify this Department within 10 days of your intentions and to obtain the necessary instructions and forms.

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

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

Sincerely,

Thomas F. Peacock, Senior HMS  
Hazardous Materials Division

TFP:tfp

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



D.B.

ALAMEDA COUNTY HEALTH CARE SERVICES AGENCY  
DEPARTMENT OF ENVIRONMENTAL HEALTH  
HAZARDOUS MATERIALS DIVISION  
80 SWAN WAY, ROOM 200  
OAKLAND, CA 94621  
PHONE NO. 415/271-4320

Removal, readings & soil & water samples to be treated by Henry Hansen EPH.  
3-1-90, 1400 hours

3/24/90  
2% O2 / - 2% LEL

ACCEPTED 5/2/90  
DEPARTMENT OF ENVIRONMENTAL HEALTH  
470 - 27th Street, Third Floor  
Oakland, CA 94612  
Telephone: (415) 874-7237

These plans have been reviewed and found to be acceptable and essentially meet the requirements of State and local health laws. Changes to your plans indicated this Department are to assure compliance with State and local laws. The project proposed review is now related to issuance of any required building permits for construction. One copy of these receipt plans must be on the land available to all contractors and craftsmen involved with the removal.

Any change or alterations of these plans and specifications must be submitted to this Department and to the Fire and Building Inspection Department to determine if such changes meet the requirements of State and local laws. Notify this Department at least 48 hours prior to the following required inspections:  
A. Williams - Removal of Tank and Piping  
Sampling  
Final Inspection

Insurance of a permit to operate is dependent on compliance with accepted plans and all applicable laws and regulations.

UNDERGROUND TANK CLOSURE/MODIFICATION PLANS

- Business Name King-Knight Company  
Business Owner Ivan Williams
- Site Address 6202 Christie Road  
City Emeryville Zip 94608 Phone (415) 398-6700
- Mailing Address 10 Crest Road  
City San Anselmo Zip 94960 Phone (415) 398-6700
- Land Owner King-Knight Company  
Address 10 Crest Road City, State San Anselmo, CA Zip 94960
- EPA I.D. No. CAC-000242681
- Contractor Scott Company of California  
Address 1919 Market Street  
City Oakland, CA. 94607 Phone (415) 834-2333  
License Type A-Gen. Eng. ID# 184480
- Consultant N/A  
Address N/A  
City N/A Phone N/A

NOTE: Soil & water samples to be taken 3-2-90, as per telephone conversation between contractor & County Health Dept.

POPPIN & SHIER

ATTORNEYS AT LAW

706 Sansome Street  
San Francisco, California 94111  
Telephone (415) 398-6700

89 NOV 31 AM 10: 51  
John Poppin  
Matthew J. Shier  
Leslie C. Thorpe

November 30, 1989

Mr. Thomas F. Peacock, Senior HMS  
Alameda Health Care Services Agency  
Department of Environmental Health  
Hazardous Materials Program  
80 Swan Way, Room 200  
Oakland, CA 94621

Re: King Knight Company, Debtor, Ch. 11 case no. 4-86-04171 W;  
6202 Christie Avenue, Emeryville, CA

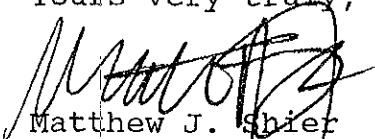
Dear Mr. Peacock:

This will confirm our telephone conversation of this date in which we discussed the content of your letter to King Knight Company ("KK") of October 31, 1989. I advised that KK is the debtor in a case pending in Oakland under Chapter 11 of the federal Bankruptcy Code. I further advised that KK is in the process of investigating the facts and circumstances concerning the content of your letter and is prepared to take whatever steps are necessary to resolve the problem. Finally, I advised that this may take some time because of the need to involve the Bankruptcy Court, the official Creditors' Committee and related matters. You advised that so long as you felt that some progress was being made, your department would take no further action.

If this is not your understanding, please let me know immediately.

If you have any questions in this regard, please let me know.

Yours very truly,

  
Matthew J. Shier

MJS:tes  
cc: Mr. Ivan Williams  
David Kanel, Esq.

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ATTORNEYS AT LAW  
**POPPIN & SHIER**

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706 Sansome Street  
San Francisco, California 94111  
Telephone (415) 398-6700

Matthew J. Shier

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LAW OFFICES OF  
WENDEL, ROSEN, BLACK, DEAN & LEVITAN

CHRISTINE K. NOMA  
ATTORNEY AT LAW

1221 BROADWAY  
P. O. BOX 2047  
OAKLAND, CA 94604-2047

(415) 834-6600

DATE:

TO : Local Oversight Program

FROM:

SUBJ: Transfer of Eligible Oversight Case

Site name: King - Knight Properties  
Address: 6202 Christie Ave city Emeryville zip 94608  
Closure plan attached?  Y N DepRef remaining \$ 20.00  
DepRef Project # 565697 STID #(if any) 3805  
Number of Tanks: 2 removed? Y N Date of removal 2/90  
Samples received?  Y N Contamination: soil/ground water  
Petroleum  Y N Types: Avgas Jet leaded unleaded Diesel  
fuel oil waste oil kerosene solvents  
Monitoring wells on site 3 Monitoring schedule? Y N  
LUFT category 1 2 3 \* H S C A R W G O  
Briefly describe the following:  
Preliminary Assessment \_\_\_\_\_  
Remedial Action \_\_\_\_\_  
Post Remedial Action Monitoring one year of quarterly monitoring accumulated  
Enforcement Action \_\_\_\_\_