

FILE OR

PER NO.

ENVELOPE

No. of

PLAN REVIEW

By Date

By Date

By Date

\$ Rec'd.
No. Plans Rec'd.

POOL

Pre-Concrete/Gunite
Pre-Plaster

UG TANKS

Pre-Covering

OWNER

Address 2474 Dun Rd

Harvard 91515 Phone

Contractor Electrolyte Supply

Address PO Box 160

Alpine CA Phone

OTHER (Specify)

Address

Phone

Plans Approved

Layout Made

Rejected

Applicant Notified

Plans Returned

Permit Issued

CONSTRUCTION PROGRESS ACCEPTANCE

Pre-Plaster/drywall

Pre-Final

Final

EXCAVATION

FINAL

OTHER

Final

Septic Tank

Absorption Field

Absorption Bed

House Sewer

Septic Tank

Absorption Field

Absorption Bed

Final

CONTACT FOR INVESTIGATION

SENDER:

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

3. Article Addressed to:
 Mr RP Mueller
 Electrolyte Supply Co.
 PO Box 160
 Alpine CA 91903
 Virginia C. Mueller

5. Signature (Addressee)

6. Signature (Agent)

4a. Article Number
P386338185

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

7. Date of Delivery
12-22-93

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

RAVIA

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

- Addressee's Address
 - Restricted Delivery
- Consult postmaster for fee.

Thank you for using Return Receipt Service.

REMARKS

LOCATION

Vicinity Map

Project # 704-86

Fee Paid \$500

Date 10-19-93

NO CLOSURE
 DOCUMENTATION
 APPEARS
 PWA CB LEAD

Is your RETURN ADDRESS completed on the reverse side?

PS Form 3811, December 1991

*U.S. GPO: 1992-323-402

DOMESTIC RETURN RECEIPT



ELECTROLYTE SUPPLY CO.

SHD
516

BUSINESS OFFICE: P.O. BOX 160 ALPINE, CALIFORNIA 91902
SERVING HAYWARD 786-1581 • LOS ANGELES 268-8341 • SAN DIEGO 466-8611

93 OCT 18 PM 3: 53

Dr. Ravi Arulanantham - Sr. Haz-Mat Specialist
Division of Hazardous Materials
Dept. of Environmental Health
80 Swan Way Room 200
Oakland, Ca. 94621

Oct. 15, 1993

Dear Dr. Ravi:

Attached are the results of the tests required by you on our Dunn Rd. property in Hayward, Ca.

I am naturally pleased to learn no buried drums of oil were found, as reported to your office by the two "anonymous" phone callers, nor was any significant soil pollution detected on the site.

Though we realize you were only doing your job, it nevertheless still irritates me that over \$3300.00 (we could ill afford to waste) was expended because of these calls whom we have subsequently identified as from two totally irresponsible people seeking vengeance on our former tenant.

I sincerely hope this matter can now be put behind us and we will receive your environmental clearance on the property.

Also enclosed is our check in the amount of ^{\$20.00} ~~\$750.00~~ made payable to the County of Alameda in accordance with your earlier instructions. We didn't know exactly where to mail it or to whose attention.

Respectfully,

R.P. Mueller



INVOICE FOR SERVICES

BILL TO:
Electrolyte Supply Co.
Attention: Ms. Virginia Mueller
P.O. Box 160
Alpine, CA 92001

REFERENCE:
Job No.: 2687
Invoice No.: 3334
Date: 9/30/93
Month of Service: SEPT.

TERMS: DUE UPON RECEIPT OF INVOICE.

PROJECT: PHASE II SITE ASSESSMENT ACTIVITIES.


REFERENCE: ASE JOB NUMBER 2687

Contract Amount	\$2,375.00
30% Deposit due prior to project initiation, PAID	800.00 Thank You!
Remainder of Contract	1,575.00
Additional Chemical Analyses (1-TPHD, 2-O&G)	<u>196.00</u>
	1,771.00
TOTAL AMOUNT DUE THIS INVOICE	\$1,771.00

Thank you for allowing Aqua Science Engineers the opportunity to assist you with your environmental needs. Should any questions or comments arise, please feel free to give us a call at (510) 820-9391.

Respectfully submitted,

AQUA SCIENCE ENGINEERS, INC.


Robert E. Kitay
Project Manager

WE'VE MOVED TO
2411 OLD CROW CANYON RD. #4
SAN RAMON, CA 94583
510-820-9391

Aqua Science Engineers Inc.,

CA 94583 • 415-820-9391 • FAX 415-837-4853

93 OCT 18 PM 3:54

*Pa. de. #100
10/13/93*



ELECTROLYTE SUPPLY CO.

BUSINESS OFFICE: P.O. BOX 160 ALPINE, CALIFORNIA 91903
SERVING HAYWARD 786-1581 • LOS ANGELES 268-8341 • SAN DIEGO 466-8611

93 SEP -3 AM 11:38

Ravi Arulnathan - Sr. Haz-Mat Specialist
Div. of Hazardous Materials
Dept. of Environmental Health
80 Swan Way - Room 200
Oakland, Ca. 94621

9/1/93

Dear Dr. Ravi -
Attached are copies of the ASE Proposal and
the U.S.D.C. ruling on petroleum products we discussed
today.

I certainly would hope these testing procedures and
costs, (over \$7000⁰⁰ when your Haz-Mat fee is included), can
be reduced to a more reasonable fee particularly when
this whole mess was instigated by two "anonymous" phone
calls to your office. It's still inconceivable to me
that innuendo, rumors, and just plain false accusations,
from anonymous sources, can precipitate any kind
of investigation that can cause such havoc and
expenses to the defending party without any recourse.

This is not the way I was taught our legal
system was set up.

Thanks for your early reply and relief.

Sincerely,

R. P. Muller



August 25, 1993

Mr. Richard P. Mueller
Electrolyte Supply Company
P.O. Box 160
Alpine, CA 91903

SUBJECT: ASE PROPOSAL #93-147
ENVIRONMENTAL SITE ASSESSMENT
2474 Dunn Road
Hayward, California

Dear Mr. Mueller:

This letter presents Aqua Science Engineers, Inc. (ASE)'s proposal for conducting a subsurface environmental assessment at the above referenced site. The scope of work for this assessment is proposed as negotiated between ASE and Dr. Ravi Arulanantham of the Alameda County Health Care Services Agency (ACHCSA).

To assess the area at the north end of the site which formally contained a salvage yard, Dr. Arulanantham requested that soil samples be collected beneath up to eight areas with obvious surface staining at approximately one foot and four feet below ground surface. These samples should be analyzed for total petroleum hydrocarbons as gasoline (TPH-G), total petroleum hydrocarbons as diesel (TPH-D), oil and grease (O&G), benzene, toluene, ethylbenzene and xylenes (BTEX) and CAM 17 metals. He also wanted at least one sample analyzed for chlorinated solvents by EPA Method 8270. To satisfy the requirements as outlined above, ASE recommends collecting samples beneath six areas with obvious staining at one and four feet below ground surface using a hand auger. Since the analytical costs make up the majority of the cost involved in this assessment, we propose analyzing the shallow samples for all of the compounds requested by Dr. Arulanantham and then analyzing the deeper samples for only the compounds detected in the shallow samples. Only the sample that seems to be the most contaminated will be analyzed for chlorinated solvents by EPA Method 8270.

*Believe
Never
here. ??*

In the area in the southern portion of the site where batteries were manufactured ASE recommends collecting two soil samples at one and four feet below ground surface with a hand auger. These samples will be analyzed for pH and total lead. *3 No*

ASE will prepare a workplan and site safety plan for approval by the ACHCSA, will collect soil samples as outlined above, will analyze the shallow soil samples as outlined above, and will provide a report with the results of the site assessment for the fixed price of \$6,235.00. If analyses of the deeper soil samples are necessary, the samples will be analyzed for the compounds detected in the shallow samples at the following costs:

TPH-G/BTEX	\$105.00 per sample
TPH-D	\$78.00 per sample
O&G	\$59.00 per sample
CAM 17 Metals	\$280.00 per sample
EPA 8270 Compounds	\$450.00 per sample

PAYMENT

Payment will be scheduled as follows: 30% of the fixed proposal amount will be due upon acceptance of this agreement; the final 70% of the fixed proposal amount will be due upon completion of field activities. Client agrees to pay interest at the rate of one-and-one-half percent (1.5%) per month on any and all balances not paid by due date. Client also agrees to pay all court costs, attorney fees, and other expenses incurred by bidder in the event Client fails to make payment(s) when due and bidder undertakes litigation to enforce collections.

1/10

GENERAL TERMS

We at Aqua Science Engineers, Inc. and its' subcontractors can assure you that this job will be executed in a responsible and timely fashion consistent with the needs and purposes of the project. Any down time or delays due to scope of work changes, or costs associated with damage to any unmarked utilities shall be charged out Aqua Science Engineers' hourly rates.

The Scope of work presented in this proposal is based on what ASE perceives will be acceptable to the local regulatory agencies. Additional assessment activities may be required by the regulatory agencies upon review of the proposed workplan.


Should you wish to have this work proceed as outlined above, please sign the attached "Authorization to Proceed." This proposal constitutes a firm offer to conduct the scope of services herein. One copy of this Authorization to Proceed document is to be signed and returned to Aqua Science Engineers prior to commencement of work.

THIS QUOTATION IS VALID FOR A PERIOD OF THIRTY (30) DAYS FROM DATE OF THIS LETTER.

Aqua Science Engineers appreciates the opportunity to provide you with this quotation. We look forward to further assisting you with your environmental needs. Should you have any questions or comments, please feel free to call us at (510) 820-9391.

Respectfully submitted,

AQUA SCIENCE ENGINEERS, INC.



Robert E. Kitay
Project Geologist



Aqua Science Engineers, Inc.
2411 Old Crow Canyon Road, #4
San Ramon, CA 94583
(510) 820-9391

AUTHORIZATION TO PROCEED

Date: August 24, 1993

Client: Mr. Richard P. Mueller
Electrolyte Supply Company
P.O. Box 160
Alpine, CA 91903

_____, authorizes this work in accordance to the terms
and conditions as stated in ASE proposal 93-147

For Client: _____
Signature: _____
Title: _____
Date: _____

Aqua Science Engineers, Inc.

Name: Robert Kitay
Signature: Robert E. Kitay
Date: 8-26-93

ALAMEDA COUNTY HEALTH AGENCY
CARE SERVICES

Ravi Arulanantham, Ph.D., CHMM
Senior Hazardous Materials Specialist



DIVISION OF HAZARDOUS MATERIALS
DEPARTMENT OF ENVIRONMENTAL HEALTH
80 Swan Way, Rm. 200, Oakland, CA 94621 • (510) 271-4320

*Hi -
This is
fantastic
news!*

Dr. Ravi -

*This article was mailed to me
from Claudia Hallman, our Realtor
at Century 21 in Hayward, Ca*

*Her phone no. is (510) 886-2300
in case you have any questions on the
article origin*

ruled that refined petroleum was excluded from regulation under state's Hazardous Substance Account Act.

From 1953 to 1966 Signal Oil & Gas leased some property in Santa Clara for the operation of a service station. The property was later sold to the Norvald Ulvestad Trust. Ulvestad discovered that gasoline from one of the underground tanks had contaminated the soil and groundwater. Ulvestad sued his successor to Signal, Chevron U.S.A. Inc. for response costs and declaratory relief under California's Carpenter-Prezley-Tanner Hazardous Substance Account Act. Chevron moved to dismiss these claims on the ground that refined petroleum was excluded from the Act's definition of hazardous substances.

The U.S.D.C. (Cent. Dist. Cal.) granted the motion. Section 25317 of the Hazardous Substance Account Act excludes from its definition of hazardous substances "[p]etroleum, including crude oil or any fraction thereof which is not otherwise specifically listed or designated a hazardous substance. . . ." Since refined gasoline is considered a crude oil fraction, it is exempt from the Act. The fact that the California Department of Toxic Substances Control took a contrary position was not controlling since the Department's interpretation of the petroleum exclusion provision was directly contrary to the Environmental Protection Agency and 9th Circuit's interpretation of the almost identical statute in the Comprehensive Environmental Response, Compensation and Liability Act. The plain language of the state law excludes refined petroleum.

Ulvestad v. Chevron U.S.A. Inc.
U.S.D.C. (Cent. Dist. Cal.), No. 92-296, April 6, 1993, by Taylor, J.

- S.L. Gim

Environmental Law

- Refined gasoline is not a hazardous substance under state's Hazardous Substance Account Act.

The U.S.D.C. (Cent. Dist. Cal.) has



**EVERGREEN
ENVIRONMENTAL
SERVICES**

6880 SMITH AVE., NEWARK, CA 94560
(800) 972-5284 EPA ID# CAD 980695761

JOB LOCATION

A DIVISION OF CALIFORNIA OIL RECYCLERS, INC.

RECEIVED Of LADING/
INVOICE 319461
JUL 20 1993

DISTRICT ATTORNEY
BILLING INFORMATION
ALAMEDA COUNTY
CEPD

DATE 7-7-93

CUSTOMER	NAME AZ'S DIESEL	NAME ALAMEDA COUNTY CEPD	CASH <input type="checkbox"/> PO #	CHECK # 728
	ADDRESS 2474 PUNN RD	ADDRESS Same	CUSTOMER NO. AZ DIESEL	
	CITY STATE ZIP CO HAYWARD	CITY STATE ZIP CO	PHONE NO. 782 (510) 3958	

PLEASE PAY FROM THIS INVOICE

TERMS: NET 7 DAYS

PRODUCT	MANIFEST #	GALLONS	PRICE	AMOUNT
USED OIL, NON-RCRA HAZARDOUS WASTE, COMBUSTIBLE LIQUID, NA1270	LUBRICATING 93296100 INDUSTRIAL	400		38.00
NON-RCRA HAZARDOUS WASTE LIQUID	UN1142 (AUTOMOTIVE ANTIFREEZE) UN9189 (OIL & WATER)			
WASTE PETROLEUM OIL NOS COMBUSTIBLE LIQUID NA1270 (GREATER THAN 1000 ppm HALOGENS)				
TEST PASS <input type="checkbox"/> FAIL <input type="checkbox"/> PPM				
OTHER: SWEEP				
DRAINED USED OIL FILTERS	CRUSHED UNCRUSHED EMPTY			

TSDF EVERGREEN OIL, INC. (510) 795-4400
6880 Smith Avenue EPA ID# CAD 980887418
Newark, California 94560

I certify that the information and amounts shown above are true and correct and that the used oil provided to Evergreen Environmental Services meets the definition of used oil pursuant to California Health & Safety Code, Section 25250.1, unless otherwise noted. This further serves as notification that the above waste is banned from land disposal pursuant to Section 66268.7(10) of Title 22. I also acknowledge that I have read and agree to the terms and conditions set forth on the reverse side of this form.

TOTAL CHARGES 38.00

CHECK # 728

DRIVER [Signature] ROUTE # 3 DRIVER SIGNATURE [Signature]

GENERATOR'S SIGNATURE [Signature]

93 AUG 18 AM 9:53

A Creffin

P.O. Box 3431

Clearlake Ca 95422



Mr Eric Ninneman
7677 Oakport Street
Suite 400
Oakland, Ca
94621

65 JUN 18 11 0 20



**EVERGREEN
ENVIRONMENTAL
SERVICES**

A DIVISION OF CALIFORNIA OIL RECYCLERS, INC.

INVOICE 258774

6880 SMITH AVE., NEWARK, CA 94560
(800) 972-5284 EPA ID# CAD980695761

JOB LOCATION

BILLING INFORMATION

DATE: 7-8-92

CUSTOMER	NAME <i>AL'S DIESEL MARINE</i>				NAME <i>SAME</i>				P. O. #						
	ADDRESS <i>2474 DUNN RD</i>				ADDRESS				CUSTOMER NO.						
	CITY <i>HAYWARD</i>		STATE <i>CA</i>		ZIP <i>94544</i>		CO		CITY		STATE		ZIP		PHONE NO. <i>510-782-3958</i>

PLEASE PAY FROM THIS INVOICE

TERMS: NET 7 DAYS

PRODUCT	MANIFEST #	GALLONS	PRICE	AMOUNT
<i>ONLY WATER</i> WASTE PETROLEUM OILS COMBUSTIBLE LIQUID NA1270	<i>90611091</i>	<i>15</i>	<i>1.95</i>	<i>29.25</i>
WASTE ANTIFREEZE NONCOMBUSTIBLE LIQUID UN1132				
HAZARDOUS WASTE LIQUID ORM-E UN9189				
WASTE OIL WITH > 1000 PPM HALOGENS NA1270				
OTHER: <i>1-CLORO TESS (995 PPM)</i>				<i>25.00</i>

TSDf EVERGREEN OIL, INC. (415) 795-4400
6880 Smith Ave EPA ID # CAD980887418
Newark, CA

TOTAL CHARGES

52.75

PAID CASH

I CERTIFY THAT THE ABOVE AMOUNTS AND INFORMATION TO BE CORRECT.

PAID 3
DRIVER ROUTE # DRIVER SIGNATURE

Paul J. Duffin
GENERATOR'S SIGNATURE



**EVERGREEN
ENVIRONMENTAL
SERVICES**

6880 SMITH AVE., NEWARK, CA 94560
(800) 972-5284 EPA ID# CAD980695761

6880 Newark, CA
PAN DRIVER
ROLI

A DIVISION OF CALIFORNIA OIL RECYCLERS, INC.

INVOICE 252172

JOB LOCATION

BILLING INFORMATION

DATE: 5-18-92

CUSTOMER	NAME				NAME				P. O. #	
	<u>AL'S DIESEL MARINE</u>				<u>SAME</u>					
	ADDRESS				ADDRESS				CUSTOMER NO.	
<u>2474 DUNN RD</u>										
CITY		STATE	ZIP	CO	CITY		STATE	ZIP	CO	PHONE NO.
<u>HAYWARD</u>		<u>CA</u>	<u>94545</u>							<u>(510) 982-3958</u>

PLEASE PAY FROM THIS INVOICE

TERMS: NET 7 DAYS

PRODUCT	MANIFEST #	GALLONS	PRICE	AMOUNT
WASTE PETROLEUM OILS COMBUSTIBLE LIQUID NA1270	<u>9/518428</u>	<u>300</u>	<u>25¢</u>	<u>75.00</u>
WASTE ANTIFREEZE NONCOMBUSTIBLE LIQUID UN1132 <u>WATER</u>	<u>9/518428</u>	<u>250</u>	<u>1.85 EA</u>	<u>462.50</u>
HAZARDOUS WASTE LIQUID ORM-E UN9189				
WASTE OIL WITH > 1000 PPM HALOGENS NA1270				
OTHER:				

CODE EVERGREEN CA

SIGNATURE