



Oakland Housing
 Authority

January 26, 2010

Alameda County

JAN 28 2010

Mr. Mark Detterman
 Hazardous Materials Specialist
 Alameda County Health Care Services
 1131 Harbor Bay Parkway, Suite 250
 Alameda, CA 94502-6577

Environmental Health

Dear Mr. Detterman:

**Re: Former Chevron Service Station No. 9-0020
 Fuel Leak Case No. RO0000143**

This is a follow-up to my emailed message, dated January 11, 2010. While the Oakland Housing Authority is wary about appearing to be impatient, we must again emphasize and convey our concerns about the Harrison Street Senior Housing development project's race against the clock. Much of this is related to the subject site, for which Chevron Environmental Management Company (Chevron) submitted and ACEH approved a Remedial Action Plan in 2008. We are concerned that, nearly two years later, the planned development site is not yet ready to be finally and unconditionally closed, in terms of its current or future risks to the environment or its eventual workers or residents.

In response to ACEH's review of the remediation and its further requirements for data, Chevron and its environmental consultant/project manager, Conestoga-Rovers & Associates (CRA), submitted an *Additional Onsite Investigation Report*, dated December 30, 2009. The report *effectively* concludes that the level of residual onsite contamination is below established thresholds and will pose no risk to our project's construction workers or its future residents. Where there are unresolved onsite issues, there are provisions for addressing those when construction begins later this spring. Chevron has offered its assurances and will continue to be the responsible party, in the event we encounter additional onsite contamination.

We are also concerned about ACEH's as-yet undetermined response to the attempted, but unsuccessful, off-site placement of a monitoring well. We fear this may impact and further delay the project's onsite status. This, we agree, is a matter whose final resolution is to be determined by ACEH and Chevron. However, we assume that this offsite resolution will not hinder the onsite clearance that HUD requires at this time. This would be consistent with the principles to which we agreed at our first meeting in May 2007. At that time, ACEH and we agreed to bifurcate and distinguish between the onsite and offsite remediation, so that the latter would not delay or imperil our project's time-

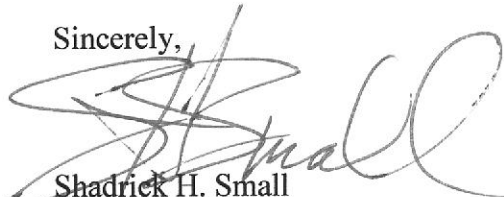
sensitive HUD and City of Oakland funding commitments of approximately \$8.6 million and \$5.1 million, respectively. Again, it is imperative that we obtain all of our local and HUD approvals, in keeping with its charge that we reach initial closing and start construction by June 30, 2010.

Therefore, we respectfully request that ACEH react and comment as soon as possible on the sufficiency and appropriateness of the aforementioned *Additional Onsite Investigation Report*, especially as it would allow the agency to determine that no further action was needed onsite, except for those that we agreed would occur when construction starts. The *letter of no further action* should confirm that all onsite remediation issues have been addressed, and, as a consequence, there are no unacceptable onsite risks.

In the interest of making the best use of the time left to us, we request your very earliest response. This will enable us to forward the no further action letter to HUD in an expedited and timely manner. Please do not hesitate to contact Chevron, CRA or me, at (510) 587-2144 or ssmall@oakha.org, if you have any questions or require additional information.

Thanks in advance for your cooperation and assistance in this very important matter.

Sincerely,



Shadrick H. Small
Development Program Manager

Cc: Daniel Firth
Donna Drogos
Aaron Costa
Charlotte Evans
Jeriann Alexander
Karl Lauff
Philip Neville