

From: Scott Allin
To: [Roe, Dilan, Env. Health](mailto:Dilan.Roe@acgov.org)
Cc: [York, Andrew, Env. Health](mailto:Andrew.York@acgov.org); apiatek@centerpoint.com; [Gavin Fisco](mailto:Gavin.Fisco@farallonconsulting.com)
Subject: RE: RO0003291 - 2230 & 2242 Davis Court - Requested Items
Date: Thursday, March 01, 2018 3:48:17 PM

Thanks Dilan, and understood. I will discuss with CenterPoint and proceed as they desire. FYI, the photos you saw were during due diligence and prior to CenterPoint's acquisition of the Site, and a chain-linked fence now isolates the site from the rail operations

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From: Roe, Dilan, Env. Health [mailto:Dilan.Roe@acgov.org]
Sent: Thursday, March 01, 2018 3:28 PM
To: Scott Allin <sallin@farallonconsulting.com>
Cc: York, Andrew, Env. Health <Andrew.York@acgov.org>; apiatek@centerpoint.com; [Gavin Fisco](mailto:Gavin.Fisco@farallonconsulting.com)
<gfisco@farallonconsulting.com>
Subject: RE: RO0003291 - 2230 & 2242 Davis Court - Requested Items

Good Afternoon Scott:

Exposure to any potential chemicals of concern at a site can pose liability to an owner if there is a human health risk due to PCOC contact through ingestion, inhalation, direct contact. The potential risk is not dependent the source of the PCOC.

As regulatory agency providing oversight of the environmental investigation at the site, we look at all PCOCs to make sure human health exposure and the environment are protected. Sites with PCOCs that originated from an off-site source only need to evaluate the risk to site users

Based on photos provided in the documents reviewed, it does not appear that there are adequate controls (pavement, fencing, etc.) that limit access to the areas adjacent to the railroads and therefore exposure to the PCOCs associated with the railroad tracks.

If Centerpoint does not want to collect data in these areas to evaluate the risk, a site management plan can be prepared that describes controls to limit access in these areas. Alternatively, Centerpoint may choose to collect shallow soil data to provide documentation that there is no risk from PCOCs associated with the adjacent railroad tracks. However under this scenario of it determined that there is a risk then Centerpoint can make a decision as to whether they want to manage the risk through remediation or implementing a site management plan.

Please incorporate the chosen strategy in the work plan for consideration.

Dilan Roe, PE, C73703

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From: Scott Allin [<mailto:sallin@farallonconsulting.com>]

Sent: Thursday, March 1, 2018 7:59 AM

To: Roe, Dilan, Env. Health <Dilan.Roe@acgov.org>

Cc: York, Andrew, Env. Health <Andrew.York@acgov.org>; apiatek@centerpoint.com; Gavin Fisco <gfisco@farallonconsulting.com>

Subject: RE: RO0003291 - 2230 & 2242 Davis Court - Requested Items

Hi Dilan and Andrew,

Checking in on below. We would like to get the work going but wish to resolve this issue prior to submitting our work plan. Thanks

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From: Scott Allin

Sent: Tuesday, February 06, 2018 3:19 PM

To: 'Roe, Dilan, Env. Health' <Dilan.Roe@acgov.org>

Cc: York, Andrew, Env. Health <Andrew.York@acgov.org>; apiatek@centerpoint.com; Gavin Fisco <gfisco@farallonconsulting.com>

Subject: RE: RO0003291 - 2230 & 2242 Davis Court - Requested Items

Thanks Dilan. I appreciate the quick response and sorry to hear about your health issues; I hope you recover quickly. I think resolution on this subject certainly can wait until next week, but I will add some more food for thought. We don't deny that RR pose some risk, but I think in terms of the ASTM Phase I standards, its my opinion it would fall under a de minimis condition under a developed industrial use, primarily because unless you are redeveloping the RR, regulators would not require investigative actions for the presence of RR tracks, in my experience, which is the primary differentiator between a REC and a de minimis condition. Groundwater, on the other hand, can pose a VI issue that becomes a liability to an owner, and therefore is a REC. If CenterPoint is being required to screen soils along RR tracks, shouldn't all other properties along RR tracks have the same universal requirement. Is there precedent that your aware of to show that all other properties that have some cleanup action under your oversight also have been required to evaluate soils adjacent to

RR tracks if they exist, and is that consistently applied across agencies? I agree the circumstances are different under a redevelopment scenario. We appreciate your willingness to discuss and consider our opinion on this. FYI, the one picture in the Phase I that shows the RR tracks is the closest point that they exist to the site; at the end of the bend along the southern boundary. The eastern boundary does have greater separation as we discussed during our meeting.

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From: Roe, Dilan, Env. Health [<mailto:Dilan.Roe@acgov.org>]
Sent: Tuesday, February 06, 2018 1:41 PM
To: Scott Allin <sallin@farallonconsulting.com>
Cc: York, Andrew, Env. Health <Andrew.York@acgov.org>; apiatek@centerpoint.com; Gavin Fisco <gfisco@farallonconsulting.com>
Subject: Re: RO0003291 - 2230 & 2242 Davis Court - Requested Items

Hi Scott - your questions are valid. It is our understanding based on the documents submitted to ACDEH and discussions during our meeting that the Phase 2 work was conducted to evaluate potential contamination from RECs identified in Phase 1 reports. During the meeting we discussed whether the adjacent Railroad should be considered as an REC that would require additional evaluation and your team presented the opinion that contamination on the adjacent two parcels owned by Centerpoint would likely be minimal due to the configuration and buffer zones. Upon review of the photographs ACDEH is of the opinion that the RR cannot be ruled out as an REC.

It is not logical to investigate groundwater impacts from other offsite sources and not potential soil impacts from the RR.

The two parcels adjacent to the RR tracks are unpaved and thus present a potential human health risk from direct contact with soil. The photos document poor housekeeping practices in these areas at a specific point in time. The potential impact within these areas from current and historic land use practices both on and adjacent to these unpaved parcels needs to be evaluated and if warranted remediation and/or engineering/institutional controls proposed to minimize exposure.

Drew is at a conference this week and I am out of commission for the week due to an emergency surgery that I had yesterday. If you would like to discuss further I propose that we schedule a brief teleconference call next week.

Dilan

Sent from my iPhone

On Feb 6, 2018, at 10:45 AM, Scott Allin <sallin@farallonconsulting.com> wrote:

Drew,

Thanks for the follow up on our meeting. Below are a few questions/comments we could use clarification on or would like to have further dialogue regarding.

1. Regarding the request to sample along the railroad tracks, we are not clear on what we are trying to accomplish with this testing. Are you requesting we screen the areas of staining on the subject property for these railroad constituents in preparation for future disposal during anticipated soil excavation, or are you requesting we screen the subject property boundary for these constituents outside of the area of staining? If the latter is true, we would like to respectfully request some clarity on what we would achieve through the testing. This area on the subject property is not used as part of building operations, the use of the adjacent railroad tracks is not anticipated to change in the future, and any residual impact would likely be limited as no significant staining was observed. Additionally, the residual impact would be the railroad's responsibility – would the plan then be to name the railroad as an RP with the requirement that they characterize and remediate the contamination? Are these sampling requirements being imposed on all railroad-adjacent properties in the area? We would prefer to focus available funds on investigating and remediating releases by past site occupants and not on regional issues related to railroad operations.
2. Regarding Item 2d, per our discussion during the meeting, we intend to include a discussion in the text describing the existing vapor mitigation measures that are part of the site operations, including showing features on figures, as opposed to a separate appendix, please confirm your concurrence with this approach.

Thanks

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From: York, Andrew, Env. Health [<mailto:Andrew.York@acgov.org>]

Sent: Thursday, February 01, 2018 3:40 PM

To: apiatek@centerpoint.com; Scott Allin <sallin@farallonconsulting.com>; Gavin Fisco <gfisco@farallonconsulting.com>

Cc: Roe, Dilan, Env. Health <Dilan.Roe@acgov.org>

Subject: RE: RO0003291 - 2230 & 2242 Davis Court - Requested Items

Ms. Piatek, Mr. Allin, and Mr. Fisco,

Just adding some clarification regarding Comment 2.e as well as ACDEH's request for laboratory analysis of pesticides, polychlorinated biphenyls, and metals from the previous email.

- In regards to ACDEH request to review the SOPs (Comment 2.e), please provide SOPs for all site activities associated with the work plan including but not limited to monitoring well and soil vapor pin installation, soil and groundwater sampling and analysis, etc.
- In regards to laboratory analysis of pesticides, polychlorinated biphenyls, and metals, ACDEH is requesting Farallon propose additional soil samples to be collected along the landscaped areas located south and east of the onsite building in the vicinity of the railroad spurs. Pesticides, polychlorinated biphenyls, and metals analysis would only be analyzed for these proposed sample locations.

Thanks,
Drew

From: York, Andrew, Env. Health
Sent: Thursday, February 01, 2018 3:13 PM
To: 'apiatek@centerpoint.com' <apiatek@centerpoint.com>;
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Cc: Roe, Dilan, Env. Health <Dilan.Roe@acgov.org>
Subject: RO0003291 - 2230 & 2242 Davis Court - Requested Items

Good Afternoon Ms. Piatek, Mr. Allen, and Mr. Fisco,

Thank you for meeting at ACDEH's offices this week to discuss the path forward for Site Cleanup Program Case RO-0003291 located at 2230 & 2242 Davis Court in Hayward. Based on our kick-off meeting, we discussed a few follow-up action items and documents which I have outlined in the list below. The list has been divided into action items requested from CenterPoint Properties and Farallon Consulting.

CenterPoint Properties

1. Voluntary Remedial Action Agreement (VRAA) – The previously signed VRAA has been revised to include both site addresses and the three assessor parcels numbers associated with your property. As a result, ACDEH is requesting you re-sign the VRAA (see attachment) and email it back to me.
2. Tenant Notification – If required, please provide your tenants prior notification of field activities associated with the additional soil vapor probes and groundwater well installation being conducted on your property.

Farallon Consulting

1. GeoTracker Database Compliance – Please upload all historical environmental documents related to the subject site including but not limited the missing soil and groundwater analytical data, documents and reports, maps, and boring logs to GeoTracker (GT). I have attached a document that includes instructions and file naming conventions for uploading to GT. Notification of, and a list of, the documents uploaded to GT can be emailed to my attention. Additionally please PG stamp and sign all Phase II environmental site investigation reports before uploading to GT. A PG stamp is not needed for the Phase I report.

2. Proposed Soil Gas and Groundwater Investigation Work Plan - Please provide the work plan (PE/PG signed and stamped) for additional soil vapor probes and groundwater well installation that includes the following documents:
 - a. Comprehensive figures illustrating current/historic floor plans, utilities, site observations, anomalies, staining, etc.

 - b. Comprehensive tables including laboratory analytical results from previous sampling events. As discussed during our meeting, ACDEH is also requesting you provide a table illustrating your logic for previous sampling events. Columns in this table may include Area of Concern, Boring/Sample ID, Chemicals of Concern (COCs) Analyzed, COCs Analytical Results, and Data Gaps.

 - c. Site Conceptual Model (SCM). In order to expedite our review please provide the SCM in tabular format that highlights the major SCM elements and associated data gaps which need to be addressed to progress the site towards closure. The attached *Site Conceptual Requisite Elements* provides a good template/example for the tabular SCM we are requesting.

 - d. An appendix detailing the operational vapor intrusion mitigation measures with figure (i.e. showing location of roll-up doors, fans, etc.)

 - e. An appendix including soil vapor standard operating procedures (SOP). ACDEH also requests soil vapor analysis includes helium and fixed gases.

Lastly, ACDEH requests Farallon include laboratory analysis of COCs including pesticides, polychlorinated biphenyls, and metals. Based on Photograph #2 and #3 illustrated in Appendix B of the *Phase I Environmental Site Assessment Report*, dated July 17, 2017, the building footprint appears closer to the existing railroad spur than

previously discussed during our meeting. As a result, ACDEH is of the opinion that constitutes a recognized environmental concern which should be evaluated.

Thank you for your cooperation. If you have any questions please call me or send me an email.

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

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