Department of Toxic Substances Control

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In response to the California Energy Commission's request, Department of Toxic Substances Control (DTSC) staff reviewed the Preliminary Staff Assessment for the San Francisco Electric Reliability Project and the Site Characterization/ Corrective Measure Study and Article 22A Soil Characterization Report (SC/CMS) prepared by AGS, Inc. and dated August 1999 for the Muni Metro East Light Rail Vehicle Maintenance and Operations Facility (MUNI Site) located adjacent to the proposed San Francisco Electric Reliability Project. Due to the lack of information and data collected from the project site, our comments are necessarily general.

COMMENTS:

1. The mitigation measures presented in the Preliminary Staff Assessment essentially require characterization and risk management of the contamination suspected of being present at the site. Little investigation has been conducted to determine what contamination is present at this Site, the construction laydown area or along the proposed pipeline alignments. The site history report required for compliance with the Maher Ordinance requirements should present information site history information for the Site, the construction laydown yard and the utility alignments. The report should identify all potential recognized environmental conditions (RECs) as defined in the American Society of Testing and Materials standards. The report should then discuss how all of the RECs have been addressed or investigated and whether they will require implementation of an appropriate response action. Additionally, the updated environmental site assessment should identify other sources that may have impacted the project area or offsite utility alignments or that need to be considered.

2. The SC/CMS report identified the following RECs on or near the proposed project Site:

- Unlabeled drums located adjacent to the northwest and northeast portions of the property within Louisiana Street and Maryland Street as they approach the intersection with 25th Street.
- General Track areas
- An Engine House/Maintenance Building located on the northeastern portion of the proposed Site.

It is unclear that these RECs have been adequately characterized and assessed. Additionally, the 1999 SC/CMS relied upon information from a Phase I environmental site assessment performed by Dames and Moore in 1987. As this Phase I environmental site assessment was performed 18 years ago, it may not meet current expectations and insufficient information has been presented regarding site history since that period. Additionally, no environmental site assessment appears to have been conducted for the offsite utility alignments.

3. The Preliminary Staff Assessment references documents not in DTSC's files. These include a Risk Management Plan and Safety Management Plan. As DTSC does not have a copy of the Risk Management Plan or Safety Management Plan, we cannot evaluate whether these measures would be sufficient for this Site.

4. There are response actions incorporated into the project that will require operation, maintenance and/or following implementation. DTSC's statute and regulations require implementation of land use restrictions that run with the land if hazardous substances remain on the property above levels suitable for unrestricted land use. We also require entry into an operation and maintenance agreement with the entity responsible for compliance with operation and maintenance requirements. Financial assurance for any necessary operation and maintenance activities is required as part of the operation and maintenance agreement. Inspections of properties with environmental restrictions should also be required to ensure compliance with the requirements of the environmental restriction and, if appropriate, the operation and maintenance requirements. These measures should be incorporated into the required Site Mitigation and Implementation Plan and/or Risk Management Plan.

5. It would be useful in WASTE-1 to require that the professional engineer or geologist sign the implementation report describing the soil management practices implemented during earth moving activities that disturbed contaminated soil and/or certify that the activities occurred in compliance with the Site Mitigation and Implementation Report and Risk Management Plan requirements.

6. It would be useful in WASTE-2 to require that reports submitted to the CPM also be submitted to the San Francisco Department of Public Health and/or the San Francisco Bay Regional Water Quality Control Board for their records.

7. It would be useful in WASTE-5 for the project owner to incorporate the applicable requirements from the Construction Waste Management Plan into the Site Mitigation and Implementation Plan required to address Maher Ordinance requirements and the Risk Management Plan overseen by the San Francisco Bay Regional Water Quality Control Board. Please clarify who is responsible for ensuring that the Construction Waste Management Plan requirements are consistent with the land use restrictions, the Risk Management Plan and Safety Management Plan and the Site Mitigation and Implementation Plan requirements. The 30-day timeframe prior to mobilization may not be sufficient time to resolve all issues.

8. It would be useful in WASTE-7 to require that the required documents are modified and approved by the San Francisco Bay Regional Water Quality Control Board and that the required land use restrictions are recorded, prior to the start of mobilization. It would also be useful to require the health risk assessment 120 days prior to mobilization because the information in that document may be necessary for the San Francisco Bay Regional Water Quality Control Board to determine if the requirements in the MUNI Site Risk Management Plan, Site Mitigation Plan and land use restriction are sufficient to address contamination at this Site.

9. It would be useful in WASTE-8, Verification, to require that the site characterization and remediation report be separated into two separate documents. The site characterization report documenting that the site has been fully characterized should be submitted prior to or concurrent with the risk assessment report required in WASTE-7. DTSC concurs with the requirement that the Water Board must determine that the required remedy be fully implemented, however "no further action" may not be the appropriate terminology since ongoing operation, maintenance and monitoring of the implemented response actions may be required.

10. It would be useful if WASTE-10 if the Applicant were required to conduct and submit the results of an asbestos and lead-based paint assessment at the Site to identify any facilities that contain lead-based paint and/or asbestos-containing materials as this is something that should be addressed as part of the Site Mitigation and Implementation Plan and/or Risk Management Plan.

ADDITIONAL RECOMMENDATIONS:

1. The Site History required as part of the Maher Ordinance requirements should identify all potential RECs associated with the Site, construction

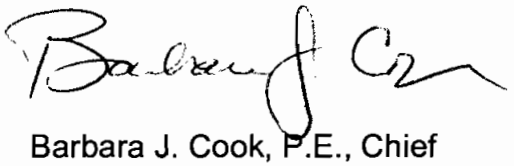
laydown yard and planned offsite utility pipelines alignments. It would be useful for the Site History to be performed in accordance with American Society for Testing and Materials (ASTM) standards and/or U.S. Environmental Protection Agency's All Appropriate Inquiries requirements.

2. Require the performance of activities necessary to assess and, if needed, to characterize environmental media to respond to the RECs identified in the Site History. Activities may include:
   - A geophysical survey to determine if any buried drums, underground storage tanks and/or buried lines.
   - Conducting the sampling required to address the San Francisco Maher Ordinance requirements.
   - Collecting and analyzing soil, soil vapor and groundwater samples.
   - Performing the necessary fate and transport analysis and risk assessment to determine whether hazardous materials present at the Site could pose a threat to public health, safety, water quality or the environment. Based upon discussions with the California Energy Commission staff, the San Francisco Public Utilities Commission is proposing to utilize the risk assessment and fate and transport analysis conducted for the adjacent MUNI site. Sufficient information has not been presented to determine whether this is appropriate. Some of the factors that will need to be assessed to determine if this is appropriate would be: a) whether the soil lithology is the same; b) if hazardous materials releases have impacted soil and groundwater at similar concentrations and depths; c) whether the parameters assumed in the fate and transport and risk assessment evaluations are similar; and d) whether changes in exposure parameters and toxicity factors in the intervening six years are significant enough to change the potential risk calculated to public health and the modeled risks to groundwater and the San Francisco Bay.
3. It would be useful to identify the excavation depths proposed for specific portions of this site in order to later determine whether sufficient data has been collected and to identify specific measures for implementation.
4. Construction dewatering has the potential to cause contamination present in the groundwater to migrate. As the project proposes to implement construction dewatering, applicant should be required to assess whether this could cause contamination to migrate to areas that could spread groundwater contamination, move groundwater contamination closer to the San Francisco Bay, or move groundwater contamination to areas where it could potentially impact public health and/or the environment.
5. Since information regarding potential hazardous materials impacts along the proposed pipeline alignments is not provided, the potential to create potential conduits through utility line backfill or leakage from utility lines needs to be assessed.

6. Rather than reference documents such as the Risk Management Plan and Safety Management Plan whose requirements may or may not apply to this project, it would be more clear and transparent if the Staff Assessment could list the relevant requirements from these documents that would be implemented as part of this project.

If you have any questions, please contact Janet Naito of my staff at (510) 540-3833 or jnaito@dtsc.ca.gov.

Sincerely,



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