

Drogos, Donna, Env. Health

Subject: 1300/1350 Powell St
Entry Type: Phone call

Start: Fri 2/7/2003 4:58 PM
End: Fri 2/7/2003 4:58 PM
Duration: 0 hours

Debra Diamond property owner called me

Does not want to do anymore work at the site. It has cost them money to do the environmental cleanup work & she feels they should not have to spend more money. She requested that I not consider science at this point. That the cost of the cleanup work and the benefits provided by development of the property are the more important consideration now, and that the City of Emeryville is in agreement with her & they think the property is ready to be developed. Also, that it will be the county's fault if she cannot sell her site to the developer.

I told her ACEH has a duty to protect public health & reviews environmental data considering its health risk. Development plans call for residential housing with slabs on grade at these sites (as opposed to 1st level parking) which is a more restrictive use of the site. (So ACEH will consider site data).

We talked about collecting confirmatory samples after overexcavation. She said the approved work plan said no sampling deeper than 10'. (10' bottom samples not collected although specified per work plan). Explained 12,000 ppm detected at 9' bgs, 12x higher than their cleanup levels, excavation deepened to 10' or more & no confirmation samples taken. For residential development, these high levels found, consultant should have collected confirmation samples.

Issues of not being forthcoming with all data for site submitted to our agency. We only recently received data. She said all data is submitted now.

Told her will be reviewing data with caseworker & a letter will be issued re: addressing all outlying issues at site. I have yet to see all the data for the site & cannot make decisions until then.

Discussed property transaction for site, she says final date is 03/03/03 to close & there is no time to do any more work. I asked her if she is getting documents detailing the property transaction dates to us so we can work with her in meeting deadlines for our review of environmental data. She said the documents are being produced now.

Told her Eva will be writing a letter for the sites next week.

Followup - property transaction documents submitted to us (02/10/03) do not specify any specific dates for closing, ref. 30 days after final map, 30 days after other items,.... etc.