

## **Detterman, Mark, Env. Health**

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**From:** Detterman, Mark, Env. Health  
**Sent:** Friday, August 18, 2017 11:12 AM  
**To:** 'wmerkle@kmlaw100.com'  
**Cc:** Chris Freise; Patrick Fisher; Roe, Dilan, Env. Health; Joyce E. Adams; mniebanck@gmail.com; 'Jon Wactor'; 'Tom Fojut'  
**Subject:** RE: McGrath Property Progress Report (6655 Hollis Street, Emeryville; RO63)  
**Attachments:** RO63\_Work Plan\_ 8-17-17.pdf

Mr. Merkle;

Alameda County Department of Environmental Health (ACDEH) has received the attached work plan to conduct work at your property. ACDEH understands that the planned work is for due diligence associated with a potential purchase of the property, with a short timeline. The work plan was requested to be submitted to ACDEH as ACDEH does not allow work on a regulated site, without understanding the intent, adequacy, and appropriateness of the work.

ACDEH has conducted a cursory review of the work plan in order to determine if there is a potential for cross contamination, and that it has been suitably addressed with appropriate Standard Operating Procedures (SOPs), including applying for soil bore permits. The attached SOPs are appropriate for the intended general scope of work.

ACDEH has not conducted an in depth review of the proposed work with reference to potential case closure under the Low Threat Closure Policy (LTCP) or that the work plan addresses all LTCP data gaps identified by ACDEH in previous directive letters or in meetings with you. This can be done; however, will require a minimum of 30 days in order for ACDEH to place it in our normal review lineup.

At this time, ACDEH has no objections to the work proceeding, and will approve soil bore permits once notified by the Alameda County Public Works Agency.

Should you have questions, please let me know.

*Mark Detterman*  
*Senior Hazardous Materials Specialist, PG, CEG*  
*Alameda County Department of Environmental Health*  
*1131 Harbor Bay Parkway*  
*Alameda, CA 94502*  
*Direct: 510.567.6876*  
*Fax: 510.337.9335*  
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*PDF Copies of case files can be downloaded at:*  
*<http://www.acgov.org/aceh/lop/ust.htm>*

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**From:** Tom Fojut [mailto:tjf@weiss.com]  
**Sent:** Thursday, August 17, 2017 6:04 PM  
**To:** Detterman, Mark, Env. Health <Mark.Detterman@acgov.org>  
**Cc:** Chris Freise <chris@liftrp.com>; Patrick Fisher <patrick@liftrp.com>; Roe, Dilan, Env. Health <Dilan.Roe@acgov.org>;

Joyce E. Adams <JEA@weiss.com>; mniebanck@gmail.com

**Subject:** RE: McGrath Property Progress Report

Mark – Here you go.

Tom

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**From:** Detterman, Mark, Env. Health [<mailto:Mark.Detterman@acgov.org>]

**Sent:** Thursday, August 17, 2017 5:55 PM

**To:** Tom Fojut <[tjf@weiss.com](mailto:tjf@weiss.com)>

**Cc:** Chris Freise <[chris@liftrp.com](mailto:chris@liftrp.com)>; Patrick Fisher <[patrick@liftrp.com](mailto:patrick@liftrp.com)>; Roe, Dilan, Env. Health <[Dilan.Roe@acgov.org](mailto:Dilan.Roe@acgov.org)>; Joyce E. Adams <[JEA@weiss.com](mailto:JEA@weiss.com)>; [mniebanck@gmail.com](mailto:mniebanck@gmail.com)

**Subject:** RE: McGrath Property Progress Report

Hi Tom,

In your rush, the report does not have figures or other attachments, and is missing the professional stamp we request. Once you get them, please upload to the County ftp site. Obviously you won't be able to for Geotracker as your client does not own it and is not a Responsible Party. I won't be able to review it until the figures and attachments are included.

Thanks,

*Mark Detterman*

*Senior Hazardous Materials Specialist, PG, CEG*

*Alameda County Department of Environmental Health*

*1131 Harbor Bay Parkway*

*Alameda, CA 94502*

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*PDF Copies of case files can be downloaded at:*

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**From:** Tom Fojut [<mailto:tjf@weiss.com>]

**Sent:** Thursday, August 17, 2017 5:34 PM

**To:** Detterman, Mark, Env. Health <[Mark.Detterman@acgov.org](mailto:Mark.Detterman@acgov.org)>

**Cc:** Chris Freise <[chris@liftrp.com](mailto:chris@liftrp.com)>; Patrick Fisher <[patrick@liftrp.com](mailto:patrick@liftrp.com)>; Roe, Dilan, Env. Health <[Dilan.Roe@acgov.org](mailto:Dilan.Roe@acgov.org)>; Joyce E. Adams <[JEA@weiss.com](mailto:JEA@weiss.com)>; [mniebanck@gmail.com](mailto:mniebanck@gmail.com)

**Subject:** RE: McGrath Property Progress Report

Hi Mark,

The work plan that you requested is attached. Please feel free to contact me if you have any questions or comments. As Markus mentioned, we are under a critical schedule to conduct the sampling. We have scheduled a drilling contractor for Thursday, August 24, and we have submitted our boring permit applications to the Alameda County Public Work Agency. So, any expedited review will be very appreciated.

Have a good evening,

Tom

Thomas Fojut, PE, PG, CHg  
Principal Engineer, Weiss Associates

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**From:** [mniebanck@gmail.com](mailto:mniebanck@gmail.com) [<mailto:mniebanck@gmail.com>]  
**Sent:** Wednesday, August 16, 2017 3:11 PM  
**To:** Detterman, Mark, Env. Health <[Mark.Detterman@acgov.org](mailto:Mark.Detterman@acgov.org)>; Tom Fojut <[tjf@weiss.com](mailto:tjf@weiss.com)>  
**Cc:** Chris Freise <[chris@liftrp.com](mailto:chris@liftrp.com)>; Patrick Fisher <[patrick@liftrp.com](mailto:patrick@liftrp.com)>; Roe, Dilan, Env. Health <[Dilan.Roe@acgov.org](mailto:Dilan.Roe@acgov.org)>  
**Subject:** Re: McGrath Property Progress Report

Adding Tom, as Weiss will be doing the work. We'll get you a brief letter workplan w the Weiss protocols before the week is out.

I was hoping this wouldn't be necessary but we would like to produce data that is valid both for the due diligence and future purposes, so we understand the need to have something in the documentary record.

Sent from my iPhone

On Aug 16, 2017, at 1:54 PM, Detterman, Mark, Env. Health <[Mark.Detterman@acgov.org](mailto:Mark.Detterman@acgov.org)> wrote:

Hi Markus,  
While we have communicated in regards to remaining data gaps at the site, ACDEH has not received an actual work plan with an exact proposed scope of work or standard operating procedures. Without a work plan, ACDEH will not be able to approve boring permits when notified by Public Works that they have been sought. Because the site is a regulated property, no work can commence without ACDEH approval.

If you would like to discuss this further, please let me know. I will need to include Dilan Roe to potentially find a method around this requirement. I do understand that you have a somewhat limited window for due diligence.

*Mark Detterman*  
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**From:** Markus Niebanck [<mailto:mniebanck@gmail.com>]  
**Sent:** Wednesday, August 16, 2017 12:31 PM  
**To:** Detterman, Mark, Env. Health <[Mark.Detterman@acgov.org](mailto:Mark.Detterman@acgov.org)>  
**Cc:** Chris Freise <[chris@liftrp.com](mailto:chris@liftrp.com)>; Patrick Fisher <[patrick@liftrp.com](mailto:patrick@liftrp.com)>  
**Subject:** McGrath Property Progress Report

Greetings Mark.

Looks like all systems are go for the performing of the testing we discussed a few weeks back.

The drilling is scheduled presently for Thursday August 24.

It would be great to hold a date for a visit with you to briefly discuss results and our sense of direction based on what we've seen. Thinking if we could hold a time that following Thursday the 31st (your calendar permitting).

Might you be able to swing by the site on the 24th while work is under way to see for yourself?

Let me know what works for you.

Markus