

Detterman, Mark, Env. Health

From: Teal Glass [tglass@stellar-environmental.com]
Sent: Wednesday, December 30, 2009 1:42 PM
To: Detterman, Mark, Env. Health
Subject: RE: Notice to Comply - 5815 Peladeau Street

Thanks Mark, I'll let them know.

*Teal Glass
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tglass@stellar-environmental.com*

From: Detterman, Mark, Env. Health [mailto:Mark.Detterman@acgov.org]
Sent: Wednesday, December 30, 2009 1:35 PM
To: 'tglass@stellar-environmental.com'
Subject: RE: Notice to Comply - 5815 Peladeau Street

Hi Teal,

Thanks for the documents, they'll help fill in some details. The property owner can upload them to the County's ftp site (since it's more archival than Geotracker); however, I can do that as well, if acceptable. Since Geotracker does not technically require them (pre 2005 era), I'm not sure it's necessary to upload them. As the deed restriction predates the request for one (and I've not read it yet), I'm not entirely sure if it is fully applicable from the County's legal perspective, something I'll need to investigate.

At this point, since there have been no apparent recent activities associated with the site, the only action needed to satisfy the Notice to Comply letter would be to claim the site in Geotracker. It's a pretty simple process. I have heard that owners can be hesitant to claim a site if not directly associated with (didn't cause) the contamination; however, from a regulatory perspective all owners of an impacted parcel are considered "responsible"; claiming it merely recognizes a pre-existing condition.

When ready, the owner can just go to: http://www.swrcb.ca.gov/ust/electronic_submittal/index.shtml and either open the "Beginner's Guide" under "Getting Started", or (more simply) just call the toll free number in the upper right corner and the Help Desk can walk them through the process.

Thanks,

*Mark Detterman
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PDF copies of case files can be downloaded at:

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

From: Teal Glass [mailto:tglass@stellar-environmental.com]
Sent: Wednesday, December 30, 2009 11:03 AM

To: Detterman, Mark, Env. Health
Subject: RE: Notice to Comply - 5815 Peladeau Street

Hi Mark,

Thanks for getting back to me. So the deed restriction was recorded in 1986, prior to the NFA letter, and the city of Emeryville approved the redevelopment plan. I've attached both documents. As far as the PCB delineation, that most likely applies to what is called Parcel 4, the area of the former complex that had PCB contamination above levels of regulatory concern and was subsequently capped and a slurry wall put in. That site was bifurcated by the rest of the site when 59th street was extended north of the property. So I'm not doing this Phase I for the building owner, but the lender. Should I inform the owner that the deed and City of Emeryville approval documents need to be uploaded to Alameda County's website and Geotracker? I've spoken with them about the Notice to Comply letter, but they are under the impression they don't need to do anything since the letter specifically requests only those documents/investigations completed after 2005, of which as you verified there hasn't been any.

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From: Detterman, Mark, Env. Health [mailto:Mark.Detterman@acgov.org]
Sent: Wednesday, December 30, 2009 9:43 AM
To: 'tglass@stellar-environmental.com'
Subject: RE: Notice to Comply - 5815 Peladeau Street

Hi Teal,

The Notice to Comply letter was a form letter to increase the compliance rate for claiming a site in Geotracker. SLIC sites in general have a lower compliance rate than UST sites. All unclaimed UST sites received the letter the year previous.

In regards to the case closure, I took a quick look at the case file on the County's ftp web database and found the August 1998 letter you mentioned. I don't see any site activities since a groundwater monitoring event in 2002 (2003 report date). What you see there is what we have, so there have been no recent activities (post-2005, that we are aware of).

While I have not reviewed the file in detail, my first guess as to why the case may still be open is twofold. First, I see that a deed restriction / notification was to be submitted to several agencies, but do not see one in the file, so there may not be documentation that these actions have occurred (which opens another question as to if the County would have approved the document as appropriate). Second, I see that there may still be an open question in regards to PCB delineation per an August 25, 1999 letter. Both of these may well be in the case file hidden in other documents (such as the general catch all CORRES or DIR_L file documents), as I said, I've not had a chance to review all details for the particular case.

Hope this helps somewhat. Right now we are focusing on the Geotracker "Impediments to Closure" review for all LOP sites under a deadline set by the state; however, if needed I could probably spend more time on this case. It's one I hope to try to clear up over time, but the Geotracker review work slows it down just a bit!

Best,

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From: Teal Glass [mailto:tglass@stellar-environmental.com]
Sent: Tuesday, December 29, 2009 8:39 AM
To: Detterman, Mark, Env. Health
Subject: Notice to Comply - 5815 Peladeau Street

Hi Mark,

I went ahead and left you a voice message as well, but I know especially around the holidays that email might be easier. I'm doing a Phase I on a property located at 5858 Horton Street, which was the historical Westinghouse Electric property under address 5815-5899 Peladeau Street. I noticed on Geotracker that there is a Notice to Comply letter which was submitted to the current owner in 2009 requesting all site documents produced after 2005 be uploaded to Geotracker. I actually have a "No Further Remediation Required" letter here from Alameda County Health Care Services which was granted for the site in August 1998, and the site has not undergone any further remediation or investigation since then. It is under a deed restriction as per condition of the letter. So my question is, is the County just requesting these documents be uploaded or is there something else required and also have the owners been in communication with the County regarding this letter? I really appreciate your input on this matter.

Thanks and Happy Holidays!
Teal

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