



Fax Cover Sheet

Contractor's License #599864

All Chemical Disposal, Inc.

941 Berryessa Road, Suite D • San Jose, CA 95133
Tel: 408-453-1660 • Fax: 408-453-3087

To:

RON DWIGARZ

Company Name:

ALAMEDA COUNTY HEALTH

Fax Number:

510-337-9335

Number of pages (including cover):

2

Date sent:

6-19-97

Time sent:

From:

Pat Johnson

Here is the signed manifest for the tanks
to Erickson

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UNIFORM HAZARDOUS WASTE MANIFEST

1. Generator's US EPA ID No. **C A P P D E E F E R P O A I 6 2 3 8**
Manifest Document No.

2. Page 1 of 1

Information in the shaded areas is not required by Federal law.

3. Generator's Name and Mailing Address

Hayward RV Storage
3836 Depot Road
Hayward, CA 94545

A. State Manifest Document Number

96818238

B. State Generator's ID

5. Transporter 1 Company Name

All Chemical Disposal, Inc.

C A D Y E E A D E B P P

6. US EPA ID Number

C. State Transporter's ID

D. Transporter's Phone

(408)453-1660

7. Transporter 2 Company Name

8. US EPA ID Number

E. State Transporter's ID

F. Transporter's Phone

9. Designated Facility Name and Site Address

Erickson, Inc.
255 Parr Blvd.
Richmond, CA 94807

10. US EPA ID Number

C A D D D E E E E E E R B D

11. US DOT Description (Including Proper Shipping Name, Hazard Class, and ID Number)

Waste Empty Storage Tank
Non-RCRA Hazardous Waste, Solid

12. Containers

No. Type

13. Total Quantity

14. Unit

WT/Vol

Number

RCRA

15. Special Handling Instructions and Additional Information

Keep away from sources of ignition. Always wear hardhats when working around
U.S.T.'s 24 hour Contact Name:
Emergency Phone: (510)785-1854
Project #: 39846

16. GENERATOR'S CERTIFICATION: I hereby declare that the contents of this consignment are fully and accurately described above by proper shipping name and are classified, packed, marked, and labeled, and are in all respects in proper condition for transport by highway according to applicable international and national government regulations.

If I am a large quantity generator, I certify that I have a program in place to reduce the volume and toxicity of waste generated to the degree I have determined to be economically practicable and that I have selected the practicable method of treatment, storage, or disposal currently available to me which minimizes the present and future threat to human health and the environment; OR, if I am a small quantity generator, I have made a good faith effort to minimize my waste generation and select the best waste management method that is available to me and that I can afford.

Printed/Typed Name

for: Hayward RV Storage

Signature

Month Day Year
06/19/97

17. Transporter 1 Acknowledgement of Receipt of Materials

Printed/Typed Name

for: All Chemical Disposal, Inc.

Signature

Month Day Year
06/19/97

18. Transporter 2 Acknowledgement of Receipt of Materials

Printed/Typed Name

Signature

Month Day Year

19. Discrepancy Indication Space

20. Facility Owner or Operator Certification of receipt of hazardous materials covered by this manifest except as noted in item 19.

Printed/Typed Name

DAVID SATO

Signature

DAVE SATO

Month Day Year
06/19/97

DO NOT WRITE BELOW THIS LINE.

IN CASE OF EMERGENCY OR SPILL, CALL THE NATIONAL RESPONSE CENTER 1-800-424-8802; WITHIN CALIFORNIA, CALL 1-800-852-7550

GENERATOR

FACILITY

96816238
 IN CASE OF EMERGENCY OR SPILL, CALL THE NATIONAL RESPONSE CENTER 1-800-424-8802. WITHIN CALIFORNIA, CALL 1-800-852-7550
 GENERATOR FACILITY

Information in the shaded areas is not required by Federal law.

| | | | | | | | | |
|--|--|--|--|--------------------------------|----------------|--|--------------------------------------|--|
| UNIFORM HAZARDOUS WASTE MANIFEST | | 1. Generator's US EPA ID No. CA0001264904 | | Manifest Document No. 16238 | | 2. Page 1 of 1 | | |
| 3. Generator's Name and Mailing Address Hayward RV Storage 3636 Depot Road Hayward, CA 94545 4. Generator's Phone (510)785-1854 | | | | | | A. State Manifest Document Number 96816238 | | |
| 5. Transporter 1 Company Name All Chemical Disposal, Inc. | | | | | | B. State Generator's ID EXEMPT | | |
| 6. US EPA ID Number CAD982492399 | | | | | | C. State Transporter's ID | | |
| 7. Transporter 2 Company Name | | | | | | D. Transporter's Phone (408)453-1660 | | |
| 8. US EPA ID Number | | | | | | E. State Transporter's ID | | |
| 9. Designated Facility Name and Site Address Erickson, Inc. 255 Parr Blvd. Richmond, CA 94801 | | | | | | F. Transporter's Phone | | |
| 10. US EPA ID Number CAD009466392 | | | | | | G. State Facility's ID | | |
| 11. US DOT Description (including Proper Shipping Name, Hazard Class, and ID Number) Waste Empty Storage Tank Non-RCRA Hazardous Waste, Solid | | | | | | H. Facility's Phone (800)788-1393 | | |
| | | | | | 12. Containers | | 13. Total Quantity | |
| | | | | | No. | | Wt/Vol | |
| | | | | | Type | | L. Waste Number | |
| a. | | | | | 003 | | JST 0210010 | |
| b. | | | | | | | P State 512 EPA/Other NON-RCRA | |
| c. | | | | | | | | |
| d. | | | | | | | | |
| 11a. Empty Storage Tank(s) #20377, 20378, 20379 Tank(s) have been inerted with 15 lbs. dry ice per 1000 gallon capacity. | | | | | | K. Handling Codes for Waste Listed Above | | |
| 15. Special Handling Instructions and Additional Information Keep away from sources of ignition. Always wear hardhats when working around U.S.T.'s. 24 hour Contact Name: Emergency Phone: (510)785-1854 Project #: 39846 | | | | | | a. | | |
| 16. GENERATOR'S CERTIFICATION: I hereby declare that the contents of this consignment are fully and accurately described above by proper shipping name and are classified, packed, marked, and labeled, and are in all respects in proper condition for transport by highway according to applicable international and national government regulations. If I am a large quantity generator, I certify that I have a program in place to reduce the volume and toxicity of waste generated to the degree I have determined to be economically practicable and that I have selected the practicable method of treatment, storage, or disposal currently available to me which minimizes the present and future threat to human health and the environment; OR, if I am a small quantity generator, I have made a good faith effort to minimize my waste generation and select the best waste management method that is available to me and that I can afford. | | | | | | b. | | |
| Printed/Typed Name: Daniel J Wheat for: Hayward RV Storage | | | | | | Signature: [Signature] Month Day Year: 06/19/97 | | |
| 17. Transporter 1 Acknowledgement of Receipt of Materials Printed/Typed Name: [Signature] for: All Chemical Disposal, Inc. | | | | | | Signature: [Signature] Month Day Year: 06/19/97 | | |
| 18. Transporter 2 Acknowledgement of Receipt of Materials Printed/Typed Name: | | | | | | Signature: | | |
| 19. Discrepancy Indication Space | | | | | | Month Day Year: | | |
| 20. Facility Owner or Operator Certification of receipt of hazardous materials covered by this manifest except as noted in Item 19. Printed/Typed Name: | | | | | | Signature: | | |
| | | | | | | Month Day Year: | | |

DO NOT WRITE BELOW THIS LINE.



ERICKSON Tank Processing JOB #: _____
TANK CERTIFICATION

***** PART 1 - To be completed by the Customer *****

CUSTOMER: All Chemical Disposal GENERATOR: Hayward EV Storage State Waste Codes: 512

LOCATION: 3636 De pot Rd Hayward CA EPA I.D.#: CAC001264904 EPA Waste Codes:
 None

TRANSPORTER: All Chemical Disposal MANIFEST #: 96036238
 See Attached

| | TANK 1 | TANK 2 | TANK 3 | TANK 4 | TANK 5 | TANK 6 |
|-----------------|----------------|----------------|----------------|--------|--------|--------|
| TANK #: | <u>20377</u> | <u>20378</u> | <u>20379</u> | _____ | _____ | _____ |
| CAPACITY: | <u>500gals</u> | <u>500gals</u> | <u>1000gal</u> | _____ | _____ | _____ |
| DIAMETER: | <u>47"</u> | <u>44 1/2"</u> | <u>46"</u> | _____ | _____ | _____ |
| LENGTH: | <u>73"</u> | <u>79"</u> | <u>146"</u> | _____ | _____ | _____ |
| STEEL/GLASS: | <u>Steel</u> | <u>Steel</u> | <u>Steel</u> | _____ | _____ | _____ |
| LAST CONTAINED: | <u>D</u> | <u>D</u> | <u>UG</u> | _____ | _____ | _____ |

LG = Leaded Gas, UG = Unleaded Gas, D = Diesel, UO = Used Oil, FO = Fuel Oil
Specify the material Last Contained if other than above.

ERICKSON, INC. TANK PROCESSING FACILITY
LAND DISPOSAL RESTRICTION NOTIFICATION FORM

The waste represented on this manifest is not generated by a chemical manufacturing plant, coke-by-product recovery plant of petroleum refinery. As such, it is not regulated under 40 CFR Part 61, Subpart FF (NESHAPS for Benzene Operations).

Pursuant to 40 CFR 268.7 I am notifying Erickson, Inc. that the material described by the above manifest is a nonwastewater, Non-RCRA hazardous waste and not currently subject to EPA Land Disposal Restrictions.

Pursuant to CCR 22 66268.7 I am notifying Erickson, Inc. that the material described by the manifest is a metal containing Non-RCRA solid hazardous waste (66268.29(g)), with treatment standard at 66268.106 (a) (3) Table CCWE I-C. It is also an organics containing Non-RCRA solid hazardous waste (66268.29 (k)), with treatment standard at 66268.113. Both metal and organic containing Non-RCRA solid hazardous wastes are subject to a variance from prohibition from land disposal which expires after 1/1/96.

I am an authorized agent/representative of the generator. I certify that all information submitted in this and associated documents is complete and accurate to the best of my knowledge. The tanks on the transport equipment have been numbered to correspond with the information provided above. In the event that the tanks do not correspond to the form, I will pay any and all costs incurred in rectifying the discrepancy(ies) between the tank(s) and the form. In the event that the tank(s) contain excessive solids or liquids, I agree to pay the cost of preparation, transportation and disposal/recycling of the excess material according to the schedule of charges in effect at the time of receipt of the tank(s). Further, I will not hold Erickson, Inc. responsible for any damage to tanks which occurs after the tanks are removed from the ground.

AUTHORIZED REPRESENTATIVE

SIGNATURE: Daniel J. Wheat

DATE: 6-19-97

PRINT NAME: Daniel J. Wheat

TITLE: Manager

96816239
 IN CASE OF EMERGENCY OR SPILL, CALL THE NATIONAL RESPONSE CENTER 1-800-424-8802. WITHIN CALIFORNIA, CALL 1-800-852-7550
 GENERATOR
 FACILITY

| | | | | | | | | | |
|--|--|--|--|---|--|---|--|---|--|
| UNIFORM HAZARDOUS WASTE MANIFEST | | 1. Generator's US EPA ID No. C A C 0 0 1 2 6 4 9 0 4 | | Manifest Document No. 1 6 2 3 9 | | 2. Page 1 of 1 | | Information in the shaded areas is not required by Federal law. | |
| 3. Generator's Name and Mailing Address Hayward RV Storage 3636 Depot Road Hayward, CA 94545 (510)785-1854 | | | | | | A. State Manifest Document Number 96816239 | | | |
| 5. Transporter 1 Company Name All Chemical Disposal, Inc. | | | | | | B. State Generator's ID EXEMPT | | | |
| 7. Transporter 2 Company Name All Chemical Disposal, Inc. | | | | | | C. State Transporter's ID | | | |
| 9. Designated Facility Name and Site Address Enesco West, Inc. 1737 E. Denni St. Wilmington, CA 90744 | | | | | | D. Transporter's Phone (408)453-1660 | | | |
| 11. US DOT Description (including Proper Shipping Name, Hazard Class, and ID Number) Waste Paint Related Material | | | | | | E. State Transporter's ID | | | |
| 12. Containers No. Type | | | | | | 13. Total Quantity | | 14. Unit Wt/Vol | |
| a. 3 UN1263 PG III | | | | | | 001 DM | | 000210 G | |
| b. | | | | | | | | | |
| c. | | | | | | | | | |
| d. | | | | | | | | | |
| 15. Special Handling Instructions and Additional Information Profile(s) 11a. 682556 Project #: 39846 Emergency Phone: (510)785-1854 | | | | | | K. Handling Code for Waste Listed Above a. b. c. d. | | | |
| 16. GENERATOR'S CERTIFICATION: I hereby declare that the contents of this consignment are fully and accurately described above by proper shipping name and are classified, packed, marked, and labeled, and are in all respects in proper condition for transport by highway according to applicable international and national government regulations. If I am a large quantity generator, I certify that I have a program in place to reduce the volume and toxicity of waste generated to the degree I have determined to be economically practicable and that I have selected the practicable method of treatment, storage, or disposal currently available to me which minimizes the present and future threat to human health and the environment; OR, if I am a small quantity generator, I have made a good faith effort to minimize my waste generation and select the best waste management method that is available to me and that I can afford. | | | | | | Printed/Typed Name Daniel J. Wheat | | | |
| | | | | | | Signature <i>[Signature]</i> | | Month Day Year 06/19/97 | |
| 17. Transporter 1 Acknowledgement of Receipt of Materials | | | | | | Printed/Typed Name For: All Chemical Disposal, Inc. | | | |
| | | | | | | Signature <i>[Signature]</i> | | Month Day Year 06/19/97 | |
| 18. Transporter 2 Acknowledgement of Receipt of Materials | | | | | | Printed/Typed Name | | | |
| | | | | | | Signature | | Month Day Year | |
| 19. Discrepancy Indication Space | | | | | | | | | |
| 20. Facility Owner or Operator Certification of receipt of hazardous materials covered by this manifest except as noted in Item 19. | | | | | | Printed/Typed Name | | | |
| | | | | | | Signature | | Month Day Year | |

DO NOT WRITE BELOW THIS LINE.

Generator Name: HAYWARD RV STORAGE Manifest No.: 96016239

| WMDS | WW | NWW | Waste Codes, Subcategories and Hazardous Constituents* | Special Conditions |
|---------------|--------------------------|-------------------------------------|--|--------------------|
| <u>602556</u> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <u>D001 - HIGH TOX SOLUBLE (CA:331)</u> | |
| | <input type="checkbox"/> | <input type="checkbox"/> | | |
| | <input type="checkbox"/> | <input type="checkbox"/> | | |
| | <input type="checkbox"/> | <input type="checkbox"/> | | |
| | <input type="checkbox"/> | <input type="checkbox"/> | | |
| | <input type="checkbox"/> | <input type="checkbox"/> | | |
| | <input type="checkbox"/> | <input type="checkbox"/> | | |
| | <input type="checkbox"/> | <input type="checkbox"/> | | |

*Regulated Hazardous Constituents, not the Underlying Hazardous Constituents (UHC's), must be identified for waste streams which carry the EPA Waste Codes, F001-F305, F039 and for California List wastes (40CFR268.32). UHC's must be identified for D001 (if Not Treated by CMBST or RORGS), D002, D003, D012-D043 (if treated in Non-CWA, Non-CWA equivalent or Non-SDWA facilities). Wastewater forms of D012-D017 do not require that UHC's be identified. List the constituents on the corresponding line or include a marked copy of the Universal Treatment Standards Sheet for each affected WMDS.

Special Conditions:

- A. Waste Requiring No Further Treatment
- B. Lab Pack Waste Qualifying for Alternative Treatment under 40 CFR 268.42(c)
- C. Hazardous Waste Debris subject to standard treatment requirements, 40 CFR 268.40
- D. Hazardous Waste Debris subject to alternative standards in 40 CFR 268.45 (List Contaminants)
- E. Waste Qualifying for Exemption and not subject to Land Disposal Restriction (Explain)
- F. Waste already treated to remove a hazardous characteristic which requires additional treatment for underlying hazardous constituents (List constituents)
- G. Waste already treated to remove a hazardous characteristic and all the underlying hazardous constituents have been treated to levels in 268.48.

H. For Chemical Manufacturers, Petroleum Refineries, Coke By-Product Facilities and RCRA TSDFs handling wastes subject to 40 CFR 61 subpart FF ONLY:
 This waste is a "Controlled Benzene Waste" which is subject to the notification requirements of 40 CFR 61 subpart FF.

Waste analysis is attached where available, otherwise, the information contained herein is based upon my thorough knowledge of the waste(s).

I hereby certify that I believe that the information I submitted is true, accurate and complete.

Signature [Signature] Title Manager Date 6-19-97

Waste Streams Identified by Special Condition A: I certify under penalty of law that I personally have examined and am familiar with the waste through analysis and testing or through knowledge of the waste to support this certification that the waste complies with the treatment standards specified in 40 CFR Part 268 Subpart D and all applicable prohibitions set forth in 40CFR 268.32 or RCRA section 3004(d). I believe that the information I submitted is true, accurate and complete. I am aware that there are significant penalties for submitting a false certification, including the possibility of a fine and imprisonment.

Waste Streams Identified by Special Condition B: I certify under penalty of law that I personally have examined and am familiar with the waste and that the lab pack contains only wastes which have not been excluded under appendix IV to 40 CFR 268. I am aware that there are significant penalties for submitting a false certification, including the possibility of a fine and imprisonment.

Waste Streams Identified by Special Condition F: I certify under penalty of law that the waste has been treated in accordance with the requirements of 40 CFR 268.40 to remove the hazardous characteristic. This decharacterized waste contains underlying hazardous constituents that require further treatment to meet universal treatment standards. I am aware that there are significant penalties for submitting a false certification, including the possibility of a fine and imprisonment.

Waste Streams Identified by Special Condition G: I certify under penalty of law that the waste has been treated in accordance with the requirements of 40 CFR 268.40 to remove the hazardous characteristic, and that underlying hazardous constituents, as defined in 268.2, have been treated on-site to the 268.48 Universal Treatment Standards. I am aware that there are significant penalties for submitting a false certification, including the possibility of a fine and imprisonment.

For WMDS 102556, the Underlying Constituents have been identified by marking the box left of each constituent.

MANIFEST

None of the Underlying Constituents are present in the following WMDS(s):

| Constituents by Chemical Name | | | Constituents by Chemical Name | | | Constituents by Chemical Name | | |
|-------------------------------|---------|----------|-------------------------------|--------|-----------|-------------------------------|----------|-----------|
| Conc. | WW | NWW | Conc. | WW | NWW | Conc. | WW | NWW |
| <input type="checkbox"/> | 0.042 | 1.4 | <input type="checkbox"/> | 0.056 | 1.4 | <input type="checkbox"/> | 0.056 | 1.4 |
| <input type="checkbox"/> | 0.059 | 3.4 | <input type="checkbox"/> | 0.042 | 1.4 | <input type="checkbox"/> | 0.0012 | 0.066 |
| <input type="checkbox"/> | 0.059 | 3.4 | <input type="checkbox"/> | 0.36 | 0.75 mg/l | <input type="checkbox"/> | 0.016 | 0.066 |
| <input type="checkbox"/> | 0.28 | 160 | <input type="checkbox"/> | 0.023 | 0.087 | <input type="checkbox"/> | 0.055 | 10 |
| <input type="checkbox"/> | 5.8 | 38 | <input type="checkbox"/> | 0.023 | 0.087 | <input type="checkbox"/> | 0.055 | 5.6 |
| <input type="checkbox"/> | 0.010 | 9.7 | <input type="checkbox"/> | 0.031 | 0.087 | <input type="checkbox"/> | 0.057 | 2.4 |
| <input type="checkbox"/> | 0.059 | 140 | <input type="checkbox"/> | 0.031 | 0.087 | <input type="checkbox"/> | 0.055 | 30 |
| <input type="checkbox"/> | 0.29 | NA | <input type="checkbox"/> | 0.0039 | 0.087 | <input type="checkbox"/> | 0.035 | 30 |
| <input type="checkbox"/> | 19 | 23 | <input type="checkbox"/> | 0.0039 | 0.87 | <input type="checkbox"/> | 0.000063 | 0.001 |
| <input type="checkbox"/> | 0.24 | 84 | <input type="checkbox"/> | 0.055 | 8.2 | <input type="checkbox"/> | 0.000063 | 0.001 |
| <input type="checkbox"/> | 0.056 | 0.28 | <input type="checkbox"/> | 0.061 | NA | <input type="checkbox"/> | 0.0055 | 3.4 |
| <input type="checkbox"/> | 0.021 | 0.066 | <input type="checkbox"/> | 0.11 | 15 | <input type="checkbox"/> | 0.19 | 65 |
| <input type="checkbox"/> | 0.13 | NA | <input type="checkbox"/> | 0.028 | 15 | <input type="checkbox"/> | 0.056 | 1.4 |
| <input type="checkbox"/> | 0.81 | 14 | <input type="checkbox"/> | 0.11 | 15 | <input type="checkbox"/> | 5.6 | 170 |
| <input type="checkbox"/> | 0.059 | 3.7 | <input type="checkbox"/> | 0.036 | 6.0 | <input type="checkbox"/> | 0.021 | 0.066 |
| <input type="checkbox"/> | 0.36 | NA | <input type="checkbox"/> | 0.088 | 6.0 | <input type="checkbox"/> | 0.056 | 1.4 |
| <input type="checkbox"/> | 0.056 | 1.4 | <input type="checkbox"/> | 0.090 | 6.0 | <input type="checkbox"/> | 0.081 | 2.6 |
| <input type="checkbox"/> | 0.056 | 1.4 | <input type="checkbox"/> | 0.23 | 7.2 | <input type="checkbox"/> | 0.0011 | 0.13 |
| <input type="checkbox"/> | 0.056 | 1.4 | <input type="checkbox"/> | 0.059 | 6.0 | <input type="checkbox"/> | 0.24 | 84 |
| <input type="checkbox"/> | 0.056 | 1.4 | <input type="checkbox"/> | 0.21 | 6.0 | <input type="checkbox"/> | 5.6 | 0.75 mg/l |
| <input type="checkbox"/> | 0.059 | 3.4 | <input type="checkbox"/> | 0.025 | 6.0 | <input type="checkbox"/> | 0.081 | 1.5 |
| <input type="checkbox"/> | 0.055 | 6.0 | <input type="checkbox"/> | 0.054 | 30 | <input type="checkbox"/> | 0.056 | 1.4 |
| <input type="checkbox"/> | 0.14 | 10 | <input type="checkbox"/> | 0.044 | 14 | <input type="checkbox"/> | 0.028 | 0.14 |
| <input type="checkbox"/> | 0.11 | 6.8 | <input type="checkbox"/> | 0.044 | 14 | <input type="checkbox"/> | 0.25 | 0.18 |
| <input type="checkbox"/> | 0.11 | 6.8 | <input type="checkbox"/> | 0.72 | 10 | <input type="checkbox"/> | 0.28 | 36 |
| <input type="checkbox"/> | 0.0055 | 1.8 | <input type="checkbox"/> | 0.85 | 18 | <input type="checkbox"/> | 0.14 | 33 |
| <input type="checkbox"/> | 0.061 | 3.4 | <input type="checkbox"/> | 0.036 | 18 | <input type="checkbox"/> | 0.14 | 33 |
| <input type="checkbox"/> | 0.00014 | 0.066 | <input type="checkbox"/> | 0.036 | 18 | <input type="checkbox"/> | 0.14 | 160 |
| <input type="checkbox"/> | 0.00014 | 0.066 | <input type="checkbox"/> | 0.036 | 18 | <input type="checkbox"/> | 0.018 | NA |
| <input type="checkbox"/> | 0.023 | 0.066 | <input type="checkbox"/> | 0.017 | 0.13 | <input type="checkbox"/> | 0.014 | 4.8 |
| <input type="checkbox"/> | 0.0017 | 0.066 | <input type="checkbox"/> | 0.20 | 28 | <input type="checkbox"/> | 0.0055 | 15 |
| <input type="checkbox"/> | 0.35 | 15 | <input type="checkbox"/> | 0.056 | 1.4 | <input type="checkbox"/> | 0.50 | 30 |
| <input type="checkbox"/> | 0.11 | 15 | <input type="checkbox"/> | 0.13 | NA | <input type="checkbox"/> | 0.089 | 30 |
| <input type="checkbox"/> | 0.055 | 15 | <input type="checkbox"/> | 0.036 | 14 | <input type="checkbox"/> | 0.056 | 1.4 |
| <input type="checkbox"/> | 5.8 | 2.6 | <input type="checkbox"/> | 0.047 | 28 | <input type="checkbox"/> | 0.056 | 1 |
| <input type="checkbox"/> | 0.017 | 28 | <input type="checkbox"/> | 0.056 | 1.4 | <input type="checkbox"/> | 0.042 | 1.4 |
| <input type="checkbox"/> | 0.042 | 1.4 | <input type="checkbox"/> | 0.057 | 28 | <input type="checkbox"/> | 0.059 | 5.6 |
| <input type="checkbox"/> | 0.066 | 2.5 | <input type="checkbox"/> | 0.32 | 2.3 | <input type="checkbox"/> | 0.52 | NA |
| <input type="checkbox"/> | 0.006 | 0.14 | <input type="checkbox"/> | 0.28 | 150 | <input type="checkbox"/> | 0.27 | 14 |
| <input type="checkbox"/> | 0.056 | 1.4 | <input type="checkbox"/> | 0.12 | 160 | <input type="checkbox"/> | 0.028 | 28 |
| <input type="checkbox"/> | 0.006 | 0.14 | <input type="checkbox"/> | 0.32 | 140 | <input type="checkbox"/> | 0.068 | 14 |
| <input type="checkbox"/> | 0.056 | 1.4 | <input type="checkbox"/> | 0.55 | 28 | <input type="checkbox"/> | 0.32 | 28 |
| <input type="checkbox"/> | 3.8 | 4.8 mg/l | <input type="checkbox"/> | 0.017 | 28 | <input type="checkbox"/> | 0.028 | 13 |
| <input type="checkbox"/> | 0.057 | 6.0 | <input type="checkbox"/> | 0.40 | 14 | <input type="checkbox"/> | 0.12 | 29 |
| <input type="checkbox"/> | 0.028 | 1.4 | <input type="checkbox"/> | 12 | 170 | <input type="checkbox"/> | 0.40 | 28 |
| <input type="checkbox"/> | 0.0033 | 0.26 | <input type="checkbox"/> | 0.92 | 13 | <input type="checkbox"/> | 0.40 | 2.3 |
| <input type="checkbox"/> | 0.46 | 16 | <input type="checkbox"/> | 0.92 | 13 | <input type="checkbox"/> | 0.40 | 17 |
| <input type="checkbox"/> | 0.057 | 6.0 | <input type="checkbox"/> | 0.087 | NA | <input type="checkbox"/> | 0.40 | 2.3 |
| <input type="checkbox"/> | 0.10 | NA | <input type="checkbox"/> | 0.017 | 6.2 | <input type="checkbox"/> | 0.40 | 2.3 |
| <input type="checkbox"/> | 0.057 | 0.28 | <input type="checkbox"/> | 0.028 | 28 | <input type="checkbox"/> | 0.013 | 35 |
| <input type="checkbox"/> | 0.057 | 15 | <input type="checkbox"/> | 0.023 | 0.066 | <input type="checkbox"/> | 0.013 | 35 |
| <input type="checkbox"/> | 0.27 | 6.0 | <input type="checkbox"/> | 0.029 | 0.13 | <input type="checkbox"/> | 0.056 | 0.28 |
| <input type="checkbox"/> | 0.036 | 7.2 | <input type="checkbox"/> | 0.029 | 0.13 | <input type="checkbox"/> | 0.014 | 4.6 |
| <input type="checkbox"/> | 0.033 | 6.0 | <input type="checkbox"/> | 0.0028 | 0.13 | <input type="checkbox"/> | 0.10 | 10 |
| <input type="checkbox"/> | 0.062 | NA | <input type="checkbox"/> | 0.025 | 0.13 | <input type="checkbox"/> | 0.042 | 1.4 |
| <input type="checkbox"/> | 0.046 | 6.0 | <input type="checkbox"/> | 0.042 | 1.4 | <input type="checkbox"/> | 0.055 | 10 |
| <input type="checkbox"/> | 0.055 | 7.2 | <input type="checkbox"/> | 0.34 | 33 | <input type="checkbox"/> | 0.000063 | 0.001 |
| <input type="checkbox"/> | 0.018 | 14 | <input type="checkbox"/> | 0.057 | 10 | <input type="checkbox"/> | 0.000035 | 0.001 |
| <input type="checkbox"/> | 0.19 | 30 | <input type="checkbox"/> | 0.24 | 350 | <input type="checkbox"/> | 0.055 | 6.0 |
| <input type="checkbox"/> | 0.055 | 5.6 | <input type="checkbox"/> | 0.12 | 160 | <input type="checkbox"/> | 0.055 | 4.8 |
| <input type="checkbox"/> | 0.044 | 5.7 | <input type="checkbox"/> | 0.14 | 160 | <input type="checkbox"/> | 0.089 | 7.4 |
| <input type="checkbox"/> | 0.036 | 30 | <input type="checkbox"/> | 0.12 | NA | <input type="checkbox"/> | 0.081 | 16 |
| <input type="checkbox"/> | 0.059 | 3.4 | <input type="checkbox"/> | 0.28 | 28 | <input type="checkbox"/> | 0.059 | 5.6 |
| <input type="checkbox"/> | 0.11 | 5.6 | <input type="checkbox"/> | 0.017 | 15 | <input type="checkbox"/> | 0.039 | 8.2 |
| <input type="checkbox"/> | 0.77 | 5.6 | <input type="checkbox"/> | 0.068 | 3.4 | <input type="checkbox"/> | 0.056 | 5.6 |
| <input type="checkbox"/> | 0.77 | 5.6 | <input type="checkbox"/> | 0.059 | 3.4 | <input type="checkbox"/> | 0.021 | 4.6 |
| <input type="checkbox"/> | | | <input type="checkbox"/> | 0.056 | 1.4 | <input type="checkbox"/> | 0.055 | 28 |

| Constituents by Chemical Name | WW Conc. | NWW Conc. | Constituents by Chemical Name | WW Conc. | NWW Conc. | Constituents by Chemical Name | WW Conc. | NWW Conc. |
|--|----------|-----------|--|----------|-----------|--|----------|-----------|
| <input type="checkbox"/> Phthalic Anhydride | 0.055 | 2.0 | <input type="checkbox"/> Thiophenyl-methyl | 0.056 | NA | <input type="checkbox"/> Xylenes-Mixed Isomers(Sum Of O,M,&P)* | 0.32 | 30 |
| <input type="checkbox"/> Physostigmine | 0.056 | 1.4 | <input type="checkbox"/> Triptole | 0.056 | 0.28 | <input type="checkbox"/> Antimony | 1.9 | 2.1 mg |
| <input type="checkbox"/> Physostigmine salicylate | 0.056 | 1.4 | <input type="checkbox"/> Toluene* | 0.080 | 10 | <input type="checkbox"/> Arsenic | 1.4 | 5.0 mg |
| <input type="checkbox"/> Promecarb | 0.056 | 1.4 | <input type="checkbox"/> Toxaphene | 0.0095 | 2.6 | <input type="checkbox"/> Barium | 1.2 | 7.6 mg |
| <input type="checkbox"/> Pronamide | 0.093 | 1.5 | <input type="checkbox"/> Triallate | 0.042 | 1.4 | <input type="checkbox"/> Beryllium | 0.82 | 0.014 mg |
| <input type="checkbox"/> Proptham | 0.056 | 1.4 | <input type="checkbox"/> Tribromomethane (Bromoform) | 0.63 | 15 | <input type="checkbox"/> Cadmium | 0.69 | 0.19 mg |
| <input type="checkbox"/> Propoxur | 0.056 | 1.4 | <input type="checkbox"/> 1,2,4-Trichlorobenzene | 0.055 | 19 | <input type="checkbox"/> Chromium (Total) | 2.77 | 0.85 mg |
| <input type="checkbox"/> Prothiflocarb | 0.042 | 1.4 | <input type="checkbox"/> 1,1,1-Trichloroethane* | 0.054 | 6.0 | <input type="checkbox"/> Cyanides (Total) | 1.2 | 590 |
| <input type="checkbox"/> Pyrene | 0.067 | 8.2 | <input type="checkbox"/> 1,1,2-Trichloroethane* | 0.054 | 6.0 | <input type="checkbox"/> Cyanides (Amenable) | 0.86 | 30 |
| <input type="checkbox"/> Pyridine* | 0.014 | 16 | <input type="checkbox"/> Trichloroethylene* | 0.054 | 6.0 | <input type="checkbox"/> Fluoride | 15 | NA |
| <input type="checkbox"/> Sairic | 0.081 | 22 | <input type="checkbox"/> Trichloromonofluoromethane* | 0.020 | 30 | <input type="checkbox"/> Lead | 0.69 | 0.37 mg |
| <input type="checkbox"/> Sivez (2,4,5-Tp) | 0.72 | 7.9 | <input type="checkbox"/> 2,4,5-Trichlorophenol | 0.18 | 7.4 | <input type="checkbox"/> Mercury-NWW From Retort | NA | 0.20 mg |
| <input type="checkbox"/> 1,2,4,5-Tetrachlorobenzene | 0.055 | 14 | <input type="checkbox"/> 2,4,6-Trichlorophenol | 0.035 | 7.4 | <input type="checkbox"/> Mercury-All Others | 0.15 | 0.025 mg |
| <input type="checkbox"/> TCDDs (All Tetrachlorobenzo-P-Cloans) | 0.00063 | 0.001 | <input type="checkbox"/> 2,4,5-Trichlorophenoxyacetic Acid (2,4,5-T) | 0.72 | 7.9 | <input type="checkbox"/> Nickel | 3.98 | 5.0 mg |
| <input type="checkbox"/> TCDFs (All Tetrachlorodibenzofurans) | 0.00063 | 0.001 | <input type="checkbox"/> 1,2,3-Trichloropropane | 0.65 | 30 | <input type="checkbox"/> Selenium | 0.82 | 0.16 mg |
| <input type="checkbox"/> 1,1,1,2-Tetrachloroethane | 0.057 | 6.0 | <input type="checkbox"/> 1,1,2-Trichloro-1,2,2-Trifluoroethane* | 0.057 | 30 | <input type="checkbox"/> Silver | 0.43 | 0.30 mg |
| <input type="checkbox"/> 1,1,2,2-Tetrachloroethane | 0.057 | 6.0 | <input type="checkbox"/> Triethylamine | 0.081 | 1.5 | <input type="checkbox"/> Sulfide | 14 | NA |
| <input type="checkbox"/> Tetrachloroethylene* | 0.056 | 6.0 | <input type="checkbox"/> Tris-(2,3-Dibromopropyl) Phosphate | 0.11 | 0.10 | <input type="checkbox"/> Thallium | 1.4 | 0.078 mg |
| <input type="checkbox"/> 2,3,4,6-Tetrachlorophenol | 0.030 | 7.4 | <input type="checkbox"/> Vermdate | 0.042 | 1.5 | <input type="checkbox"/> Vanadium (Not An "UHC") | 4.3 | 0.23 mg |
| <input type="checkbox"/> Thiocarb | 0.019 | 1.4 | <input type="checkbox"/> Vinyl Chloride | 0.27 | 6.0 | <input type="checkbox"/> Zinc + (Not An "UHC") | 2.61 | 5.3 mg |

WW = Wastewater as defined in 40 CFR 268.2 (f)

NWW = Non-Wastewater as defined in 40 CFR 268.2 (f)

Regulated Hazardous Constituents for F001-F005 are indicated with (*).

Regulated Hazardous Constituents for F039 include all of those listed above except those indicated with (+).

All Values are mg/l for wastewater and mg/kg for non-wastewater, unless designated mg/l, which are TCLP

STRAIGHT BILL OF LADING

ORIGINAL - NOT NEGOTIABLE

Shipper's No. _____

Carrier's No. 61997

ALL CHEMICAL DISPOSAL, INC
(NAME OF CARRIER)

SCAC _____

Date 6-19-97

TO: Consignee CONTAINER MANAGEMENT SERVICES
Street 21301 Cloud Way
Destination HAYWARD, CA Zip 94545
Route: _____

FROM: Shipper HAYWARD RV STORAGE
Street 3686 DEPOT ROAD
Origin HAYWARD, CA Zip 94545
Vehicle Number _____ U.S. DOT Hazmat Reg. No. _____

| No. Shipping Units | HM | Kind of Packages, Description of Articles (IF HAZARDOUS MATERIALS - PROPER SHIPPING NAME) | HAZARD CLASS | I.D. Number | Packing Group | WEIGHT (subject to correction) | RATE | LABELS REQUIRED (or exemption) |
|--------------------|----|---|--------------|-------------|---------------|--------------------------------|------|--------------------------------|
| 1 | | Empty container 55gal | N/A | N/A | N/A | 30/16 | | N/A |
| 1 | | Empty container 25gal | N/A | N/A | N/A | 3/16 | | N/A |
| 1 | | Empty container 20gal | N/A | N/A | N/A | 15/16 | | N/A |
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Remit C.O.D. to:
Address: N/A
City: _____ State: _____ Zip: _____

COD Amt: \$ _____

C. O. D. FEE:
Prepaid Collect

NOTE - Where the rate is dependent on value, shippers are required to state specifically in writing the agreed or declared value of the property. The agreed or declared value of the property is hereby specifically stated by the shipper to be not exceeding \$ _____ Per _____

Subject to Section 7 of the conditions, if this shipment is to be delivered to the consignee without recourse on the consignee, the consignee shall sign the following statement: The carrier shall not make delivery of this shipment without payment of freight and all other lawful charges.
[Signature]
(Signature of Consignee)

FREIGHT CHARGES
 PREPAID COLLECT

RECEIVED, subject to the classifications and lawfully filed tariffs in effect on the date of issue of this Bill of Lading, the property described above in apparent good order, except as noted (contents and condition of contents of packages unknown), marked, consigned, and destined as indicated above which said carrier (the word carrier being understood throughout this contract as meaning any person or corporation in possession of the property under the contract) agrees to carry to its usual place of delivery at said destination, if on its route, otherwise to deliver to another carrier on the route to said destination. It is mutually agreed as to each carrier of all or any of, said property over all or any portion of said route to destination and as to each party at any time interested in all or any said property, that every service to be performed hereunder shall be subject to all the bill of lading terms and conditions in the governing classification on the date of shipment. Shipper hereby certifies that he is familiar with all the bill of lading terms and conditions in the governing classification and the said terms and conditions are hereby agreed to by the shipper and accepted for himself and his assigns.

This is to certify that the above named materials are properly classified, described, packaged, marked and labeled and are in proper condition for transportation according to the applicable regulations of the Department of Transportation. [Signature]

PLACARDS REQUIRED N/A

PLACARDS SUPPLIED YES NO - FURNISHED BY CARRIER
DRIVERS SIGNATURE: _____

SHIPPER: HAYWARD RV STORAGE
PER: [Signature]
DATE: 6-19-97

Where the applicable tariff provisions specify a limitation of the carrier's liability NMFC Item 172, if there is no release or value declaration by the shipper, and the shipper does not declare a value or release the carrier's liability, that liability shall be limited to the extent provided by NMFC Item 172. California intrastate shipments must comply with NMFC Item 173.
CARRIER: ALL CHEMICAL
PER: [Signature]
DATE: 6-19-97

EMERGENCY RESPONSE
TELEPHONE NUMBER: _____

Monitored at all times the Hazardous Material is in transportation including storage incidental to transportation (172.604).

white -env.health
yellow -facility
pink -files

ALAMEDA COUNTY, DEPARTMENT OF ENVIRONMENTAL HEALTH

1131 Harbor Bay Pkwy
Alameda CA 94502
510/567-6700

Hazardous Materials Inspection Form

II, III

Site ID # 6166 Site Name HAYWARD RV, STORAGE Today's Date 6/19/97

Site Address 3636 Depot Road

City Hayward Zip 94545 Phone 785-1854

----- MAX AMT stored > 500 lbs, 55 gal., 200 cft.?

Inspection Categories:

- I. Haz. Mat/Waste GENERATOR/TRANSPORTER
- II. Hazardous Materials Business Plan, Acutely Hazardous Materials
- III. Under ground Storage Tanks

* Calif. Administration Code (CAC) or the Health & Safety Code (HS&C)

Comments:

On site for joint inspection with Nick Chimento of Alameda County Fire Department to observe the removal of 2-500 gallon and 1-1000 gallon former underground storage tanks from the site by All Chem Disposal Co. Pat Johnson of All Chem was in charge. The 3 tanks were inerted with CO₂ prior to this inspection. Gas tech readings were near 1% O₂ and there were no LELs. Dan Wheat actually loaded the tanks onto All Chem's flat bed truck with his forklift since he was more familiar with his equipment. The tanks were strapped and chained to the truck. The tanks were then being taken to Erickson Co. in Richmond under manifest. A copy of the manifest was given to me. A second All Chem truck arrived to haul ~~an~~ empty 55 gallon ~~and~~ 5 gallon and 20 gallon drums to Container Management Services Co. of Hayward. It also picked up a 20 gallon drum of waste paint that will be manifested to Ensco West Co. of Wilmington on their next weekly run. Copies of this manifest and a bill of lading were given to me. I also requested Pat to fax me the final signed copies when he gets them.

Contact Daniel J Wheat
Title Manager
Signature Daniel J Wheat

Inspector Ron Owcarz
Signature Ron Owcarz

II, III

white -env.health
yellow -facility
pink -files

ALAMEDA COUNTY, DEPARTMENT OF ENVIRONMENTAL HEALTH

1131 Harbor Bay Pkwy
Alameda CA 94502
510/567-6700

Hazardous Materials Inspection Form

II, III

Site ID # 6166 Site Name WINDMILL VALLEY SERVICE Today's Date 11/13/77

Site Address 3666 Forest Road

City Fremont Zip 94555 Phone 795-1854

MAX AMT stored > 500 lbs, 55 gal., 200 cft.?

Inspection Categories:

- I. Haz. Mat/Waste GENERATOR/TRANSPORTER
- II. Hazardous Materials Business Plan, Acutely Hazardous Materials
- III. Under ground Storage Tanks

* Calif. Administration Code (CAC) or the Health & Safety Code (HS&C)

Comments:

On site for report generated with work conducted in the area of the Fire Department to observe the removal of 2500 gallon and 55 gallon drums underground storage tanks from the site by a contractor. The contractor had a permit to remove the tanks. The tanks were marked with red tags to the inspector. Gas leak readings were made and there were no leaks. The contractor actually labeled the tanks and placed them on trucks with his pickup. Since he was not familiar with the regulations, the tanks were capped and chained to the trucks. The tanks were then being taken to Erickson Co. in Fremont. A copy of the manifest was given to me and a copy of the manifest was given to the contractor. I also requested that the contractor have a bill of lading done. I also requested that the contractor have a bill of lading done. I also requested that the contractor have a bill of lading done.

Contact Tom J. Johnson
Title Manager
Signature [Signature]

Inspector [Signature]
Signature [Signature]

II, III

Fax Cover Sheet

All Chemical Disposal, Inc. 941-D Berryessa Rd. San Jose, CA 95133 Contractor's License #599864
Phone: (408)453-1660 Fax: (408)453-3087

TO: Ron Owcarz

Company Name: County of Alameda

Fax Number: (510) 337-9335

6/4/97
Called Paul Dommert of All Chem. informed him that we received funds from R.P. I asked Paul to call Ron to schedule tank pull next week when he returns. I told him I think work plan is OK.

From: Colleen Cordeiro

Description: Proposals for Hayward RV Storage

Dear Ron,

As you requested I added the disposal facility and the testing for oxygen on the tank removal proposal. The proposal for the drum removal is also included. Please note the disposal facilities are listed on that proposal as well. Please call me if there is anything further you require.

Thank you,
Colleen

Number of pages (including cover): 6

Date sent: May 28 1997

Time sent: 4:56 pm

The information contained in this fax message is intended only for the personal and confidential use of the designated recipients named above. This message may be attorney-client communication, and as such is privileged and confidential. If the reader of this message is not the intended recipient or an agent responsible for delivering it to the intended recipient, you are hereby notified that you have received this document in error and that any review, dissemination, distribution, or copying of this message is strictly prohibited. If you have received this communication in error, please notify the above sender immediately by telephone and return the original to the sender.

If there are any problems receiving this transmission please call: (408) 453-1660



Contractor's License #599864

All Chemical Disposal, Inc.

941 Berryessa Road, Suite D • San Jose, CA 95133
Tel: 408-453-1660 • Fax: 408-453-3087

May 28, 1997

Daniel Wheat
Hayward RV Storage
3636 Depot Road
Hayward, CA 94545

Proposal/Contract No. 97-116R

Dear Mr. Wheat,

All Chemical Disposal, Inc. is pleased to submit this proposal for your review and approval. All Chemical Disposal, Inc. will provide remediation services including transportation and disposal. An inventory for disposal appears below.

| <u>QTY</u> | <u>UNIT</u> | <u>WASTE PROGRAM</u> | <u>DESCRIPTION</u> |
|------------|-------------|----------------------|-----------------------------------|
| 1 | 20 gal | Incineration | Waste Thinner Solids @ \$175/drum |
| 2 | 5 gal | Recycle | Empty Drums @ \$20/drum |
| 1 | 15 gal | Recycle | Empty Drum @ \$30/drum |
| 1 | 55 gal | Recycle | Empty Drum @ \$50/drum |

The recommended facility for the solids drum is Ensco West, located in Wilmington, CA. This is a fully licensed and permitted facility.

The empty drums will be taken to Western Drum for recycling.

Scope of Work

Scope of work will be the remediation of hazardous waste. Duties included in the remediation will be to assist generator with associated paperwork, including profiling, labeling and manifesting; transportation and disposal of the above materials.

All Chemical Disposal, Inc. will provide, or contract for, suitable transportation to remove the waste material described in the waste profile sheet and haul the waste material to the disposal location selected by the customer.

Disposal prices are estimates based on profile/waste program acceptance and the specified waste disposal programs. In the event the material is not accepted to the disposal site waste program specified, another profile will be submitted to a different program.

Compensation

The estimated cost of the project is indicated below. This project will be billed on a time and materials basis.

| | |
|---------------------------|------------------|
| Labor (1 man for 3 hours) | \$ 165.00 |
| Profile Fee | N/C |
| Disposal | 295.00 |
| Transportation | 100.00 |
| Materials | 35.00 |
| Fees | 24.00 |
| Taxes | 2.71 |
| TOTAL: | \$ 621.71 |

Terms and Conditions

All Chemical Disposal, Inc. will comply with all applicable statutes, rules, regulations and ordinances of the United States and all applicable, state and local regulations in moving, handling and transporting of such waste materials. In the transporting of the waste material, All Chemical Disposal, Inc. is acting as a common carrier and in no other capacity. All Chemical Disposal, Inc. will not accept improperly identified and/or unidentified materials for disposal without performing a hazardous categorization.

CUSTOMER warrants that it holds clear title to all the wastes to be treated, stored and/or disposed of as part of the work. CUSTOMER assumes responsibility, without limitations, as generator for compliance with the Resource Conservation and Recovery Act, 42 USCA, Section 6901, et seq., (hereinafter "RCRA"), the Comprehensive Environmental Response, Compensation and Liability Act, 42 U.S.C. 9601, et seq., (hereinafter "CERCLA") and any federal, state or local statute, ordinance, treaty or regulation that apply to "Generators" or entities responsible for the creation of a hazardous waste or release thereof. Title of all personal protective equipment is transferred to customer prior to use.

CUSTOMER warrants that it is under no temporary or permanent, administrative or court order, injunction, or writ which would prohibit or constrain the transportation, treatment, storage and/or disposal of such wastes by All Chemical Disposal, Inc., in any manner whatsoever.

CUSTOMER shall indemnify, hold harmless and defend All Chemical Disposal, Inc. and its officers, directors, and employees, with counsel to the satisfaction of All Chemical Disposal, Inc. from any and all claim(s), administrative order(s), or cause(s) of action, whether brought or made through litigation or administrative action, or the threat thereof, which derive, in whole or in part, from the acts or omissions of CUSTOMER, including without limitation theories or allegations of liability based upon willful or negligent acts or omissions or strict liability.

CUSTOMER shall select the disposal facility to which the waste shall be taken. CUSTOMER agrees and covenants CUSTOMER alone has selected the place of disposal, and that All Chemical Disposal, Inc. is in no manner responsible for said selection.

Nothing contained within this proposal shall be construed or interpreted as requiring All Chemical Disposal, Inc. to assume the status of "Generator" as that term appears in RCRA, CERCLA, or any federal, state or local statute or ordinance or any treaty governing the generation, treatment, storage, transportation and disposal of waste, such as, without limitation, the Hazardous Waste Control Act and the Carpenter-Presley-Tanner Hazardous Substance Account Act.

In the event a change in the scope of work is negotiated, a corresponding change in the project cost will be negotiated. All Chemical Disposal, Inc. will invoice as each stage of the project is completed.

All invoices offer a 1% discount for payment within 10 days of invoice receipt and are due net (30) days upon credit approval.

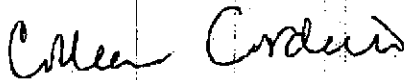
All Chemical Disposal, Inc. reserves the right to add 1 1/2% finance charge per month for past balances due over 30 days.

A company purchase order must be received before work will be scheduled. The pricing in this proposal will be good for 30 days from proposal date.

All Chemical Disposal, Inc. appreciates your confidence in our abilities. If you have any questions or if we can be of further service, please do not hesitate to contact me.

Sincerely,

ALL CHEMICAL DISPOSAL, INC.



COLLEEN CORDEIRO
ACCOUNTS MANAGER

CAC/da

Accepted _____

Dated _____

P.O. # _____

EPA ID # _____

Proposal/Contract #: 97-116



Contractor's License #599864

All Chemical Disposal, Inc.

941 Berryessa Road, Suite D • San Jose, CA 95133
Tel: 408-453-1660 • Fax: 408-453-3087

May 28, 1997

Daniel Wheat
Hayward RV Storage
3636 Depot Road
Hayward, CA 94545

Re: Proposal No. 96-128RR

Dear Mr. Wheat,

All Chemical Disposal, Inc. is pleased to submit this proposal for your review and approval. This proposal is for the removal and disposal of 3 storage tanks. The proposed project site is located at 3636 Depot Road, Hayward. Two of the tanks are 550 gallon and one tank is 1,000 gallon, they are believed to have contained diesel. The tanks were never in the ground at the above listed address.

Scope of Work

The scope of work is based on information provided by the client and/or collected during a site visit. The tanks which are above ground and empty will be properly manifested and disposed of in accordance with all applicable regulatory requirements. The tanks will be loaded by All Chemical Disposal, Inc. using the generator's forklift.

In order to properly inert the tanks, less than one-inch of product should remain in the tanks. In the event fluid remains, the client can authorize All Chemical Disposal, Inc. to coordinate product removal. Any costs associated with product removal will be negotiated prior to commencement.

Permits

All Chemical Disposal, Inc. will obtain the required permits from the appropriate agencies and will coordinate the site inspection requirements. The County of Alameda requires a permit for each tank that will be removed and will have an inspector on site at the time of removal.

EPA Identification Number

The Department of Toxic Substances Control (DTSC) requires the owner/client call the DTSC office at 1-800-618-6942 in order to obtain an EPA Generator's Identification Number. Your EPA Identification Number may be obtained through the DTSC office Monday through Friday, from 8 a.m. to noon and 1 p.m. to 5 p.m.

Tank Removal and Disposal

In order to properly inert the tanks prior to removal, the tanks must contain less than one inch of product. The tanks will then be inerted with carbon dioxide using dry ice. Prior to tank removal, a combustible gasmeter (Gastech) will be used to verify the concentration of organic vapors is less than 10% of the Lower Explosive Limit for the product previously stored in the tanks. **The tanks will be tested to verify less than 10% oxygen concentration.**

Once the tanks has/have met requirements and passes any applicable inspections from local agencies if needed, All Chemical Disposal, Inc. will load the tanks for disposal on a registered waste hauling vehicle and provide shipping documents to client. A certificate of destruction will be sent to client with a signed-off manifest within 30 days of shipment.

After removal, the tanks will be triple rinsed, the rinseate treated and the tanks cut up for recycling at a designated TSDf permitted facility. The tanks will be disposed of at **Erickson, located in 255 Parr Blvd., Richmond.**

Compensation

Compensation for the removal and disposal of the tanks is estimated to be \$3,200. The services included are listed below.

- o Operations
- o Obtain Appropriate Permits/Coordinate Site Inspection
- o Prepare Shipping Documents
- o Final Report if Requested

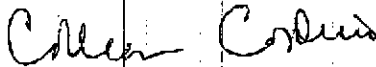
In the event a change in the scope of work is negotiated, a corresponding change in the project cost will be negotiated. All Chemical Disposal, Inc. will invoice as each stage of the project is completed. All invoices offer a 1% discount for payment within 10 days of invoice receipt and are due net (30) days upon credit approval. All Chemical Disposal, Inc. reserves the right to add 1 1/2% finance charge per month for past balances due over 30 days.

A company purchase order must be received before work will be scheduled. The pricing in this proposal will be good for 30 days from proposal date.

All Chemical Disposal, Inc. appreciates your confidence in our abilities. If you have any questions or if we can be of further service, please do not hesitate to contact me.

Sincerely,

ALL CHEMICAL DISPOSAL, INC.



COLLEEN CORDEIRO
ACCOUNTS MANAGER

CAC/cia

Accepted _____

Dated _____

P.O. # _____

PROPOSAL 97-128RR

ALAMEDA COUNTY HAZARDOUS MATERIALS DIVISION
 DEPOSIT / REFUND ACCOUNT SHEET

printed 10/08/97

SITE INFORMATION

Hayward R V Storage
 3636 Depot Rd
 Hayward 94545
 Site Contact:
 Site Phone :

| |
|-------------------------|
| StID: 6166 Site#: 5587 |
| PROJECT#: 5587A |
| PROJECT TYPE: *** M *** |
| INSP: Ron Owcarz |
| ACCT. SHEET PG #: _____ |

PROPERTY OWNER INFORMATION

Owner Contact:
 Owner Phone :

PAYOR INFORMATION

E & J Auto Wreckers
 2851 W Winton Ave
 Hayward CA 94545 #1046
 Payor Contact:
 Payor Phone : 785-7244

| Date | Action Taken | Time | | Hours | Hour | Money | Money |
|----------|---|-------|-------|------------------|--------|--------------------|----------|
| | | In | Out | Spent/ Depstd | Balnce | Spent/ Depositd | Balance |
| 06/02/97 | Rcpt# 795687 Deposit of \$940.00 @ \$94/hour | | | +10. | +10. | \$940.00 | \$940.00 |
| 06/02/97 | Admin. Charge: 1 hour | | | 1.00 | 9. | 94.00 | \$846.00 |
| | | | | | | | |
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UPON COMPLETION OF PROJECT

PROJ COMPLETED BY : _____ ATTACH: State Forms A, B & C
 Billing Adjustment*
 DATE OF COMPLETION : _____ DATE SENT TO BILLING: _____
 TOTAL COST OF PROJECT: _____ REFUND AMOUNT: _____ Rev. 7/96

* Billing adjustment forms needed when site is in our UST program. REPORT: WrkShtA (Admin)

Listing of HAZMAT - DEPREP SITE HISTORY since 1990 for StID # 6166
as of 10/08/97 only Activity Codes in 40's & 70's

SITE NAME & ADDRESS:

Hayward RV Storage -- 3636 Depot Rd , Hayward CA 94545

| InspDat | Insp Act | InspT | StID | Proj# | COMMENTS | DailBDat |
|---------|----------|-------|-------|-------|----------|----------|
| ===== | ==== | == | ===== | ==== | ===== | ===== |

Archived Dailies:

Current Dailies:

NO WORK FOR THIS SITE IS IN CURRENT DAILIES:

Complete

LANFERMAN, FISHER & HASHIMOTO

ATTORNEYS AT LAW

April 16, 1997

VIA FACSIMILE

(510) 337-9335

Ronald J. Owcarz, REHS
Hazardous Materials Specialist
Environmental Health Services
ALAMEDA COUNTY HEALTH CARE SERVICES
1131 Harbor Bay Parkway, Suite 250
Alameda, CA 94502-6577

**Re: ACHCS Notice of Violation
Health and Safety Code Sections 25189.5 and 25185.6
Hayward R.V. Storage, 3636 Depot Road, Hayward, CA 94545**

Dear Mr. Owcarz:

Please find enclosed copies of the following documents:

- Proposed plan of work from ALL CHEM DISPOSAL, INC. dated 4/11/97;
- Proposed plan of work from ALL CHEM DISPOSAL, INC. dated 2/21/97;
- Proposed plan of work from J.P. Cummings dated 4/10/98

Please review these and let us know if this will be satisfactory. We look forward to working with you to have this site cleared. Thank you.

Very truly yours,

LANFERMAN, FISHER & HASHIMOTO

David P. Lanferman
DAVID P. LANFERMAN

DPL\smm
Enclosures

cc: Daniel Wheat
Bob Chambers, Alameda County District Attorney's Office

F:\client\wheat\aches\corresp\ro041697.ltr
970416/1541

97 APR 18 PM 1:49
ENVIRONMENTAL
PROTECTION
DIVISION

California Hazardous Materials Inventory Reporting Form - Business Owner/Operator Identification Page

CALENDAR YEAR BEGINNING (1) 1997 ENDING (2) 1998 (3) PAGE 1 OF 2

BUSINESS NAME (4) Hayward R.V Storage BUSINESS PHONE: (5) (510) 785-1854

SITE ADDRESS (6) 3636 Depot Rd

CITY (7) Hayward STATE (8) CA ZIP (9) 94545

DUN & BRADSTREET (10) _____ SIC CODE (4 DIGIT #)(11) _____

OPERATOR NAME (12) Daniel Wheat OPERATOR PHONE (13) (510) 732-6736

OWNER INFORMATION

OWNER NAME (14) Patsy R. Wheat OWNER PHONE (15) (510) 786-3175

OWNER MAILING ADDRESS (16) 3636 Depot Rd

CITY (17) Hayward STATE (18) CA ZIP (19) 94545

ENVIRONMENTAL CONTACT

CONTACT NAME (20) Daniel Wheat CONTACT PHONE (21) (510) 785-1854

MAILING ADDRESS (22) 3636 Depot Rd

CITY (23) Hayward STATE (24) CA ZIP (25) 94545

EMERGENCY CONTACTS

| Primary | Secondary |
|--|----------------------------|
| NAME: (26) <u>Daniel Wheat</u> | NAME: (31) _____ |
| TITLE: (27) <u>Operator</u> | TITLE: (32) _____ |
| BUSINESS PHONE: (28) <u>(510) 785-1854</u> | BUSINESS PHONE: (33) _____ |
| 24-HOUR PHONE: (29) <u>(510) 732-6736</u> | 24-HOUR PHONE: (34) _____ |
| PAGER #: (30) _____ | PAGER #: (35) _____ |

ACUTELY HAZARDOUS MATERIALS (AHM)

ON SITE AHM (36) Yes No If yes, and above Threshold Planning Quantities, attach a sheet of paper with a general description of the process and principal equipment.

ADDITIONAL LOCALLY COLLECTED INFORMATION

(37)

Certification: I certify under penalty of law that I have personally examined and am familiar with the information submitted in this inventory and believe the information is true, accurate, and complete.

Print Name of Document Preparer (38) Daniel wheat

Signature of Owner/Operator (39) Daniel Wheat Date (40) 4-8-97

Appendix C

California Hazardous Materials Inventory Reporting Form - Chemical Description Page

(1) ADD DELETE REVISE

PAGE (2)

2

OF (3)

2

BUSINESS NAME (4) Hayward R.V. Storage
 CHEMICAL LOCATION (5) Outside Map 1 Location C
 MAP # (6) 1 GRID# (7)

CHEMICAL NAME (8) Paraffinic Hydrocarbon TRADE SECRET (11) Y N

COMMON NAME (9) Propane EHS (12) Y N

CAS# (10)

IF EHS BOX IS "Y"
ALL AMOUNTS MUST BE IN LBS

FIRE CODE HAZARD CLASSES (13) Reactivity 0, Fire 4, Health 1

COMPLETE BLOCK (13) IF REQUESTED BY THE LOCAL FIRE CHIEF - REFER TO INSTRUCTIONS.

TYPE (14) PURE MIXTURE WASTE RADIOACTIVE (15) Y N (16)

PHYSICAL STATE (17) SOLID LIQUID GAS CURIES

FED HAZARD (18) FIRE REACTIVE PRESSURE RELEASE ACUTE HEALTH CHRONIC HEALTH

STATE WASTE CODE (19) UN1075 UNITS (22) GAL CU FT LBS TONS MAX DAILY AMT (23) 40,250

DAYS ON SITE (20) 365 If EHS, amounts must be in lbs. AVG DAILY AMT (24)

LARGEST CONTAINER (21) 40250 ANNUAL WASTE AMT (25) 0

STORAGE CONTAINER (26) ABOVE GROUND TANK CAN BOX TANK WAGON
 UNDER GROUND TANK CARBOY CYLINDER RAIL CAR
 TANK INSIDE BUILDING SILO GLASS BOTTLE _____
 STEEL DRUM FIBER DRUM PLASTIC BOTTLE
 PLASTIC/NONMETALLIC DRUM BAG TOTE BIN

STORAGE PRESSURE (27) AMBIENT ABOVE AMBIENT BELOW AMBIENT

STORAGE TEMPERATURE (28) AMBIENT ABOVE AMBIENT BELOW AMBIENT CRYOGENIC

| (29) %WT | (30) HAZARDOUS COMPONENT | (31) EHS | (32) CAS# |
|-------------------|--------------------------|--|-----------------|
| 1 <u>0-5.0</u> | <u>Ethane</u> | <input type="checkbox"/> Y <input checked="" type="checkbox"/> N | <u>74-84-0</u> |
| 2 <u>87.5-100</u> | <u>Propane</u> | <input type="checkbox"/> Y <input checked="" type="checkbox"/> N | <u>74-98-6</u> |
| 3 <u>0-5.0</u> | <u>Propylene</u> | <input type="checkbox"/> Y <input checked="" type="checkbox"/> N | <u>115-07-1</u> |
| 4 <u>0-2.5</u> | <u>Butanes</u> | <input type="checkbox"/> Y <input checked="" type="checkbox"/> N | <u>Various</u> |
| 5 <u>0-50ppm</u> | <u>Ethyl Mercaptan</u> | <input type="checkbox"/> Y <input checked="" type="checkbox"/> N | <u>75-08-01</u> |

(33) ADDITIONAL LOCALLY COLLECTED INFORMATION

MAP 1

Business: Hayward R.V. Storage
3636 Depot Rd
Hayward CA
94545

EMPTY
LOT

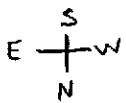
XTRA
LEASE

930 FT

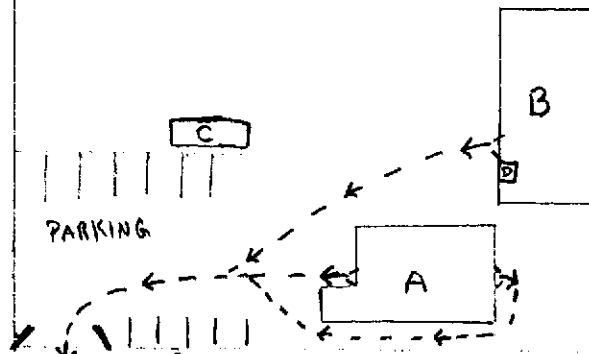
Vehicle
Storage

816 FT

- A = OFFICE
- B = Indoor Storage
- C = Propane Tank
- D = Response Equipment
- / \ Entrance, Exit
- ← --- Evacuation Route



1" = 93ft



190 FT

Depot Rd

Appendix J

Emergency Response Plan and Training

(check all that apply)

(Note: This form is simply a summary of your plan. The plan is a separate document with additional detail where necessary.)

Emergency Response Training

◆ All employees are trained in the following procedures as appropriate:

- 1) ___ Internal emergency alarm notification.
- 2) Immediate notification to Alameda County Department of Environmental Health, State Office of Emergency Services and other emergency response agencies.
- 3) ___ Review of the emergency response plan.
- 4) Evacuation procedures.
- 5) ___ Procedures for the mitigation of a release or threatened release.

◆ Hazardous Materials/Waste handlers are additionally trained in the following:

- 6) Safe method for handling and storage of hazardous materials.
- 7) ___ Proper use of personal protection equipment.
- 8) ___ Locations and proper use of fire and spill control equipment.
- 9) Specific hazards of each chemical to which they may be exposed, including the pathways of exposure (i.e. skin absorption, inhalation, ingestion)

◆ Emergency response team members are additionally trained in the following procedures and will act as a liaison to the Fire Department:

- 10) ___ Personnel rescue procedures.
- 11) ___ Shutdown of operations.
- 12) ___ Use, maintenance, and replacement of emergency response equipment.
- 13) ___ Emergency response drills.
- 14) ___ Refresher training is provided at least annually.

◆ The following training records are maintained for each employee

- 15) ___ Verification of date that training was completed.
- 16) ___ Description of introductory and continuing training appropriate for each employee.
- 17) ___ Employee's training records are retained at least three years.
- 18) ___ Description and documentation of facility emergency response drills.

◆ Other

- 19) ___ Procedure to be used in the event of a spill from an underground tank.
- 20) ___ Areas and systems in the facility which are earthquake sensitive have been identified and inspection procedures are established for these areas.

Your Emergency Response Training Plan MUST be on site available for review by Alameda County Department of Environmental Health.

Emergency Notifications: for spills or leaks of hazardous materials or hazardous wastes

29) Fire/Police/Ambulance: 911
Alameda County Department of Environmental Health
M-F 8:30-5pm (510) 567-6700
nights/weekends (510) 667-7721

30) CA Office of Emergency Services (800) 852-7550 or (916) 262-1621

31) Other Agencies

Name: Department of Toxic Substances Control Phone: (510) 540-2122

Name: _____ Phone: _____

32) Medical Facility Medical Express

Street Address 22429 Hesperian Blvd

City Hayward State CA Zip Code 94544

Phone (510) 782-7111

Certification: I hereby certify, under penalty of perjury, that the information contained in this Hazardous Materials Business Plan is, to the best of my knowledge, true and correct. I understand that I may be required to show proof of compliance during any facility inspection conducted by local, County State, or Federal authorities.

Print Name: Daniel Wheat Title: Operator

Authorized Signature: Daniel Wheat Date: 4-8-97

TRANSMIT REPORT

1997.03-19 10:58
510 337 9335
ALAMEDA CO EHS HAZ-OPS

| COM No. | REMOTE STATION | START TIME | DURATION | PAGES | RESULT | USER ID | REMARKS |
|---------|------------------------------|----------------------------|------------------|----------------|------------|---------|---------|
| 233 | 510 293 5108 510 293 5108 | 03-19 10:47 03-19 10:50 | 00' 32 07' 38 | 00/04 04/04 | T208 OK | | |

7499402045

**ALAMEDA COUNTY ENVIRONMENTAL
HEALTH SERVICES**

ENVIRONMENTAL PROTECTION DIVISION
1131 Harbor Bay Parkway, Suite 250
Alameda, CA 94502-6577
Telephone (510) 667-6700 Fax (510) 337-9335

FAX COVER SHEET

DATE: 3/19 1997

TO: Jeanette Peck

FAX # (510) 293-5108

Total number of pages including cover sheet 4

FROM: Ron Owczarz

567-6742

NOTE:

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



Certified Mailer # Z 296 048 332

March 19, 1997

Ms. Michyle LaPedis
Langerman, Fisher & Hashimoto
3100 Mowry Avenue, Suite 300
Fremont, CA 94538-1509

ENVIRONMENTAL HEALTH SERVICES
ENVIRONMENTAL PROTECTION (LOP)
1131 Harbor Bay Parkway, Suite 250
Alameda, CA 94502-6577
(510) 567-6700
FAX (510) 337-9335

Re: Hayward R.V. Storage, 3636 Depot Road, Hayward, CA 94545

Dear Ms. LaPedis:

The Alameda County Environmental Health Department has received your letters dated February 27 and March 12, 1997 on behalf of your clients Daniel and Patsy Wheat, regarding the above referenced property.

Storage tank and container removal

In order to remove the three tanks currently stored on site, an underground tank removal permit is required by the Alameda County Fire Department. The contact person for this is Lieutenant Edward Ladani. His phone number is (510) 670-5853. His office is located at 22341 Redwood Road in Castro Valley, CA 94546. He informed me that he wanted to be present when the tanks are actually removed from the site.

Several attempts by this department to obtain written permission from Mr. Merrill Brown to dispose of these tanks which he left at the above referenced site have failed. Therefore, this department will authorize your clients to remove them in the absence of any cooperation from him.

I reviewed the proposals submitted by All Chemical Disposal Company and have the following concerns and conditions:

1. Any remaining fluid in the tanks must be evacuated prior to shipment and be disposed of as hazardous waste prior to the tank removal. Specify the hazardous waste hauler and the designated transfer, storage and disposal permitted facility for this and for the tanks and the drum containing waste thinner solids.
2. After inerting the tanks, there must be less than 10% oxygen remaining as tested with a calibrated combustible gas indicator.

Mrs. Michyle LaPedis
March 19, 1997
page 2 of 3

3. Verify who will actually load the tanks onto a registered hazardous waste hauling vehicle.
4. All three tanks and the drum containing waste thinner solids must be transported under manifest as hazardous waste. Copies of the manifests must be submitted to this office within 30 days.

This work plan is hereby approved upon receipt of written acknowledgement of each of the above issues.

Site Cleanup

I have enclosed a copy of the laboratory results from the soil sample collected on the site on February 13, 1997. The results indicate a Total Oil and Grease (TOG) content of 1.6% or 16,000 parts per million. There is concern that levels of TOG, metals or other contaminants would exceed hazardous waste regulatory criteria specified in Section 66261.20 of Title 22, California Code of Regulations. You are therefore required to either perform analysis as per the above criteria to indicate that contamination noted is not hazardous waste or to perform a soil cleanup. **Submit a plan of correction to this office within 30 days addressing this soil contamination.** You are required to have soil confirmation samples taken beneath the affected area to indicate that all soil contamination has been removed. Please refer to the work plan requirements listed on page 2 of my Notice of Violation letter dated October 22, 1996.

In addition to your work plan, please remit a deposit/refund check of \$940.00 made payable to the Alameda County Environmental Health Department to cover the costs of the remediation review. This deposit is authorized by Section 3-14.5 of the Ordinance Code of Alameda County. You will be billed at a rate of \$94.00 per hour. Upon completion of the project, any remaining balance will be returned to you.

Hazardous Materials Business Plan

I reviewed the Hazardous Materials Business Plan (HMBP) that was received on February 13, 1997. The site plan needs to be enlarged to show the locations of the emergency response equipment, evacuation routes of the buildings on site and assembly area. The buildings need to be identified on the same site map. The location of the propane tank also needs to be referenced on Appendix C.

Ms. Michyle LaPedis
 March 19, 1997
 page 3 of 3

I have enclosed a new blank HMBP form that you can use to revise your previous submittal as needed and return to this office within 30 days.

If you have any questions on this matter, please contact me at (510) 567-6742.

Sincerely,

Ronald J. Owcars
 Ronald J. Owcars, ~~PHS~~
 Hazardous Materials Specialist

Enclosures

- c: Bob Chambers, Alameda County District Attorney's Office
 Edward Ladani, Alameda County Fire Department
 Hugh Murphy, Hayward Fire Department
 Jeanette Peck, Hayward Planning Department
 Patsy Wheat, property owner
 Daniel Wheat, business owner
 Merrill Brown
 Amy Leach, LOP
 Gordon Coleman - file

Z 296 048 332



Receipt for Certified Mail

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

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, 4a, and 4b.
- 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.

*R.O.**

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

- Addressee's Address
- Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:
Ms. Michyle LaPedis
Langerman, Fisher & Hashimoto
3100 Mowry Avenue, Suite 300
Fremont, CA 94538-1509

4a. Article Number
Z 296 048 332

4b. Service Type
 Registered Certified
 Express Mail Insured
 Return Receipt for Merchandise COD

7. Date of Delivery

5. Received By: (Print Name)
Ms. Douglas

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

6. Signature: (Addressee or Agent)
 Ms. Douglas

Thank you for using Return Receipt Service.

| | |
|---|----------------|
| Sent to Ms. Michyle LaPedis | |
| Langerman, Fisher & Hashimoto | |
| 3100 Mowry Ave., Ste 300 | |
| E.O., State and ZIP Code Fremont, CA 94538-1509 | |
| Postage | R.O. \$ |
| 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 | |

LANFERNAN, FISHER & HASHIMOTO

ATTORNEYS AT LAW

March 12, 1997

VIA FACSIMILE
(510) 337-9335

Paul Smith
Senior Hazardous Material Specialist
Environmental Health Services
ALAMEDA COUNTY HEALTH
CARE SERVICES
1131 Harbor Bay Parkway, Suite 250
Alameda, CA 94502-6577

VIA FACSIMILE
(510) 337-9335

Ronald J. Owcarz, REHS
Hazardous Materials Specialist
Environmental Health Services
ALAMEDA COUNTY HEALTH
CARE SERVICES
1131 Harbor Bay Parkway, Suite 250
Alameda, CA 94502-6577

Re: Hayward R.V. Storage, 3636 Depot Road, Hayward, CA 94545

Dear Messrs. Smith and Owcarz:

This will follow up my telephone discussion with Mr. Owcarz on March 5th regarding matters raised in my February 27th letter.

In that letter, I conveyed our concerns about the need to resolve the tank ownership issues prior to disposal, due to the disposal company's requirement that Hayward R.V. Storage "warrants that it holds clear title to all the wastes to be treated, stored and/or disposed of as part of the work." As you know, our numerous attempts over the past six months to contact the owner, Merrill Brown, had been unsuccessful.

We therefore sought confirmation from ACHCS that we are under Order from ACHCS to do so, and our failure to do so would lead to criminal prosecution. We asked that ACHCS notify us if it did not agree that we are under such order and threat of prosecution, and/or that it has not given us the authority to dispose of these items.

As an alternative, Mr. Owcarz stated that he would contact Mr. Brown and have him come out to the site, presumably to provide his written authorization regarding removal. Later that day, Mr. Owcarz notified me that he had spoken with Mr. Brown, who would be out at the site the next afternoon (Thursday, March 6th) to speak with the Wheats.

Mr. Brown never showed up that day, nor has he returned my client's calls. In order to proceed with the disposal, we will need to either (1) obtain Mr. Brown's written permission to dispose of the tanks; or (2) receive confirmation in writing from ACHCS that it authorizes Hayward R.V. Storage to dispose of the tanks, notwithstanding the fact that Hayward R.V. Storage is not the owner. Since we have made every reasonable effort

Paul Smith
Senior Hazardous Material Specialist
Ronald J. Owcarz, REHS
Hazardous Materials Specialist
March 12, 1997
Page 2

to obtain Mr. Brown's permission, there is nothing further we can do without ACHCS's authorization.


Mr. Owcarz and I also discussed the fact that All Chem had been told by the County that a permit would not be required. Mr. Owcarz stated that a permit was necessary, and that he would talk to the appropriate person at the County, inform them as to the nature of this matter, and provide us with the name of the County contact, so that we may pass it on to All Chem.

Mr. Owcarz raised some general issues with regard to the H.M.B.P. previously submitted by Hayward R.V. Storage, and the February 25th test results (which we were not provided until March 5th). I requested that ACHCS specifically state in writing what it is asking that Hayward R.V. Storage do in that regard, and Mr. Owcarz has agreed to provide that correspondence.

As I confirmed in my discussion with Mr. Owcarz, we will be awaiting his correspondence, and are not to take any further actions until that time. Accordingly, it is our understanding that nothing further is required of Hayward R.V. Storage at this point, and no deadlines are running, until we receive Mr. Owcarz's correspondence regarding what is needed. Please let us know if there is any other information which we have not received.

Very truly yours,

LANFERMAN, FISHER & HASHIMOTO



MICHYLE A. LaPEDIS

MAL\lm

cc: Daniel Wheat
Bob Chambers, Alameda County District Attorney's Office

| COM No. | REMOTE STATION | START TIME | DURATION | PAGES | RESULT | USER ID | REMARKS |
|---------|----------------|-------------|----------|-------|--------|---------|---------|
| 079 | 510 494 5510 | 03-05 17:15 | 01' 14 | 05/05 | OK | | |

7499402046

**ALAMEDA COUNTY ENVIRONMENTAL
 HEALTH SERVICES**

**ENVIRONMENTAL PROTECTION DIVISION
 1131 Harbor Bay Parkway, Suite 250
 Alameda, CA 94502-6577
 Telephone (510) 667-6700 Fax (510) 337-9335**

FAX COVER SHEET

DATE: 3/5, 1997

TO: Michèle LaRedit

FAX # (510) 494-5500

Total number of pages including cover sheet 5

FROM: Ron Oweasz

NOTE:

PLEASE RESPOND BY FAX ONLY

**ALAMEDA COUNTY ENVIRONMENTAL
HEALTH SERVICES**

**ENVIRONMENTAL PROTECTION DIVISION
1131 Harbor Bay Parkway, Suite 250
Alameda, CA 94502-6577
Telephone (510) 667-6700 Fax (510) 337-9335**

FAX COVER SHEET

DATE: 3/5, 1997

TO: Michyle LaPatis

FAX # (510) 494-5500

Total number of pages including cover sheet 5

FROM: Ron Owcaasz

NOTE:

PLEASE RESPOND BY FAX ONLY.

(SMILE) HAVE A NICE DAY
DO SOMETHING FOR OUR ENVIRONMENT

LANFERMAN, FISHER & HASHIMOTO

ATTORNEYS AT LAW
ENVIRONMENTAL
February 27, 1997
TELEPHONE

97 FEB 32 AM 8: 54

VIA FACSIMILE
(510) 337-9335

Paul Smith
Senior Hazardous Material Specialist
Environmental Health Services
ALAMEDA COUNTY HEALTH
CARE SERVICES
1131 Harbor Bay Parkway, Suite 250
Alameda, CA 94502-6577

VIA FACSIMILE
(510) 337-9335

Ronald J. Owcarz, REHS
Hazardous Materials Specialist
Environmental Health Services
ALAMEDA COUNTY HEALTH
CARE SERVICES
1131 Harbor Bay Parkway, Suite 250
Alameda, CA 94502-6577

Re: Hayward R.V. Storage, 3636 Depot Road, Hayward, CA 94545

Dear Messrs. Smith and Owcarz:

This is to follow up our telephone discussion of February 14th regarding various issues raised by ACHCS regarding the Hayward R.V. Storage property.

Enclosed for your review are two proposals from All Chemical Disposal, Inc for handling the disposal of the tanks and drums at the site. Due to the unusual nature of these tanks (i.e., not being removed from underground at this site), the County has not stated that a permit is required. Please notify me if you have a different understanding.

Our concern about the ownership of these items was raised with you at the beginning of this process. As you know, the tanks and drums are technically the property of Merrill Brown, who has stored them on Hayward R.V. Storage property. However, All Chem is requiring that Hayward R.V. Storage "warrants that it holds clear title to all the wastes to be treated, stored and/or disposed of as part of the work."

We have not been able to contact Mr. Brown, despite attempts for the past few months or more. We are proceeding with the disposal of the tanks and drums based upon our understanding that we are under Order from ACHCS to do so, and our failure to do so would lead to criminal prosecution. If ACHCS does not agree that we are under such order and threat of prosecution, and/or that it has not given us the authority to dispose of these items, please notify us immediately.

ACHCS has asked that we attempt to find out the origin of the underground tanks. As noted above, despite Mr. Wheat's good faith efforts to contact Mr. Brown, he has not been able to do so. Therefore, are not able to provide ACHCS with any further information as to the tanks' origins.

Paul Smith
Senior Hazardous Material Specialist
Ronald J. Owcarz, REHS
Hazardous Materials Specialist
February 27, 1997
Page 2

This will also confirm that ACHCS has now located the H.M.B.P. previously submitted by Hayward R.V. Storage, and that no further action is required by Mr. Wheat on that matter.

Finally, we understand that the soil samples were expected to be available at the end of last week. Please fax us the results, so that we may promptly determine whether the split sample should be tested.

I believe that this letter addresses all of the issues raised in our discussions to date. Please notify me immediately if there is anything further that is required to be done at this time.

Very truly yours,

LANFERMAN, FISHER & HASHIMOTO



MICHYLE A. LaPEDIS

MAL\lm
Enclosures

cc: Daniel Wheat
Bob Chambers, Alameda County District Attorney's Office

f:\client\wheat\achcs\corresp\ps022797.ltr
970227/1454

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



MEE LING TUNG, Director

ENVIRONMENTAL HEALTH SERVICES
ENVIRONMENTAL HEALTH LABORATORY
1131 Harbor Bay Parkway Suite 153
Alameda, CA 94502-6577
TEL (510) 567-6814
FAX (510) 337-9134

ALAMEDA COUNTY ENVIRONMENTAL HEALTH LABORATORY

Certification No. 1816

Laboratory No: 97-008

Sample Identification: Hayward RV Storage, 3636 Depot Road, Hayward,
CA 94545

Analysis Requested By: Ron Owcarz

Date Collected: 2/13/97

Collected By: Ron Owcarz

Date Received: 2/13/97

Received By: D. Wong

Analysis Requested: TPH-gasoline, TPH-diesel, and Total Oil & Grease.

Background Information: 1 soil sample from the above location.

ANALYTICAL RESULTS

| <u>Parameter</u> | <u>Observation or Results</u> |
|------------------|-------------------------------|
|------------------|-------------------------------|

See Attached Sheets

Conclusion: Total oil and grease content is 1.6%. No gasoline or
diesel detected.

Date Analysis Completed: 2/25/97

Chemist: N. Leung

Approved: *D.W.*

Distribution: Ron Owcarz, Jun Makishima.

LABORATORY NUMBER: 97-008
SAMPLE NUMBER: RO213971A
LOCATION: HAYWARD RV STORAGE
3636 DEPOT ROAD
HAYWARD, CA 94545

DATE SAMPLED: 2/13/97
DATE RECEIVED: 2/13/97
DATE REPORTED: 2/25/97

=====
ANALYSIS: TPH-GASOLINE
ANALYSIS METHOD: DOHS
=====

| LAB ID | SAMPLE ID | TPH-GASOLINE ppm (mg/L) |
|--------|-----------|----------------------------|
| 97-008 | RO213971A | ND (3.5) |

ND=NOT DETECTED AT OR ABOVE THE DETECTION LIMIT.
(DETECTION LIMIT INDICATED IN PARENTHESIS)

QA/QC SUMMARY

=====
RPD % 3
RECOVERY% 91
=====

LABORATORY NUMBER: 97-008
SAMPLE NUMBER: RO213971A
LOCATION: HAYWARD RV STORAGE
3636 DEPOT ROAD
HAYWARD, CA 94545

DATE SAMPLED: 2/13/97
DATE RECEIVED: 2/13/97
DATE REPORTED: 2/25/97

=====
ANALYSIS: TPH-DIESEL
ANALYSIS METHOD: DOHS
=====

| LAB ID | SAMPLE ID | TPH-DIESEL ppm (mg/L) |
|--------|-----------|--------------------------|
| 97-008 | RO213971A | ND (76) |

ND=NOT DETECTED AT OR ABOVE THE DETECTION LIMIT.
(DETECTION LIMIT INDICATED IN PARENTHESIS)

QA/QC SUMMARY

=====
RPD % 0
RECOVERY% 99
=====

LABORATORY NUMBER: 97-008
SAMPLE NUMBER: RO213971A
LOCATION: HAYWARD RV STORAGE
3636 DEPOT ROAD
HAYWARD, CA 94545

DATE SAMPLED: 2/13/97
DATE RECEIVED: 2/13/97
DATE REPORTED: 2/25/97

=====
ANALYSIS: TOTAL OIL & GREASE
ANALYSIS METHOD: 5520 B. PARTITION-GRAVIMETRIC METHOD
=====

| LAB ID | SAMPLE ID | TOTAL OIL & GREASE |
|--------|-----------|--------------------|
| 97-008 | RO213971A | 1.6% |

QA/QC SUMMARY

=====
RPD % 1
RECOVERY% 115
=====

HAZARDOUS WASTE GENERATOR INSPECTION REPORT

STID #: 6166 FACILITY NAME: HAYWARD AV, STORAGE PG. 1 OF 1

SUPPLEMENTAL FORM
I visited the site to take a soil sample of contamination and give a split to Michyle LaPedis an attorney representing the property owner Mrs. William Wheat. I met Michyle and Dan Wheat at 10:25 am and drove to the site of contamination in the back of the lot. However, Dan had previously moved the 3 tanks to the front of the lot on a concrete driveway. He showed me where the ~~contaminated~~ ^{leaking tank} ~~soil~~ was previously located, but there was no staining or evidence of contaminated soil remaining. After ~~scraping~~ briefly surveying the area around this, I ~~scraped~~ scraped the surface, and took 2-4oz soil samples and gave a split sample to Michyle LaPedis. The soil was very dry, ~~and~~ rocky and light brown in color. I gave a chain of custody form to Michyle and took 2 Polaroid photos of the samples and location. I observed the 3 tanks and 3 drums of waste (some empty) in front and took photos of these. I requested to take a sample of liquid from the one 500 gallon tank that previously leaked and caused the soil contamination, but Michyle would not let me. I looked inside a vent hole and saw liquid at the bottom - it smelled like diesel.

PRINT NAME: _____ INSPECTED BY: Ren Owcary
SIGNATURE: _____ DATE: 2/13/97



2/13/97



white - lab
 yellow - insp. file
 pink - fac. file

ALAMEDA COUNTY HEALTH CARE SERVICES AGENCY
 DIVISION OF HAZARDOUS MATERIALS
 80 SWAN WAY, ROOM 200
 OAKLAND, CA 94621
 (415) 271-4320

LABORATORY SERVICE REQUEST

SITENAME HAYWARD RV STORAGE
 ADDRESS 3636 Depot Road Hayward, CA 94545
 SAMPLE SUBMITTED TO: _____
 DATE SUBMITTED _____
 SEND INVOICE TO: _____

SEND ANALYTICAL REPORT TO ABOVE OR:

ATTN: _____

_____ RUSH = ABOUT 1 WEEK TURNAROUND
 _____ ROUTINE = ABOUT 2 WEEKS TURN-AROUND

| SAMPLE NO. | DATE/TIME COLLECTED | TYPE OF MATERIAL (WATER, SOIL OR MATRIX) | VOLUME/WEIGHT | FIELD OBSERVATION | ANALYSIS REQUESTED |
|------------|---------------------|--|---------------|-------------------|--------------------|
| R213971B | 2/13/97 10:45 AM | Soil | 4oz | - | |
| | | | | | |
| | | | | | |
| | | | | | |
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| | | | | | |
| | | | | | |

Chain of Custody:

1. Ron Owens Signature Har Mat Specialist Title 2/13/97-2/19/97 Inclusive Dates
2. Michele Holden Signature Attorney Title 2/13/97- Inclusive Dates
3. _____ Signature _____ Title _____ Inclusive Dates

LANFERMAN, FISHER & HASHIMOTO
ATTORNEYS AT LAW

Fax Transmission

To: PAUL SMITH
Company: ACHCS - Environmental Health Services
Fax #: 337-9335

From: Michyle A. LaPedis
Date: February 12, 1997

You should receive 12 page(s) including this one.
If you do not receive all pages, please call 510/494-5500; FAX 510/494-5510

THE INFORMATION CONTAINED IN THIS FACSIMILE IS CONFIDENTIAL AND IS INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY TO WHICH IT IS ADDRESSED. IF YOU ARE NOT THE INTENDED RECIPIENT, OR THE PERSON RESPONSIBLE FOR DELIVERING IT TO THE INTENDED RECIPIENT, DO NOT USE OR DISCLOSE THIS FACSIMILE. IF YOU HAVE RECEIVED THIS FACSIMILE IN ERROR, PLEASE IMMEDIATELY NOTIFY US BY TELEPHONE AND RETURN THE ORIGINAL TO LANFERMAN, FISHER & HASHIMOTO VIA THE U.S. POSTAL SERVICE. THANK YOU.

REGARDING: Hayward R.V. Storage, 3636 Depot Road, Hayward, CA 94545

- ENCLOSURES:**
- (1) Ms. LaPedis' letter to you of today's date;
 - (2) Copy of the H.M.B.P. dated 9/25/96
 - (3) Copy of the 11/1/96 billing for Account No. LB1517
 - (4) February 7, 1997 statement of Richard Berryman
 - (5) October 3, 1996 Manifest from Evergreen Environmental Services

Message: PLEASE DELIVER IMMEDIATELY. THANK YOU.

LANFERMAN, FISHER & HASHIMOTO

ATTORNEYS AT LAW

February 12, 1997

VIA FACSIMILE
(510) 337-9335**Paul Smith**
Senior Hazardous Material Specialist
Environmental Health Services
ALAMEDA COUNTY HEALTH
CARE SERVICES
1131 Harbor Bay Parkway, Suite 250
Alameda, CA 94502-6577**VIA FACSIMILE**
(510) 337-9335**Ronald J. Owcarz, REHS**
Hazardous Materials Specialist
Environmental Health Services
ALAMEDA COUNTY HEALTH
CARE SERVICES
1131 Harbor Bay Parkway, Suite 250
Alameda, CA 94502-6577**Re: Hayward R.V. Storage, 3636 Depot Road, Hayward, CA 94545**

Dear Messrs. Smith and Owcarz:

This is to follow up my telephone discussions with Mr. Smith on Friday, February 7th and with Mr. Owcarz on Monday, February 10th, regarding the Hazardous Materials Business Plans submitted by Hayward R.V. Storage.

The first H.M.B.P. was submitted by Hayward R.V. Storage on September 25, 1996, and was mailed to ACHCS in the self-addressed envelope that ACHCS included with the form. The envelope presumably had the same address as is indicated at the top of the first three pages of the old form H.M.B.P., i.e. Alameda County Department of Environmental Health, Hazardous Materials Division, 1131 Harbor Bay Pkwy., Room 250, Alameda, CA 94502-6577.

Mr. Owcarz stated that he could not locate the H.M.B.P. we submitted last Fall. Enclosed is another copy for easy reference. Also enclosed is a copy of the ACHCS bill dated November 1, 1996. This bill apparently was sent in response to the submittal of the September 25th report, since the bill references information provided therein (i.e., 40,250 cubic feet of material, Daniel Wheat as operator). Perhaps you may find the report with the department that sent out this bill (Environmental Health Billing). It appears from the billings that the Account Number is "LB1517", and this information may assist you in locating the report as well.

ACHCS recently sent a new H.M.B.P. form to our client, which was completed and returned to ACHCS on February 3rd. If you are not able to locate this document, we would request that you check with the department that handled the billing, and would ask that you notify us immediately if this report also cannot be located.

Paul Smith
Ronald J. Owcarz, REHS
Hazardous Materials Specialist
February 12, 1997
Page 2

This will further confirm our February 7th discussion, in which we set Thursday, February 13th at 10 a.m., as the time when sampling will be done at the area where Mr. Owcarz believes he saw a tank leaking a substance onto the ground. This appointment was confirmed in my discussion with Mr. Owcarz on Monday.

Mr. Wheat was able to reach the individual who removed the 300 gallon tank from the property, and has obtained a signed statement as to the location of the tank. A copy of that statement is attached, indicating that the tank is in the possession of Richard Berryman at 1147 Atlantic Street, Union City, California. Also, the tanks which contained oil or other substances, i.e., the 55 gallon tanks, were emptied by a licensed service on October 3, 1996. A copy of the manifest is attached.

Mr. Wheat has been trying to contact Mr. Brown regarding the remaining tanks. We wish to clarify whether ACHCS is requiring that the tanks be scrapped, even if they are empty. If ACHCS requires the tanks to be scrapped, please clarify whether they must be treated as hazardous materials, or if they can be scrapped by a recycler who will melt down the tanks.

I believe that this letter addresses all of the issues raised in our February 7th discussion, which were to be completed by this Friday, February 14th. Please notify me immediately if there is anything further that is required to be done at this time.

Very truly yours,

LANFERMAN, FISHER & HASHIMOTO



MICHYLE A. LaPEDIS

MAL\lm
Enclosures

cc: Daniel Wheat
Bob Chambers, Alameda County District Attorney's Office

ALAMEDA COUNTY DEPARTMENT OF ENVIRONMENTAL HEALTH
 HAZARDOUS MATERIALS DIVISION
 1131 HARBOR BAY PKWY, ROOM 250
 ALAMEDA CA 94502-6577
 (510) 567-6700

OLD

HAZARDOUS MATERIALS BUSINESS PLAN - PART I, ENROLLMENT

- Business Name Hayward R.V. STORAGE
 Site Address 3636 Depot Rd.
 City Hayward Zip 94545
 Mailing Address SAME
 City _____ Zip _____
- Hazardous Material/Waste Storage and Handling Area:
 less than 5,500 sq. ft. or _____ sq. ft.
- HAZARDOUS MATERIALS/WASTES EQUAL TO OR GREATER THAN 55
 GALLONS, 500 LBS. OR 200 CUBIC FEET

| | Gallons (liquid) | Pounds (solid) | Cubic Feet (gaseous) | Number of Items |
|------------------------|---------------------|-------------------|-------------------------|--------------------|
| Hazardous Materials | | | 40250 | 1 |
| Hazardous Waste | | | | |
| GRAND TOTAL | | | 40250 | 1 |

4. I hereby acknowledge receipt of a "Hazardous Materials Business Plan - Part II" form, which is to be completed within 30 days of the date of receipt of this form.

SIGNATURE, DATE *Daniel Wheat* 9-25-96
 PRINTED NAME Daniel Wheat
 TITLE Operator

**Alameda County Department of Environmental Health
Hazardous Materials Division
1131 Harbor Bay Parkway, Rm. 250, Alameda, CA 94502-6577
(510)567-6700 Fax(510)337-9335**

Hazardous Materials Business Plan

Part II

GENERAL INFORMATION

- 1) Facility Name Hayward Roll Storage
- 3) Facility Address 3636 Depot Rd City Hayward Zip 94518
- 4) Principle Business Activity Vehicle Storage SIC Code _____
- 7) EPA ID # _____
- 9) Mailing Address same City _____ Zip _____
- 10) Billing Address same City _____ Zip _____
- 12) # of Empl 1 # of Empl _____ # of Empl _____
 Shift 1 Start _____ Shift 2 Start _____ Shift 3 Start _____
 Shift 1 End _____ Shift 2 End _____ Shift 3 End _____
- 13) Hazardous Materials Storage Area 400 sq ft.

Facility Emergency Contacts

- 14) Primary Contact Don Wheat Work Phone # 785-1854
 Title operator Home Phone # _____
- 15) Secondary Contact _____ Work Phone # _____
 Title _____ Home Phone # _____
- 16) Business Owner Don Wheat Work Phone # 785-1854
 Mailing Address 3636 Depot Rd Home Phone # _____
 City Hayward Zip 94518
- 17) HMBP Contact Don Wheat Work Phone # _____
 Title operator Home Phone # _____
- 18) Property Owner Don Wheat Work Phone # 785-1854
- 19) Mailing Address 3636 Depot Rd Home Phone # _____
 City Hayward Zip 94518

Emergency Planning

21a) There are school(s)/ hospital(s)/ extended care facilities within 1,000 ft. (straight line distance) of my facility.

Yes No

Alameda County Department of Environmental Health
Hazardous Materials Division
1131 Harbor Bay Pkwy., Rm. 250, Alameda, CA 94502-6577

Hazardous Materials Business Plan



INVENTORY INFORMATION

Facility Name Hayward P.U. Storage
Facility Address 3636 Depot Rd Hayward CA

Please fill out copy of this page for each Hazardous Material greater than or equal to 55 Gals., 200 Cubic Ft. or 500 Lbs. Hazardous Materials Data Sheets **MUST** be obtained for all Hazardous Materials used.

Product Information Add Delete Revise

25) Composition: Pure Mixture Waste

26) State Waste Code UN1025 26a) Federal Waste Code _____

27) Product Name Propane

28) Manufacturer Suburban Propane

30) Constituent 1 CAS # 24-92-6 31) Percent (%) by wt 87.5-100

31a) Constituent Name Ethane

Constituent 2 CAS # 24-84-0 Percent (%) by wt 0-5.0

Constituent Name Propylene

Constituent 3 CAS # 115-07-1 Percent (%) by wt 0-5.0

Constituent Name Butane

Constituent 4 CAS # Various Percent (%) by wt 0-2.5

Constituent Name Ethyl Mercaptan

Constituent 5 CAS # 75-08-01 Percent (%) by wt 0-50 ppm

Constituent Name _____

32) Generic Name/Use Propane

33) MSDS Ref #/ ID Code (optional) _____

34) Trade Secret? Yes No 35) Extremely (Acutely) Hazardous? Yes No

36) Physical State Solid Gas Liquid

41) Health Hazard 1 Slight 43) Reactivity 0 Stable

44) Flammability 4 Severe 45) Special Hazards _____ Microcuries (if appl) _____

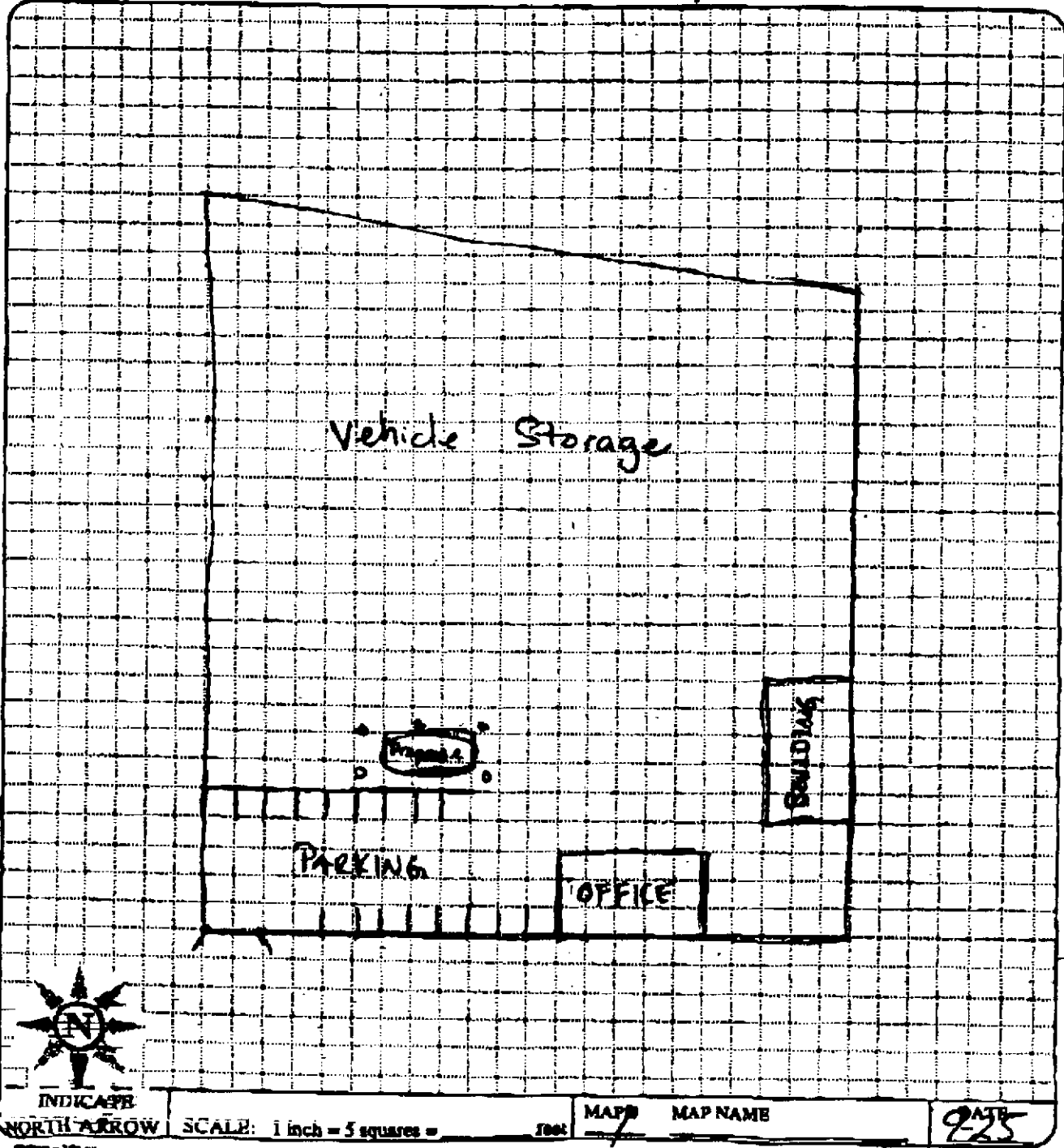
| Storage Detail | | | | | Max. Daily Amt (51) | Avg Daily Amt (52) | Max in One Vessel (53) | Waste Generated (yearly) (54) | # Days/yr on site (55) |
|----------------|------------------------|-----------------|------------|-----------|---------------------|--------------------|------------------------|-------------------------------|------------------------|
| Map (46) | Location (47) | Cont. Type (48) | Press (49) | Temp (50) | | | | | |
| | LT Entrance to Storage | | 17.0PSI | Ambient | 40250 cu ft | | | 0 | 365 |
| | | | | | | | | | |
| Product Totals | | | | | | | | | |

Alameda County Department of Environmental Health
Hazardous Materials Business Plan
FACILITY MAP - STORAGE DETAIL

CONFIDENTIAL

Facility Name: Hayward E.V. Storage

Facility Address: 3036 Depot Rd City: Hayward Zip: 94505



EMERGENCY RESPONSE EQUIPMENT

- 56) Equipment Location _____
- 57) Equipment Inspector _____
- 58) Inspection Frequency _____

59) Personal Protective Equipment

- _____ Boots
- _____ Chemical resistant suit
- _____ Face shield
- Gloves
- _____ Helmet
- _____ Respiratory protection
- _____ Other _____
- _____
- _____

60) Spill Control Equipment

- Absorbent
- Brooms
- _____ Neutralizers
- _____ Pumps/Vacuums
- _____ Spill cart
- _____ Vapor Scrubber
- _____ Other _____
- _____
- _____

61) Communications Devices

- _____ Portable Radios
- Telephones
- _____ Pagers
- _____ Other _____
- _____
- _____

EMERGENCY RESPONSE TRAINING

All Personnel

All employees are trained in the following procedures:

- 62) Internal emergency alarm notification.
- 63) Immediate notification to Alameda County Dept. of Environmental Health, State Office of Emergency Services and other emergency response agencies.
- 64) Review of the emergency response plan.
- 65) Evacuation procedures.
- 66) Procedures for the mitigation of a release or threatened release.

Hazardous Material / Waste Handlers

Hazardous Material/Waste handlers are additionally trained in the following:

- 67) Safe method for handling and storage of hazardous materials.
- 68) Proper use of personal protection equipment.
- 69) Locations and proper use of fire and spill control equipment.
- 70) Specific hazards of each chemical to which they may be exposed, including the pathways of exposure (i.e. skin absorption, inhalation, ingestion).

Emergency Response Team

Emergency response team members are additionally trained in the following procedures and will act as liaison to the Fire Department:

- 71) Personnel rescue procedures.
- 72) Shutdown of operations.
- 73) Use, maintenance, and replacement of emergency response equipment.
- 74) Emergency response drills.
- 75) Refresher training is provided at least annually.

Emergency Response Documents

The following training records are maintained for each employee:

- 76) Verification of date that training was completed.
- 77) Description of introductory and continuing training.
- 78) Employee's training records are retained at least three years.
- 79) Description and documentation of facility emergency response drills.

Other

- 79a) Procedure to be used in event of spill from an underground tank.

Your Emergency Response Training Plan and Records MUST be on site and available for review by Alameda County Department of Environmental Health.

EVACUATION INFORMATION

10) Evacuation Notification

- Verbal (i.e. shouting)
- Horns
- Alarms

11) Evacuation Procedures

- Defined evacuation routes and procedures.
- Preplanned assembly areas.
- Evacuation route maps prominently displayed throughout facility.
- Re-entry procedures.

EMERGENCY NOTIFICATIONS: for spills or leaks of Hazardous Materials or Hazardous Waste

12a) Fire/Police/Ambulance 911
 or Alameda County Dept. of Environmental Health:
 510/567-6700 Weekdays 510/667-7721 - Nights, Weekends

13) CA State Office of Emergency Services 800/852-7550 or 916/262-1621

14) Other Agencies _____
Department of Toxic Substances Control

15) Medical Facility _____
 Address _____
 City _____ State _____ Zip Code _____
 Phone _____

CERTIFICATION

I hereby certify, under penalty of perjury, that the information contained in this Hazardous Materials Business Plan is, to the best of my knowledge, true and correct. I understand that I may be required to show proof of compliance during any facility inspection conducted by local, County, State or Federal authorities.

Daniel West

 Print Name:

Operator

 Title:

[Signature]

 Authorized Signature:

9-25-96

 Date:

INVOICE NO.
0002030
0001926

COUNTY OF ALAMEDA
HEALTH CARE SERVICES AGENCY
ENVIRONMENTAL HEALTH BILLING
P.O. BOX 28924 OAKLAND, CA 94604
PHONE: (510) 271-4374
FAX: (510) 271-4522

MAILING ADDR.
HAYWARD RU STORAGE
DANIEL WHEAT-OPERATOR
3636 DEPOT RD.
HAYWARD CA 94545

PREPARED ADDR.
HAYWARD RU STORAGE
DANIEL WHEAT-OPERATOR
3636 DEPOT RD.
HAYWARD CA 94545

| ACCOUNT NO | SLS | PURCHASE ORDER | DUE DATE | TERMS | INVOICE DATE | PAY |
|------------|------|----------------|----------|--------|--------------|-----|
| B1517 | 1996 | | 11/01/96 | NET 30 | 11/01/96 | |

| QTY. FEE | QTY FEE | CHARGE CODE | DESCRIPTION | AMOUNT/EA | EXT. AMOUNT |
|----------|---------|-------------|---------------------------|-----------|-------------|
| | | 003 | MINIMUM CHG - SQUARE FEET | 51.00 | 51.00 |
| | | 006 | # OF MATERIALS - 0 THRU 2 | 51.00 | 51.00 |
| | | 500 | 40,250 CUBIC FEET | 262.53 | 262.53 |

THIS IS YOUR 1996 ANNUAL FEE FOR THE INVENTORY OF YOUR HAZARDOUS MATERIAL.
PLEASE PUT YOUR ACCOUNT # ON YOUR PAYMENT TO PREVENT A CREDIT ERROR.
PLEASE MAIL YOUR PAYMENT TO: ENVIRONMENTAL HEALTH BILLING
DRAWER N, ALAMEDA, CA 94501. THANK YOU.

8% PENALTY-30 DAYS FROM INVOICE DATE
FOR EXPLANATION OF FEE SEE BACK OF INVOICE

| | |
|------------|--------|
| FEE AMOUNT | 364.00 |
| | 0.00 |
| FEE TOTAL | 364.00 |

FEBRUARY 7, 1997

TO WHOM IT MAY CONCERN:

I Richard Berryman had a plastic 300 gal. tank in the back of my truck, which is stored at Hayward.R.V.STORAGE 3636 Depot Rd. Hayward Ca 94545. I was informed that it had to be removed and it is now in my possession at 1147 Atlantic St. Union City CA.

Sincerely Yours

RICHARD Berryman
Richard Berryman

State of California Environmental Protection Agency
Form Approved OMB No. 2050-0039 (Expires 9-30-96)
Please print or type. Form designed for use on slits (12-pitch) typewriter.

See Instructions on back of page 6.

Department of Toxic Substances Control
Sacramento, California

95856328
IN CASE OF EMERGENCY OR SPILL, CALL THE NATIONAL RESPONSE CENTER 1-800-424-8802; WITHIN CALIFORNIA, CALL 1-800-852-7550

| | | | | | |
|--|--|--|--|----------------------------|---|
| UNIFORM HAZARDOUS WASTE MANIFEST | | 1. Generator's US EPA ID No. CA10000000000000000000000000000000 | Manifest Document No. 2413262 | 2. Page 1 of 1 | Information in the shaded areas is not required by Federal law. |
| 3. Generator's Name and Mailing Address HAWAIIAN BLDG 3636 DODD ST HAWAIIAN CA 96715 | | | | | |
| 4. Generator's Phone 808 785 1851 | | | | | |
| 5. Transporter 1 Company Name Cargill Environmental Services | | | 6. US EPA ID Number CA10000000000000000000000000000000 | | |
| 7. Transporter 2 Company Name | | | 8. US EPA ID Number | | |
| 9. Designated Facility Name and Site Address PORTLAND CEMENT CO./SYSTEM | | | 10. US EPA ID Number CA10000000000000000000000000000000 | | |
| 11. US DOT Description (including Proper Shipping Name, Hazard Class, and ID Number) | | 12. Containers No. Type | 13. Total Quantity | 14. Unit Wt/Vol | |
| a. DISPOSAL OF WASTE Special handling instructions: Waste identified by reference to the waste manifest number set forth above, waste managed at the location indicated above by burning such material in a cement kiln. | | 0 0 1 1 1 1 | See #119 | G | |
| b. more specifically identified by reference to the waste manifest number set forth above, waste managed at the location indicated above by burning such material in a cement kiln. | | | | | |
| c. SYSTEM ENVIRONMENTAL CORPORATION | | | | | |
| 15. Special Handling Instructions and Additional Information Call 31 for info | | | | | |
| 16. GENERATOR'S CERTIFICATION: I hereby declare that the contents of this consignment are fully and accurately described above by proper shipping name and are classified, packed, marked, and labeled, and are in all respects in proper condition for transport by highway according to applicable international and national government regulations. If I am a large quantity generator, I certify that I have a program in place to reduce the volume and toxicity of waste generated to the degree I have determined to be economically practicable and that I have selected the practicable method of treatment, storage, or disposal currently available to me which minimizes the present and future threat to human health and the environment, OR, if I am a small quantity generator, I have made a good faith effort to minimize my waste generation and select the best waste management method that is available to me and that I can afford. | | | | | |
| Printed/Typed Name John H. ... | | Signature [Signature] | | Month Day Year 10 03 96 | |
| 17. Transporter 1 Acknowledgement of Receipt of Materials | | | | | |
| Printed/Typed Name A. ... | | Signature [Signature] | | Month Day Year 10 03 96 | |
| 18. Transporter 2 Acknowledgement of Receipt of Materials | | | | | |
| Printed/Typed Name | | Signature | | Month Day Year | |
| 19. Discrepancy Indication Space Calculated volume received is 13% less than manifest total. Gallons received 56 gals part of manifest load was unmanifested. | | | | | |
| 20. Facility Owner or Operator Certification of receipt of hazardous materials covered by this manifest except as noted in item 19. | | | | | |
| Printed/Typed Name Oliver ... | | Signature [Signature] | | Month Day Year 10 04 96 | |

DO NOT WRITE BELOW THIS LINE.

Yellow: DTSC SENDS THIS COPY TO GENERATOR WITHIN 30 DAYS.
(Generators who submit hazardous waste for transport out-of-state, produce completed copy of this copy and send to DTSC within 30 days.)

LANFERMAN, FISHER & HASHIMOTO

ATTORNEYS AT LAW

February 4, 1997

VIA FACSIMILE

(510) 337-9335

Ronald J. Owcarz, REHS
Hazardous Materials Specialist
Environmental Health Services
ALAMEDA COUNTY HEALTH CARE SERVICES
1131 Harbor Bay Parkway, Suite 250
Alameda, CA 94502-6577

**Re: ACHCS Notice of Violation
Health and Safety Code Sections 25189.5 and 25185.6
Hayward R.V. Storage, 3636 Depot Road, Hayward, CA 94545**

Dear Mr. Owcarz:

We are writing to confirm our telephone conversation of last month, in which you and I discussed this office's November 7, 1996 letter regarding the above-referenced property, which was in response to your October 22, 1996 letter to Mr. and Mrs. William Wheat regarding an alleged "Notice of Violation".

In our discussion, you confirmed that you will be contacting the owner of the tanks in question, Mr. Merrill Brown, to obtain further information on the disposal of any waste and tanks. You noted that nothing further was required of the Wheats at this time in that regard.

You did state that ACHCS was still going to require that the Wheats pay the \$364.53 bill for "1996 Annual Fee for the Inventory of Your Hazardous Material", but that the late fees should probably be waived because of the delay in responding to our inquiry regarding the bill. The Wheats have paid the bill, but have done so under protest, and without prejudice to their position that they are not properly subject to this fee, since their business is not a handler of hazardous materials. *not true protest!*

In response to my request for information as to the basis for the County's actions leading to the bill, you pointed me to County Ordinance Number 13-140.5. However, as you noted in our conversation, that ordinance only relates to the hourly rate that the County can charge for inventorying of hazardous material. It does not address the more basic question of on what basis the County is claiming that the Wheats' business is a "handler of hazardous materials." If the County has erroneously characterized the Wheats' business, the error should not be compounded by charging the Wheats for it as well.

Ronald J. Owcarz, REHS
Hazardous Materials Specialist
February 4, 1997
Page 2

Please contact me so that we may discuss this matter further.

Very truly yours,

LANFERMAN, FISHER & HASHIMOTO

A handwritten signature in cursive script that reads "Michyle A. LaPedis".

MICHYLE A. LaPEDIS

MAL\lm\smm

cc: Daniel Wheat
Bob Chambers, Alameda County District Attorney's Office

f:\client\wheat\achcs\corresp\ro020497.ltr
970204/1518

6166

Appendix A

California Hazardous Materials Inventory Reporting Form - Business Owner/Operator Identification Page

CALENDAR YEAR BEGINNING (1) 1997 ENDING (2) (3) PAGE 1 OF 5

BUSINESS NAME (4) Hayward R.V. Storage BUSINESS PHONE: (5) 785-1854

SITE ADDRESS (6) 3636 Depot Rd

CITY (7) Hayward STATE (8) CA ZIP (9) 94545

DUN & BRADSTREET (10) SIC CODE (4 DIGIT #)(11)

OPERATOR NAME (12) Dan Wheat OPERATOR PHONE (13)

OWNER INFORMATION

OWNER NAME (14) Pat Wheat OWNER PHONE (15) 785-1854

OWNER MAILING ADDRESS (16) 3636 Depot Rd

CITY (17) Hayward STATE (18) CA ZIP (19) 94545

ENVIRONMENTAL CONTACT

CONTACT NAME (20) Dan Wheat CONTACT PHONE (21) 785-1854

MAILING ADDRESS (22) 3636 Depot Rd

CITY (23) Hayward STATE (24) CA ZIP (25) 94545

| | | |
|---------|--------------------|-----------|
| Primary | EMERGENCY CONTACTS | Secondary |
|---------|--------------------|-----------|

| | |
|--------------------------------------|--|
| NAME: (26) <u>Dan Wheat</u> | NAME: (31) <u> </u> |
| TITLE: (27) <u>Manager/Operator</u> | TITLE: (32) <u> </u> |
| BUSINESS PHONE: (28) <u>785-1854</u> | BUSINESS PHONE: (33) <u> </u> |
| 24-HOUR PHONE: (29) <u>732-6736</u> | 24-HOUR PHONE: (34) <u> </u> |
| PAGER #: (30) <u>(510) 485-7439</u> | PAGER #: (35) <u> </u> |

ACUTELY HAZARDOUS MATERIALS (AHM)

ON SITE AHM (36) Yes No If yes, and above Threshold Planning Quantities, attach a sheet of paper with a general description of the process and principal equipment.

ADDITIONAL LOCALLY COLLECTED INFORMATION

(37)

.....

.....

.....

.....

.....

Certification: I certify under penalty of law that I have personally examined and am familiar with the information submitted in this inventory and believe the information is true, accurate, and complete.

Print Name of Document Preparer (38) Dan Wheat

Signature of Owner/Operator (39) Dan Wheat Date (40) 11/7/97

Appendix C

California Hazardous Materials Inventory Reporting Form - Chemical Description Page

(1) ADD DELETE REVISE

PAGE (2) 2

OF (3) 25

BUSINESS NAME (4) Hayward R.V. Storage
 CHEMICAL LOCATION (5) _____
 MAP # (6) _____ GRID# (7) _____

CHEMICAL NAME (8) Paraffinic Hydrocarbon TRADE SECRET (11) Y N
 COMMON NAME (9) Propane EHS (12) Y N
 CAS# (10) 74-98-6

IF EHS BOX IS "Y"
ALL AMOUNTS MUST BE IN LBS

FIRE CODE (13) Health 1 Reactivity 0
 HAZARD CLASSES FIRE 4

COMPLETE BLOCK (13) IF REQUESTED BY THE LOCAL FIRE CHIEF - REFER TO INSTRUCTIONS.

TYPE (14) PURE MIXTURE WASTE RADIOACTIVE (15) Y N (16) _____

PHYSICAL STATE (17) SOLID LIQUID GAS CURIES _____

FED HAZARD (18) FIRE REACTIVE PRESSURE RELEASE ACUTE HEALTH CHRONIC HEALTH

STATE WASTE CODE (19) UN1015 UNITS (22) GAL CUFT LBS TONS MAX DAILY AMT (23) 40250

DAYS ON SITE (20) 365 If EHS, amounts must be in lbs. AVG DAILY AMT (24) 35000

LARGEST CONTAINER (21) 40250 ANNUAL WASTE AMT (25) 0

STORAGE CONTAINER (26) ABOVE GROUND TANK CAN BOX TANK WAGON
 UNDER GROUND TANK CARBOY CYLINDER RAIL CAR
 TANK INSIDE BUILDING SILO GLASS BOTTLE _____
 STEEL DRUM FIBER DRUM PLASTIC BOTTLE
 PLASTIC/NONMETALLIC DRUM BAG TOTE BIN

STORAGE PRESSURE (27) AMBIENT ABOVE AMBIENT BELOW AMBIENT

STORAGE TEMPERATURE (28) AMBIENT ABOVE AMBIENT BELOW AMBIENT CRYOGENIC

| (29) %WT | (30) HAZARDOUS COMPONENT | (31) EHS | (32) CAS# |
|-----------------|--------------------------|---|-----------------|
| <u>0-5.0</u> | <u>Ethane</u> | <input type="checkbox"/> Y <input type="checkbox"/> N | <u>74-84-0</u> |
| <u>87.5-100</u> | <u>Propane</u> | <input type="checkbox"/> Y <input type="checkbox"/> N | <u>74-98-6</u> |
| <u>0-5.0</u> | <u>Propylene</u> | <input type="checkbox"/> Y <input type="checkbox"/> N | <u>115-07-1</u> |
| <u>0-2.5</u> | <u>Butanes</u> | <input type="checkbox"/> Y <input type="checkbox"/> N | <u>Various</u> |
| <u>0-50ppm</u> | <u>Ethyl Mercaptan</u> | <input type="checkbox"/> Y <input type="checkbox"/> N | <u>75-08-01</u> |

(33) ADDITIONAL LOCALLY COLLECTED INFORMATION

Appendix C

California Hazardous Materials Inventory Reporting Form - Chemical Description Page

(1) ADD DELETE REVISE

PAGE (2) OF (3)

BUSINESS NAME (4)

CHEMICAL LOCATION (5)

MAP # (6) GRID# (7)

CHEMICAL NAME (8) TRADE SECRET (11) Y N

COMMON NAME (9) EHS (12) Y N

CAS# (10)

IF EHS BOX IS "Y"
ALL AMOUNTS MUST BE IN LBS

FIRE CODE (13)

HAZARD CLASSES (13)

COMPLETE BLOCK (13) IF REQUESTED BY THE LOCAL FIRE CHIEF - REFER TO INSTRUCTIONS.

TYPE (14) PURE MIXTURE WASTE RADIOACTIVE (15) Y N (16)

PHYSICAL STATE (17) SOLID LIQUID GAS CURIES

FED HAZARD (18) FIRE REACTIVE PRESSURE RELEASE ACUTE HEALTH CHRONIC HEALTH

STATE WASTE CODE (19) UNITS (22) GAL CU FT MAX DAILY AMT (23)

LBS TONS

DAYS ON SITE (20) If EHS, amounts must be in lbs. AVG DAILY AMT (24)

LARGEST CONTAINER (21) ANNUAL WASTE AMT (25)

STORAGE CONTAINER (26)

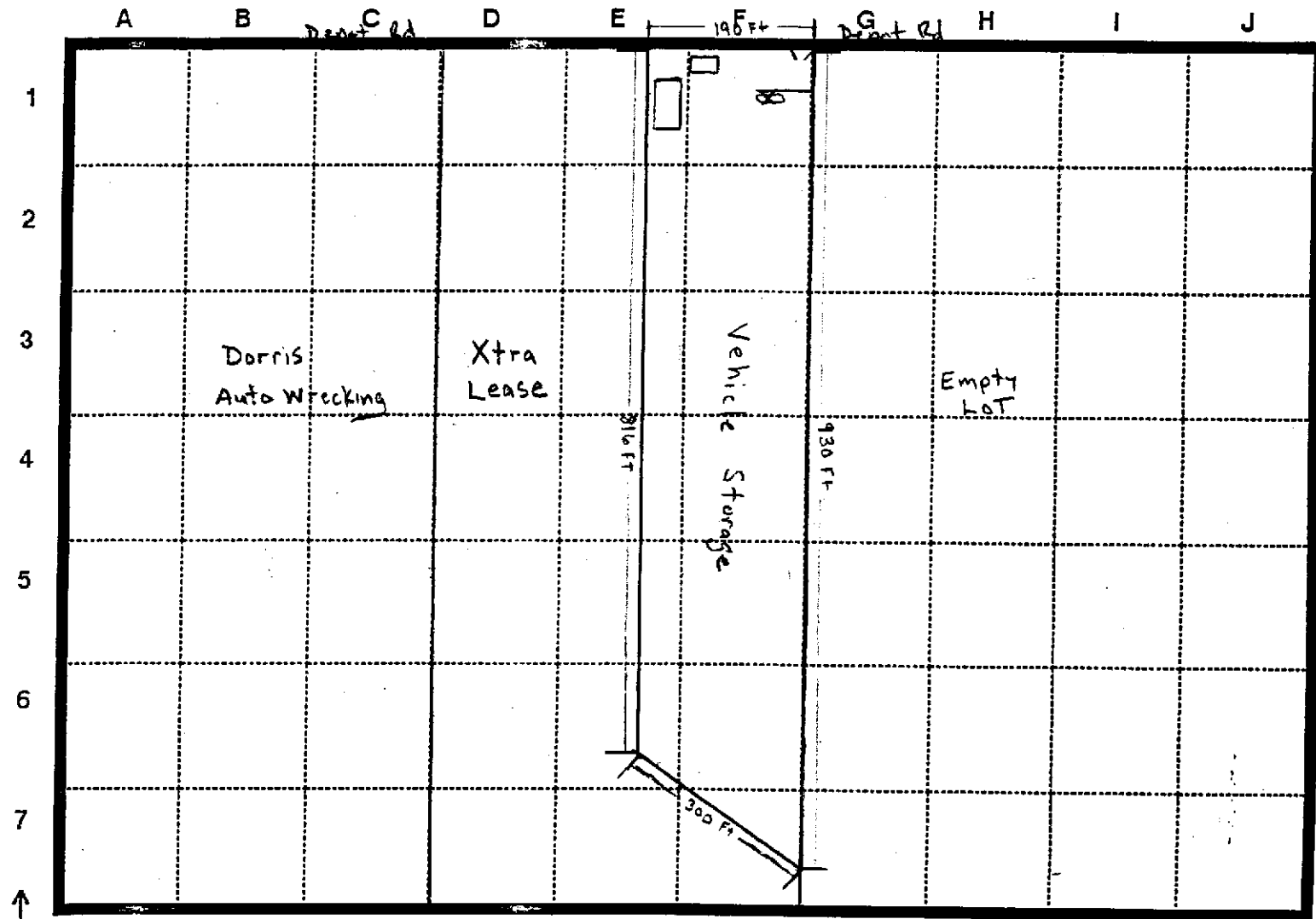
| | | | |
|---|-------------------------------------|---|-------------------------------------|
| <input type="checkbox"/> ABOVE GROUND TANK | <input type="checkbox"/> CAN | <input type="checkbox"/> BOX | <input type="checkbox"/> TANK WAGON |
| <input type="checkbox"/> UNDER GROUND TANK | <input type="checkbox"/> CARBOY | <input type="checkbox"/> CYLINDER | <input type="checkbox"/> RAIL CAR |
| <input type="checkbox"/> TANK INSIDE BUILDING | <input type="checkbox"/> SILO | <input type="checkbox"/> GLASS BOTTLE | <input type="checkbox"/> ----- |
| <input type="checkbox"/> STEEL DRUM | <input type="checkbox"/> FIBER DRUM | <input type="checkbox"/> PLASTIC BOTTLE | |
| <input type="checkbox"/> PLASTIC/NONMETALLIC DRUM | <input type="checkbox"/> BAG | <input type="checkbox"/> TOTE BIN | |

STORAGE PRESSURE (27) AMBIENT ABOVE AMBIENT BELOW AMBIENT

STORAGE TEMPERATURE (28) AMBIENT ABOVE AMBIENT BELOW AMBIENT CRYOGENIC

| (29) %WT | (30) HAZARDOUS COMPONENT | (31) EHS | (32) CAS# |
|------------------------|--------------------------|---|----------------------|
| 1 <input type="text"/> | <input type="text"/> | <input type="checkbox"/> Y <input type="checkbox"/> N | <input type="text"/> |
| 2 <input type="text"/> | <input type="text"/> | <input type="checkbox"/> Y <input type="checkbox"/> N | <input type="text"/> |
| 3 <input type="text"/> | <input type="text"/> | <input type="checkbox"/> Y <input type="checkbox"/> N | <input type="text"/> |
| 4 <input type="text"/> | <input type="text"/> | <input type="checkbox"/> Y <input type="checkbox"/> N | <input type="text"/> |
| 5 <input type="text"/> | <input type="text"/> | <input type="checkbox"/> Y <input type="checkbox"/> N | <input type="text"/> |

(33) ADDITIONAL LOCALLY COLLECTED INFORMATION



- For Site Map**
- Scale of Map
 - Loading Areas
 - Parking Lots
 - Internal Roads
 - Storm and Sewer Drains
 - Adjacent Property Use
 - Locations and Names of Adjacent Streets and Alleys
 - Access and Egress Points and Roads

- For Sub-Site Map**
- Scale of Map
 - Location of Each Storage Area
 - Location of Each Hazardous Material Handling Area
 - Location of Emergency Response Equipment

Scale:
1" = 186 Ft.

North ↑

Appendix E

- ∩ Entrance Gate
- ⊗ Propane Tank
- Building

↑ Y
X →

--9--

Appendix J

Emergency Response Plan and Training

(check all that apply)

(Note: This form is simply a summary of your plan. The plan is a separate document with additional detail where necessary.)

Emergency Response Training

◆ All employees are trained in the following procedures as appropriate:

- 1) Internal emergency alarm notification.
- 2) Immediate notification to Alameda County Department of Environmental Health, State Office of Emergency Services and other emergency response agencies.
- 3) Review of the emergency response plan.
- 4) Evacuation procedures.
- 5) Procedures for the mitigation of a release or threatened release.

◆ Hazardous Materials/Waste handlers are additionally trained in the following:

- 6) Safe method for handling and storage of hazardous materials.
- 7) Proper use of personal protection equipment.
- 8) Locations and proper use of fire and spill control equipment.
- 9) Specific hazards of each chemical to which they may be exposed, including the pathways of exposure (i.e. skin absorption, inhalation, ingestion)

◆ Emergency response team members are additionally trained in the following procedures and will act as a liaison to the Fire Department:

- 10) Personnel rescue procedures.
- 11) Shutdown of operations.
- 12) Use, maintenance, and replacement of emergency response equipment.
- 13) Emergency response drills.
- 14) Refresher training is provided at least annually.

◆ The following training records are maintained for each employee

- 15) Verification of date that training was completed.
- 16) Description of introductory and continuing training appropriate for each employee.
- 17) Employee's training records are retained at least three years.
- 18) Description and documentation of facility emergency response drills.

◆ Other

- 19) Procedure to be used in the event of a spill from an underground tank.
- 20) Areas and systems in the facility which are earthquake sensitive have been identified and inspection procedures are established for these areas.

Your Emergency Response Training Plan MUST be on site available for review by Alameda County Department of Environmental Health.

Emergency Response Equipment (check all that apply)

21) Equipment location _____

22) Equipment Inspector _____

23) Inspection Frequency _____

24) Personal Protective Equipment

- Boots
- Chemical resistant suit
- Face shield
- Gloves
- Helmet
- Respiratory protection
- Other

25) Cleanup equipment

- Absorbent
- Brooms
- Neutralizers
- Pumps/Vacuums
- Spill Cart
- Vapor Scrubber
- Other: _____
- _____
- _____

26) Communication Devices

- Portable Radios
- Telephones
- Pagers
- Other _____
- _____

Evacuation Information

27) Evacuation Notification procedure:

- Verbal (i.e. shouting)
- Horns
- Alarms

28) Evacuation Procedures

- Defined evacuation routes and procedures.
- Preplanned assembly areas.
- Evacuation route maps prominently displayed throughout facility.
- Re-entry procedures.

Emergency Notifications: for spills or leaks of hazardous materials or hazardous wastes

29) Fire/Police/Ambulance: 911

Alameda County Department of Environmental Health

M-F 8:30-5pm (510) 567-6700

nights/weekends (510) 667-7721

30) CA Office of Emergency Services (800) 852-7550 or (916) 262-1621

31) Other Agencies

Name: Department of Toxic Substances Control Phone: 540-2122

Name: Regional Water Quality Control Phone: 286-1255

32) Medical Facility Medical Express

Street Address 22429 Hesperian Blvd

City Hayward State CA Zip Code 94545

Phone (510) 782-7111

Certification: I hereby certify, under penalty of perjury, that the information contained in this Hazardous Materials Business Plan is, to the best of my knowledge, true and correct. I understand that I may be required to show proof of compliance during any facility inspection conducted by local, County State, or Federal authorities.

Print Name: Dan Wheat Title: Manager/Operator

Authorized Signature: *Dan Wheat* Date: 1/7/97

LANFERMAN, FISHER & HASHIMOTO

ATTORNEYS AT LAW

ENVIRONMENTAL
PROTECTION

96 DEC 20 PM 4: 10

December 18, 1996

BY FACSIMILE
(510) 337-9335

Ronald J. Owcarz, REHS
Hazardous Materials Specialist
Environmental Health Services
ALAMEDA COUNTY HEALTH CARE SERVICES
1131 Harbor Bay Parkway, Suite 250
Alameda, CA 94502-6577

Re: ACHCS Notice of Violation
Health and Safety Code Sections 25189.5 and 25185.6
Hayward R.V. Storage, 3636 Depot Road, Hayward, CA 94545

Dear Mr. Owcarz:

We are writing to confirm your receipt of our November 7, 1996 letter regarding the above-referenced property. Please contact us if you have not received that letter, which was in response to your October 22, 1996 letter to Mr. and Mrs. William Wheat regarding an alleged "Notice of Violation".

We also wish to advise you that Mr. Wheat believes that the third party owner of the tanks/drums in question may remove them from the Wheat public storage lot.

Please contact me so that we may discuss this matter further.

Very truly yours,

LANFERMAN, FISHER & HASHIMOTO



MICHYLE A. LaPEDIS

MAL/lm

cc: Daniel Wheat
Bob Chambers, Alameda County District Attorney's Office

f:\client\wheat\ro121896.ltr
961218/1612

LANFERMAN, FISHER & HASHIMOTO

ATTORNEYS AT LAW

November 7, 1996

BY FACSIMILE
(510) 337-9335

Ronald J. Owcarz, REHS
Hazardous Materials Specialist
Environmental Health Services
ALAMEDA COUNTY HEALTH CARE SERVICES
1131 Harbor Bay Parkway, Suite 250
Alameda, CA 94502-6577

Re: ACHCS Notice of Violation
Health and Safety Code Sections 25189.5 and 25185.6

Hayward R.V. Storage, 3636 Depot Road, Hayward, CA 94545

Dear Mr. Owcarz:

This office represents the owner of the above-referenced property. We have been provided with a copy of your October 22, 1996 letter to Mr. and Mrs. William Wheat regarding an alleged "Notice of Violation". (Please be advised that William Wheat is deceased).

As you are aware, the Wheats' property is a public storage lot, and the tanks/drums in question are the private property of a third party. The Wheats have no control over that third person's disposition of his property, and he has already removed three of the tanks/drums from the site. (Item numbers 3, 5 and 6 in your letter). We are uncertain as to how the Wheats can legally dispose of another person's property, and therefore believe that the ACHCS Notice of Violation is more properly directed against the true owner of the tanks/drums, as is the requirement to remediate the alleged contamination.

The owner of the tanks/drums is Merrill Brown, 27044 Halifax Place, Hayward, CA 94542; (H) (510) 582-6125; (W) (510) 638-6576.

The Wheats have been requested to provide a technical report pursuant to authority under Section 25185.6. However, that section only requires the furnishing of "any **existing** information relating to hazardous substances, hazardous wastes, or hazardous materials." The Wheats do not have any "existing" information on those subjects. It is our understanding, therefore, that the Wheats are not obligated by that statute to expend funds for the requested technical report.

Ronald J. Owcarz, REHS
Hazardous Materials Specialist
November 7, 1996
Page 2

Since the Wheats do not have the right to remove the tanks/drums, the only remaining issue is the alleged two foot diameter "oil staining". As noted, the statute cited does not appear to require the Wheats to provide anything other than existing information, if any. We are not aware of any legal basis to impose financial obligations on the Wheats, nor are we familiar with the provisions of Section 3-14.6 of the Alameda County Ordinance Code which purportedly authorizes the County to bill the Wheats for "remediation review". We would appreciate your providing us with a copy of this Ordinance, as well as any other provisions that you believe are applicable.

Finally, the Wheats received the enclosed bill for \$364.53 from ACHCS. It states that it is the "1996 Annual Fee for the Inventory of Your Hazardous Material". Our clients do not understand the basis for applying this billing against the Wheats' business. The Wheats question whether they have properly been subjected to this fee, since their business is not a handler of hazardous materials.

Please contact me so that we may discuss this matter further.

Very truly yours,

LANFERMAN, FISHER & HASHIMOTO



MICHYLE A. LaPEDIS

MAL/lm

cc: Daniel Wheat

Bob Chambers, Alameda County District Attorney's Office

Enclosure

f:\client\wheat\ro110796.ltr
961107/1628

COUNTY OF ALAMEDA
HEALTH CARE SERVICES AGENCY
 ENVIRONMENTAL HEALTH BILLING
 P.O. BOX 28924 OAKLAND, CA 94604
 PHONE: (510) 271-4374
 FAX: (510) 271-4522

MAILING ADDR.

HAYWARD RV STORAGE
 DANIEL WHEAT-OPERATOR
 3636 DEPOT RD.
 HAYWARD CA 94545

PREMISES ADDR.

HAYWARD RV STORAGE
 DANIEL WHEAT-OPERATOR
 3636 DEPOT RD.
 HAYWARD CA 94545

| ACCOUNT NO | SLS | PURCHASE ORDER | DUE DATE | TERMS | INVOICE DATE | PAGE |
|------------|------|----------------|----------|--------|--------------|------|
| B1517 | 1996 | | 11/01/96 | NET 30 | 11/01/96 | |

| QTY. FEE | QTY. FEE | CHARGE CODE | DESCRIPTION | AMOUNT/EA. | EXT. AMOUNT |
|----------|----------|-------------|---------------------------|------------|-------------|
| | | 003 | MINIMUM CHG - SQUARE FEET | 51.00 | 51.00 |
| | | 006 | # OF MATERIALS - 0 THRU 2 | 51.00 | 51.00 |
| | | 500 | 40,250 CUBIC FEET | 262.53 | 262.53 |

THIS IS YOUR 1996 ANNUAL FEE FOR THE INVENTORY OF YOUR HAZARDOUS MATERIAL.
 PLEASE PUT YOUR ACCOUNT # ON YOUR PAYMENT TO PREVENT A CREDIT ERROR.
 PLEASE MAIL YOUR PAYMENT TO: ENVIRONMENTAL HEALTH BILLING
 DRAWER N, ALAMEDA, CA 94501. THANK YOU.

8% PENALTY-30 DAYS FROM INVOICE DATE
 FOR EXPLANATION OF FEE SEE BACK OF INVOICE

| | |
|------------|--------|
| FEE AMOUNT | 364.53 |
| | 0.00 |
| FEE TOTAL | 364.53 |

364.53

First Letter
of Account
Number:

Explanation of Fees.

- F Food and/or Beverage Establishment**
Fees are assessed annually, and support offsets the costs of:
a) Ensuring establishment meets Health Codes,
and b) Permits.
- R Pool or Spa used by non-blood-related people**
Fees assessed as above.
- MP Annual Fee for Mobile Home Parks**
County fees are based on the number of individual units in the park;
state fees are assessed on the total number of units in the
park. Both fees are assessed annually.
- W Annual Fee for Water Systems Inspections and Sampling**

For information call (510) 567-6700.

- M Medical Waste Annual Fee**
If ownership has changed, call (510) 567-6790.

- H Generator of Hazardous Waste in Alameda County**
Fees support inspections of generator sites for compliance with hazardous
waste generator laws, and are assessed annually. Fee amounts are based on
the number of employees, and are established by Alameda County Ordinance.
- T Underground Storage Tanks**
Fees support inspection of underground tanks for compliance with state laws,
and are assessed annually. Fee amounts are based on the number of
underground tanks, and are established by Alameda County Ordinance. State
surcharges are assessed every five years for individual tank permits.
- L Hazardous Materials Business Plan**
Fees are based on the inventory and storage area of hazardous materials
(including waste). Fees are assessed on businesses which handle Material
Quantities greater than 55 gallons, 500 pounds, or 200 cubic feet. Fee
amounts are determined by Alameda County Ordinance.

For technical information call (510) 567-6700.

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



Z 296 048 293



Receipt for
Certified Mail

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

Certified Mailer # Z 296 048 293

October 22, 1996

William & Patsy Wheat
28072 Sandalwood Drive
Hayward, CA 94545

RE: Hayward R.V. Storage
3636 Depot Road
Hayward, CA 94545

NOTICE OF VIOLATION

Dear Mr. & Mrs. Wheat:

On September 24, 1996 an inspection of your property at the above listed facility revealed the presence of several illegally stored hazardous waste containers and contamination of the soil. The containers included:

1. a 1000 gallon former underground steel tank
2. 2 - 500 gallon above ground steel tanks (one of which was leaking waste oil on to the soil)
3. an open 300 gallon fiberglass tank that contained approximately 100 gallons of waste oil on a small flat bed truck
4. a large metal tank labeled liquified helium
5. a 55 gallon metal drum that also appeared to contain waste oil
6. three 15 gallon metal drums containing materials labeled waste thinner.

The contents of each container must be characterized and if found hazardous, the waste and their containers must be properly recycled or disposed of under manifest by a licensed hazardous waste hauler with a copy of the receipt or manifest sent to this office within 30 days. Otherwise, provide documentation to me as to the disposition of each container.

PS Form 3800, March 1993

| | |
|---|---------------------------|
| Sent to | WILLIAM & PATSY WHEAT |
| Street | 28072 SANDALWOOD DRIVE |
| P.O., State and ZIP Code | HAYWARD, CA 94545 K.T. |
| 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 | |

Mr. & Mrs. Wheat
October 22, 1996
page 2 of 2

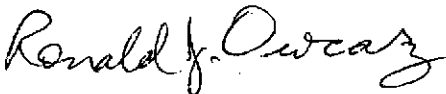
During the inspection conspicuous oil staining to the soil was observed in an area approximately two feet in diameter under one of the 500 gallon above ground tanks. Removal of this soil contamination is required. **Submit a plan of correction to this office within 30 days addressing this soil cleanup.** You are required to have soil confirmation samples taken beneath the affected area to indicate that all contamination has been removed. The sampling must be conducted by an authorized third party laboratory that is state certified to perform total petroleum hydrocarbon and total oil and grease analysis or other criteria required by an approved disposal facility. In addition, you are required to submit written documentation that includes a narrative description documenting soil remediation of the affected area; confirmatory soil sample analytical results of the same area; analytical results for the excavated soil and soil disposal receipts from an approved disposal site.

In addition to your work plan, please remit a deposit/refund check of \$940. made payable to the Alameda County Environmental Health Department to cover the costs of the remediation review. This deposit is authorized by Section 3-14.6 of the Ordinance Code of Alameda County. You will be billed at the rate of \$94. per hour. Upon completion of the project, any remaining balance will be returned to you.

You are advised that Section 25189.5 of the California Health and Safety Code prohibits the illegal disposal of hazardous waste. Furthermore, Section 25185.6 requires technical reports to be furnished regarding the cleanup of sites. **Failure to comply with the above requirements will result in referral of this case to the Alameda County District Attorney's Office for enforcement action.**

If you have any questions on this matter, please contact me at (510) 567-6742.

Sincerely,



Ronald J. Owcarz, REHS
Hazardous Materials Specialist

c: Bob Chambers, Alameda County District Attorney's Office
Daniel Wheat, business owner
Richard Berryman
Merrill Brown
Amy Leach, LOP
Gordon Coleman - file

on 9/25/96

1131 Harbor Bay Pkwy
Alameda CA 94502
510/567-6700

ALAMEDA COUNTY, DEPARTMENT OF
ENVIRONMENTAL HEALTH
Hazardous Materials Inspection Form

II, III

white -env.health
yellow -facility
pink -files

Site ID # 6166 Site Name HAYWARD RV STORAGE Today's Date 9/25/96

Site Address 3636 Depot Road

City Hayward Zip 94545 Phone 785-1854

MAX AMT stored > 500 lbs, 55 gal., 200 cft.?

Inspection Categories:

I. Haz. Mat/Waste GENERATOR/TRANSPORTER

II. Hazardous Materials Business Plan, Acutely Hazardous Materials

III. Under ground Storage Tanks

* Calif. Administration Code (CAC) or the Health & Safety Code (HS&C)

Comments:
 This is an initial site visit to a recreational vehicle storage facility that has a 1150 gallon above ground tank of propane stored on site. I completed part I of our Hazardous Materials Business Plan (HMSP) Form at the site and left a blank part II with the owner Daniel Wheat to complete and return to me within 30 days. He has a material safety data sheet for the propane. In addition, there was a 55 gallon drum of waste oil stored here that will be removed in the near future. There were also several tanks ~~and~~ and drums containing waste oil and other hazardous wastes in some of the rental storage spaces that will also be removed ~~in the~~ as soon as possible.

Contact Daniel Wheat

Title owner

Signature Daniel Wheat

Inspector Ron Owens

Signature Ron Owens

II, III

ALAMEDA COUNTY DEPARTMENT OF ENVIRONMENTAL HEALTH
 HAZARDOUS MATERIALS DIVISION
 1131 HARBOR BAY PKWY, ROOM 250
 ALAMEDA CA 94502-6577
 (510) 567-6700

HAZARDOUS MATERIALS BUSINESS PLAN - PART I, ENROLLMENT

1. Business Name HAYWARD R.V. STORAGE
 Site Address 3636 Depot Road
 City Hayward Zip 94545
 Mailing Address _____
 City _____ Zip _____
2. Hazardous Material/Waste Storage and Handling Area:
 less than 5,500 sq. ft. or 500 sq. ft.
3. HAZARDOUS MATERIALS/WASTES EQUAL TO OR GREATER THAN 55
 GALLONS, 500 LBS. OR 200 CUBIC FEET

| | Gallons (liquid) | Pounds (solid) | Cubic Feet (gaseous) | Number of Items |
|------------------------|---------------------|-------------------|---------------------------------|--------------------|
| Hazardous Materials | | | <u>40250</u> 1500 | <u>1</u> |
| Hazardous Waste | | | | |
| GRAND TOTAL | | | <u>40250</u> 1500 | <u>1</u> |

4. I hereby acknowledge receipt of a "Hazardous Materials Business Plan - Part II" form, which is to be completed within 30 days of the date of receipt of this form.

SIGNATURE, DATE Daniel Wheat 9-25-96
 PRINTED NAME Daniel Wheat
 TITLE Operator