

Nowell, Keith, Env. Health

From: Nowell, Keith, Env. Health
Sent: Friday, May 22, 2015 8:49 AM
To: 'Smoley, Megan'
Cc: Roe, Dilan, Env. Health
Subject: RE: BP 11132 extension request correspondence

Megan,

Your extension request to September 30, 2015 has been approved.

Your reference to the skimming test has me puzzled. Was there not sufficient free phase product to conduct the bail down test? Please address in your report.

Regards,
Keith Nowell

From: Smoley, Megan [mailto:Megan.Smoley@arcadis-us.com]
Sent: Thursday, May 21, 2015 9:09 AM
To: Nowell, Keith, Env. Health
Cc: Edwards, Carl
Subject: RE: BP 11132 extension request correspondence

Hi Keith,

We would like to request an additional extension to the May 30, 2015 deadline to install the proposed off-site monitoring wells for former BP 11132 and get analytical data from replacement monitoring well MW-10R. ARCADIS has been working with the City of Oakland Planning and Building Department (City) since September 2014. ARCADIS received the indenture agreement from the City on April 7, 2015. After working through some changes in the language with BP, ARCADIS submitted the signed indenture agreement to the City yesterday (May 19, 2015). The City indicated the changes to the agreement made by BP were not acceptable and requested additional language (via letter or email) as to why the changes are necessary. At this time, the remaining items to be completed in the permitting process include:

1. Finalize the indenture agreement
2. Apply for an excavation permit (we can do this after obtaining the indenture agreement).
3. Apply for an obstruction permit application to temporarily relocate the bus stop during well replacement activities at MW-10.
4. Verify that well MW-10 was properly permitted through the City at the time of installation. If it was not, they will require us to re-permit the well before destruction. Update: the City will allow us to proceed with the destruction of MW-10 once the Indenture Agreement is finalized and we have obtained an obstruction permit and excavation permit.

The LNAPL skimming test was performed on May 7, 2015. Based on the estimated time to complete the above mentioned items in order to complete the permitting, ARCADIS anticipates being able to complete the fieldwork in July. ARCADIS would like to request that the deadline for the final report be extended to **September 30, 2015**. ARCADIS will make every effort to finalize the permitting and complete the work within this timeframe. Thank you for your patience and please feel free to contact me if you have any questions.

Megan

Megan Smoley, P.G. (CA) | Senior Geologist | megan.smoley@arcadis-us.com

ARCADIS U.S., Inc. | 7051 Fain Park Drive, Suite 119 | Montgomery, AL 36117
T. 334.215.4461 ext. 2 | M. 626.590.1502 | F. 334.215.4462
www.arcadis-us.com

Professional Geologist / CA, 8614

ARCADIS, Imagine the result

From: Smoley, Megan
Sent: Tuesday, December 23, 2014 3:46 PM
To: 'Keith.Nowell@acgov.org'
Cc: Phillips, Hollis; Edwards, Carl
Subject: RE: BP 11132 extension request correspondence

Hi Keith,

Per our conversation last week, we would like to request an extension to the December 30, 2014 deadline to install the proposed off-site monitoring wells for former BP 11132 and get analytical data from replacement monitoring well MW-10R. ARCADIS has been working with the City of Oakland Planning and Building Department (City) since September 2014. The permitting process is detailed in Hollis' original email below. At this time, ARCADIS is trying to obtain the needed information for the indenture agreement. The City will not accept a certificate of insurance (COI) from ARCADIS. ARCADIS has tried obtaining the required documentation from the current property owner, who is not the RP, and has not been successful. The property owner does not have the needed insurance requirements. At this time, ARCADIS is currently working with BP to have a COI issued. These requirements are unusual and are being strictly enforced. ARCADIS has experienced similar delays on other projects with the City of Oakland, such as former BP 11109 located at 4280 Foothill Boulevard in Oakland. For BP 11109, ARCADIS submitted evidence of insurance to the City on September 4, 2014, and the encroachment permit application still has not been issued by the City. According to the City, the encroachment permit application for BP 11109 is still in their queue due to current workload and staffing.

ARCADIS would like to request that the deadline be extended to May 30, 2014. ARCADIS will make every effort to finalize the permitting and complete the work within this timeframe.

Thank you,
Megan

Megan Smoley, P.G. | Senior Geologist | megan.smoley@arcadis-us.com

ARCADIS U.S., Inc. | 7051 Fain Park Drive, Suite 119 | Montgomery, AL 36117
T. 334.215.4461 ext. 2 | M. 626.590.1502 | F. 334.215.4462
www.arcadis-us.com

Professional Geologist / CA, 8614

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From: Nowell, Keith, Env. Health [<mailto:Keith.Nowell@acgov.org>]
Sent: Thursday, October 16, 2014 8:19 AM
To: Phillips, Hollis
Cc: Roe, Dilan, Env. Health
Subject: RE: BP 11132 extension request correspondence

Hollis,

A 60-day extension is approved. Please provide the requested submittal by December 30, 2014. Keep me informed of the progress of the scheduling and if the 60-day extension is inadequate.

Thank you,
Keith Nowell

Keith Nowell PG, CHG
Hazardous Materials Specialist
Alameda County Environmental Health
1131 Harbor Bay Parkway
Alameda , CA 94502-6540
phone: 510 / 567 - 6764
fax: 510 / 337 - 9335
email: keith.nowell@acgov.org

PDF copies of case files can be reviewed/downloaded at:

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

From: Phillips, Hollis [<mailto:Hollis.Phillips@arcadis-us.com>]
Sent: Wednesday, October 15, 2014 7:23 PM
To: Nowell, Keith, Env. Health
Subject: BP 11132 extension request correspondence

Hi Keith,

Per the schedule that you provided in the September 18, 2014 Technical Comments, ARCADIS is to provide groundwater analytical data for new monitoring MW-10R via email by **October 31, 2014**. ARCADIS would like to request an extension to this deadline. The scope includes the replacement of monitoring well MW-10 and installation of new monitoring well MW-11. While ARCADIS has been working diligently to secure the appropriate permits for this work, obtaining all documentation for our City of Oakland Encroachment Permit will take some time. The permitting process includes:

1. Submitting a traffic control plan for review/approval; this needs to be approved by the City before we apply for the indenture agreement.
2. Applying for the indenture agreement. From what I understand, this may take up to 6 weeks for them to draft.
3. Applying for an excavation permit (we can do this after obtaining the indenture agreement).
4. Applying for an obstruction permit application to temporarily relocate the bus stop during well replacement activities at MW-10.
5. Verifying that well MW-10 was properly permitted through the City at the time of installation. If it was not, they will require us to re-permit the well before destruction.

In order to prepare the permits, the City requires that certain information be obtained for the indenture agreement from the property owner, even though the current property owner is not the Responsible Party. Such documents include:

- A letter of authorization to apply for an encroachment permit on behalf of the property owner
- A COI from the property owner where the City is listed as additionally insured
- A deed showing the current property owner

It is my understanding that a lot of these rules are new and are being strictly enforced. I looked through files when we completed the offsite borings in 2012, and this process was not in place at that time. I talked to a few folks who have worked on some other sites recently where we had to obtain these same types of permits from the City and in all cases, the process has been time consuming. We are working to get all of the needed documentation in place. However, it will likely be a few months (once the documentation is in place the City takes up to 6 weeks to approve it) before we can get the appropriate approvals and permits in place and get the work scheduled and completed. We have submitted the applications for well construction to Alameda County. We are currently seeking approval of our traffic control plan and obtaining the needed documents from the property owner (who has worked with us in the past however that was only for an access agreement). I would like to request that the date for providing the analytical data be changed to 'TBD' until we can get the paperwork compiled and submitted to the City. We are committed to moving this site forward and are going to be very proactive in getting the documentation compiled. However, these new requests make us very dependent on the property owner's willingness to do things for us.

Hollis

Hollis E. Phillips | Principal Geologist | hollis.phillips@arcadis-us.com

ARCADIS U.S., Inc. | 100 Montgomery Street, Suite 300 | San Francisco, CA, 94104
T: 415.432.6903 | M: 510.219.7764 | F: 415.374.2745
Connect with us! www.arcadis-us.com | [LinkedIn](#) | [Twitter](#) | [Facebook](#)

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