

From: Luchetti, Jay
To: [Roe, Dilan, Env. Health](#)
Cc: [Stephanie Hill](#); [Heneghan, Oisin](#); [Khatri, Paresh, Env. Health](#)
Subject: RE: R00003247: Voluntary Remedial Action Program Agreement, 2330 Webster St & 2315 Valdez St
Date: Wednesday, June 14, 2017 12:09:20 PM

Hi Dilan,

As a follow up to our conversation, I am sending over the contact information for the Jens Hillmer and Bill Quesada with the City of Oakland. The letter should be sent with attention to Jens Hillmer and should cc: Bill Quesada

Jens Hillmer

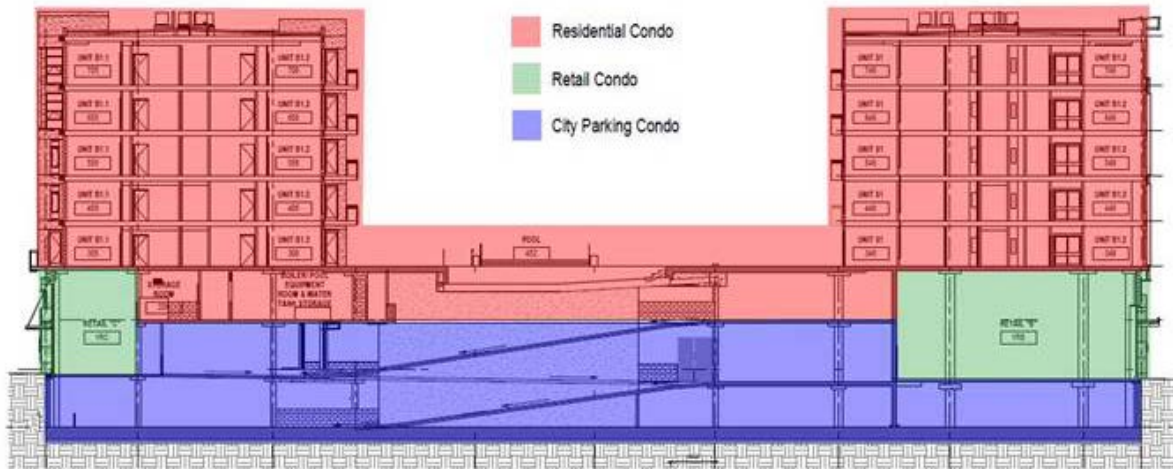
Jhillmer@oaklandnet.com
Urban Economic Coordinator
City of Oakland
(510) 238-3317
250 Frank H. Ogawa Plaza, Ste. 5313
Oakland, CA 94612

Bill Quesada

BQuesada@oaklandnet.com
Zoning Inspection Supervisor
City of Oakland
(510) 238-6345
250 Frank H. Ogawa Plaza, Suite 2340
Oakland, CA 94612

Additionally, below is a description of the property ownership:

In September of 2016, TDP-Webster, LLC ("TDP") entered into a Disposition and Development Agreement with the City of Oakland ("City") to develop a Mixed Use Residential Development at 2315 Valdez St. (APN: 008-668-004) /2330 Webster St. (APN: 008-668-009-07) in Oakland, CA. The 1.42-acre site sits on two parcels currently owned by the City of Oakland, which together serve as an on-grade parking lot. In late June TDP is scheduled to appear at City Council for approval to convey the site from the City to TDP, with conveyance expected on July 11th. TDP has filed a Final Parcel Map to consolidate the two parcels, and plans to file a Condominium Map to separate the development into three different condos. The first condo will include 233 apartment units, amenity space, and 111-parking stalls for resident use. The second condo includes approximately 15,000 square feet of retail space, and the third condo includes 244-parking stalls which will be used as a City operated public parking garage. The City Parking Garage will be transferred to the City upon completion of the Improvements. TDP will always own the underlying land.



Let me know if any questions.

Thanks,

Jay

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

From: Luchetti, Jay

Sent: Tuesday, June 13, 2017 7:44 AM

To: Roe, Dilan, Env. Health <Dilan.Roe@acgov.org>

Cc: Stephanie Hill <SH@ThompsonDorfman.com>; Heneghan, Oisin <oheneghan@tcr.com>; Khatri, Paresh, Env. Health <paresh.khatri@acgov.org>

Subject: RE: RO0003247; Voluntary Remedial Action Program Agreement, 2330 Webster St & 2315 Valdez St

Hi Dilan,

Thanks for the update.

We are expecting the re-issued check this Wednesday. I will send that along with the original wet-signed agreement.

Thanks,

Jay

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

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

Sent: Monday, June 12, 2017 5:56 PM

To: Luchetti, Jay <jluchetti@tcr.com>

Cc: Stephanie Hill <SH@ThompsonDorfman.com>; Heneghan, Oisin <oheneghan@tcr.com>; Khatri, Paresh, Env. Health <paresh.khatri@acgov.org>

Subject: RE: RO0003247; Voluntary Remedial Action Program Agreement, 2330 Webster St & 2315 Valdez St

Thank you Jay:

I will send the letter tomorrow and the work plan approval.

Also, please send me the original VRAP Agreement with a wet signature so that I can finalize by having the Environmental health Director sign the Agreement. Also can you provide me a status update as to whether you have issued a new check for the deposit /refund account and if it has been mailed to us.

Dilan

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

From: Luchetti, Jay [<mailto:jluchetti@tcr.com>]

Sent: Monday, June 12, 2017 5:45 PM

To: Roe, Dilan, Env. Health <Dilan.Roe@acgov.org>

Cc: Stephanie Hill <SH@ThompsonDorfman.com>; Heneghan, Oisin <oheneghan@tcr.com>; Khatri, Paresh, Env. Health <paresh.khatri@acgov.org>

Subject: RE: RO0003247; Voluntary Remedial Action Program Agreement, 2330 Webster St & 2315 Valdez St

Dilan,

Contact information below:

Bill Quesada

BQuesada@oaklandnet.com

Zoning Inspection Supervisor

(510) 238-6345

250 Frank H. Ogawa Plaza, Suite 2340

Oakland, CA 94612

Thank you,

Jay

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

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

Sent: Monday, June 12, 2017 5:25 PM

To: Luchetti, Jay <jluchetti@tcr.com>

Cc: Stephanie Hill <SH@ThompsonDorfman.com>; Heneghan, Oisin <oheneghan@tcr.com>; Khatri, Paresh, Env. Health <paresh.khatri@acgov.org>

Subject: RE: RO0003247; Voluntary Remedial Action Program Agreement, 2330 Webster St & 2315 Valdez St

Hi Jay:

Please send me Bill Quesada's contact information (address, email).

Dilan

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

From: Luchetti, Jay [<mailto:jluchetti@tcr.com>]

Sent: Monday, June 12, 2017 11:19 AM

To: Roe, Dilan, Env. Health <Dilan.Roe@acgov.org>

Cc: Stephanie Hill <SH@ThompsonDorfman.com>; Heneghan, Oisin <oheneghan@tcr.com>; Khatri, Paresh, Env. Health <paresh.khatri@acgov.org>
Subject: RE: RO0003247; Voluntary Remedial Action Program Agreement, 2330 Webster St & 2315 Valdez St

Dilan,

Excellent, thanks for the reply. With regard to the letter, it should be addressed to Bill Quesada, Zoning Inspection Supervisor for the City of Oakland. The letter should convey to the City that the developer has entered into a Voluntary Remedial Action Agreement, and based on the sampling data from the Phase II ESA, the proposed development does not pose an environmental health risk, as the current design specifies a CETCO Coreflex 60 Vapor Retarder (which adequately addresses the vapor intrusion concerns presented in the Phase II ESA). The letter should also state that the developer has submitted (and obtained approval) on a workplan to conduct additional sampling to determine whether a Land Use Covenant would be placed on the property.

I am including a link to the project description and design, including the callout for the CETCO Coreflex 60.

<https://tcr1.box.com/s/mdei4gdekehbar7qtackfpt0qvwm6fw0>

Thanks,

Jay

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

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

Sent: Friday, June 9, 2017 5:36 PM

To: Luchetti, Jay <jluchetti@tcr.com>

Cc: Stephanie Hill <SH@ThompsonDorfman.com>; Heneghan, Oisin <oheneghan@tcr.com>; Khatri, Paresh, Env. Health <paresh.khatri@acgov.org>

Subject: Re: RO0003247; Voluntary Remedial Action Program Agreement, 2330 Webster St & 2315 Valdez St

Hi Jay - I was not able to get to the work plan review this week but have it first on my list on Monday so you can get out in the field hopefully next week. That being said I can definitely write something to the City. Please tell me who to write to and what I need to say.

Dilan

Sent from my iPhone

On Jun 9, 2017, at 4:21 PM, Luchetti, Jay <jluchetti@tcr.com<<mailto:jluchetti@tcr.com>>> wrote:

Hi Dilan,

Hoping the workplan is coming soon, as it appears we have lost a week. Would like to discuss what our options are to make sure we stay on schedule. Considering we are entering into the Voluntary Remedial Action Program, we are committed to performing the site assessment, but cannot until we have your feedback.

As we have discussed, our current design, with the specification of the CETCO Coreflex 60, adequately addresses the low level VOC concerns from the data gathered in 2010. Is it possible to convey to the City that the sampling data is only required to determine whether a LUC would be imposed? It is my understanding that our design would not change either way.

Thanks,

Jay

From: Luchetti, Jay
Sent: Wednesday, June 7, 2017 9:18 AM
To: Roe, Dilan, Env. Health <Dilan.Roe@acgov.org<<mailto:Dilan.Roe@acgov.org>>>
Cc: Stephanie Hill <SH@ThompsonDorfman.com<<mailto:SH@ThompsonDorfman.com>>>; Heneghan, Oisin <oheneghan@tcr.com<<mailto:oheneghan@tcr.com>>>; Khatri, Paresh, Env. Health <paresh.khatri@acgov.org<<mailto:paresh.khatri@acgov.org>>>
Subject: RE: RO0003247; Voluntary Remedial Action Program Agreement, 2330 Webster St & 2315 Valdez St

Hi Dilan,

As I didn't receive anything from you yesterday, I wanted to follow up on the status of your comments on our workplan.

Thanks,

Jay

From: Roe, Dilan, Env. Health [<mailto:Dilan.Roe@acgov.org>]
Sent: Friday, June 2, 2017 12:17 PM
To: Luchetti, Jay <jluchetti@tcr.com<<mailto:jluchetti@tcr.com>>>
Cc: Stephanie Hill <SH@ThompsonDorfman.com<<mailto:SH@ThompsonDorfman.com>>>; Heneghan, Oisin <oheneghan@tcr.com<<mailto:oheneghan@tcr.com>>>; Khatri, Paresh, Env. Health <paresh.khatri@acgov.org<<mailto:paresh.khatri@acgov.org>>>
Subject: RE: RO0003247; Voluntary Remedial Action Program Agreement, 2330 Webster St & 2315 Valdez St

Good Afternoon Jay:

After our meeting Wednesday I met with Paresh to discuss the direction that I provided to you about Alameda County's oversight on your redevelopment project. Based on my discussion with Paresh I think it prudent that the scope of work proposed in the work plan be implemented. The main reasons for this decision are as follows:

* Vapor Barrier: As discussed in the meeting water levels have increased significantly across a majority of similar redevelopment sites in Alameda County due to the recent extremely wet weather season. Based on a review of data for sites in the vicinity of your project it is likely that there are two water bearing zones at the site and thus the separation distance may be reduced between groundwater and the bottom of the proposed subterranean garage and elevator shaft. Thus collection of additional groundwater data will help determine whether a vapor barrier is required to protect building occupants from vapor intrusion to indoor air whether from onsite or offsite sources. If data indicates that a vapor barrier is required as a mitigation measure than land use covenants and long-term monitoring and reporting will be required to ensure that the vapor barrier system remains intact and is functioning property. If the data does not require a vapor barrier then land use covenants and long-term monitoring and reporting will not be required.

* Soil Characterization. Due to past land use practices at the site additional soil characterization is necessary to ensure that soil that is excavated during site redevelopment is disposed of at an appropriate offsite landfill. Documentation of the disposition of the soil will be required to be provided via waste manifests.

I am sorry for the change in direction. I should have stayed with my first instinct in the meeting to not make a decision until I had thought out all the consequences. Please forward the signed Voluntary Remedial Action Agreement and deposit/refund account deposit for processing. I will review the work plan and provide comment on Monday so that you can move forward with the filed investigation.

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>>

Refusal at labor temple building site and lack of information on tank removal: Luchetti, Jay
[<mailto:jluchetti@tcr.com>]
Sent: Thursday, June 1, 2017 8:59 AM
To: Roe, Dilan, Env. Health <Dilan.Roe@acgov.org<<mailto:Dilan.Roe@acgov.org>>>
Cc: Stephanie Hill <SH@ThompsonDorfman.com<<mailto:SH@ThompsonDorfman.com>>>; Heneghan, Oisin <oheneghan@tcr.com<<mailto:oheneghan@tcr.com>>>; Khatri, Paresh, Env. Health <paresh.khatri@acgov.org<<mailto:paresh.khatri@acgov.org>>>
Subject: RE: RO0003247; Voluntary Remedial Action Program Agreement, 2330 Webster St & 2315 Valdez St

Good morning Dilan,

Thanks for taking the time to meet with us yesterday. I wanted to follow up and see if you could send over the sample project description you mentioned yesterday.

Thanks,

Jay

From: Khatri, Paresh, Env. Health [<mailto:paresh.khatri@acgov.org>]
Sent: Wednesday, May 24, 2017 2:31 PM
To: Luchetti, Jay <jluchetti@tcr.com<<mailto:jluchetti@tcr.com>>>; 'Jay Luchetti' <JL@ThompsonDorfman.com<<mailto:JL@ThompsonDorfman.com>>>
Cc: Roe, Dilan, Env. Health <Dilan.Roe@acgov.org<<mailto:Dilan.Roe@acgov.org>>>; Stephanie Hill <SH@ThompsonDorfman.com<<mailto:SH@ThompsonDorfman.com>>>; Heneghan, Oisin <oheneghan@tcr.com<<mailto:oheneghan@tcr.com>>>
Subject: RE: RO0003247; Voluntary Remedial Action Program Agreement, 2330 Webster St & 2315 Valdez St

Hello Jay,

We are available at 1:00 pm on Wednesday, May 31, 2017 to meet with you all to review all the documents, figures, etc., including the scope of work proposed in the work plan. Please bring all documents to the meeting and ensure that the figures presented are relative to the proposed development (i.e. historical borings, potential

source areas, proposed borings, etc., are overlain on a base map that illustrate the proposed development). Also include a drawing(s) (cross-section) illustrating the depth of the elevator shaft, depth of utilities, etc. relative to the potential source areas, historical borings, etc.

Additionally, the proposed scope of work should address potential source areas on-site and off-site relative to the bottom of the foundation.

Lastly, Dilan Roe, PE will be at the meeting to discuss the proposed vapor barrier.

Please let me know if the meeting date and time is acceptable.

Sincerely,

Paresh Khatri

From: Luchetti, Jay [<mailto:jluchetti@tcr.com>]
Sent: Wednesday, May 24, 2017 8:13 AM
To: Khatri, Paresh, Env. Health <paresh.khatri@acgov.org<<mailto:paresh.khatri@acgov.org>>>; 'Jay Luchetti' <JL@ThompsonDorfman.com<<mailto:JL@ThompsonDorfman.com>>>
Cc: Roe, Dilan, Env. Health <Dilan.Roe@acgov.org<<mailto:Dilan.Roe@acgov.org>>>; Stephanie Hill <SH@ThompsonDorfman.com<<mailto:SH@ThompsonDorfman.com>>>; Heneghan, Oisin <oheneghan@tcr.com<<mailto:oheneghan@tcr.com>>>
Subject: RE: RO0003247; Voluntary Remedial Action Program Agreement, 2330 Webster St & 2315 Valdez St

Paresh, Dilan,

Thank you for sending over the VRAA, we will sign and deliver with the deposit. We plan to have our work plan ready to review early next week, can you share your availability next week to review and signoff on the plan?

By way of Box I am providing the documents requested at yesterday's meeting in the link below:

<https://tcr1.box.com/s/Ojtfq23mm24s8sezs3wuaptuk5kmki91>

-The link contains the Phase I & II ESA and the Project Plans.

Lastly, is it possibly to be put in touch with the engineer who would determine whether our current moisture barrier/waterproofing system is adequate to prevent VOC transmission? I have included the specs below:

<http://www.cetco.com/en-us/Products/Building-Materials/Waterproofing/COREFLEX>

<image001.png>

Thanks,

Jay

From: Khatri, Paresh, Env. Health [<mailto:paresh.khatri@acgov.org>]
Sent: Tuesday, May 23, 2017 2:56 PM
To: Luchetti, Jay <jluchetti@tcr.com<<mailto:jluchetti@tcr.com>>>; 'Jay Luchetti' <JL@ThompsonDorfman.com<<mailto:JL@ThompsonDorfman.com>>>
Cc: Roe, Dilan, Env. Health <Dilan.Roe@acgov.org<<mailto:Dilan.Roe@acgov.org>>>

Subject: RO0003247; Voluntary Remedial Action Program Agreement, 2330 Webster St & 2315 Valdez St

Hello Jay,

It was a pleasure meeting you, Oisin, and Cabe this afternoon. Attached is the site-specific voluntary remedial action agreement for your signature. Please submit the signed agreement by email or regular mail. Once the agreement is signed by our director, we will return a copy to you for your records.

Additionally, please submit a \$6,000 check for the deposit to Alameda County Finance Department at 1131 Harbor Bay Pkwy, Alameda CA 94502. Please be sure to include the case number RO0003247 on the check. Please feel free to contact me should you have any questions or concerns regarding this email.

Sincerely,

Paresh C Khatri

Supervising Hazardous Materials Specialist Local Oversight & Site Cleanup Program Manager Alameda County
Department of Environmental Health
1131 Harbor Bay Parkway
Alameda, CA 94502-6577

Ph: 510-777-2478

Fax: 510 -337-9335

<http://www.acgov.org/aceh/index.htm>

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