

From: Roe, Dilan, Env. Health
To: ["Patton, Avery"](#)
Cc: chevypat@aol.com; [terri.costello](#); ["Faye Blackman"](#)
Subject: RE: Crown Chevrolet - update
Date: Thursday, May 24, 2012 1:30:00 PM

Avery:

Thank you for your diligent efforts to upload documents to the Geotracker database as requested. I have been in communication with Faye Blackman with Eden Housing and to date have received a project summary and an updated schedule for the mixed income development project that Eden Housing is partnering with the Kingsmill Group and LLC/Fairfield Residential to develop on the Crown Chevrolet site. I am still waiting for two other items from Faye including a completed meeting agenda form and a list of requirements regarding a letter that she stated she would need to receive from ACEH in order to move the project forward on her end. In order to expedite scheduling a meeting with ACEH, Crown Chevrolet, the prospective buyers, and Eden Housing, please coordinate with Faye and your client to fill out the meeting agenda form (attached) and return to me. Please provide as much detail as possible including the number of attendees and meeting agenda items to help me facilitate arranging a room.

In the Remediation Report dated December 21, 2011 AMEC states that soil excavation activities were restricted by the presence of walls of Building 2 and that consequently VOCs remain in soil and groundwater in the vicinity of the former oil-water separator sump above residential ESLs, and VOCs and TPH remain in soil at concentrations above residential ESLs in the vicinity of the former front-end alignment pit (F.E. Pit). AMEC recommends that no further remediation activities be conducted in these areas and that the potential for VOCs in vapor phase to migrate to indoor air should be considered during site re-use or redevelopment activities. Based on my review of the conceptual plans for site redevelopment, it appears that existing site structures will be demolished during redevelopment activities, and therefore it is not clear to me why AMEC does not recommend conducting additional excavation work to remove impacted soil at that time. Therefore, prior to the meeting it would be helpful to get additional information from you regarding AMEC's rationale for recommending that no further remedial activities be conducted at the site and details on proposed engineering controls.

Regards

Dilan Roe, P.E.

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

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

From: Patton, Avery [<mailto:Avery.Patton@amec.com>]
Sent: Friday, May 18, 2012 4:31 PM
To: Roe, Dilan, Env. Health
Cc: chevypat@aol.com; terri costello
Subject: Crown Chevrolet - update

Hi Dilan –

We are happy to report that we have now obtained and posted on GeoTracker additional electronic data files ("EDFs") from those past third party investigations undertaken for reasons unrelated to the regulatory requirements imposed upon the Crown Chevrolet site. A CD and hard copy of the September 2011 Ninyo & Moore report was submitted as a courtesy in 2011, along with the full posting of Crown's mandatory reports, test data, and logs, as required by your office. The electronic data format needed for on-line posting was not provided to us originally by the third parties, nor was such posting requested by Paresh. However, per your April preference, we investigated and we have recently managed to obtain EDFs on a strictly voluntary basis from the third party consultants and their testing laboratories. We have uploaded all of this data to the GeoTracker database, including the following, with data in EDF format:

- March 2009 Basics Phase II investigation,
- January 2011 Ninyo & Moore Phase II investigation, and
- September 2011 Ninyo & Moore Phase II investigation.

We confirmed directly with GeoTracker representatives that the State Water Resources Control Board does not expect the posting of either EDF data or full report pdfs if the investigations predate a case being opened or if the investigations are performed by third parties rather than by consultants retained to meet the regulatory requirements of responsible parties. We are happy to report that Crown has voluntarily agreed to post all third party boring logs and objective EDF test data despite GeoTracker's position, but it does not wish to subject its property to publicly posted pdfs of reports containing third party opinions drafted in the context of sale negotiations, concerning as-is use, acquisition, and value impediments, rather than within the safe regulatory context solely directed at assuring Crown's compliance with ACEH regulatory legal requirements.

I thus confirm here that the full 2009 Basics Phase II report and all of AMEC's reports, as required by your office, are available in pdf format on GeoTracker and the ACEH website. Further, all of the EDF data collected at the site to date, including even third party data, is also now fully available in EDF form via GeoTracker. Crown is also ready to immediately post such EDFs to the ACEH website if you inform me whether and how that can be done. ACEH already has copies of all the full reports and documents that have been prepared for the site.

AMEC wishes to meet Crown's remaining needs quickly. Crown, its prospective buyer, and Eden Housing have informed AMEC that they are all anxious to obtain comments and guidance on the two pending AMEC reports submitted to ACEH in 2011, and further ACEH input as to how the owner can address any remaining concerns and commence planning for installation of whatever engineering controls might be appropriate. AMEC is told that this will foster the return of this central portion of Dublin to public and private uses, which many locals and officials apparently desire. I was told that you received under separate cover the updated schedule from Eden Housing, which you had originally requested from me.

Please let me know right away if ACEH requires anything more from Crown to arrange a quick informal meeting to move this project forward as quickly as is possible, subject to the time-pressures already on ACEH. We appreciate your diligent efforts to come up to speed on a project you have had for only a couple of months, despite its long history from owner's perspective and buyer's time-sensitive needs.

Thanks,
Avery

Avery Patton, PG, LEED® AP
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