n - 8 20

To:

Department of Health:

1. Lene Ichinotsubo (Solid Waste)

2. Grace Simmons (Hazardous Waste)

cc: w/attachments - Michael Chock (Lot 44) w/o attachments - Edwin Ebisui, Esq.

From:

Rodney Kim, Executive Director

Date:

January 5, 2004

Subject:

Lot 44: Request for Review and Comment of

Subsurface Soil Investigation

Since your 7/24/03 letter (HW-1176, H0714GMS), the tenant completed a Subsurface Soil Investigation report. The report was completed by BEI Environmental Services (dated 10/13/03). We received the report on 12/11/03.

We request your review and comment on the Subsurface Soil Investigation report (enclosed).

Also enclosed are the review comments of our consultant, Myounghee Noh.

If you have any questions, please call me or Sheri.

Mahalo

Enclosures:

- 1. 27 p. Subsurface Soil Investigation report (BEI 10/13/03)
- 2. 2 p. Myounghee Noh emails of 12/14 and 12/15/03





STATE OF HAWAII DEPARTMENT OF HEALTH **ENVIRONMENTAL MANAGEMENT DIVISION** SOLID AND HAZARDOUS WASTE BRANCH 919 ALA MOANA BLVD., #212 HONOLULU, HAWAII 96814

In reply, please refer to: EMD/SHW

Telephone No. (808) 586-4226 Facsimile No. (808) 586-7509

FACSIMILE REQUEST AND COVER SHEET (Use Black or Blue Ink Only)

DATE: June 2, 2000 No. of pages (Incl. cover sheet) 6
TO: ANTHONY BUSWINK
Office/Phone/Mail Stop: Fax 586-9104
· · · · · · · · · · · · · · · · · · ·
FROM: Todal Nichols
Office/Phone/Mail Stop: DOH - OSWM 586-8143
SUBJECT/MESSAGE: Referal of Storinge Services inspection for your action,
Specifically potential Safety hatards from 2 Cars placed on top of
trailers, See attacked & inspection report, We are unaware
of the details of the operation.
<u>.</u>
SIGNATURE OF SENDER:
NOTE: If this transmittal was incomplete or illegible, please call the sender's office. Rev. 11/95

(EXUSIT =

the sender's office.

RECORD OF COMMUNICATION	PHONE CALL DISCUSSION	FIELD TRIP CONFERENCE	
	(Record of item checked above)		
ro:	FROM:	DATE	
FILE	Told Niches	06/05/00) TIME 9':00	
SUBJECT	Person talked to: A		
	Telephone No.: S	86-9092	
- Baswink asked if we on the trailers with - Duswink also asked it the trailers, I s - He also asked if there the plie. I sud we hadn't - Baswink said storage some to take asses the land limit	and seen a load e cars on top. I f the vehicles a hid they were a were any flam securiny. Thes may need see	I said we hardry use to over hardry bout 1ft,	
		4.	
INFORMATION COPIES TO:			

BENJAMIN J. CAYETANO GOVERNOR



JUN 2 0 2000

LORRAINE H. AKIBA DIRECTOR

LEONARD AGOR DEPUTY DIRECTOR

STATE OF HAWAII

DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS HAWAII OCCUPATIONAL SAFETY AND HEALTH DIVISION 830 PUNCHBOWL STREET HONOLULU, HAWAII 96813

June 19, 2000

Mr. Todd Nichols, Environmental Engineer State of Hawaii, Department of Health Environmental Management Division Solid and Hazardous Waste Branch 919 Ala Moana Blvd., Rm 212 Honolulu, HI 96814

Dear Mr. Nichols:

RE: Complaint about Storage Service Facility

This is in response to your June 2, 2000 complaint notice about cars placed on top of an office trailer.

Mr. Williams has informed us that the trailer itself is scrap, and that it is not used by either of the two employees at the site. However, in response to your concern, Mr. Williams said that today he would have the scrap auto bodies removed from atop the trailer.

Thank you for your interest in occupational safety and health. If you have any other information about this site that you think is important in this matter, please mail, FAX to 586-9104, or contact the Complaint Desk at 586-9092.

Sincerely,

Anthony Buswink, Complaint Officer

Cuthon, Buen &

Administration & Technical

Support Branch

FEB 1 / 2000

ESTATE OF SAMUEL MILLS DAMON

UNLESS OTHERWISE INDICATED, THE INFORMATION CONTAINED IN THIS FACSIMILE MESSAGE IS CONFIDENTIAL AND INTENDED FOR THE USE OF THE INDIVIDUAL OR ENTITY NAMED BELOW. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE NOTIFY US BY COLLECT TELEPHONE.

PH: (808) 536-3717 FAX: (808) 536-3729

FAX TRANSMITTAL

DATE:

02/14/00

TO:

NAME/FIRM	FAX NO.	PHONE NO.
Edgar Salire	586-7509	536-4226
cc: Bruce Nakamura, Esq.	539-8799	539-8700

FROM:

Kris M. Shimabukuro

Number of Sheets Including This Cover:

Re: Information on Drive Line

I apologize for the delay, but I received permission from our attorney to provide you with the following information. As we are still in litigation with the parties, I hope you understand the need for us to obtain approval to release any information. As always, we offer our full cooperation to the DOH. Please do not hesitate to contact me if you have any questions.

Drive Line Components Inc.

Address:

1006 Mikole Street

Honolulu, HI 96819

Phone:

839-9771

President:

William Mahas

Manager:

Skippl McDermott

Attorney:

Paul J. Sulla. Jr.

Note:

Tow Masters and Auto Recycling filed a recent application to lease property from Sand Island Business Association, listing William Mahas, Paul J. Sulla, Jr., Christopher McDermott and Skippi McDermott as Individuals associated with the companies. Note

that all of these individuals were associated with Driveline.

CM.RRR: Z 578 498 56

Sand Island Business Association

July 14, 2000

Michael Chock, Owner Mokihana Builders 718 Puuhale Rd. Honolulu, HI 96819

SIBA

RE: Eviction of SS&M Auto Parts, LLC and/or William Mahas

Dear Mr. Chock:

We have given you notice by letter dated June 22, 2000, that SS&M Auto Parts, LLC (SS&M) and/or William Mahas (Mahas) were to be removed from Lot 44 by July 2, 2000. By letter dated July 3, 2000, we advised you that SS&M and/or Mahas had not vacated Lut 44. We requested that you inform SIBA of your efforts to remove SS&M and/or Mahas. We further advised you that SS&M and/or Muhas occupancy of Lot 44 was in violation of your sublease because SIBA had not approved your assignment of your sublease to Lot 44. As of the date of this letter, SS&M and/or Mahas continue to illegally occupy Lot 44.

You are therefore given notice that SS&M and/or Mahas must vacate Lot 44 by July 28, 2000, 4 p.m. For each day that SS&M and/or Mahas illegally occupy Lot 44, after July 28, 2000, 4 p.m., we will impose a \$500 per day fine on you (as provided for in SIBA Rules & Regulations).

In addition, we will also seek defeasance, as provided in your sublease, to terminate your sublease for continuing to violate the terms and conditions of your sublease, i.e. the illegal occupancy of SS&M and/or Mahas of Lot 44.

Your cooperation is hereby urged to avoid further litigation.

Very truly yours,

Rodney Kim Executive Director

Edwin Ebisu fu: SIBA Board

point 00/12/00 19:98:49 R 90:00512.4690714 P.O. Box 1

US Postal Service Receipt for Certified N No Insurance Coverage Provided. Do not use for international Mail (5 CHOCK SHOULDER BUILDER Postage 1.40 Cettled Fee Special Delivery Fee Quericted Dalvery Fee

4a. Anicla Number 3. Article Addressed to: 578 **BY SIBA** 4b. Service Type OWNER MICHAEL CHOCK. ☐ Regiotered MOKIMANA BUILDERS Express Mail 7:18 PUUHALE RD Return Receipt for 96819 III HONOFAFIN

I also v tollowit extra fi 1.0

2.

Consu

B. Addresses Ad

and fee 's paidl

OC RAS (c/22/00

October 12, 2000

СМ, RRR# 7000 0520 0020 3810 5052 🚓

Michael Chock, Owner Mokihana Builders 718 Puuhale Rd. Honolulu, HI 96819

RE: SIBA's Proposal to Purchase Sublease No. 044

Dear Mr. Chock:

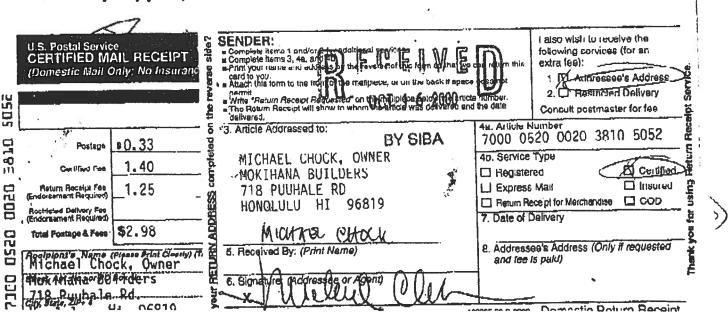
Since you have not responded to SIBA's September 14, 2000, proposal, it is hereby withdrawn.

The continued occupancy of William Mahas and others on Lot 44 is a violation of the terms and conditions of your sublease. Until you cure this violation, a \$500 per day fine shall continue. Please note from July 28, 2000, through October 12, 2000, you owe SIBA \$38,000 in fines for failure to remove your illegal sub-tenant.

Also, until such time that William Mahas and others are removed from Lot 44 (vehicles, all of their equipment and inventory), SIBA will not act on your request for a name change. The reason is the continued violation of your sublease.

We will allow you until October 23, 2000, to evict William Mahas and others from Lot 44. If this deadline is not met, SIBA will take action to terminate your sublease.

Very truly yours,



October 12, 2000

Michael Chock, President/Owner
Island Softworks, Inc. & Mokihana Builders
718 Puuhale Road
Honolulu, HI 96819

MB - 44

r. 11/13

RE: Delinquent Rent/Assessment - Letter I

Dear Tenant:

As of today, payment has not been received.

Your failure to make timely payment, as required by the terms and conditions of your sublease, is a major breach of your sublease.

Therefore, payment of \$3.946.71, inclusive of penalty and interest through today, no later than close of business on October 23, 2000, is hereby demanded. Should you fail to make the payment demanded herein, your sublease shall be immediately terminated pursuant to section 22 of the Sublease (Deficience) and SIBA's legal counsel shall commence litigation for possession of the premises, delinquent rent/assessments, penalties, prejudgment, interest, attorney's fees and costs of court.

This letter will serve as your 10-day notice under paragraph 22.1 of your sublease.

If you have any questions, please feel free to call our office.

We look forward to receiving your payment by October 23, 2000.

Very truly yours,

Executive Director

10/12/00 09:02:46 B:\000317jay\Laner 1001012.wpd P2/2

OU

October 12, 2000

CM, RRR# 7000 0520 0020 3810 5069 9

Richard Y. Kuwada, President Pacific Container Services, Inc. P.O. Box 17809 Honolulu, HI 96817

SIBA

RE: Illegal Subletting of Lot 37

Dear Mr. Kuwada:

We have been informed by investigators of the Solid & Hazardous Waste Branch, Department of Health, of the following:

- There is a fresh oil stain spilled on the ground in your lot. 1)
- 2) William Mahas is subletting your lot from you.

Please be advised that any subletting must be approved by SIBA. We have not received from you a request to sublet your lot to anyone, especially William Mahas. This is a major violation of the terms of your sublease. This violation is compounded by the fact that Mahas' illegal use of lot 37 has caused contamination of your lot. Both of these acts may jeopardize the sale of your sublease.

Therefore, please remove Mr Mahas and his operation from your lot by October 23, 2000. If you fail to evict Mr. Mahas, we will do it and assess you the cost of the litigation.

Very truly yours,

Executive Director

fc: Edwin Ebisui, Esq.

SIBA Board pc:

October 26, 2000

Richard Y. Kuwada, President Pacific Container Services, Inc. c/o Pacific Jet o-Matic P.O. Box 17809 Honolulu HI 96817

CM-RRR 7000 0520 0020 3810 5243

k (808)841.1270

RE: Illegal Subletting of Lot 37

Dear Mr. Kuwada:

P3 Form 3811, December 1994

This letter is to restate to you that "subletting" includes letting anyone use your lot. Whether you are being compensated or not is immaterial. Also, only 50% of your lot is allowed to be sublet. In your situation, Mahas is using your entire lot.

This letter is also notice that as long as Mahas is using your lot, you are in violation of your sublease. Therefore, pursuant to paragraph 22.1, "termination for breach", this is your 60-day notice of your violation.

Very truly yours, U.S. Postal Service CERTIFIED MAIL RECEIPT pil Only: No Insurance Coverage Provided) I also wish to receive the SENDER: following services (for an extra (ee): 0.33 Service 1.40 85 2 TI Restricted Delivery The Return Receipt will show to whom the article was delivered and the date delivered. 1.25 Consult postmaster for fee Receipt BY SIBA 4a. Article Number 3. Article Addressed to: (64) 70000520 0020 3810 5243 your RETURN ADDRESS completed Richard Y. Kuwada, Pres. \$ 2.98 4b, Service Type Pacific Container Services, Inc. ☐ Registered P.O. Box 1/809 ie (Reaso Print Clespin (to back material by Insured □ Express Mall Honolulu HI 0(6817 COD Hetum Receipt for Merchandise 7. Date of Delivery OCT 3 0 2000 B. Addressee's Address (Only it requested Received By/(Print Name) and fee is paid)

102595-98-8-0229

Domestic Return Receipt

ESTATE OF SAMUEL MILLS DAMON

UNLESS OTHERWISE INDICATED, THE INFORMATION CONTAINED IN THIS FACSIMILE MESSAGE IS CONFIDENTIAL AND INTENDED FOR THE USE OF THE INDIVIDUAL OR ENTITY NAMED BELOW. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE NOTIFY US BY COLLECT TELEPHONE.

PH: (808) 536-3717 FAX: (808) 536-3729

FAX TRANSMITTAL

DATE:

02/14/00

TO:

NAME/FIRM	FAX NO.	PHONE NO.
Edgar Salire		536-4226
cc: Bruce Nakamura, Esq.	539-8799	539-8700

FROM:

Kris M. Shimabukuro

Number of Sheets Including This Cover:

Re: Information on Drive Line

I apologize for the delay, but I received permission from our attorney to provide you with the following information. As we are still in litigation with the parties, I hope you understand the need for us to obtain approval to release any information. As always, we offer our full cooperation to the DOH. Please do not hesitate to contact me if you have any questions.

Drive Line Components Inc.

Address:

1006 Mikole Street

Honolulu, HI 96819

Phone:

839-9771

President:

William Mahas Skippi McDermott

Manager:

Double 1

Attorney:

Paul J. Sulla, Jr.

Note:

Tow Masters and Auto Recycling filed a recent application to lease property from Sand Island Business Association, listing William Mahas, Paul J. Sulla, Jr., Christopher McDermott and Skippi McDermott as Individuals associated with the companies. Note that all of these individuals were associated with Driveline.

SUTTON MORRY & BEH Ornces in Honolulu and Maui

Honolulu Office: 745 Fort Street, Suite 2000, Honolulu, Hawaii 96813 / Tel. (808) 521-0400 / Fax (808) 521-0597

Direct dial number: 521-0544 Email: frichardson@rmhawaii.com

May 24, 2000

CERTIFIED MAIL RETURN RECEIPT REQUESTED

Mr. William G. Mahas Towmasters Hawaii, Inc. 2831 Kaihikapu Street Honolulu, Hawaii 96819

Re:

Rent Due and Cleanup of Leased Property Premises: Lot 14, Kenai Industrial Park Honouliuli, District of Ewa City and County of Honolulu, Hawaii

Amount Due: \$ 4,836.75

Dear Mr. Mahas:

We are the attorneys for CIRI Land Development Company ("CIRI") with whom Towmasters Hawaii, Inc. ("Towmasters") entered into a Lease Agreement ("Lease"), dated June 30, 1995, to rent the above-referenced premises for a term of five (5) years, from July 1, 1995 to July 1, 2000.

It has come to our attention that Towmasters has again fallen in arrears on its rent payments, failing to pay the rent which was due on May 1, 2000. This constitutes a default and breach under the terms of the Lease.

Accordingly, DEMAND IS HEREBY MADE upon Townasters for the immediate payment of Towmasters' account in the amount due.

As of May 24, 2000, the outstanding amount of lease rent due is \$4,606.43 for the month of May 2000, plus \$230.32 in late charges, for a total amount due of \$4,836.75. Rental charges and late charges will continue to accrue as provided for in the Lease. Similarly, attorneys' fees and collection expenses will accrue in accordance with the provisions of the Lease, subject to the limitations of Hawaii law. Enclosed please find a notice of your rights under the Fair Debt Collection Practices Act.

May 24, 2000 Page 2

DEMAND IS ALSO HEREBY MADE upon Towmasters to immediately take remedial action to correct other lease violations occurring on the premises such as the parking or storage of vehicles on the street or setback area fronting the premises, and to clean up the premises within ten (10) days from the date of this letter. If said remediation and cleanup is not undertaken and completed by you by June 3, 2000, CIRI will exercise its right to institute eviction proceedings under paragraph 28a of the Lease.

CIRI hereby reserves all of its rights under the terms of the Lease, and at law, to pursue recovery of its costs and expenditures incurred to collect the amounts due and outstanding and unpaid under the Lease, including reasonable attorneys' fees and costs.

If you have any questions regarding the foregoing, please do not hesitate to call me at (808) 521-0400.

NOTICE IS HEREBY GIVEN THAT THIS IS AN ATTEMPT TO COLLECT A DEBT AND ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.

Very truly yours,

RUSH MOORE CRAVEN **SUTTON MORRY & BEH**

+8085210497

Frank P. Richardson

FPR:np

Enclosure

cc:

Rick Beck (w/encl.)

(via facsimile)

Sap-07-00 02:47pm

NOTICE PURSUANT TO FAIR DEBT COLLECTION PRACTICES ACT

Contract: Lease Agreement, dated June 30, 1995

Premises: Lot 14, Kenai Industrial Park Honouliuli, District of Ewa

City and County of Honolulu, Hawaii

1. Amount of Debt as of May 24, 2000:

Rent for May 2000:

\$ 4,606.43

Late Charge:

___230.32

TOTAL DUE:

\$ 4,836.75

Rental charges and late charges will continue to accrue at the rates provided for in your contract. Similarly, attorneys' fees and collection expenses will accrue in accordance with your contract, subject to the limitations of Hawaii law.

- 2. Name of the Creditor: CIRI Land Development Company
- Notice and Verification Procedure. Unless you notify this office within 30 days after receiving this Notice that you dispute the validity of the debt, or any portion thereof, we will assume the debt is valid. If, within the 30-day period, you notify this office in writing that the debt, or any portion thereof, is disputed, we will obtain verification of the debt or, if applicable, a copy of the judgment against you, and a copy of the verification or judgment will be mailed to you. If the original creditor is different from the current creditor and if, within the 30-day period, you request in writing the name and address of the original creditor, we will mail such information to you.
- 4. Effect of Failure to Dispute Validity of Debt. Your failure to dispute the validity of the debt pursuant to this Notice may not be construed by any court as an admission of liability by you in any subsequent litigation to collect the debt.
- 5. Legal Proceedings. The Federal Trade Commission has stated that the Fair Debt Collection Practices Act does not prevent the creditor from filing suit against you prior to the expiration of the aforementioned 30-day period. Therefore, in the absence of payment or satisfactory payment arrangements, legal action may be instituted against you immediately or, where a specific date has been stated in the enclosed demand letter, on or after such date.
- 6. <u>Use of Information</u>. Rush Moore Craven Sutton Morry & Beh, attorneys for the above-named creditor, is acting as a "debt collector" and is attempting to collect a debt. Any information obtained will be used for that purpose.

SEP 7 2000

RUSH MOORE CRAVEN SUTTON MORRY & BEH 745 Fort Street

20th Floor, Hawaii Tower Honolulu, Hawaii 96813-3862 Telephone (808) 521-0400 Facsimile (808) 521-0497

FACSIMILE TRANSMISSION COVER PAGE

CONFIDENTIALITY: The information contained in this FAX message is intended only for the personal and confidential use of the designated recipients named below. This message may be an 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 us immediately by telephone and return the original message to us by mail. Thank you.

DATE: September 7, 2000

CASE NO:

TO: Ms. Lois Hashimoto

Solid and Hazardous Waste Branch

PHONE NO: (808) 586-4226

FAX NO. (808) 586-7509

FROM: Chico Yahiku on behalf of David Shibata, Esq.

RE: Towmasters Hawaii Inc.

Total Number of Pages (including cover sheet): 4

If there are any problems with this transmission please call at (808) 521-0400.

1

MESSAGE: Lois, here is a copy of the letter with the eviction clause on page 2. Please let me know if I may be of any further assistance. Thank you.

DS/csy

BENJAMIN J. CAYETANO GOVERNOR OF HAWAII





OCT - 4 2000

In reply, please refer to: EMD/SHW

October 4, 2000

HONOLULU, HAWAII 96801

Mr. Donald Wong Assistant Chief Investigations Division Department of the Attorney General 425 Queen Street Honolulu, Hawaii 96813

Dear Mr. Wong:

This is to formally request your assistance in conducting an investigation on Thursday, October 5, 2000 at 9:30 a.m. at the following facility:

Driveline 1006 Mikole Street Honolulu, Hawaii 96819

Recently we were informed that the individual we are attempting to locate, William Mahas, may also be operating at Pacific Construction located at 1051 Mikole Street.

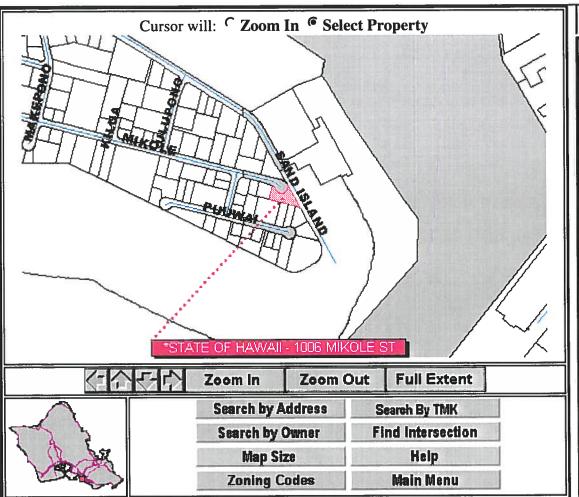
The Dept. of Health inspectors, Edgar Salire and Todd Nichols (Office of Solid Waste and Thomas Brand (Hazardous Waste Section) may also need to conduct an investigation at Pacific Construction. They will make that decision at the time of the inspection.

We appreciate your assistance. Should you have any questions, please contact either Mr. Salire or Mr. Brand at 586-4226.

Sincerely,

Solid & Hazardous Waste Branch

cc: Adina Cunningham Kathleen Ho



Property Information

TMK:	15041019
Acre:	0.471
Owner:	*STATE OF HAWAII
Leasee:	*ISLAND SOFTWRK/MOKIHANA BLD
APART.No:	No Data
Street:	1006 MILOKE ST
City:	HONOLULU, HI
Zipcode:	96819
Address:	1006 MIKOLE ST
Activity code:	construction (contractors in building const., heavy const. and specialized trades)
Facility code:	No Data
State landuse:	Urban
PITT:	Industrial(8.51/8.51)
Year built:	0
SQFT:	20509
Permit number:	404083 01
Permit date:	970616
Census Track:	57
Census Block:	908
Building Value:	173400
Land Value:	615300
Land use oridiance:	I-3 Waterfront

Records: 1/1