

Detterman, Mark, Env. Health

From: Detterman, Mark, Env. Health
Sent: Tuesday, April 05, 2016 3:29 PM
To: 'Patrick Ellwood'
Cc: Jonathan W. Redding; Roe, Dilan, Env. Health; 'J. Glen Smith'
Subject: RE: 500 Grand Avenue, Oakland

Patrick and all,

Per the discussion in today's meeting, the intent of this email is to confirm that Alameda County Department of Environmental Health (ACDEH) is in agreement with the first statement below. This is consistent with the focus of today's meeting, and associated discussions and decisions identifying data gaps for a pre-construction limited site investigation.

Also discussed in the meeting were concerns relative to the environmental quality / suitability of material used to backfill the site after each excavation, relative to the future planned use of the parcel. There appears to be very limited data on the backfill source(s), or analytical testing of the backfill material (clean fill concerns). If you can find additional data, it is likely to be useful in moving the site towards redevelopment. Should you have questions, please let me know.

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PDF copies of case files can be downloaded at:

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

From: Patrick Ellwood [<mailto:patrick@ellwoodcommercial.com>]
Sent: Friday, February 12, 2016 9:48 AM
To: Detterman, Mark, Env. Health
Cc: Jonathan W. Redding
Subject: 500 Grand Avenue, Oakland

Dear Mark:

This is in follow up to our emails and conversations regarding how we can expedite the closure process for 500 Grand Avenue for development of a mixed use project with the ground floor being commercial use and parking, and the second floor and above being residential. I have greatly enjoyed your candor and attempts to move this along.

In light of the results and concerns expressed by the County at our recent meetings, we are looking to bring in one of the toxicologists that have successfully worked with the County in the past, with a principal goal of looking at the potential human health risks (including potential vapor intrusion), if any, that would remain at the property in light of the prior removal actions that led to County closure for commercial use on September 2011. I am also engaging the assistance of an environmental

attorney, Jonathan Redding of Wendel, Rosen in Oakland, to help me manage the consultants and to assist with County and City of Oakland project entitlement discussions.

As we get started on this process, which we hope will lead to documents more readily acceptable/easily reviewable by the County, we have a couple of questions and information needs that we would like to confirm:

1. Given closure already granted by the County for commercial use and the fact that the first floor uses will be limited to commercial worker, customers and car parkers with limited potential for exposure (**if any**), all risk assessments, cleanup goals, etc. will be established for commercial use. The only exception is that potential vapor intrusion risks (**if any**) that could potentially exist from migration of vapors from the first floor via the elevator shaft and internal stairways connecting to the garage to the second floor, will be evaluated against the residential standards.
2. The County appeared to have taken the position that it wanted a full phase 1 for the gas station site, as well the residential site. I am wondering, if a phase one is really necessary for the gas station site, which we know has been very well investigated and is known to be a gas station from 1946 until it was closed and is now just a parking lot. If you concur that further research on the gas station site is not necessary, can we just do an environmental screening transaction assessment (this is faster and cheaper, but will give us the site history that I think you are looking for and also EDR info) for the duplex parcel on the southeast corner Euclid and Burke, to confirm what we suspect is that it has just been vacant land and then a duplex?
3. Can you clarify with Jonathan the County's position on the use of an engineered vapor barrier—if we thought that to be a solution, necessary, justified and cost effective?

Thanks for your quick reply, Jonathan says it will greatly assist me in scoping work for the toxicologist, focusing in on the real areas of concern, obtaining appropriate graphics and tabular data support, determining if there are data gaps and getting them filled, etc.

Finally, I would like to set up a brief conference call with you and Jonathan early next week to discuss.

Thanks.

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