

Detterman, Mark, Env. Health

From: Roe, Dilan, Env. Health
Sent: Tuesday, February 09, 2016 9:17 AM
To: Stuart Solomon
Cc: Detterman, Mark, Env. Health; Alexis Gevorgian
Subject: Re: 3195 (10500 and 10550 International Blvd)

Good morning Stewart:

I understand that the plan is conceptual at this point - our approval will be based on the conceptual plan but must be supported by the figures and SMP based on the conceptual plans that we have been discussing now for more than 4 months. These items must be submitted to ACDEH prior to our issuance of a letter.

Dilan
Sent from my iPhone

On Feb 9, 2016, at 8:55 AM, Stuart Solomon <stuart@phase-1environmental.com> wrote:

Dear Dilan and Mark,

We are missing a fundamental step here that I would like to appeal to you for. First; the property has not been purchased yet by AMG. That purchase is contingent upon the Property being approved for the residential development that has been proposed – with alterations as necessary imposed by the regulatory agencies who are involved. The plans we have are now are conceptual, and subject to changes - as required. We don't have utility trenching locations, and won't until the project gets to that point in its development.

The submittals to the County and final approval to commence work for the AGM development will be a work in progress. This process will take many hours and back and forth communication to ensure everything is met before starting the development.

The City of Oakland has not approved this development yet. All they are waiting for is a simple letter from the County, stating that “in principle” the County is OK with this development - provided the following is met before construction commences:

1. An acceptable Soil Management Plan (SMP) is approved and in place with the County.
2. A final “as-built” plan has been approved by the County, addressing design and construction activities when the development is taking place.

All the City needs is a one page letter from the County right now - not their stamped and signed-off “approval”. The City just needs to know that the County will not disapprove the development moving forward – PROVIDED that certain criteria and oversight is in place.

Once the City approves the development, we will have all the time we need to finalize the Soil Management Plan, cross sections, as-builts, etc to meet the County's requirements.

The City just needs to know that the County will not disapprove the project moving forward – PROVIDED that their criteria and oversight is in place.

Could you please provide us with this?

Thank you! Stuart

Phase-1 Environmental Services

Stuart G. Solomon, CEO

(831) 422-2290 -O

(408) 406-3850 -C

www.Phase-1environmental.com

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

Sent: Monday, February 08, 2016 9:19 AM

To: 'Alexis Gevorgian'

Cc: Roe, Dilan, Env. Health; Stuart Solomon

Subject: RE: 3195 (10500 and 10550 International Blvd)

Alexis,

It is my understanding that ACEH is waiting for a submittal from you and/or Stuart in the form of a revamped Site Management Plan for the "new" site, that incorporates the information below and as discussed in a conference call prior to that. Please let me know if this is incorrect.

Mark Detterman

Senior Hazardous Materials Specialist, PG, CEG

Alameda County Environmental Health

1131 Harbor Bay Parkway

Alameda, CA 94502

Direct: 510.567.6876

Fax: 510.337.9335

Email: mark.detterman@acgov.org

PDF copies of case files can be downloaded at:

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

From: Alexis Gevorgian [<mailto:agevorgian@amgland.com>]

Sent: Saturday, February 06, 2016 4:47 PM

To: Detterman, Mark, Env. Health

Cc: Roe, Dilan, Env. Health; Stuart Solomon

Subject: RE: 3195 (10500 and 10550 International Blvd)

Hello, any news on the information that we need? Please let me know. Thanks,

Alexis M. Gevorgian
AMG & Associates, LLC
16633 Ventura Blvd, Suite 1014
Encino, CA 91436

Phone (818) 380-2600 Ext. 14
Fax (818) 380-2603
Cell (818) 317-4168
E-Mail agevorgian@amgland.com

From: Detterman, Mark, Env. Health [mailto:Mark.Detterman@acgov.org]
Sent: Monday, January 25, 2016 10:29 AM
To: 'Stuart Solomon'; 'Alexis Gevorgian'
Cc: Roe, Dilan, Env. Health
Subject: RE: 3195 (10500 and 10550 International Blvd)

Stuart and Alexis,

I am sending this information which is based on a number of items that ACEH has been asking for at redevelopment sites. As background, ACEH expects to shortly have a standard letter requesting site specific variations to the attached figures and tables from project proponents and their consultants to efficiently communicate the scope of a redevelopment, including depth of excavations, remaining proposed residual contamination after excavation, if any, full removal of contamination, data collected to evaluate sensitive pathways (elevator pits, etc), or potential sources areas. These tables and figures very quickly and efficiently indicate this and should be a part of the SMP. These are requested to include:

- Plan view of parcels, historic borings, current / recent bores, and any proposed bores and historic infrastructure related to contamination, or areas of groundwater contamination of concern, etc.
- Plan view of proposed redevelopment related to historic, current, and proposed bore locations. This may require several figures at complex data sites; fewer is better, but at the risk of too complex a figure that decreases the communication effort.
- Multiple cross sections across a site that depict proposed excavation base elevation, foundation depth elevation, proposed cut / fill lines, old soil bore locations along that cross section, depth-correct residual analytical proposed to remain below the foundation, depth of groundwater and any analytical data that documents residual groundwater contamination. Below the future proposed foundation elevation, lithology can be depicted if it plays an important role; however, one intent is to depict the location of residual contamination relative to the proposed building foundation / slab and the proposed lowest building level (or higher if appropriate), proposed use areas (commercial / residential / day care / senior care / etc.). Lithology or data above the proposed excavation depth can be removed if it decreases the clutter of the figure; it won't be of consequence to the future development once removed, but the analytical data will remain in the tables (see below).
- An appropriate number of detailed cross section through areas of interest, such as former sources (waste oil UST, fuel USTs, oil-water separators, unexplored areas of potential contamination, elevator sumps or stairways [potential for VI], or other areas identified as potential areas of concern needing clearer illumination). The intent is to quickly illustrate residual contamination, or the lack of data, and once investigated, why it is protective of future occupants. These cross sections must include offsite improvements where contamination is documented, such as café chairs and permeable pavers over residual contamination, infrastructure improvements such as utilities through residual contamination (such as a storm drain drop box, etc.), or other items that can / will affect users, construction workers, or the public.

- A table by parcel with historic infrastructure (which parcel was historic waste oil UST on?, etc.), proposed uses (comm. / res.), historic / current borings, proposed bores, rational for future bores in the area, etc.
- Electronic Phase 1 for all parcels.
- Full electronic plan set; most recent; with important updates to follow.
- A table with all historic and current analytical data, with removed soil (historic and future) indicated by shading or strike out (but still legible). If you want to distinguish between historic removed and proposed, you might use different shadings. Many of the example tables (pg 8 and beyond of the attached scan) tabulates data by “soil to be removed / soil proposed to remain”.
- All ND tabulated analytical listed by individual chemical detection limit (<x), and highlighting / bolding of detects, or of concentrations over ESLs (or other goals). Can partly be combined with a professional signed statement that your consultant has reviewed all analytical data and has found it is below ESLs or other goals for the site.
- Project schedule – where is project in entitlement project planning, CEQA, building and planning department approvals, when construction is hoped to realistically begin, a realistic time frame for regulatory review (30 days as discussed; we’ll try for better if we can, but standard is 60 days), when and what project proponents will need something in writing from ACEH for financing, and recognition that if mitigation measures are involved closure cannot be provided until a final confirmation sampling report is submitted and reviewed (60 days). The submittal of a Gantt chart is appropriate so that we can all set realistic time frames, and incorporate changes as events happen.
- An understanding that the Porter-Cologne Water Quality Act requires that any regulatory agency in California use a deed restriction / land use covenant (LUC) if contamination above goals (ESLs or other) is proposed to remain at a site. LUCs take time to word, sign, and record at the County. Potential planning to remove any such contamination prior to site development, or provided that the extent is well characterized, potentially with the use of a Site Management Plan (SMP) to manage the removal of the contamination at the time of redevelopment, may be appropriate. As discussed, please be aware that a large removal is essentially a Corrective Action, and a 30 day public notification may be required per state requirements (affecting the Gantt chart inputs). Minor cleanup of inappropriate contamination is not a CA.
- Appropriate use of ESLs relative to the future proposed foundation depth (groundwater or a vapor sample at a site may have been 10 feet bgs, but may be 2 ft below the proposed foundation, and would not meet the 10 foot separation distance groundwater ESLs assume or 5 ft separation that VI ESLs assume / require).
- If mitigation measures are required, then the site will need a RAP and / or a HHRA to evaluate risk with and without mitigation measures (assuming no removal of residual contamination below the future foundation). The RAP must be approved by ACEH and then incorporated into the building plans, which requires coordination with ACEH, building department, and the consultant throughout the final plan approval to ensure changes made during building department or planning review do not conflict with ACEH approved plans. This is a perennial issue ACEH has. All plan changes will also require a professional signed statement from your consultant that the changes do not affect the proposed mitigation measures.
- Generation of a robust SMP to deal with known (volumes, destinations, etc.) or unexpected contamination found during redevelopment, dust management / monitoring for onsite and offsite residential receptors, stormwater, confirmation sampling, step-out contingency, is there a potential USTs? – then perhaps a contingency for contact info with ACEH CUPA group (Oakland CUPA does not exist anymore), etc.

You should review the attached tables and figures for additional ways to effectively communicate with ACEH, project proponents, and eventually the public, potentially at a CAP notification (if needed) and at closure. This effort is to build the case that residual contamination is appropriate to leave (if any), is protective of future occupants, and the general public.

Let me know if you have questions. Hope this helps.

Mark Detterman
Senior Hazardous Materials Specialist, PG, CEG
Alameda County Environmental Health
1131 Harbor Bay Parkway
Alameda, CA 94502
Direct: 510.567.6876
Fax: 510.337.9335
Email: mark.detterman@acgov.org

PDF copies of case files can be downloaded at:

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

From: Stuart Solomon [<mailto:stuart@phase-1environmental.com>]
Sent: Monday, January 25, 2016 7:42 AM
To: Roe, Dilan, Env. Health; Detterman, Mark, Env. Health
Cc: 'Alexis Gevorgian'
Subject: 3195

Hi Dilan and Mark!

I wanted to follow up on the details you want to see in the SMP to get it switched over to the 3195 case that we discussed in our phone call. Could you please give me a briefing on this? We are working on the rest now. Thank you! Stuart

Phase-1 Environmental Services

Stuart G. Solomon, CEO
(831) 422-2290 -O
(408) 406-3850 -C
www.Phase-1environmental.com