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May 24, 2018

**VIA FEDEX AND EMAIL: mark.detterman@acgov.org**

Alameda County Department of Environmental Health  
Attn: Mark Detterman, Senior Geologist, PG, CEG  
Senior Hazardous Materials Specialist  
1131 Harbor Bay Parkway  
Alameda, CA 94502

**RE: Former Sisters of Providence Hospital  
27<sup>th</sup> Street and Broadway Avenue  
Oakland, CA (the "Site")  
Site Cleanup Program No. RO0003191**

Mr. Detterman:

On behalf of CRP/THC Oakland Broadway Uptown Venture LLC (the "Developer"), I am writing in response to a letter Developer received from the Alameda County Department of Environmental Health (ACDEH) and dated May 8, 2018 that provides technical comments on the proposed sampling described in the Offsite Site Soil Characterization Work, dated March 14, 2018 (the "Offsite Work Plan"). Enclosed with this letter are the Offsite Work Plan and ACDEH's comments.

As you know, on November 17, 2017, Developer and its representatives met with ACDEH to discuss the Site, including Developer's discovery during redevelopment activities of bunker C oil within a foundational element associated with a historic hospital building. Since the historic hospital building extended beyond the Site, ACDEH requested that Developer conduct specific offsite soil sampling for the sole purpose of determining the presence or absence of any bunker c oil beyond the Site's boundary. We discussed that the sampling would consist of only a limited number of soil samples in the adjacent right-of-way. The parties also discussed that if bunker c oil was discovered to extend beyond the Site, then the responsibility to delineate and address any offsite bunker c oil would fall on the respective offsite property owner(s).

In response to the meeting held on November 19, 2017, Developer prepared and submitted to ACDEH the Work Plan describing the limited investigation to investigate the bunker c oil issue. Developer reviewed ACDEH's recent technical comments on the Work Plan

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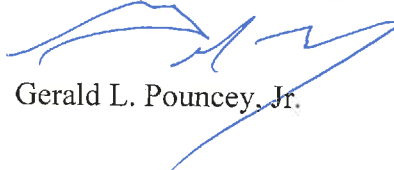
and believes two of ACDEH's comments are inconsistent with the parties' discussions on November 17, 2017. These inconsistencies are discussed below:

1. ACDEH's letter requests that, in addition to sampling for Total Petroleum Hydrocarbons as fuel oil, Developer sample for benzene, toluene, ethylbenzene, total xylenes (collectively, BTEX), naphthalene and other semi-volatile organic compounds (SVOC). Several of these additional constituents requested to be analyzed by ACDEH are not specifically tied to bunker c oil, and analyzing for such constituents is not necessary to determine the presence or absence of bunker c oil beyond the Site's boundary. Developer previously ran specific lab analyzes to determine the nature and characteristic of the material discovered within the foundational element. Based on this analysis, the lab concluded that the chemical composition of the material was consistent with bunker c oil and did not include BTEX, naphthalene or other SVOC compounds. Developer used this lab analysis to narrow the scope of analytical testing to Total Petroleum Hydrocarbons to determine if any bunker c oil is located offsite. Developer proposes that it proceed with its original scope of analysis for only Total Petroleum Hydrocarbons as fuel oil.
2. In its letter, ACDEH also suggests that it may "add additional soil bores laterally as needed to define the lateral extent of the contamination." As specifically discussed during the meeting on November 17, 2018, Developer is not responsible for delineating or remediating any offsite bunker c oil that may have been used at offsite portions of the historic hospital building. Any additional delineation work beyond that described in the Work Plan would be the responsibility of the offsite property owner(s).

Developer plans to incorporate comments 1a. and 1c. from ACDEH's letter into the Work Plan and then the proceed promptly with implementing the proposed sampling. Developer will notify ACDEH of the days it will be on the Site (in the event ACDEH wishes to observe the sampling) and will submit to ACDEH the results of the sampling by the requested deadline of July 20, 2018.

Sincerely,

MORRIS, MANNING & MARTIN, LLP



Gerald L. Pouncey, Jr.

Enclosures

cc: Dilan Roe, ACDEH (via email only [dilan.roe@acgov.org](mailto:dilan.roe@acgov.org))  
Kristen Gates, Developer (via email only [kgates@hanoverco.com](mailto:kgates@hanoverco.com))