

R079

Chan, Barney, Env. Health

From: Beth Deane and Brian Washington [bewash@pacbell.net]
Sent: Tuesday, January 22, 2008 5:13 PM
To: Chan, Barney, Env. Health; Drogos, Donna, Env. Health
Subject: Corrective Action Plan for 1001 42nd Street

Barney,

I am a parent and co-chair of the Board of North Oakland Community Charter School (NOCCS), the K-8 school located across the street from 1001 42nd Street. At a community meeting held by Jane Bruener's office in the 1001 42nd building last week, Civicorps Academy made a presentation to the neighborhood regarding their potential use of the building. The owner has submitted a Conditional Use Permit (CUP) application to the Oakland Planning Commission related to Civicorps proposed use. At the meeting, Planning Commission staff indicated that the County would be approving the remedial action plan in connection with the CUP.

Civicorps Academy is a public high school for at risk youth ages 16-24. It is chartered by the Oakland Unified School District and receives state funding as a high school. A school for persons up to age 21 is a sensitive use under Cal. Health & Safety Code Section 25232(b)(1)(B).

As neighbors to the 1001 42nd property, we have the following questions and comments:

- Vinyl chloride has been detected in groundwater at the site – the proposed remedy in the CAP does not address the vinyl chloride – with use of the site as a school, should further assessment, remediation or monitoring be required in the area where vinyl chloride and other VOCS have been detected?
- Only 5 soil gas samples were collected – is this sufficient in light of the proposed use?
- The soil cleanup goal of 5,000 ppm for TPh-ma is not appropriate for a sensitive use
- No cleanup goal is proposed for groundwater
- No cleanup goal is proposed for the VOCs
- The CAP indicates no more than 2 years of vacuum enhanced skimming will be necessary to reach steady state – is this selected remedy sufficient given the proposed use?
- The proposed remedy lacks any soil vapor probes around the buildings to confirm soil gas is not impacting occupants
- Groundwater elevations appear to fluctuate significantly – was the soil gas sampling conducted when groundwater elevations were at their highest? – otherwise, soil gas data may not be representative of soil gas impacts during periods of elevated groundwater
- How will the groundwater wells be protected from damage given the use of the site as a high school?

Based on our conversation just now, it sounds like the County has already considered some of these issues. I understand that the County has not approved a remedial plan for this site yet and has not made any kind of determination regarding use of the site as a school. Please let me know if this is correct. I appreciate your time in walking me through the County's process and thinking.

Regards,
Beth Deane
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