

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY

REBBECA GEBHART, Interim Director



DEPARTMENT OF ENVIRONMENTAL HEALTH
LOCAL OVERSIGHT PROGRAM (LOP)
For Hazardous Materials Releases
1131 HARBOR BAY PARKWAY, SUITE 250
ALAMEDA, CA 94502
(510) 567-6700
FAX (510) 337-9335

October 10, 2017

Mr. Colby Northridge
Oakland International Housing Partners, L.P.
18201 Von Karman Avenue, Suite 900
Irvine, CA 92612
(Sent via email to: cnorthridge@related.com)

Mr. Eric Johnson
Housing Authority of the City of Oakland
1619 Harrison Street
Oakland, California 92612

Subject: Site Cleanup Program Case No. RO0003202 and Geotracker Global ID T1000008353, and Post-Closure Case No. RO 0003264 and Geotracker Global ID T10000010946, Acts Cyrene Apartments (Housing Authority) 9400 – 9500 International Blvd, Oakland, CA 94603

Dear Mr. Northridge and Mr. Johnson:

Alameda County Department of Environmental Health (ACDEH) staff has reviewed the case file including the following documents prepared by RPS IRIS Environmental on your behalf:

- *Remedial Action Completion Report, Addendum #2*, dated May 26, 2017;
- *Excavation Report Addendum*, dated November 15, 2016; and
- *Remedial Action Completion Report* dated August 29, 2016.

The above listed reports document site investigation and remediation activities to support redevelopment of the site including excavation of contaminated fill material to the native soil interface across the majority of the site. Confirmation sampling results from the excavations indicated that residual arsenic concentrations remain as a chemical of concern at the native soil interface. The site was redeveloped during 2016 and 2017 with a 59-unit multi-family building (Acts Cyrene Apartments). The apartment complex includes slab on-grade construction, ground floor community and retail spaces, a rear parking lot, a playground, storm water treatment areas and landscaped areas. The entirety of the site is permanently covered (“capped”) with a combination of the following elements: (1) the building slab and underlying engineered fill, (2) asphalt or concrete paved surfaces on top of base rock, (3) permeable paving on top of base rock, (4) planters on top of permeable paving, (5) rubber safety surfacing on top of concrete pavement, or (6) landscaping soil on top of clean fill.

Based on our review of the above mentioned documents, the required remedial excavation and cap mitigation measures appear to have been completed in substantial conformance with the approved remedial action work plans. Therefore, ACDEH staff will initiate the closure process for the SCP Case RO0003202 and has no objections to occupancy of the newly constructed Acts Cyrene Apartments.

A *Site Management Plan*, dated September 7, 2017 prepared by RPS on your behalf and a *Covenant and Environmental Restriction on Property* (LUC), dated September 26, 2017 and recorded on September 28, 2017 with the Official Records of Alameda County set forth use restrictions on the property to avoid potential harm to persons or property that may result from hazardous materials that may remain on portions of the site. The SMP presents guidelines for appropriate health and safety precautions for on-site workers who may access soil beneath the cap that could contain residual chemicals, provides a plan for management of site soil beneath the cap disturbed during operations, maintenance, or development activities in a manner that protects human health and the environment, and presents procedures for long-term management (i.e.,

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during ongoing site operations or maintenance activities) of the residual chemicals present in soil at the site.

ACDEH understands that the Housing Authority of the City of Oakland is the fee owner of the subject property and Oakland International Housing Partners, L.P. is the ground lessee and owner of the improvements for the newly constructed Acts Cyrene Apartment complex. In accordance with the SMP, the property and improvements owner is responsible for overseeing implementation of the SMP. A copy of the SMP must be present at the site at all times. The SMP is based on current conditions at the site. In the event a modification to the SMP is required, an SMP Addendum must be submitted to ACDEH for approval. The SMP may be terminated following written concurrence by ACDEH that it is no longer required to protect human health and the environment from site contaminants.

Annual site inspections and five year reviews are required for the site and must be conducted by the Engineer/Consultant in accordance with the SMP. All relevant environmental documents including the annual site inspection and five year review reports must be uploaded to the Post-Closure Document Repository No. RO0003264 in accordance with Attachment 1. ACDEH will send you an invoice on an annual basis for costs associated with review of annual and five year reports.

If you have any questions, please do not hesitate to call me at (510) 567-6767 or send me an electronic mail message at dilan.roe@acgov.org.

Sincerely,

Dilan Roe

Dilan Roe, PE, C73703
Chief – Land Water Division

Enclosures: Attachment 1 – Responsible Party (ies) Legal Requirements / Obligations
Electronic Report Upload (ftp) Instructions

cc: Lauren Brewer, Related CA, 44 Montgomery Street, #1050, San Francisco, CA 94104
(Sent via electronic mail to: Lauren.A.Brewer@gmail.com)

Nick Loizeaux, RPS Iris Environmental, 1438 Webster Street, Suite 302, Oakland, CA 94612
(Sent via electronic mail to: nick@irisenv.com)

David Grunat, RPS Iris Environmental, 1438 Webster Street, Suite 302, Oakland, CA 94612
(Sent via electronic mail to: nDavid.Grunat@rpsgroup.com)

Ronald Browder, ACDEH (Sent via electronic mail to: ronald.browder@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

Attachment 1

Responsible Party(ies) Legal Requirements / Obligations

REPORT REQUESTS

These reports are being requested 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 in response to an unauthorized release from a petroleum UST system, and require your compliance with this request.

ELECTRONIC SUBMITTAL OF REPORTS

ACEH's Environmental Cleanup Oversight Programs (LOP and SLIC) require submission of reports in electronic form. The electronic copy replaces paper copies and is expected to be used for all public information requests, regulatory review, and compliance/enforcement activities. Instructions for submission of electronic documents to the Alameda County Environmental Cleanup Oversight Program FTP site are provided on the attached "Electronic Report Upload Instructions." Submission of reports to the Alameda County FTP site is an addition to existing requirements for electronic submittal of information to the State Water Resources Control Board (SWRCB) GeoTracker website. In September 2004, the SWRCB adopted regulations that require electronic submittal of information for all groundwater cleanup programs. For several years, responsible parties for cleanup of leaks from underground storage tanks (USTs) have been required to submit groundwater analytical data, surveyed locations of monitoring wells, and other data to the GeoTracker database over the Internet. Beginning July 1, 2005, these same reporting requirements were added to Spills, Leaks, Investigations, and Cleanup (SLIC) sites. Beginning July 1, 2005, electronic submittal of a complete copy of all reports for all sites is required in GeoTracker (in PDF format). Please visit the SWRCB website for more information on these requirements (http://www.waterboards.ca.gov/water_issues/programs/ust/electronic_submittal/).

PERJURY STATEMENT

All work plans, technical reports, or technical documents submitted to ACEH must be accompanied by a cover letter from the responsible party that states, at a minimum, the following: "I declare, under penalty of perjury, that the information and/or recommendations contained in the attached document or report is true and correct to the best of my knowledge." This letter must be signed by an officer or legally authorized representative of your company. Please include a cover letter satisfying these requirements with all future reports and technical documents submitted for this fuel leak case.

PROFESSIONAL CERTIFICATION & CONCLUSIONS/RECOMMENDATIONS

The California Business and Professions Code (Sections 6735, 6835, and 7835.1) 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 registered or certified professional. For your submittal to be considered a valid technical report, you are to present site specific data, data interpretations, and recommendations prepared by an appropriately licensed professional and include the professional registration stamp, signature, and statement of professional certification. Please ensure all that all technical reports submitted for this fuel leak case meet this requirement.

UNDERGROUND STORAGE TANK CLEANUP FUND

Please note that delays in investigation, later reports, or enforcement actions may result in your becoming ineligible to receive grant money from the state's Underground Storage Tank Cleanup Fund (Senate Bill 2004) to reimburse you for the cost of cleanup.

AGENCY OVERSIGHT

If it appears as though significant delays are occurring or reports are not submitted as requested, we will consider referring your case to the Regional 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.

Alameda County Environmental Cleanup Oversight Programs (LOP and SLIC)	REVISION DATE: May 15, 2014
	ISSUE DATE: July 5, 2005
	PREVIOUS REVISIONS: October 31, 2005; December 16, 2005; March 27, 2009; July 8, 2010, July 25, 2010
SECTION: Miscellaneous Administrative Topics & Procedures	SUBJECT: Electronic Report Upload (ftp) Instructions

The Alameda County Environmental Cleanup Oversight Programs (LOP and SLIC) require submission of all reports in electronic form to the county's ftp site. Paper copies of reports will no longer be accepted. The electronic copy replaces the paper copy and will be used for all public information requests, regulatory review, and compliance/enforcement activities.

REQUIREMENTS

- **Please do not submit reports as attachments to electronic mail.**
- Entire report including cover letter must be submitted to the ftp site as **a single portable document format (PDF) with no password protection.**
- It is **preferable** that reports be converted to PDF format from their original format, (e.g., Microsoft Word) rather than scanned.
- **Signature pages and perjury statements must be included and have either original or electronic signature.**
- **Do not password protect the document.** Once indexed and inserted into the correct electronic case file, the document will be secured in compliance with the County's current security standards and a password. **Documents with password protection will not be accepted.**
- Each page in the PDF document should be rotated in the direction that will make it easiest to read on a computer monitor.
- Reports must be named and saved using the following naming convention:

RO#_Report Name_Year-Month-Date (e.g., RO#5555_WorkPlan_2005-06-14)

Submission Instructions

- 1) Obtain User Name and Password
 - a) Contact the Alameda County Environmental Health Department to obtain a User Name and Password to upload files to the ftp site.
 - i) Send an e-mail to deh.loptoxic@acgov.org
 - b) In the subject line of your request, be sure to include "**ftp PASSWORD REQUEST**" and in the body of your request, include the **Contact Information, Site Addresses**, and the **Case Numbers (RO# available in Geotracker) you will be posting for.**
- 2) Upload Files to the ftp Site
 - a) Using Internet Explorer (IE4+), go to <ftp://alcoftp1.acgov.org>
 - (i) Note: Netscape, Safari, and Firefox browsers will not open the FTP site as they are NOT being supported at this time.
 - b) Click on Page located on the Command bar on upper right side of window, and then scroll down to Open FTP Site in Windows Explorer.
 - c) Enter your User Name and Password. (Note: Both are Case Sensitive.)
 - d) Open "My Computer" on your computer and navigate to the file(s) you wish to upload to the ftp site.
 - e) With both "My Computer" and the ftp site open in separate windows, drag and drop the file(s) from "My Computer" to the ftp window.
- 3) Send E-mail Notifications to the Environmental Cleanup Oversight Programs
 - a) Send email to deh.loptoxic@acgov.org notify us that you have placed a report on our ftp site.
 - b) Copy your Caseworker on the e-mail. Your Caseworker's e-mail address is the entire first name then a period and entire last name @acgov.org. (e.g., firstname.lastname@acgov.org)
 - c) The subject line of the e-mail must start with the RO# followed by **Report Upload**. (e.g., Subject: RO1234 Report Upload) If site is a new case without an RO#, use the street address instead.
 - d) If your document meets the above requirements and you follow the submission instructions, you will receive a notification by email indicating that your document was successfully uploaded to the ftp site.