

Nowell, Keith, Env. Health

From: Nowell, Keith, Env. Health
Sent: Wednesday, December 30, 2015 9:00 AM
To: 'Smoley, Megan'
Cc: Roe, Dilan, Env. Health
Subject: RE: BP 11132 extension request correspondence, ACEH case file number RO14, GeoTracker Global ID T0600100213, 3201 35th Avenue, Oakland

Megan,

Your extension request for the subject fuel leak case for the submittal of the groundwater analytical data for replacement monitoring well MW-10R to April 8, 2016 has been approved.

Regards,
Keith Nowell

From: Smoley, Megan [mailto:Megan.Smoley@arcadis.com]
Sent: Tuesday, December 29, 2015 2:11 PM
To: Nowell, Keith, Env. Health <Keith.Nowell@acgov.org>
Subject: RE: BP 11132 extension request correspondence, ACEH case file number RO14, GeoTracker Global ID T0600100213, 3201 35th Avenue, Oakland

Hi Keith,

We would like to request an additional extension to the December 31, 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. The final revised indenture agreement was submitted to BP on August 28, 2015 including the requested notary acknowledgement form. On November 3, the City approved the indenture agreement. Arcadis attempted to pick up the Traffic Control Plan (TCP) to finalize the obstruction permit on this date, however the City no longer had this on file, and Arcadis had to submit a renewal application. On November 20, the plan was ready for pick up. On November 24, the City informed Arcadis that additional approvals were needed in order for the employee to pull the permits. At this time, the remaining items to be completed in the permitting process include:

1. Apply for two excavation permits (being processed this week).
2. Apply for an obstruction permit application to temporarily relocate the bus stop during well replacement activities at MW-10.
3. Obtain a Certificate of insurance with the correct address.

The well installation is currently scheduled for January 26 and 27, 2015. Well development and sampling will be performed after installation. Additionally, 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 January and February 2015. ARCADIS would like to request that the deadline for the final report be extended to **April 8, 2016**. Thank you for your patience and please feel free to contact me if you have any questions.

Megan

Megan Smoley PG | Senior Geologist | megan.smoley@arcadis.com



From: Nowell, Keith, Env. Health [<mailto:Keith.Nowell@acgov.org>]
Sent: Monday, September 28, 2015 6:29 PM
To: Smoley, Megan <Megan.Smoley@arcadis.com>
Cc: Roe, Dilan, Env. Health <Dilan.Roe@acgov.org>
Subject: RE: BP 11132 extension request correspondence, ACEH case file number RO14, GeoTracker Global ID T0600100213, 3201 35th Avenue, Oakland

Megan,

Your submittal extension request to December 31, 2015 for the off-site monitoring well installation is approved.

Please include the Alameda County Environmental Health (ACEH) case number in the subject line in future correspondence.

Regards,
Keith Nowell

From: Smoley, Megan [<mailto:Megan.Smoley@arcadis.com>]
Sent: Thursday, September 24, 2015 8:41 PM
To: Nowell, Keith, Env. Health <Keith.Nowell@acgov.org>
Cc: Edwards, Carl <Carl.Edwards@arcadis.com>
Subject: RE: BP 11132 extension request correspondence

Hi Keith,

We would like to request an additional extension to the September 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 on 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. A revised indenture agreement was submitted to BP on July 31, 2015. ARCADIS was notified by the City of Oakland on August 20 that the notarization on the indenture agreement was not acceptable and that notarization would be require a separate Notary Acknowledgement Form, which was not supplied to ARCADIS or BP during the permitting process. A revised indenture agreement was submitted to the City of Oakland on August 28, including the notary acknowledgement form. Subsequent calls and emails to the City of Oakland have produced little information as to when they will sign the indenture agreement. 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.

The LNAPL skimming test was performed on May 7, 2015. ARCADIS plans to submit a letter discussing the results of the LNAPL skimming test by October 2, 2015. Additionally, 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 November 2015. ARCADIS would like to request that the deadline for the final report be extended to **December 31, 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 PG | Senior Geologist | megan.smoley@arcadis.com

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From: Smoley, Megan

Sent: Thursday, May 21, 2015 11:02 AM

To: 'Keith.Nowell@acgov.org' <Keith.Nowell@acgov.org>

Cc: Edwards, Carl <Carl.Edwards@arcadis-us.com>

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

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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

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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
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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

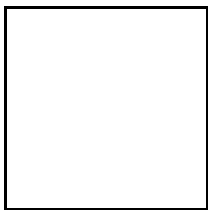
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