

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY

REBECCA GEBHART, Interim Director



DEPARTMENT OF ENVIRONMENTAL HEALTH
LOCAL OVERSIGHT PROGRAM (LOP)
For Hazardous Materials Releases
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November 22, 2016

Brian Beveridge, Co-Director
West Oakland Environmental Indicators Project
349 Mandela Pkwy
Oakland, CA 94607

Subject: Response to Comment to Notification of Potential Case Closure for Site Cleanup Program Case RO0002896 and GeoTracker Global ID T06019794669, Red Star Yeast/1396 Fifth Street LLC, 1396 5th Street, Oakland, CA 94607

Dear Mr. Beveridge,

Alameda County Department of Environmental Health (ACDEH) is following up with this letter in response to your comment via phone on October 31, 2016 to the *Notification of Potential Case Closure* (Notification), dated October 20, 2016. The Notification was distributed by ACDEH to members of the public, including landowners and tenants, in the immediate vicinity of the above-referenced site. The Notification stated that site investigation activities for the above-referenced site have been completed and that residual contaminants appear to not pose a significant risk for current use, and ACDEH is considering closure of the case with Site Management Requirements which would require notifying ACDEH of residential or sensitive land use, or if any redevelopment occurs.

In our phone conversation, we had discussed that the site, according to information on the County of Alameda Assessor's Office website, is currently zoned as "vacant apartment land, capable of 5 or more units," even though its current land use is commercial/industrial. You had asked whether or not a Covenant and Environmental Restriction would be created by the current owner of the site. In order to answer your question, I consulted with Dilan Roe, Chief of Land Water Division at ACDEH.

In response, because the residual contaminants of concern at the site consist primarily of Total Petroleum Hydrocarbons (TPH) from leaking underground storage tanks (USTs) that were found at the site, a deed restriction that is recorded with the County of Alameda Clerk-Recorder's Office is not required. Instead, once the case is closed, Site Management Requirements for the site will be posted in the following:

- The "Regulatory Actions" section in the State Water Resources Control Board's (State Water Board's) GeoTracker database for the site.
- The "Additional Information" sections of the Case Closure Summary that will be uploaded onto GeoTracker and ACDEH's ftp.

Please be aware that the site will be closed to its current land use and not to its zoning designation. This will allow ACDEH or any other regulatory agency the ability to review the case for a future proposed use. To manage this, the Site Management Requirements will require that upon redevelopment, ACDEH will be notified for review for residual contamination relative to the intended specific proposed land use.

The above information can be viewed on the State Water Resources Control Board's Geotracker website (<http://geotracker.waterboards.ca.gov>) and the Alameda County Environmental Health website (<http://www.acgov.org/aceh/index.htm>) once the site is closed.

Thank you for your comment.

Sincerely,

Anne Jurek, M.S.
Professional Technical Specialist II (Geology)

Cc: Dilan Roe, ACDEH (*Sent via e-mail to: dilan.roe@acgov.org*)

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Case Electronic File, GeoTracker