

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY

COLLEEN CHAWLA, Director



DEPARTMENT OF ENVIRONMENTAL HEALTH
LOCAL OVERSIGHT PROGRAM (LOP)
For Hazardous Materials Releases
1131 HARBOR BAY PARKWAY
ALAMEDA, CA 94502
(510) 567-6700
FAX (510) 337-9335

June 13, 2018

Fremont State Street Center, LLC
Summerhill Homes
c/o Denise Cunningham
3000 Executive Parkway, Suite 450
San Ramon, CA 94583
(Sent via electronic mail to:
dcunningham@shhomes.com)

City of Fremont
c/o Mr. Clifford Nguyen
Urban Initiatives Manager
330 Capital Ave, Building A
P.O. Box 5006
Fremont, CA 94537
(Sent via electronic mail to:
cnguyen@fremont.gov)

Subject: Approval for Building 12 Occupancy and No Further Action Letter; Site Cleanup Program (SCP) Case No. RO0003176 and Geotracker Global ID T1000007102, Fremont Plaza Shopping Center, and SCP Case No. RO0003287 and Geotracker Global ID T10000011189; Locale at State Street; 39155 and 39183 State Street, Fremont, CA 94538

Dear Ms. Cunningham and Mr. Nguyen:

Alameda County Department of Environmental Health (ACDEH) has completed review of the *Building 12 Vapor Mitigation System, Construction Completion Report, Locale @ State Street, Fremont, California*, dated June 12, 2018, prepared by PES Environmental, Inc. on behalf of Fremont State Street Center, LLC. This report documents completion of the installation of the vapor mitigation engineering controls (VMEC) for Building 12 of the subject development and post VMEC installation indoor air testing verifying that the VMECs are effectively mitigating the potential vapor intrusion risk from volatile organic compounds in soil vapor to indoor air in Building 12. Based on ACDEH's review of this document, and with the provision that the information provided to this agency is accurate and representative of site conditions, no further remedial action or monitoring is required prior to occupancy of Building 12.

Therefore, at this juncture ACDEH has no objection to the City of Fremont approving Building 12 for residential occupancy provided post-closure maintenance, monitoring and reporting activities are conducted in accordance with the following documents:

- *Vapor Mitigation System, Trench Dams and Trench Plugs, Operations and Maintenance Plan, Locale @ State Street, Fremont, California*, dated February 28, 2018, by PES Environmental, Inc.; and
- Covenant and Environmental Restriction on Property, Locale at State Street, Fremont, California, Land Use Covenant (LUC) recorded on March 2, 2018.

This letter provides clearance for occupancy for Building 12 of the subject development only. Installation of VMEC and indoor air testing is required prior to ACDEH providing clearance for occupancy of the other buildings in the subject development.

If you have any questions, please do not hesitate to call me at (510) 567-6876 or send me an electronic mail message at mark.detterman@acgov.org.

Sincerely,



Mark E. Detterman, PG 4799, CEG 1788
Senior Geologist
Senior Hazardous Materials Specialist

Ms. Cunningham and Mr. Nguyen
RO0003176
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Enclosures: Attachment 1 – Responsible Party (ies) Legal Requirements / Obligations
Electronic Report Upload (ftp) Instructions

cc: Carl Michelsen, PES Environmental, Inc, 1682 Novato Blvd, Suite 100, Novato, CA 94947, (Sent via electronic mail to: CMichelsen@pesenv.com)

Scott Morrison, PES Environmental, Inc, 1682 Novato Blvd, Suite 100, Novato, CA 94947, (Sent via electronic mail to: SMorrison@pesenv.com)

Tom Graf, GrafCon, P.O. Box 1105, Tiburon, CA 94920, (Sent via electronic mail to: Tom@grafcon.us)

Katia Kamangar, SummerHill Housing Group, (Sent via electronic mail to: KKamangar@shhousinggroup.com)

Selim Zeyek, Alameda County Water District, 43885 South Grimmer Blvd, Fremont, CA 94538, (Sent via electronic mail to: Selim.Zeyrek@acwd.com)

Dilan Roe, ACDEH, (Sent via electronic mail to: dilan.roe@acgov.org)

Paresh Khatri, ACDEH; (Sent via electronic mail to: paresh.khatri@acgov.org)

Mark Detterman, ACDEH, (Sent via electronic mail to: mark.detterman@acgov.org)

Electronic File; GeoTracker

Alameda County Environmental Cleanup Oversight Programs (LOP and SCP)	REVISION DATE: December 14, 2017
	ISSUE DATE: July 25, 2012
	PREVIOUS REVISIONS: September 17, 2013, May 15, 2014, December 12, 2016
SECTION: ACDEH Procedures	SUBJECT: Responsible Party(ies) Legal Requirements / Obligations

REPORT & DELIVERABLE REQUESTS

Alameda County Department of Environmental Health (ACDEH) Cleanup Oversight Programs, Local Oversight Program (LOP) and Site Cleanup Program (SCP) require submission of all reports in electronic form to the State Water Board's (SWB) GeoTracker website in accordance with California Code of Regulations, Chapter 30, Division 3, Title 23 and Division 3, Title 27.

Leaking Underground Fuel Tank (LUFT) Cases

Reports and deliverable requests are pursuant to California Health and Safety Code Section 25296.10. 23 CCR Sections 2652 through 2654, and 2721 through 2728 outline the responsibilities of a responsible party (RP) in conjunction with an unauthorized release from a petroleum underground storage tank (UST) system.

Site Cleanup Program (SCP) Cases

For non-petroleum UST cases, reports and deliverables requests are pursuant to California Health and Safety Code Section 101480.

ELECTRONIC SUBMITTAL OF REPORTS

A complete report submittal includes the PDF report and all associated electronic data files, including but not limited to GEO_MAP, GEO_XY, GEO_Z, GEO_BORE, GEO_WELL, and laboratory analytical data in Electronic Deliverable Format™ (EDF). Additional information on these requirements is available on the State Water Board's website (http://www.waterboards.ca.gov/water_issues/programs/ust/electronic_submittal/)

- Do not upload draft reports to GeoTracker
- Rotate each page in the PDF document in the direction that will make it easiest to read on a computer monitor.

GEOTRACKER UPLOAD CERTIFICATION

Each report submittal is to include a GeoTracker Upload Summary Table with GeoTracker valid values¹ as illustrated in the example below to facilitate ACDEH review and verify compliance with GeoTracker requirements.

GeoTracker Upload Table Example

Report Title	Sample Period	PDF Report	GEO_MAPS	Sample ID	Matrix	GEO_Z	GEO_XY	GEO_BORE	GEO_WELL	EDF
2016 Subsurface Investigation Report	2016 S1	✓	✓	Effluent	SO	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓
2012 Site Assessment Work Plan	2012	✓	✓			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2010 GW Investigation Report	2008 Q4	✓	✓	SB-10	W	✓	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓
				SB-10-6	SO	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓
				MW-1	WG	✓	✓	✓	✓	✓
				SW-1	W	✓	✓	✓	✓	✓

¹ GeoTracker Survey XYZ, Well Data, and Site Map Guidelines & Restrictions, CA State Water Resources Control Board, April 2005

Alameda County Environmental Cleanup Oversight Programs (LOP and SCP)	REVISION DATE: NA
	ISSUE DATE: December 14, 2017
	PREVIOUS REVISIONS: September 17, 2013, May 15, 2014, December 12, 2016
SECTION: ACDEH Procedures	SUBJECT: Responsible Party(ies) Legal Requirements / Obligations

ACKNOWLEDGEMENT STATEMENT

All work plans, technical reports, or technical documents submitted to ACDEH must be accompanied by a cover letter from the responsible party that states, at a minimum, the following: "I have read and acknowledge the content, recommendations and/or conclusions contained in the attached document or report submitted on my behalf to the State Water Board's GeoTracker website." This letter must be signed by the Responsible Party, or legally authorized representative of the Responsible Party.

PROFESSIONAL CERTIFICATION & CONCLUSIONS/RECOMMENDATIONS

The California Business and Professions Code (Sections 6731, 6735, and 7835) requires that work plans and technical or implementation reports containing geologic or engineering evaluations and/or judgments be performed under the direction of an appropriately licensed or certified professional and include the professional registration stamp, signature, and statement of professional certification. Additional information is available on the Board of Professional Engineers, Land Surveyors, and Geologists website at: <http://www.bpelsg.ca.gov/laws/index.shtml>.

UNDERGROUND STORAGE TANK CLEANUP FUND

For LUFT cases, RP's non-compliance with these regulations may result in ineligibility to receive grant money from the state's Underground Storage Tank Cleanup Fund (Senate Bill 2004) to reimburse the cost of cleanup. Additional information is available on the internet at: https://www.waterboards.ca.gov/water_issues/programs/ustcf/

AGENCY OVERSIGHT

Significant delays in conducting site assessment/cleanup or report submittals may result in referral of the case to the Regional Water Board or other appropriate agency, including the County District Attorney, for possible enforcement actions. California Health and Safety Code, Section 25299.76 authorizes enforcement including administrative action or monetary penalties of up to \$10,000 per day for each day of violation.