

PHOTOS TAKEN BY RON OWCARZ
AT HENRY ACHATZ PROPERTY AT
9029 SAN LEANDRO ST. IN OAK
ON 6/29/94

R 386 338 349

RO



Receipt for Certified Mail

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

| | |
|--|----|
| Sent to: Henry Achatz | |
| Street and No.: 2000 Powell St. | |
| P.O., State and ZIP Code: Emeryville CA 94608 | |
| Postage: | \$ |
| Certified Fee: | |
| Special Delivery Fee: | |
| Restricted Delivery Fee: | |
| Return Receipt Showing to Whom & Date Delivered: | |
| Return Receipt Showing to Whom, Date, and Addressee's Address: | |
| TOTAL Postage & Fees: | \$ |
| Postmark or Date: 9/1/94 | |

PS Form 3800, June 1991

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



RAFAT A. SHAHID, Assistant Agency Director

Certified Mailer # P 386 338 349

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

August 26, 1994

Mr. Henry Achatz
2000 Powell Street
Emeryville, CA 94608

RE: 9029 San Leandro Street, Oakland, CA 94603

Dear Mr. Achatz:

On August 18, 1994 an inspection of your above listed property revealed the presence of one 16 gallon and 12 - 55 gallon unlabeled drums which apparently contained waste oil or waste oil and water mixtures left by a former tenant. Some of the drums were left open and may have spilled some of their contents onto the ground. In addition, there were at least four used motor vehicle batteries observed in a nearby pile of trash and construction debris.

The contents of the drums must be characterized by a certified laboratory to determine whether they are hazardous or not before being properly disposed of or recycled. If hazardous, the drums and their contents will have to be removed by a licensed hazardous waste hauler for proper disposal with copies of the manifests sent to this office. Otherwise, their disposition must be accounted for. The waste batteries are to be disposed of or recycled in a similar manner. After the waste and debris is removed, a subsurface soil investigation may be necessary to address any possible contamination.

You are now required to submit a plan of correction to this office within ten days of the receipt of this letter. This work plan must include but shall not be limited to the following:

1. Name of your environmental consultant
2. Method that will be used to determine the lateral and vertical extent of any subsurface contamination
3. Name of your licensed hazardous waste hauler
4. Location of the approved disposal site
5. Proposed time schedule for your investigation and remediation.

Mr. Henry Achatz
August 26, 1994
page 2 of 2

In addition to your work plan, please remit a deposit/refund check of \$900.00 made payable to the County of Alameda to cover the costs of the remediation review. This deposit is authorized by Section 3-141.6 of the Ordinance Code of Alameda County. You will be billed at a rate of \$90.00 per hour. Upon completion, any remaining balance will be returned to you.

If you have any questions on this matter, please contact me at 567-6700.

Sincerely,



Ronald J. Owcarz, REHS
Hazardous Materials Specialist

pc: Gil Jensen, Alameda County District Attorney's Office
Paul Giardina, DTSC
Eva Chu, LOP
Ariu Levi - file

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

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

RO

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

1. Addressee's Address

2. Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

Mr. Henry Achatz
2000 Powell Street
Emeryville CA 94608

4a. Article Number
P 386 338 349

4b. Service Type

Registered Insured

Certified COD

Express Mail Return Receipt for Merchandise

7. Date of Delivery
9/21/99

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

5. Signature (Addressee)
Mr. Henry Achatz

6. Signature (Agent)
Pam Keyes

Thank you for using Return Receipt Service.

ALAMEDA COUNTY
HEALTH CARE SERVICES



AGENCY
DAVID J. KEARS, Agency Director

RAFAT A. SHAHID, Assistant Agency Director

May 25, 1995

ALAMEDA COUNTY-ENV. HEALTH DEPT.
ENVIRONMENTAL PROTECTION DIV.
1131 HARBOR BAY PKWY., #250
ALAMEDA CA 94502-6577
(510)567-6700

Mr. Henry Achatz
2000 Powell Street
Emeryville, CA 94608

RE: 9029 San Leandro Street, Oakland, CA 94603

Dear Mr. Achatz:

I would like to introduce myself as the new inspector working on the above site.

My colleague, Mr. Ron Owcarz sent you a certified letter dated August 26, 1994 requesting a plan of correction. As of this date, we have not receive a response from you. Please submit within 15 days of the receipt of this letter your plan of correction. This workplan must include, but shall not be limited to the following:

1. Laboratory results from a certified laboratory identifying the contents in the thirteen drums
2. Manifests or receipts verifying the contents of the drums have been disposed of properly
3. Procedure(s) that have been incorporated in your operation to prevent overspillage from occurring in the future
4. Manifests or receipts verifying the impacted soil due to the overspillage has been disposed of properly.

If you have any questions, please contact me at (510) 567-6774.

Sincerely,



Larry Seto
Sr. Hazardous Materials Specialist

cc: Gil Jensen, Alameda County District Attorney's Office
Consumer and Environmental Protection
Ron Owcarz, Environmental Protection
Files



ACHATZ CORPORATION

- Commercial Properties
- Business Enterprises
- Business Consulting

2000 Powell St., Suite 1200
Emeryville, CA 94608
PHONE: (510) 596-1734
FAX : (800) 824-5462

June 20, 1995

Alameda County
Dept. of Environmental Health
Hazardous Materials Department
Environmental Protection Division
1131 Harbor Bay Parkway., #250
Alameda, CA 94502-6577
Attn: Larry Seto

**RE: 9029 San Leandro Street
Oakland, CA 94603**

Dear Mr. Seto

This letter is to verify the disposal of the 12 empty unlabeled drums on my property located at 9029 San Leandro Street, Oakland, CA 94603. The drums were disposed of properly on June 8, 1995 by my associate, Skidmore, via rented trailer to the Myers Container Corporation located at 2200 Central Street in Richmond, California 94801. The Receipt No. c25165 is enclosed along with the trailer rental receipt.

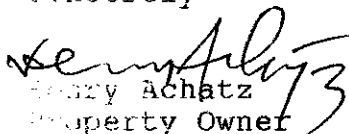
The three batteries indicated in your letter could not be found anywhere on the property. Someone may have stolen the batteries for their recyclable value.

Presently, I am cleaning the area in question. The weeding and cleaning will be completed no later than June 30, 1995.

The delay in complying with your request was mainly due to cashflow problems. As you may know I encountered many difficulties with my previous tenants. Your outstanding invoice amounting to \$900 will be paid no later than July 15, 1995.

Thank you for your continuous patience and cooperation.

Sincerely


Jerry Achatz
Property Owner

cc: Eva Chu



DRUM RECEIVING RECORD

2200 Central Street
Richmond, CA 94801
(510) 235-8551

Emptier: Scot Skidmore
Address: 266 ASHLEY CIRCLE
City/State/Zip: DANVILLE CA 94526
Date: 6-8-95 Purchase Order #: _____

EMPTY DRUM CERTIFICATION

I hereby certify that these drums are "empty" as that term is defined in the California Contaminated Container regulations, Title 22 Section 65261.7*, and that they have been properly prepared for transportation under the regulations of the U.S. Department of Transportation, 49 CFR 173.25**.

*Title 22, Section 65261.7 states, a container which previously held hazardous material is empty if:
(1) POURABLE LADING -- no material can be poured or drained from the container when it is held in any orientation (e.g., tilted, inverted, etc.)
(2) NON-POURABLE LADING -- no material remains in or on the container that can feasibly be removed by physical methods which are commonly employed to remove such materials. The interior of the container shall not contain crusts or a mass of solidified material.

** DOT's 49 CFR 173.29 states that all openings on the empty container must be closed, and that all markings and labels must be in place as if the drum were full of its original contents. A DOT shipping paper is not required for transportation of an empty drum for reconditioning via contract or private carrier. DOT placarding is not required for vehicles carrying empty containers.

A container that has held a material listed as an acute hazardous waste as specified in 40 CFR or Title 22 of the CCR is empty if it has been triple rinsed using a solvent capable of removing the waste and all pourable residues have been removed.

| | | |
|--|------------|--|
| <input type="checkbox"/> Inventory* | Trailer #: | <input type="checkbox"/> Delivered to Myers (NO Freight) |
| <input type="checkbox"/> Purchase/Charge | <u>C</u> | <input type="checkbox"/> Pick-up made with delivery (NO Freight) |
| <small>*If inventory items are commingled, like items of similar quality will be returned.</small> | | <input type="checkbox"/> Pick-up made -- No Delivery (Freight) |

| Quantity | Description | Pay/Charge Each | Pay/Charge Total |
|-----------|-------------------------------------|-----------------|------------------|
| _____ | 55 GAL. 18 GA. TH (DOT 17E)..... | _____ | _____ |
| _____ | 55 GAL. 20/18 GA. TH (DOT 17E)..... | _____ | _____ |
| _____ | 55 GAL. DEHEADER..... | _____ | _____ |
| _____ | 55 GAL. FOH..... | _____ | _____ |
| _____ | 55 GAL. FOH - Tomato Paste..... | _____ | _____ |
| _____ | 55 GAL. FOH - Straight Side..... | _____ | _____ |
| _____ | 55 GAL. 17H..... | _____ | _____ |
| _____ | 30 GAL. TH..... | _____ | _____ |
| _____ | 30 GAL. 17H..... | _____ | _____ |
| _____ | 30 GAL. FOH..... | _____ | _____ |
| _____ | JUNK..... | _____ | _____ |
| <u>12</u> | <u>\$500 Charge</u> | _____ | <u>\$500</u> |
| _____ | FREIGHT..... | _____ | _____ |
| <u>12</u> | TOTAL..... | _____ | _____ |

X Scot Skidmore Authorized Representative for Empty Drum Generator
X Myers Container Myers Container

c25165