

## Roe, Dilan, Env. Health

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**From:** Everett Cleveland <ecleveland@ebaldc.org>  
**Sent:** Sunday, July 23, 2017 9:08 PM  
**To:** Roe, Dilan, Env. Health  
**Cc:** Khatri, Paresh, Env. Health; Detterman, Karel, Env. Health  
**Subject:** A Moment Please - Site Cleanup Program Case No RO0003153, Bekins Redevelopment, 760 22nd St, Oakland

**Importance:** High

Hello Dilan,

Many apologies for disturbing you on your time away. It is not the preferred approach. Thank you for the directive order in response to our proposed work plan. The response has led to some confusion over methodology and we have questions to raise in need of clarification.

We've heard from our environmental consultant (Essel) that the lab conducting the pending analysis of the additional data is seeking clarification on the proposed sampling methods. We are in need of further guidance please. The understanding of my team is that the methods proposed, summarized in your letter, involves a procedural change to the sample collection and analysis process. The question is urgent because it impacts the type of canister to be used for sampling, and confirming the dedicated use of the canister requires significant lead time.

May we please request for someone on your staff to respond to Rodger Witham of Essel (510-366-8054, [rodger@esseltek.com](mailto:rodger@esseltek.com)) so the uncertainty at hand can clearly be understood by all? We have made efforts to reach out with no response thus far. We understand folks are busy with a myriad of different responsibilities. Yet we appreciate the momentum forward you have established after our recent meeting and it would be a great benefit to us all if we can continue to foster that momentum even in your absence. We would greatly appreciate your help with this.

I thank you for your time.

***I will be out of the office Monday July 31, 2017 – August 4, 2017.***

**Everett Cleveland Jr.**

**Senior Project Manager, Real Estate Development**

East Bay Asian Local Development Corporation

1825 San Pablo Ave., Suite 200, Oakland, CA 94612

DIRECT (510) 287-5353 ext 339 EMAIL [ecleveland@ebaldc.org](mailto:ecleveland@ebaldc.org) WEB [www.ebaldc.org](http://www.ebaldc.org)



**EAST BAY ASIAN LOCAL  
DEVELOPMENT CORPORATION**

BUILDING HEALTHY, VIBRANT AND SAFE NEIGHBORHOODS

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## Roe, Dilan, Env. Health

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**From:** Roe, Dilan, Env. Health  
**Sent:** Friday, July 14, 2017 2:09 PM  
**To:** 'Everett Cleveland'  
**Cc:** Nik Lahiri; Roger Witham; Jared Wright; Khatri, Paresh, Env. Health; Detterman, Karel, Env. Health; Nicholas.Targ@hklaw.com  
**Subject:** RE: Site Cleanup Program Case No RO0003153, Bekins Redevelopment, 760 22nd St, Oakland

Good Afternoon Everett;

Karel and I just finished our review of the work plan this afternoon and she is finalizing the letter. Our goal is to send it out on Monday.

Dilan

**From:** Everett Cleveland [mailto:ecleveland@ebaldc.org]  
**Sent:** Friday, July 14, 2017 6:53 AM  
**To:** Roe, Dilan, Env. Health <Dilan.Roe@acgov.org>  
**Cc:** Nik Lahiri <NLahiri@Esseltek.com>; Roger Witham <rodger@esseltek.com>; Jared Wright <jwright@ebaldc.org>; Khatri, Paresh, Env. Health <paresh.khatri@acgov.org>; Detterman, Karel, Env. Health <Karel.Detterman@acgov.org>; Nicholas.Targ@hklaw.com  
**Subject:** Re: Site Cleanup Program Case No RO0003153, Bekins Redevelopment, 760 22nd St, Oakland

Hello Dilan, good morning. Checking in today on your status to respond to our work plan. It's the end of the week, two weeks since submittal. In the interest of time we'd like to begin mobilizing in an effort to start. Thanks.

Everett Cleveland Jr.  
Sent from my iPhone

On Jun 29, 2017, at 5:25 PM, Everett Cleveland </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP /CN=RECIPIENTS/CN=C9B9921EB2EA4E1EBF7C60FC55ABF573-EVERETT CLE> wrote:

Hello Dilan, touching base to share that Essel has sorted out the technical difficulties with the ACEH IT team and the work plan is now uploaded to FTP. Thank you.

**Everett Cleveland Jr.**  
**Senior Project Manager, Real Estate Development**  
East Bay Asian Local Development Corporation  
1825 San Pablo Ave., Suite 200, Oakland, CA 94612  
DIRECT (510) 287-5353 ext 339 EMAIL [ecleveland@ebaldc.org](mailto:ecleveland@ebaldc.org) WEB [www.ebaldc.org](http://www.ebaldc.org)

<image001.jpg>

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**From:** Everett Cleveland  
**Sent:** Wednesday, June 28, 2017 4:02 PM

**To:** 'Roe, Dilan, Env. Health'

**Cc:** '[nlahiri@esseltek.com](mailto:nlahiri@esseltek.com)'; Jared Wright; 'Khatri, Paresh, Env. Health'; 'Detterman, Karel, Env. Health'; Ener Chiu; '[rodger@esseltek.com](mailto:rodger@esseltek.com)'; '[Nicholas.Targ@hkllaw.com](mailto:Nicholas.Targ@hkllaw.com)'

**Subject:** RE: Site Cleanup Program Case No RO0003153, Bekins Redevelopment, 760 22nd St, Oakland

Hello Dilan, following up to verify the work plan has been uploaded to Geotracker. The plan was also forwarded to you and Mrs. Detterman via email by Nik Lahiri of Essel Environmental today. Unfortunately we were not able to upload to the FTP site. The site was experiencing technical difficulties and did not allow us to upload. So instead the file was emailed to [deh.loptoxic@acgov.org](mailto:deh.loptoxic@acgov.org) with a request to please accept. Thank you again for your time.

**Everett Cleveland Jr.**

**Senior Project Manager, Real Estate Development**

East Bay Asian Local Development Corporation

1825 San Pablo Ave., Suite 200, Oakland, CA 94612

DIRECT (510) 287-5353 ext 339 EMAIL [ecleveland@ebaldc.org](mailto:ecleveland@ebaldc.org) WEB [www.ebaldc.org](http://www.ebaldc.org)

<image001.jpg>

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**From:** Everett Cleveland

**Sent:** Tuesday, June 27, 2017 3:06 PM

**To:** 'Roe, Dilan, Env. Health'

**Cc:** '[nlahiri@esseltek.com](mailto:nlahiri@esseltek.com)'; Jared Wright; Khatri, Paresh, Env. Health; Detterman, Karel, Env. Health; Ener Chiu; '[rodger@esseltek.com](mailto:rodger@esseltek.com)'; '[Nicholas.Targ@hkllaw.com](mailto:Nicholas.Targ@hkllaw.com)'

**Subject:** RE: Site Cleanup Program Case No RO0003153, Bekins Redevelopment, 760 22nd St, Oakland

Hello Dilan, I do hope you're well. Thank you again for checking in. We are targeting an upload of the work plan to the FTP and Geotracker sites this evening (6/27) no later than tomorrow morning (6/28). We could have done this a lot sooner but felt compelled not to until we established some due diligence on a working item. We have been discussing the subject matter of over excavating at the anomaly area. We feel very strongly we will in fact encounter engineering challenges and exorbitant cost increases from methodologies necessary to excavate to a depth of 16-18 feet. Making us concerned as owner and developer as to whether this development project will remain feasible.

We have consulted with the geotechnical soils engineer and structural engineer on the project. Both are very familiar with the subject site. They have agreed to provide a statement on letter head providing a professional opinion on the integrity of the project, the implications on nearby properties, and the public as a result of over excavating in close proximity to the western property line. Since you have shared with me it is not clear to you what the engineering challenges are, we feel compelled to share those reasons with you so you become aware. We will have these opinions to you shortly from now. First however, the work plan will be uploaded as noted above and I will follow up to verify when this is done. As always, thank you again for your time and assistance.

**Everett Cleveland Jr.**

**Senior Project Manager, Real Estate Development**

East Bay Asian Local Development Corporation

1825 San Pablo Ave., Suite 200, Oakland, CA 94612

DIRECT (510) 287-5353 ext 339 EMAIL [ecleveland@ebaldc.org](mailto:ecleveland@ebaldc.org) WEB [www.ebaldc.org](http://www.ebaldc.org)

<image001.jpg>

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**From:** Roe, Dilan, Env. Health [<mailto:Dilan.Roe@acgov.org>]  
**Sent:** Monday, June 26, 2017 7:42 PM  
**To:** Everett Cleveland  
**Cc:** Jason Vargas; [nlahiri@esseltek.com](mailto:nlahiri@esseltek.com); Joshua Simon; Jared Wright; Khatri, Paresh, Env. Health; Detterman, Karel, Env. Health; Ener Chiu; [rodger@esseltek.com](mailto:rodger@esseltek.com)  
**Subject:** RE: Site Cleanup Program Case No RO0003153, Bekins Redevelopment, 760 22nd St, Oakland

Good Evening Everett:

Just checking in on the status of the work plan – I know your project has a timeline.

Dilan

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**From:** Everett Cleveland [<mailto:ecleveland@ebaldc.org>]  
**Sent:** Tuesday, June 13, 2017 11:37 AM  
**To:** Roe, Dilan, Env. Health <[Dilan.Roe@acgov.org](mailto:Dilan.Roe@acgov.org)>  
**Cc:** Jason Vargas <[jvargas@ebaldc.org](mailto:jvargas@ebaldc.org)>; [nlahiri@esseltek.com](mailto:nlahiri@esseltek.com); Joshua Simon <[jsimon@ebaldc.org](mailto:jsimon@ebaldc.org)>; Jared Wright <[jwright@ebaldc.org](mailto:jwright@ebaldc.org)>; Khatri, Paresh, Env. Health <[paresh.khatri@acgov.org](mailto:paresh.khatri@acgov.org)>; Detterman, Karel, Env. Health <[Karel.Detterman@acgov.org](mailto:Karel.Detterman@acgov.org)>; Ener Chiu <[echiu@ebaldc.org](mailto:echiu@ebaldc.org)>; [rodger@esseltek.com](mailto:rodger@esseltek.com)  
**Subject:** RE: Site Cleanup Program Case No RO0003153, Bekins Redevelopment, 760 22nd St, Oakland

Thank you Dilan, we appreciate your follow through. The work plan is relatively done but before we submit it we wanted to facilitate some internal due diligence that will likely not be complete by the time you take off on 6/15. So we will make our submittal upon your return. Thanks.

**Everett Cleveland Jr.**

**Senior Project Manager, Real Estate Development**

East Bay Asian Local Development Corporation

1825 San Pablo Ave., Suite 200, Oakland, CA 94612

DIRECT (510) 287-5353 ext 339 EMAIL [ecleveland@ebaldc.org](mailto:ecleveland@ebaldc.org) WEB [www.ebaldc.org](http://www.ebaldc.org)

<image001.jpg>

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**From:** Roe, Dilan, Env. Health [<mailto:Dilan.Roe@acgov.org>]  
**Sent:** Tuesday, June 13, 2017 10:32 AM  
**To:** Everett Cleveland  
**Cc:** Jason Vargas; [nlahiri@esseltek.com](mailto:nlahiri@esseltek.com); Joshua Simon; Jared Wright; Khatri, Paresh, Env. Health; Detterman, Karel, Env. Health; Ener Chiu; [rodger@esseltek.com](mailto:rodger@esseltek.com)  
**Subject:** RE: Site Cleanup Program Case No RO0003153, Bekins Redevelopment, 760 22nd St, Oakland

Good Morning Everett:

Can you please provide a status update on the submittal of the work plan. I will be on vacation starting June 15 and returning on June 22 and want to be responsive to your project timelines.

Dilan

**From:** Roe, Dilan, Env. Health

**Sent:** Thursday, June 8, 2017 12:15 PM

**To:** 'Everett Cleveland' <[ecleveland@ebaldc.org](mailto:ecleveland@ebaldc.org)>

**Cc:** Jason Vargas <[jvargas@ebaldc.org](mailto:jvargas@ebaldc.org)>; [nlahiri@esselttek.com](mailto:nlahiri@esselttek.com); Joshua Simon <[jsimon@ebaldc.org](mailto:jsimon@ebaldc.org)>; Jared Wright <[jwright@ebaldc.org](mailto:jwright@ebaldc.org)>; Khatri, Paresh, Env. Health <[paresh.khatri@acgov.org](mailto:paresh.khatri@acgov.org)>; Detterman, Karel, Env. Health <[Karel.Detterman@acgov.org](mailto:Karel.Detterman@acgov.org)>; Ener Chiu <[echiu@ebaldc.org](mailto:echiu@ebaldc.org)>; [rodger@esselttek.com](mailto:rodger@esselttek.com)

**Subject:** RE: Site Cleanup Program Case No RO0003243, Bekins, 760 22nd St, Oakland

Everett, Jason and Joshua:

Alameda County Department of Environmental Health (ACDEH) is committed to working with you on this project to facilitate redevelopment. Subsequent to our meeting on May 30, 2017 I wrote a draft directive letter and sent to you on June 5, 2017 for your review and comment. Upon receiving your comments I revised and finalized the directive letter on June 6, 2016 providing a path forward for your project.

As I have stated multiple times, removal of secondary source material to the maximum extent practicable is a component of all closures. Secondary source material was removed during the removal of the two USTs in the northeastern corner of the site however has not been removed the geophysical anomaly area where a former waste oil UST is reported to have been. During site redevelopment significant excavation will be required adjacent to the geophysical anomaly area to construct the subterranean garage and thus it is not clear to me what the engineering challenge is. If excavation of the secondary source material in this area is not practicable then you must provide documentation to support this.

We have requested collection of groundwater level and quality data at the site to provide data to verify that the groundwater conditions (level and quality) have not changed due to the recent wet weather season. As discussed in our meeting groundwater increases have been observed at numerous sites in the county and sometimes with corresponding increasing groundwater concentrations. If changes are observed over the data collected in the drought season this information would need to be incorporated into the HHRA. Our request for the collection of soil gas methane data in the areas of residual contamination in the former UST pit and dispenser island areas is to confirm that there are not explosive hazards related to the degradation of this material and the need for mitigation or overexcavation in these areas.

Please submit the requested work plan so that you can mobilize to the site to address these last data gaps.

Dilan

**From:** Everett Cleveland [<mailto:ecleveland@ebaldc.org>]

**Sent:** Thursday, June 8, 2017 9:35 AM

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

**Cc:** Jason Vargas <[jvargas@ebaldc.org](mailto:jvargas@ebaldc.org)>; [nlahiri@esselttek.com](mailto:nlahiri@esselttek.com); Joshua Simon <[jsimon@ebaldc.org](mailto:jsimon@ebaldc.org)>; Jared Wright <[jwright@ebaldc.org](mailto:jwright@ebaldc.org)>; Khatri, Paresh, Env. Health <[paresh.khatri@acgov.org](mailto:paresh.khatri@acgov.org)>; Detterman, Karel, Env. Health <[Karel.Detterman@acgov.org](mailto:Karel.Detterman@acgov.org)>; Ener Chiu <[echiu@ebaldc.org](mailto:echiu@ebaldc.org)>; [rodger@esselttek.com](mailto:rodger@esselttek.com)

**Subject:** RE: Site Cleanup Program Case No RO0003243, Bekins, 760 22nd St, Oakland

Thank you.

We have also stated in our reporting with an abundant of soil and ground-water data for the geophysical anomaly area (as much as we could so far) in more than one technical report, that there is no risk for leaving the soil in the ground (heavy immobile petroleum hydrocarbons, few

volatile organic compounds at low concentrations, contamination is deep, the contamination underlies a portion of the future building that will not be occupied, no nearby sensitive receptors, incomplete exposure pathways, except for vapor inhalation, etc.). The piece we are missing is the soil vapor data.

In addition, what then is the point of requiring an additional investigation if the removal of the source material will be required? We are a non-profit, we don't have excessive cash out of pocket to keep administering investigations. It would save time and money if we didn't have to investigate this area further if you're going to require us to remove source material regardless of the investigation.

Lastly, we have been notified that excavating the soil in the geophysical anomaly area will be an engineering challenge and expensive.

Everett Cleveland Jr.  
Senior Project Manager, Real Estate Development  
East Bay Asian Local Development Corporation  
1825 San Pablo Ave., Suite 200, Oakland, CA 94612  
DIRECT (510) 287-5353 ext 339 EMAIL [ecleveland@ebaldc.org](mailto:ecleveland@ebaldc.org) WEB [www.ebaldc.org](http://www.ebaldc.org)

-----Original Message-----

From: Roe, Dilan, Env. Health [<mailto:Dilan.Roe@acgov.org>]  
Sent: Thursday, June 08, 2017 9:04 AM  
To: Everett Cleveland  
Cc: Jason Vargas; [nlahiri@esseltek.com](mailto:nlahiri@esseltek.com); Joshua Simon; Jared Wright; Khatri, Paresh, Env. Health; Detterman, Karel, Env. Health; Ener Chiu; [rodger@esseltek.com](mailto:rodger@esseltek.com)  
Subject: Re: Site Cleanup Program Case No RO0003243, Bekins, 760 22nd St, Oakland

Everett - As I have previously stated removal of secondary source material is a criteria of closure of cases. The geophysical anomaly area has been characterized in reports in the case file as the suspected area of a former waste oil underground storage tank. In order to progress this case to closure the contaminated soil must be excavated to the maximum extent practicable. The geophysical anomaly area is immediately adjacent to a 9 foot excavation for construction of the puzzle lifts and thus there do not appear to be constraints to removing the secondary source material.

Dilan

Sent from my iPhone

On Jun 8, 2017, at 8:49 AM, Everett Cleveland  
<[ecleveland@ebaldc.org](mailto:ecleveland@ebaldc.org)<<mailto:ecleveland@ebaldc.org>>> wrote:

Good morning Dilan,

Hope you're off to a good start today. A quick follow up please if you don't mind. Based on your response we realize that without a toxicology opinion on data from the geophysical anomaly area

our consultant Essel Environmental is missing a critical piece of the remedial action plan – an assessment on the human health risk of proceeding without over-excavating at the anomaly area. I apologize for any miscommunication by my team occurring around this issue. We would of course like to complete our evaluation of the anomaly area by establishing a possible finding of no significant health risk by the toxicologist. If we prove this to be true, as justified by a toxicology opinion, will you then perhaps be open to revising your letter by removing the over-excavation requirement in the anomaly area?

I apologize for our excessive back-and-forth on this topic. If you could please get back to us on the question above, I think this should be the last follow up request before we proceed in an effort to close out this case.

Thank you again for your time,

Everett Cleveland Jr.  
Senior Project Manager, Real Estate Development East Bay Asian Local Development Corporation  
1825 San Pablo Ave., Suite 200, Oakland, CA 94612 DIRECT (510) 287-5353 ext 339 EMAIL [ecleveland@ebaldc.org](mailto:ecleveland@ebaldc.org)<<mailto:ecleveland@ebaldc.org>> WEB [www.ebaldc.org](http://www.ebaldc.org)<<http://www.ebaldc.org>>

-----Original Message-----

From: Roe, Dilan, Env. Health [<mailto:Dilan.Roe@acgov.org>]  
Sent: Wednesday, June 07, 2017 6:35 AM  
To: Everett Cleveland  
Cc: Joshua Simon; Jason Vargas; Jared Wright; Ener Chiu; Nik Lahiri; [rodger@esseltek.com](mailto:rodger@esseltek.com)<<mailto:rodger@esseltek.com>>; Khatri, Paresh, Env. Health; Detterman, Karel, Env. Health  
Subject: Re: Site Cleanup Program Case No RO0003243; Bekins, 760 22nd St, Oakland

Everett - I have asked the question about whether the toxicologist evaluated the data in the anomaly area and in the response document you gave me it confirms that she hasn't. I never agreed that the secondary source material in the anomaly area should be left in place - this is a fundamental component in closure of all cases. During our meeting I stated that I would not require additional offsite investigation downgradient of this area if the source material was removed. I recall pointing to many areas on the figure during the meeting and need to put this case down now and move on to the next.

Dilan

Sent from my iPhone

On Jun 6, 2017, at 11:55 PM, Everett Cleveland  
<[ecleveland@ebaldc.org](mailto:ecleveland@ebaldc.org)<<mailto:ecleveland@ebaldc.org>><<mailto:ecleveland@ebaldc.org>>>>  
wrote:

Ok, thank you for clarifying. I still recall you saying though that over-excavation may not be required per the toxicology opinion and I remember you pointing to an area near the residential

neighbor. So what location were you referring to when you said that? Sorry for hammering this item, I would feel remiss if I didn't at least try to clarify so we establish a shared understanding. Thank you.

Everett Cleveland Jr.  
Senior Project Manager, Real Estate Development East Bay Asian Local Development Corporation  
1825 San Pablo Ave., Suite 200, Oakland, CA 94612 DIRECT (510) 287-5353 ext 339 EMAIL [ecleveland@ebaldc.org](mailto:ecleveland@ebaldc.org)<<mailto:ecleveland@ebaldc.org>><<mailto:ecleveland@ebaldc.org>> WEB [www.ebaldc.org](http://www.ebaldc.org)<<http://www.ebaldc.org>>><<http://www.ebaldc.org>>

-----Original Message-----

From: Roe, Dilan, Env. Health [<mailto:Dilan.Roe@acgov.org>]  
Sent: Tuesday, June 06, 2017 11:31 PM  
To: Everett Cleveland  
Cc: Joshua Simon; Jason Vargas; Jared Wright; Ener Chiu; Nik Lahiri; [rodger@esseltek.com](mailto:rodger@esseltek.com)<<mailto:rodger@esseltek.com>><<mailto:rodger@esseltek.com>>; Khatri, Paresh, Env. Health; Detterman, Karel, Env. Health  
Subject: Re: Site Cleanup Program Case No RO0003243, Bekins, 760 22nd St, Oakland

Everett - The toxicologist did not comment on the geophysical anomaly area in the HHRA. She focused Ailey on the UST pit and the dispenser island areas. This secondary source material needs to be removed as it is located just upgradient of the adjacent downgradient residential properties.

Dilan

Sent from my iPhone

On Jun 6, 2017, at 11:18 PM, Everett Cleveland <[ecleveland@ebaldc.org](mailto:ecleveland@ebaldc.org)<<mailto:ecleveland@ebaldc.org>><<mailto:ecleveland@ebaldc.org>><<mailto:ecleveland@ebaldc.org>>> wrote:

Dilan, thank you for the revision and yes, this letter does address my comments. Didn't you say though that over-excavation near the anomaly may not be required as per the toxicology opinion? If that is the case, can you say that as well just as you did for the VMS? Thanks again.

Everett Cleveland Jr.  
Senior Project Manager, Real Estate Development East Bay Asian Local Development Corporation  
1825 San Pablo Ave., Suite 200, Oakland, CA 94612 DIRECT (510) 287-5353 ext 339 EMAIL [ecleveland@ebaldc.org](mailto:ecleveland@ebaldc.org)<<mailto:ecleveland@ebaldc.org>><<mailto:ecleveland@ebaldc.org>><<mailto:ecleveland@ebaldc.org>> WEB [www.ebaldc.org](http://www.ebaldc.org)<<http://www.ebaldc.org>>><<http://www.ebaldc.org>>><<http://www.ebaldc.org>>

<image001.jpg>



From: Roe, Dilan, Env. Health [<mailto:Dilan.Roe@acgov.org>]  
Sent: Tuesday, June 06, 2017 10:16 PM  
To: Everett Cleveland  
Cc: Joshua Simon; Jason Vargas; Jared Wright; Ener Chiu; Nik Lahiri;  
[rodger@esseltek.com](mailto:rodger@esseltek.com)<<mailto:rodger@esseltek.com>><<mailto:rodger@esseltek.com>><<mailto:rodger@esseltek.com>>; Khatri, Paresh, Env. Health; Detterman, Karel, Env. Health  
Subject: RE: Site Cleanup Program Case No RO0003243, Bekins, 760 22nd St, Oakland

Good Evening Everett:

Thank you for providing me with the information I requested. I have revised the letter to address your comments to the extent I deemed appropriate. I trust this letter will suffice to move your project forward with the entitlement process.

Dilan

From: Roe, Dilan, Env. Health  
Sent: Monday, June 5, 2017 7:07 PM  
To: 'Everett Cleveland'  
<[ecleveland@ebaldc.org](mailto:ecleveland@ebaldc.org)<<mailto:ecleveland@ebaldc.org>><<mailto:ecleveland@ebaldc.org>><<mailto:ecleveland@ebaldc.org>>>>  
Cc: Joshua Simon  
<[jsimon@ebaldc.org](mailto:jsimon@ebaldc.org)<<mailto:jsimon@ebaldc.org>><<mailto:jsimon@ebaldc.org>><<mailto:jsimon@ebaldc.org>>>>; Jason Vargas  
<[jvargas@ebaldc.org](mailto:jvargas@ebaldc.org)<<mailto:jvargas@ebaldc.org>><<mailto:jvargas@ebaldc.org>><<mailto:jvargas@ebaldc.org>>>>; Jared Wright  
<[jwright@ebaldc.org](mailto:jwright@ebaldc.org)<<mailto:jwright@ebaldc.org>><<mailto:jwright@ebaldc.org>><<mailto:jwright@ebaldc.org>>>>; Ener Chiu  
<[echiu@ebaldc.org](mailto:echiu@ebaldc.org)<<mailto:echiu@ebaldc.org>><<mailto:echiu@ebaldc.org>><<mailto:echiu@ebaldc.org>>>>; 'Nik Lahiri'  
<[nlahiri@esseltek.com](mailto:nlahiri@esseltek.com)<<mailto:nlahiri@esseltek.com>><<mailto:nlahiri@esseltek.com>><<mailto:nlahiri@esseltek.com>>>>;  
'[rodger@esseltek.com](mailto:rodger@esseltek.com)<<mailto:rodger@esseltek.com>><<mailto:rodger@esseltek.com>><<mailto:rodger@esseltek.com>>>>'  
<[rodger@esseltek.com](mailto:rodger@esseltek.com)<<mailto:rodger@esseltek.com>><<mailto:rodger@esseltek.com>><<mailto:rodger@esseltek.com>>>>; Khatri, Paresh, Env. Health  
<[paresh.khatri@acgov.org](mailto:paresh.khatri@acgov.org)<<mailto:paresh.khatri@acgov.org>><<mailto:paresh.khatri@acgov.org>><<mailto:paresh.khatri@acgov.org>>>>; Detterman, Karel, Env. Health  
<[Karel.Detterman@acgov.org](mailto:Karel.Detterman@acgov.org)<<mailto:Karel.Detterman@acgov.org>><<mailto:Karel.Detterman@acgov.org>><<mailto:Karel.Detterman@acgov.org>>>>  
Subject: RE: Site Cleanup Program Case No RO0003243, Bekins, 760 22nd St, Oakland

Good Evening Everett:

Please receive the attached letter for the subject site.

Dilan Roe, P.E.  
Chief – Land Water Division  
Alameda County Department of Environmental Health  
1131 Harbor Bay Parkway  
Alameda, CA

## Roe, Dilan, Env. Health

---

**From:** Roe, Dilan, Env. Health  
**Sent:** Wednesday, June 7, 2017 11:43 AM  
**To:** Khatri, Paresh, Env. Health; Detterman, Karel, Env. Health  
**Subject:** FW: VRAP Case No. RO0003153 and GeoTracker Global ID T10000006348, Bekins 760 22nd Street, Oakland, CA 94612  
**Attachments:** 16-0816 - RO3153\_Final Alameda County Voluntary Remedial Action Agmt - SIGNED EBALDC.pdf

Attached email correspondence with signed agreement from RP but not signed by Browder

**From:** Jared Wright [mailto:jwright@ebaldc.org]  
**Sent:** Tuesday, August 16, 2016 3:23 PM  
**To:** Detterman, Karel, Env. Health <Karel.Detterman@acgov.org>; Everett Cleveland <ecleveland@ebaldc.org>  
**Cc:** Le, Teena, Env. Health <Teena.Le@acgov.org>; Roe, Dilan, Env. Health <Dilan.Roe@acgov.org>  
**Subject:** RE: VRAP Case No. RO0003153 and GeoTracker Global ID T10000006348, Bekins 760 22nd Street, Oakland, CA 94612

Hi Karel,

Please find attached the signed Voluntary Remedial Action Agreement for W. Grand and Brush (760 22<sup>nd</sup> Street, Oakland), RO number 3153.

Thank you!

Jared Wright  
Assistant Project Manager  
East Bay Asian Local Development Corporation

Direct: (510) 606-1843  
Main: (510) 287-5353 x367  
[jwright@ebaldc.org](mailto:jwright@ebaldc.org)  
1825 San Pablo Avenue, Suite 200  
Oakland, CA 94612

---

**From:** Detterman, Karel, Env. Health [mailto:Karel.Detterman@acgov.org]  
**Sent:** Friday, August 12, 2016 3:17 PM  
**To:** Everett Cleveland  
**Cc:** Le, Teena, Env. Health; Roe, Dilan, Env. Health; Jared Wright  
**Subject:** RE: VRAP Case No. RO0003153 and GeoTracker Global ID T10000006348, Bekins 760 22nd Street, Oakland, CA 94612

Hi Everett:

We received the attached signed *Request for Voluntary Remedial Action Agreement* but now need the signed *Voluntary Remedial Action Agreement*.

Thank you,

Karel Detterman, PG  
Hazardous Materials Specialist  
Alameda County Environmental Health  
1131 Harbor Bay Parkway  
Alameda, CA 94502  
Direct: 510.567.6708  
Fax: 510.337.9335  
Email: [karel.detterman@acgov.org](mailto:karel.detterman@acgov.org)

PDF copies of case files can be downloaded at:

<http://www.acgov.org/aceh/lop/ust.htm>

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**From:** Everett Cleveland [<mailto:ecleveland@ebaldc.org>]  
**Sent:** Friday, August 12, 2016 2:20 PM  
**To:** Detterman, Karel, Env. Health  
**Cc:** Le, Teena, Env. Health; Roe, Dilan, Env. Health; Jared Wright  
**Subject:** Re: VRAP Case No. RO0003153 and GeoTracker Global ID T10000006348, Bekins 760 22nd Street, Oakland, CA 94612

Hello Karel, thank you. I believe a VRAP agreement has been submitted and was assigned a different project number.

Hello Jared, can you please confirm our VRAP submittal details? Please confirm the submittal date, the County rep you have coordinated with, and whether the submittal was accepted. Thanks.

Everett Cleveland Jr.  
Sent from my iPhone

On Aug 12, 2016, at 1:50 PM, Detterman, Karel, Env. Health  
<[Karel.Detterman@acgov.org](mailto:Karel.Detterman@acgov.org)<<mailto:Karel.Detterman@acgov.org>>> wrote:

Hello Everett:

Alameda County Department of Environmental Health (ACDEH) has received the funds, but not the signed Voluntary Remedial Action Agreement (VRAP). Please sign the attached VRAP Agreement and return by e-mail to me.

Thank you,

Karel Detterman, PG  
Hazardous Materials Specialist  
Alameda County Environmental Health  
1131 Harbor Bay Parkway  
Alameda, CA 94502  
Direct: 510.567.6708  
Fax: 510.337.9335  
Email: [karel.detterman@acgov.org](mailto:karel.detterman@acgov.org)<<mailto:karel.detterman@acgov.org>>

PDF copies of case files can be downloaded at:

<http://www.acgov.org/aceh/lop/ust.htm>

<RO3153\_Final Alameda County Voluntary Remedial Action AGREEMENT 2016-08-12.pdf>

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## **Roe, Dilan, Env. Health**

---

**From:** Jared Wright <jwright@ebaldc.org>  
**Sent:** Tuesday, June 6, 2017 4:58 PM  
**To:** Roe, Dilan, Env. Health; Everett Cleveland  
**Cc:** Joshua Simon; Jason Vargas; Ener Chiu; Nik Lahiri; rodger@esseltex.com; Khatri, Paresh, Env. Health; Detterman, Karel, Env. Health  
**Subject:** RE: Site Cleanup Program Case No RO0003243, Bekins, 760 22nd St, Oakland  
**Attachments:** 17-0606 W.Grand - Letter to ACDEH.pdf

Hi Dilan,

Per your request, I have attached a letter from Joshua Simon, EBALDC's ED, summarizing the project details, entitlements process and schedule.

Also, below is a Dropbox link to the 90% SD set for the W. Grand and Brush project.

<https://www.dropbox.com/s/xswmw9ghovj3ipe/15-0212%20-%20wgb%2090%25%20schematic%20design%20set.pdf?dl=0>

Please let me know if you need anything else in order to finalize your letter.

Thanks,

Jared Wright  
Assistant Project Manager  
East Bay Asian Local Development Corporation

Direct: (510) 606-1843  
Main: (510) 287-5353 x367  
[jwright@ebaldc.org](mailto:jwright@ebaldc.org)  
1825 San Pablo Avenue, Suite 200  
Oakland, CA 94612

-----Original Message-----

**From:** Roe, Dilan, Env. Health [mailto:Dilan.Roe@acgov.org]  
**Sent:** Tuesday, June 06, 2017 7:49 AM  
**To:** Everett Cleveland  
**Cc:** Joshua Simon; Jason Vargas; Jared Wright; Ener Chiu; Nik Lahiri; rodger@esseltex.com; Khatri, Paresh, Env. Health; Detterman, Karel, Env. Health  
**Subject:** Re: Site Cleanup Program Case No RO0003243, Bekins, 760 22nd St, Oakland

Hi Everett:

One of the challenges of writing a letter with certainty is the preliminary stage of your project. It would be helpful if you could forward me a set of your architectural plans (even if conceptual) that I could reference in the letter. Even better if you could write a cover letter describing your project and the entitlement & process /schedule that I could attach to the letter. That would help me use the words "conditional approval" as you are

requesting.

Dilan

Sent from my iPhone

On Jun 6, 2017, at 7:38 AM, Roe, Dilan, Env. Health <Dilan.Roe@acgov.org<mailto:Dilan.Roe@acgov.org>> wrote:

Good Morning Everett:

Thank you for your comments and revise the letter today to try to incorporate some flexibility. I wrote the letter with the intent to be consistent with the response to comments letter you provided me and the RAP, a thorough review of the documents in the case files and our discussion in the meeting. I will review your comments today and try to add some flexibility and certainty at the same time.

Dilan

Sent from my iPhone

On Jun 6, 2017, at 12:02 AM, Everett Cleveland <ecleveland@ebaldc.org<mailto:ecleveland@ebaldc.org>> wrote:

Hello Dilan and good evening. Thank you for your follow through as promised. We appreciate your effort getting back to us as soon as possible. Reading the letter though I must say I have some concerns. This letter gives the impression that a VMS installation in the area of the former UST and over excavation at the anomaly will in fact be required. Yet that is not precisely what we discussed in our meeting on 5/30. We concluded that upon reviewing a subsequent toxicology opinion of the newly proposed ground water sampling, if the opinion remains the same as before and continues to support the belief that a VMS is not required then the County will not require it. You even went so far to say that over excavation at the anomaly may not be required. The way this letter is written it gives no impression the proposed systems and methods of mitigation may not be required.

The City will take this letter as gospel and embed the language in the CEQA/NEPA documents for public comment. They will conclude that a VMS installation and over excavation are in fact methods required by the County for remedial action. As a result of this position we will be held to these standards and there will be no room for the potential opinion these methods may not be required unless you say so in this letter. While this letter generally agrees with our proposed engineering and institutional controls, it does not explicitly say the RAP is conditionally approved as you agreed you would say. While this letter speaks to no demolition and construction activity before you review the work plan and subsequent results, it does not speak to conditionally approving the RAP so we may proceed with City planning & zoning entitlements. The City is looking for language that says 'approved' or at least 'conditionally approved'.

In closing Dilan I say this with a great sense of humbleness and a respect for your duty to properly oversee this case, can you at least frame this letter along the lines of what we discussed? So the City may clearly understand we do in fact have conditional approval of the RAP; allowing for the conclusion of CEQA & NEPA activities; allowing for no demolition to occur until the work plan and results are properly vetted; and allowing for the potential that the methods and controls may not be required depending upon your review of the toxicology opinion? When I read this letter it does not come across according to what we discussed. It is more along the lines of what is absolute and will be required as opposed to the potential for no further action. In conclusion

Dilan, thank you again. I appreciate your time and look forward to your reply.

Everett Cleveland Jr.

Senior Project Manager, Real Estate Development East Bay Asian Local Development Corporation  
1825 San Pablo Ave., Suite 200, Oakland, CA 94612 DIRECT (510) 287-5353 ext 339 EMAIL  
ecleveland@ebaldc.org<mailto:ecleveland@ebaldc.org> WEB [www.ebaldc.org](http://www.ebaldc.org)<<http://www.ebaldc.org/>>

<image001.jpg>

From: Roe, Dilan, Env. Health [mailto:Dilan.Roe@acgov.org]

Sent: Monday, June 05, 2017 7:07 PM

To: Everett Cleveland

Cc: Joshua Simon; Jason Vargas; Jared Wright; Ener Chiu; Nik Lahiri;  
rodger@esseltex.com<mailto:rodger@esseltex.com>; Khatri, Paresh, Env. Health; Detterman, Karel, Env.  
Health

Subject: RE: Site Cleanup Program Case No RO0003243, Bekins, 760 22nd St, Oakland

Good Evening Everett:

Please receive the attached letter for the subject site.

Dilan Roe, P.E.

Chief – Land Water Division

Alameda County Department of Environmental Health

1131 Harbor Bay Parkway

Alameda, CA

510.567.6767; Ext. 36767

QIC: 30440

dilan.roe@acgov.org<mailto:dilan.roe@acgov.org>

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- Dianne Rush-Woods

June 6, 2017

Alameda County, Department of Environmental Health  
 1131 Harbor Bay Parkway, Suite 250  
 Alameda, CA 94502  
 ATTENTION: Dilan Roe

Dear Dilan,

This letter includes a project description and summary of the entitlements process and schedule for the W. Grand & Brush development project, as requested in your 6/6/2017 email.

W. Grand & Brush, Parcel A – Project Description

EBALDC proposes to construct an eight-story, mixed-use (daycare and affordable multi-family) residential development at the subject site, known as W. Grand & Brush, Parcel A, located at 760 22nd Street and 2201 Brush Street, Oakland, CA 94612. The project will include a maximum of 59 affordable residential units with a second floor daycare center serving up to 130 children and ground floor offices for EBALDC’s social services, daycare offices, two separate elevator lobbies (one for residential entry and another for daycare entry), and an enclosed ground floor garage.

All units with the exception of the manager’s unit will qualify as affordable housing serving residents with incomes at or below 60 percent of the area median income. The residential unit breakdown will include one, two and three-bedroom apartments. One on-street loading space, fifteen (15) long-term bicycle spaces, and three (3) short-term bicycle spaces will be provided. The ground level parking garage will be enclosed with parking for 50 spaces.

The day care center will include 10,627 square feet of space with classrooms and associated outdoor space on the second floor. Residential amenities will include common laundry rooms on every residential floor (six laundry rooms) and an 8th floor community room adjacent to the roof deck.

Please see the 2/12/15 W. Grand & Brush 90% Schematic Design Set by Pyatok Architects for more detail about the project design.

Entitlements Process & Schedule

Our design review application to City of Oakland Planning and Zoning departments is currently pending a response by the Alameda County Department of Environmental Health. ACDEH approval of our Remedial Action Plan is needed before we may complete the CEQA and NEPA processes and receive land use entitlements in time to secure local funding commitments. As discussed in our meeting on May 30, 2017, an approval letter is needed from the county immediately in order to keep us on track to meet the following key deadlines:

Begin completion of CEQA & NEPA process with City	June 12 <sup>th</sup> , 2017 (no later than)
Begin NEPA 30-day public comment period	August 1 <sup>st</sup> , 2017 (no later than)
Application Deadline - City of Oakland funds	September, 2017
Deadline for securing Land use entitlements	October, 2017
Construction Start	Fall, 2018

We look forward to achieving an expedient resolution to ACDEH’s process to review and approve the Remedial Action Plan for this project. If I can be of any further assistance in moving this process along, please do not hesitate to contact me.





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*Chair* Natalia F. Lawrence  
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*Secretary* Jim Govert  
*Treasurer* John Benson

Sincerely,

Joshua Simon, Executive Director  
East Bay Asian Local Development Corporation  
(510) 606-1840 (direct)  
[jsimon@ebaldc.org](mailto:jsimon@ebaldc.org)

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Sean Sullivan  
K.M. Tan, M.D.  
Rosalyn Tonal  
Joanne Tornatore-Pilli  
Dianne Rush-Woods

## Roe, Dilan, Env. Health

---

**From:** Roe, Dilan, Env. Health  
**Sent:** Tuesday, June 6, 2017 8:30 AM  
**To:** Everett Cleveland  
**Cc:** Joshua Simon; Jason Vargas; Jared Wright; Ener Chiu; Nik Lahiri; rodger@esseltex.com; Khatri, Paresh, Env. Health; Detterman, Karel, Env. Health  
**Subject:** Re: Site Cleanup Program Case No RO0003243, Bekins, 760 22nd St, Oakland

Everett:

Sorry for the multiple emails - I am sending you my thoughts on your email last night as I can in an effort to keep this project moving amidst an extremely busy schedule today.

You stated yesterday that Essel was ready to mobilize to the site to collect additional data to evaluate whether the wet season had any impact on groundwater levels or quality at the site. To expedite this data collection please have Rodger submit a brief work plan to me via email for collection of groundwater samples in the three areas of hydrocarbon impact - UST pit, dispenser island and the geophysical anomaly area. The work plan should propose sample collection at first encountered groundwater which based on other sites evaluated this year may be significantly higher than previous samples collected. The work plan should identify proposed borehole advancement to assess multiple water bearing zones including perched groundwater conditions and should analyze for the full suite of potential chemicals is concern at the site. Additionally please have Rodger review the previous soil gas data collected to verify whether methane was included in the analyses and if it was not then propose collection of methane data in the areas of residual/secondary source material. This information will help support a proposal that a vapor mitigation system is not needed. If a brief teleconference call is needed to discuss this I can be available at 1 pm else I will keep my eyes out for the work plan so your team can mobilize quickly to collect this data.

Dilan

Sent from my iPhone

On Jun 6, 2017, at 7:48 AM, Roe, Dilan, Env. Health <[Dilan.Roe@acgov.org](mailto:Dilan.Roe@acgov.org)> wrote:

Hi Everett:

One of the challenges of writing a letter with certainty is the preliminary stage of your project. It would be helpful if you could forward me a set of your architectural plans (even if conceptual) that I could reference in the letter. Even better if you could write a cover letter describing your project and the entitlement & process /schedule that I could attach to the letter. That would help me use the words "conditional approval" as you are requesting.

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Sent from my iPhone

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Dilan

Sent from my iPhone

On Jun 6, 2017, at 12:02 AM, Everett Cleveland <[ecleveland@ebaldc.org](mailto:ecleveland@ebaldc.org)> wrote:

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In closing Dilan I say this with a great sense of humbleness and a respect for your duty to properly oversee this case, can you at least frame this letter along the lines of what we discussed? So the City may clearly understand we do in fact have conditional approval of the RAP; allowing for the conclusion of CEQA & NEPA activities; allowing for no demolition to occur until the work plan and results are properly vetted; and allowing for the potential that the methods and controls may not be required depending upon your review of the toxicology opinion? When I read this letter it does not come across according to what we discussed. It is more along the lines of what is absolute and will be required as opposed to the potential for no further action. In

conclusion Dilan, thank you again. I appreciate your time and look forward to your reply.

**Everett Cleveland Jr.**

**Senior Project Manager, Real Estate Development**

East Bay Asian Local Development Corporation

1825 San Pablo Ave., Suite 200, Oakland, CA 94612

DIRECT (510) 287-5353 ext 339 EMAIL [ecleveland@ebaldc.org](mailto:ecleveland@ebaldc.org) WEB

[www.ebaldc.org](http://www.ebaldc.org)

<image001.jpg>

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**From:** Roe, Dilan, Env. Health [<mailto:Dilan.Roe@acgov.org>]

**Sent:** Monday, June 05, 2017 7:07 PM

**To:** Everett Cleveland

**Cc:** Joshua Simon; Jason Vargas; Jared Wright; Ener Chiu; Nik Lahiri; [rodger@esseltek.com](mailto:rodger@esseltek.com); Khatri, Paresh, Env. Health; Detterman, Karel, Env. Health

**Subject:** RE: Site Cleanup Program Case No RO0003243, Bekins, 760 22nd St, Oakland

Good Evening Everett:

Please receive the attached letter for the subject site.

**Dilan Roe, P.E.**

*Chief – Land Water Division*

Alameda County Department of Environmental Health

1131 Harbor Bay Parkway

Alameda, CA

510.567.6767; Ext. 36767

Q|C: 30440

[dilan.roe@acgov.org](mailto:dilan.roe@acgov.org)

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## Roe, Dilan, Env. Health

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**From:** Everett Cleveland <ecleveland@ebaldc.org>  
**Sent:** Monday, June 5, 2017 10:41 AM  
**To:** Roe, Dilan, Env. Health  
**Cc:** Joshua Simon; Jason Vargas; Jared Wright; Ener Chiu  
**Subject:** Re: Site Cleanup Program Case No RO0003243, Bekins, 760 22nd St, Oakland

Very well Dilan, thank you for the update. We'll continue to look out for the letter. Esseltek is ready to mobilize upon receiving direction. So we're ready to go.

Everett Cleveland Jr.  
Sent from my iPhone

On Jun 5, 2017, at 10:23 AM, Roe, Dilan, Env. Health <[Dilan.Roe@acgov.org](mailto:Dilan.Roe@acgov.org)> wrote:

Hi Everett:

I am still working on finalizing the letter and am hoping it will be done this afternoon. I would like to send a draft to you for review prior to issuing as a formal directive letter to make sure we are on the same page.

Dilan

**From:** Roe, Dilan, Env. Health  
**Sent:** Thursday, June 1, 2017 1:49 PM  
**To:** Everett Cleveland <[ecleveland@ebaldc.org](mailto:ecleveland@ebaldc.org)>  
**Cc:** Joshua Simon <[jsimon@ebaldc.org](mailto:jsimon@ebaldc.org)>; Jason Vargas <[jvargas@ebaldc.org](mailto:jvargas@ebaldc.org)>  
**Subject:** Site Cleanup Program Case No RO0003243, Bekins, 760 22nd St, Oakland

Good Afternoon Everett:

I just wanted to let you know that I am working on the letter we discussed in our meeting this week but will not have it completed until tomorrow.

**Dilan Roe, P.E.**  
*Chief – Land Water Division*  
Alameda County Department of Environmental Health  
1131 Harbor Bay Parkway  
Alameda, CA  
510.567.6767; Ext. 36767  
QIC: 30440  
[dilan.roe@acgov.org](mailto:dilan.roe@acgov.org)

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## Roe, Dilan, Env. Health

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**From:** Everett Cleveland <ecleveland@ebaldc.org>  
**Sent:** Thursday, June 1, 2017 1:52 PM  
**To:** Roe, Dilan, Env. Health  
**Cc:** Joshua Simon; Jason Vargas; Jared Wright  
**Subject:** Re: Site Cleanup Program Case No RO0003243, Bekins, 760 22nd St, Oakland

Understood Dilan, thank you for the update.

Everett Cleveland Jr.  
Sent from my iPhone

On Jun 1, 2017, at 1:49 PM, Roe, Dilan, Env. Health <[Dilan.Roe@acgov.org](mailto:Dilan.Roe@acgov.org)> wrote:

Good Afternoon Everett:

I just wanted to let you know that I am working on the letter we discussed in our meeting this week but will not have it completed until tomorrow.

**Dilan Roe, P.E.**  
*Chief – Land Water Division*  
Alameda County Department of Environmental Health  
1131 Harbor Bay Parkway  
Alameda, CA  
510.567.6767; Ext. 36767  
QIC: 30440  
[dilan.roe@acgov.org](mailto:dilan.roe@acgov.org)

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