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Pages (including cover sheet): 9

From: Melissa Mednick

Date: March 3, 1999

RE: Draft Working Papers from Sherwin-Williams Consultative Work Group meetings

Attached please find the Draft Working Papers from the 1/27/99 and 9/10/98 meetings of the Sherwin-Williams Consultative Work Group. I apologize for the delay in getting the September meeting notes to you—I mistakenly thought I had distributed them already. Please feel free to contact Mara or me if you have any questions.

**DRAFT WORKING PAPER:  
NOTES FROM MEETING OF THE CONSULTATIVE WORK GROUP  
SHERWIN-WILLIAMS SITE, EMERYVILLE, CALIFORNIA  
January 27, 1999**

The meeting took place at the Sherwin-Williams plant on Sherwin Way. The meeting agenda and list of those in attendance are attached.

**I. Introduction**

Mark Johnson began the meeting by stating that both the City and he feel that the project is moving too slowly. Mark commented that if the RI/FS process is being slowed down by the inclusion of parties like Chiron and Shell in the CWG, he will exclude these participants in the future if necessary. Jay Grover from Chiron responded that his firm is also eager to see the project move forward quickly and that Chiron has a strong interest in being part of the CWG since it is an adjacent property owner. Ignacio Dayrit then elaborated on Mark's point, saying that the City is primarily concerned with protecting the interests of adjacent residents and the aquatic receptors in the area such as Temescal Creek and the Bay. Dayrit continued that if Chiron, Shell, and Sherwin-Williams have issues to resolve amongst themselves, some forum other than the CWG would be more appropriate. Mark concluded the discussion by stating that the final remedy will be protective of human health and the environment, and will allow development in the site vicinity.

**II. Status of investigation of the deep on-site well.**

Mike Marsden then gave the group an update on recent activities at the site. Mike reported on progress investigating the old on-site well. The six-inch thick steel casing for the well was found about 18 feet below the ground surface, below some concrete and debris. The well had not been properly abandoned. LFR was able to explore the well to a depth of about 150 feet, to what may be a "frozen" or inoperable pump. A video camera survey of the well has been completed. Old factory records indicate there was a well in that vicinity at 260-360 feet in depth. A work plan will be developed to outline next steps in the investigation of this deep well. The work plan will describe how water samples will be taken and how the well will be properly abandoned. Care will be taken to prevent the well from acting as a conduit between the shallow and deep aquifers. The work plan will be developed by S-W and its technical consultants and submitted to the Regional Board for approval in the near future. Mike commented that accessing the well in order to abandon it will be difficult because of the well's location at the site.

**III. Storm water handling**

Mike Marsden then gave a status report on the storm water handling system at the site. Mike reported that the multi-point system is still in place and will continue to operate until the new extraction and treatment system is fully operational. Discharge from the multi-point system was tested during the last storm and met agency requirements. Mike reported that Sherwin-Williams and LFR are continuing to discuss with the railroad the development and installation of a storm water collection system for the area near the railroad tracks. Recent monitoring of storm water levels in this area has indicated that the shallow storm water collection system originally planned will not adequately address the problem. LFR is also trying to ascertain from the railroad why the storm drain currently in place was installed 3 years ago. (The drain was plugged in September to prevent the flow of groundwater to the creek.) Mike stated that LFR wants to be certain that the storm water collection system designed for this area also addresses the original problem the railroad was trying to fix with installation of the storm drain.

**IV. Extraction well and treatment system expansion**

Mike reported that all of the wells and associated piping for the expanded extraction system have been installed. MSE, the manufacturers of the new system, are in the process of doing the preliminary testing of the system. Preliminary results have been very encouraging, including some test results of

non-detect. LFR is working with MSE to get the system fully operational within the next month. Before the existing extraction/treatment system can be shut down, however, the new system must have ten consecutive days during which discharge samples are at the non-detect level. Vera Nelson asked whether any new chemicals or significantly different concentrations had been detected with the installation of the additional extraction wells. Mike responded that the "mix" of chemicals now is similar to what's been extracted previously. Mike then reported that the Quarterly Groundwater Monitoring Report would be sent out on January 28. Mike also said that the Quarterly NPDES monitoring report for the groundwater extraction and treatment system would also be going out in the near future. Mike commented that this latest NPDES report indicated an inward gradient across the slurry wall.

#### **V. Report on lead/arsenic testing at the Artists' Co-op**

Reber Brown of the Department of Health Services (DHS) then gave a status report on the lead/arsenic testing being conducted at the Artists' Co-op. Reber stated that six units have been tested and that another four would be tested by early February. Reber commented that no results had been received yet from the testing. Reber also stated that the summary section of the original workplan for the testing has been changed and that he would make revised copies of the pages available to CWG members. Jody Sparks then stated that she has not received any calls or inquiries from Co-op members about the testing. She then asked Reber what DHS plans to do if elevated levels of arsenic and/or lead are found. Reber responded that elevated lead levels will be reported to both the resident and the County. Information about elevated arsenic concentrations will only go to the resident. DHS will send the test results as well as information interpreting the results. Jody commented that information going to residents should also reiterate the fact that the testing is not intended to investigate the source of the contaminants. Reber stated that although the letter reporting test results will come from DHS, he will plan to run a draft version of the letter by Mara Feeney for review first. Reber said he will also document the investigation findings in a report that should be ready sometime in April. In order to protect residents' privacy, information in the report will be compiled so that no data is presented about individual units.

Jody then asked Reber who will fund the remedial work if elevated lead or arsenic levels are found. Mark Johnson suggested that a cooperative effort involving Shell, Sherwin Williams, and the City might be the most efficient and economical way to get the work done. Jody commented that DHS will need to be proactive and have a plan in place before the test results are reported to community members. Rob Scofield then asked Reber what exactly constitutes elevated concentrations for lead and arsenic. Reber responded that DHS will use the U.S. Department of Housing and Urban Development's guidelines for lead and the ATSDR chronic exposure concentrations for lead in dust/soil. ATSDR's level is the same as the EPA's chronic reference dose of one part per million. Reber stressed, however, that the background level for arsenic in the Bay Area is 14 ppm, which is higher than the reference dose.

#### **VI. Comments and questions regarding the Draft Workplan Addendum**

Larry Mencin began the discussion of this topic by commenting that he was disturbed by the tone of a letter he had received recently from EKI, Chiron's consultant, about the Workplan Addendum. Larry stated that if EKI and Chiron are unhappy about the way in which their comments and concerns about the Workplan Addendum are being addressed, these issues can be addressed/resolved in the CWG meetings. Larry commented that the fact that Chiron and Sherwin-Williams disagree about certain technical issues does not mean that the CWG process is not working. Larry concluded by stating that Sherwin-Williams will respond to EKI's comments in writing shortly. Mara Feeney also cautioned CWG members to remember that project-related letters are put in the Information Repositories and that it is critical that correspondence from CWG members not give the public the wrong impression or inaccurate information about the project or the CWG process.

Jody Sparks then voiced concern that the response to comments process is proving to be very time consuming. She asked whether it is possible to use the CWG meetings as more of a forum for resolving these disagreements. Jody cautioned that it may also be confusing to CWG members if issues are resolved outside of the CWG and then CWG members are merely informed of the problem and solution later. Jody then commented that she thought the Workplan Addendum was a "pretty good document" and that, if necessary, it can be modified later during the Remedial Investigation.

Several other CWG members then gave their reactions to the work plan. Ignacio stated that he wants to move forward and does not want to see the RI/FS process become embroiled in legal issues between Shell, Chiron, and Sherwin Williams. He said he feels comfortable relying on the Regional Board's guidance for resolving the important technical issues. Allen Lui of DTSC stated that he thinks the work plan is a good one and wants to move forward. Peggy Peischl from Shell commented that she had previously submitted her comments on the work plan in a letter to Larry, and that most of them were intended to clarify information presented in the work plan. Peggy said Shell also feels it is important that some recent data on the South BGR property be included either in the Work Plan Addendum or alternatively in the RI Report. Jay Grover reiterated his earlier comment that Chiron is not attempting to slow the process down and that the corrections Chiron would like to see can also be made in the RI report. Larry then stated that if CWG members have additional comments they should get them to Mark by February 12<sup>th</sup> 1999.

Sandra Maxfield then responded to Vera's letter point by point. Sandra emphasized that the purpose of the Workplan Addendum is not to interpret data or draw conclusions—this will be done in the RI Report. A fair amount of discussion then ensued regarding Chiron and EKI's contention that the historic or current potential for migration of contaminants along sewer lines is inadequately addressed in the work plan. Rob Scofield commented that it will ultimately be up to the Regional Board to decide whether investigation of this potential source area is adequate in the work plan. Wini Curley also commented that if the investigation is not adequate, the work plan will be modified accordingly, per Mark's instructions. Larry stated that he would appreciate Mark paying particular attention to this area in his review of the work plan. The remainder of Vera's comments, which the group discussed, pertained primarily to presenting the data in tables and figures in a clearer and more consistent fashion.

Larry then commented that another Interim Remedial Measure may be established at the site in the near future as part of the settlement agreement between Chiron and Sherwin Williams about the Rifkin property. Extraction wells may be placed on the Rifkin property to stop the migration of contaminants onto it. Larry stated that, due to the terms of the settlement agreement, negotiations about the IRM will have to be conducted outside of the CWG meetings. Larry said he hopes that by the March CWG meeting he will have information to report on this IRM. Larry closed the meeting by stating that the preliminary IR findings will probably be available in late spring. **The next CWG meeting is scheduled for Wednesday, March 24, 1999 at the S-W plant.**

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January 21, 1999

Mr. Mark Johnson  
Regional Water Quality Control Board  
San Francisco Bay Region  
2101 Webster St., Suite 500  
Oakland, CA 94612

Re: **Draft Agenda for Consultative Work Group Meeting**  
**9:00 am Wednesday January 27, 1999 at Sherwin-Williams Facility**  
**1450 Sherwin Drive, Emeryville, California**

Dear Mr. Johnson:

The purpose of this letter is to propose an agenda for the 9:00 am Wednesday January 27, 1999 meeting of the Consultative Work Group (CWG). The meeting will be held at the Sherwin-Williams facility at 1450 Sherwin Drive in Emeryville, California. The general purpose of this meeting is to discuss the Draft Workplan Addendum (ENTRIX January 8, 1999) which was distributed to the CWG the week of January 11, 1999. Therefore, the following topics are proposed for discussion:

- I. Introduction
- II. Status of investigation of abandoned deep on-site well
- III. Stormwater handling
- IV. Extraction well and treatment system expansion
- V. Comments and questions regarding Draft Workplan Addendum (ENTRIX January 8, 1999)
- VI. Action items

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# Sherwin Williams CWG Meeting 1/27/99

<u>Name</u>	<u>Organization</u>	<u>Phone / Fax</u>
LARRY MENCIN	The Sherwin-Williams Co	216-566-1768 216-263-8604
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Michael Marsten	LFR	510-596-9553 / 652-4906
Kimi Jolitz	ENTRIX	925-988-1239 / 935-5368
Linda DeMartino	ENTRIX	925-988-1222 / 935-5368
Jay Grover	Chiron	510-923-2483
ROB SCOFIELD	ENVIRON	510-655-7400
Peggy Peischl	Treadwell & Rollo	925-253-4980 x420
ALAN LUI	DTSC	510/590-3803
MARA FEENEY	Mara Feeny & Assoc.	415/863-8760 / 415-863-5671
Melissa Mednick	Mara Feeny + Assoc	(510) 653-7848 / (510) 653-5163
Robert Brown	CA Dept Health Services	510-622-4487 / 622-4505
Vera Nelson	Erker & Kalinowski, Inc (650)	578-1172
Ignacio Dazpit	City of Emeryville	596-4357 / 6788095
Jody Sparks	Toxics Assessment Group	916/341-7790 / 341-7791 (new e-mail: jsparks@ cwnet.com)
Sandra Maxfield	ENTRIX	925-988-1225
Mark Johnson	R VACB	(510) 822-2493

**DRAFT WORKING PAPER:  
NOTES FROM MEETING OF THE CONSULTATIVE WORK GROUP  
SHERWIN-WILLIAMS SITE, EMERYVILLE, CALIFORNIA**

September 10, 1998

This meeting took place at the Sherwin-Williams paint plant on Sherwin Street. A list of those in attendance is attached.

The update on Site status included news that the installation of new extraction and monitoring wells is complete, as is the Rifkin property sampling--although results from the Rifkin property sampling are not back yet. Work on the Horton Street wall has also been completed. Discussions with the City of Emeryville on CEQA compliance issues are continuing, with a meeting scheduled for the afternoon of September 10.

Mike Marsden reported that an inward gradient is being maintained across the slurry wall, and that the next round of sampling data will be obtained in October. He also noted that, because of a lost pressure transducer, the groundwater system is being operated manually at present. Discussions regarding storm drainage along the railroad tracks are continuing, and the railroad company has been very cooperative. There is some sampling scheduled for September 11, but all other field work is on hold, pending resolution of environmental review issues with the City of Emeryville.

At the day-long Technical Committee meeting held on August 20, some 80 work products (mainly draft figures and tables) were reviewed and revised. It was an interactive meeting that resulted in the preparation of several revised working draft products, including tables presenting preliminary summaries of data gaps, which were reviewed at this CWG meeting.

*Operational History.* The Current Conditions Report included four Site maps that were used to present "snapshots" of Site facilities in four different years during this century. Sandra Maxfield distributed a list of references that were used to develop site history information, including existing aerial photographs and fire insurance maps. A more complete list of chemicals that have been used on the Site historically is in preparation. Jody Sparks suggested that Entrix consult DTSC's PEA manual (especially pp. 2-5 and 2-6), which lists basic data sources to consult and issues to cover in developing a site history. It was noted that there had been an incinerator on the Sherwin-Williams property for an 8- to 10-year period during the 1920s. The group raised several questions regarding the use of facility records to research operational history, and asked that the availability (or lack of availability) of such records, and their use in preparing the operational history, be well documented. Issues that will be covered include: the facility's chemical containment practices, integrity of containment systems on site, and any known past releases.

*Hydrogeology.* A table summarizing hydrogeologic data gaps was discussed. Issues being researched and documented include: geologic cross-sections near Temescal Creek, potential conduits, and deposition patterns and groundwater flow patterns in the Site vicinity prior to slurry wall construction.

*Groundwater/Soil Sampling Program.* Entrix has consolidated existing data onto a series of maps and overlays to evaluate completeness of the Site sampling program. Preliminary sketches summarizing available information were posted and discussed. One question that remains to be answered is: what is "background" for metals found at the site. Data are being screened to identify potential carcinogens above PRGs. Based on available sampling data, groundwater and soil plume maps have been developed for five chemicals: Arsenic, Cadmium, Benzene, Toluene and TCE. Vera Nelson noted that acetone and ketone are not on the list of compounds evaluated for plume/soil contour maps. She indicated that these chemicals are of concern to Chiron because of the high levels that were found on the Rifkin property. Sandra clarified that the table was not intended to identify the Chemicals of Concern for the Site. It is simply a starting point, and Entrix staff felt they had only enough time to prepare maps for five chemicals between the August 20 Technical Committee meeting and this CWG meeting.

*R.I. Procedure and Schedule.* A Workplan Addendum is being prepared to identify data gaps. It will include additional figures and information meant to supplement what was presented in the Current Conditions Report. Mark Johnson said he plans to amend the Order to reflect changes in the RI schedule and to reflect the fact that the CCR will not be revised and re-issued, but instead it will be supplemented with additional information. Entrix is to write a letter to RWQCB proposing a revised schedule for preparation of the RI.

Some CWG members indicated that it is difficult to provide input on very preliminary work products, and they thought it would be a better use of CWG time if Entrix staff worked on items such as plume maps and figures until they were satisfied with them before presenting them to the group for comment. Entrix staff repeated that they find it very helpful to have early input from the CWG, so that when work products are released for formal review, they are more likely to meet the group's expectations and address any potential concerns.

The purpose of the next meeting will be to review the draft Table of Contents and List of Figures for the Workplan Addendum. Draft material will be sent to members of the CWG in advance of the meeting. It was proposed that the next meeting be a meeting of the CWG (vs. Technical Committee), and that it be held Wednesday, September 23, 1998, at 9:30 a.m. at the Sherwin-Williams plant in Emeryville (see Note below regarding time change).

Reber Brown stated that the Public Health Assessment DHS is preparing is now undergoing internal review and will soon be ready for public review. DHS also is continuing work on the dust sampling workplan and is in the process of selecting a contractor to conduct the dust sampling at the Artists' Cooperative. They hope to begin conducting this sampling in early October. DHS staff is planning to meet with residents to describe the sampling plans.

Mark Johnson indicated that he is working on preparing quarterly reports, and he plans to have them out within the next few weeks.

*Note:* after the 9/10/98 CWG meeting, the proposed next meeting time was changed to accommodate a DTSC schedule conflict. The next CWG meeting will be held at 9:30 a.m. on Tuesday, October 22, 1998, at the Sherwin-Williams plant in Emeryville.

*Syokember*



# Sign-In Sheet

9/10/98

## Sherwin-Williams Consultative Work Group

<u>Name</u>	<u>Organization</u>	<u>Phone/Fax</u>
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Janie Riggan	COHS	" "
Vera Nelson	EKI	(650) 578-1172
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Anne Gates	ENVIRON	510 655 7400
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Mark Johnson	RWOCB	(510)622-2493
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(Jody Sparks via speaker phone)