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Alameda County
APR 10 2003
Environmental Health

April 8, 2003

Amir K. Gholami, REHS
Alameda County Health Care Services
1131 Harbor Bay Parkway, Suite 250
Alameda, CA 94502-6577

Fax and Mail
337.9335

RE: 2515 Blanding Ave., Alameda, California
NO WAIVER OF ATTORNEY CLIENT PRIVILEGE

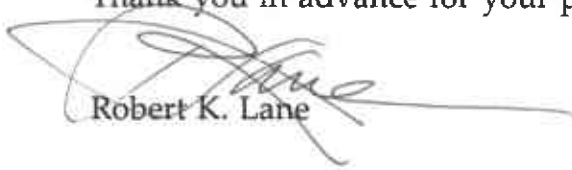
Dear Amir:

I am disappointed in your communication with this office, meaning there is not sufficient effort on your part to return my calls. As you know the owners of the above property are interested in a ~~rapid closure of this property~~ as it is in escrow and to be transferred shortly.

The item of current concern is reflected in the enclosed letter from my client to me dated April 7th. This letter is given to you without waiver of the attorney client privilege and without waiver of the attorney work product privilege. We have already made you aware of our concern that the tank at the adjacent property is impacting, if not fully responsible for the reading upon which the County is relying ~~in demanding further investigation of our site.~~ You must get further analysis of this situation before you demand what may be a useless act from us which act will cost a great deal of money. The letter encloses a map of where the above ground pump for their tank was located as well as copy of the permit from the fire department for that tank! This information cannot be ignored on the basis of someone's self-serving hearsay!

Please give this matter your immediate attention prior to my clients' incurring the cost of a consultant.

Thank you in advance for your prompt reply.



Robert K. Lane

RKL:bl

ccc by fax

- cc: Janet Koike
- c/o Myra Mitzman: Fax 338.0202
- Dean Treadway by fax 834.9158
- cc: Donna Drogos, County Health Supervisor

8:58am



April 7, 2003

Mr. Robert Lane
3657 Grand Ave.
Oakland, CA 94610

Alameda County

APR 10 2003

Environmental Health

Dear Robert,

In a voice mail received last Friday, Rob Weston, of Alameda County Health Services, informed me that he met with the production manager from Allied Engineering. They occupy the property adjacent to our property at 2515 Blanding Ave., Alameda. Mr. Weston was told that the manager had been with Allied since the mid-50's and to his knowledge, there has never been a gas tank on the property. Rob went on to say that he saw no evidence of where a tank may have been.

We beg to disagree with the manager's assertions. I personally witnessed the gas pump. I spoke with my father about this as well. He was involved in the transaction to purchase the property in 1952 and worked there until his retirement in 1996. He concurs with my recollection and stated that the pump was in place when Clamp-Swing moved its operation to 2515 Blanding in 1957. We believe the pump was removed in the 1970's but can't be sure of the date. As for not seeing any evidence, about 10-15 years ago Allied had the entire yard repaved with asphalt. No wonder he couldn't see where it was.

Enclosed is a copy of the fire department's permit and a site map showing the approximate location of the pump.

I'm concerned that the County is operating without all of the information as they move forward with the next phase for the tank on our property. Everyone needs to know that the small tank (200-300 gallons) that was removed from Blanding had been inactive for over 50 years. When the property was acquired, my father says there was no pump servicing this tank. If it had been leaking, surely it would have spilled its contents decades ago. If Mother Nature was going to cleanse the site, wouldn't it have happened by now? This makes me ask the question, what's the point of monitoring for a year if it didn't clean itself up in 50 years? All of this make me suspicious that a 2000-gallon tank, located no more than 50 feet from ours, installed around 1954 and in-service into the '70's, may be contributing to the problem. Leaking an ounce an hour it would take 30 years to empty it!

I hope this helps establish the historical record and relevance of these two tanks.

Sincerely,


Ben Garfinkle
President

Cc: Robert Weston

enclosures

AUTO
BODY
SHOP

PARKING LOT FOR AUTO BODY SHOP

ALLIED
ENGINEERING

PUMP
LOCATION

EVERETT STREET TANK

RESIDENTIAL

SIDEWALK

BOILER
ROOM

APPROX.
UST LOCATION

PARKING AREA

STORAGE
YARD

US
FLAGS

SUBJECT PROPERTY BUILDING

MARKINSKI
AUTO "

STONE BOAT YARD



AEI CONSULTANTS
3210 OLD TUNNEL ROAD, SUITE B, LAFAYETTE, CA

SITE PLAN

2515 BLANDING AVENUE
ALAMEDA, CA

FIGURE 2
PROJECT No. 5457

Location North end of Everett St

Name National Iron Works Plant

1003

Oil Storage Permit _____ No. 411

Liquid gasoline Gallons 1-2000 gals

Date Issued April 14 1954 Gauge 7

Installation 2' underground, 8" reinforced concrete, cover
with 1' apron beyond edge of tank or 4 ft.

Inspected By underground.

Remarks _____

*Note: See file on Tank Installations - letter dated
April 14, 1954*