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FROM: Melissa Mednick

DATE: October 25, 1999

PAGES: 7 (including cover sheet)

RE: Draft Working Paper - 9/16/99 meeting of the CWG- Sherwin-Williams Site

Attached please find notes from the September 16, 1999 Consultative Work Group meeting. Please feel free to contact me if you have questions or comments. I can be reached at (510) 653-7848. Thanks.

**DRAFT WORKING PAPER:
NOTES FROM MEETING OF THE CONSULTATIVE WORK GROUP
SHERWIN-WILLIAMS SITE, EMERYVILLE, CALIFORNIA
September 16, 1999**

The meeting took place at the Sherwin-Williams (S-W) plant in Emeryville. The meeting began with a brief discussion of the disclosure for the Emeryville Warehouse project that Ignacio Dayrit had recently obtained. (The residential loft project is adjacent to the Sherwin-Williams plant.) A copy of the disclosure was distributed to everyone at the meeting and is attached herewith. Jody Sparks commented that the disclosure for the Emeryville Warehouse project only mentions the existence of the S-W and the Electrocoating sites nearby. She suggested that this disclosure, and others developed for similar projects in the City, should mention that the development is in an industrial area. Jody also commented that it would be very useful if the City could develop a comprehensive list of all of the sites currently being remediated within Emeryville, similar to the Cortesi list that DTSC maintains for its sites. Ignacio commented that the City's "One Stop" web site also provides community members with some of this information. CWG members were instructed to submit any comments on the disclosure to either Ignacio Dayrit, Mark Johnson or Claudia Cappio, head of the City's Planning Department.

Sandra Maxfield gave a brief update on the status of the Remedial Investigation (RI) at the Site. Sandra stated that the RI work has been substantially completed, except for the work necessary on the Union Pacific Railroad property and the BGR property adjacent to the S-W plant. The RI work is now on hold pending development of an access agreement with the railroad and the BGR property owners. Larry Mencin commented that S-W has not been successful thus far in negotiating the agreement and may need help from the Water Board. Mark responded that the Board is usually successful in applying pressure on a recalcitrant party to facilitate development of an access agreement.

Sandra gave a brief description of the RI findings to date. She said that 32 locations have been sampled, with about 3-5 samples per location. Soil sampling results indicate only three locations where a few VOCs concentrations in shallow soil are slightly greater than 1000 parts per million (ppm)-the fuel tank area in the yard, the drum storage area, and a small area at the border of the S-W and Rifkin properties. SVOCs were generally not detected in soil samples, except in low concentrations underlying Building 35. Arsenic was found at very low concentrations (a few ppm) in shallow soil underlying Building 35, and generally, in the deeper soil, the highest concentration was 34 ppm. In groundwater, arsenic concentrations ranged from 20-45 ppb in the shallow zone except near the northern edge of Building 35, where concentrations were elevated. In the deeper groundwater zone, arsenic was generally at non-detect, except for a few samples with concentrations at 2-5 ppb. Jody then asked whether the RI had revealed any contaminants the technical team was not expecting to see. Wini responded that no new contaminants or contaminants inconsistent with the site history developed for the site have been detected in the RI field inspection, thus far.

With regards to the RI schedule, Sandra stated that it has slipped slightly for a few reasons. She commented that approval of the RI Workplan by the Water Board took longer than the technical consultants had originally expected and that S-W's inability to gain access to the Union Pacific and BGR properties had also delayed the RI. Mark stated that he will work to get an amended Order out that includes a revised project schedule, once the access agreement has been negotiated.

Moving on to the second agenda item, Sandra stated that the technical team would like to use the same process of early review and consensus building for the Remedial Investigation/Risk Assessment/ Feasibility Study program that was used during development of the Workplan Addendum. The team is planning to release the Tables of Contents and figures as soon as possible to give the CWG ample opportunity to review and comment on them. Sandra and Larry both commented

that, while this early review process is time consuming up front, it ultimately makes the comment and approval process for the documents much shorter and less contentious. Larry also commented that he is somewhat concerned that Chiron and DTSC representatives have been missing from the latest CWG meetings because he very much wants their input early on in the process, rather than after the draft document has been substantially completed.

Jody Sparks requested that, as much as possible, the Remedial Investigation Report, Risk Assessment (RA) and Feasibility Study (FS) be released for public review and comment in that (chronological) order. Otherwise, she said, it may appear to community members that a decision about the remedial action plan for the site was made before all of the data was in and that the type of remediation selected was a foregone conclusion. Jody also commented that it is extremely important that community members understand the function of the RA and that this be clearly stated in the document itself. She stated that, on other projects she's worked on, community members mistakenly believed that the RA is a health effects study (of past, present and future exposure) rather than a tool to set cleanup levels for the site. Several CWG members agreed that a community meeting held in late 1999 or early 2000 (in advance of the publication of the RI Report) would probably be an excellent place to educate community members about the function of the RA. In response to a question about the nature of the public participation activities at the Draft RAP stage of the project, Melissa responded once the Draft RAP is available there will be a public hearing, a publicized public comment period, and a fact sheet describing the proposed clean up plan.

Mike Marsden gave a brief update on the extraction system expansion. Mike stated that expansion of the extraction and monitoring well system was completed in early September. He stated that the system has yielded very different data from what the computer modeling had indicated Levine-Fricke-Recon could expect. Data from the new system indicate that there is a shallow sand zone, screened by the extraction wells, that is minimally impacted by the contamination. This sand zone is located at about 22 feet below ground surface and behaves very differently from the zone above it. Mike commented that Levine-Fricke-Recon will, in response to this new data, probably do additional sampling above this sandy soil zone, abandon some wells in this shallow sand zone, and put in some additional temporary wells in order to conduct aquifer testing completely in the shallow zone. Drilling for the additional wells is scheduled for the week of September 20th.

Reber Brown gave an update on the status of the dust sampling at the Co-op. He explained that a total of 8 units have been sampled and that two more units, as well as some common areas in the Co-op, remain to be sampled. Reber commented that the testing protocol has been changed slightly in order to accommodate S-W's request to have duplicate samples taken as the last few units are tested. Jody commented that some Co-op members have expressed concern that this new method of sampling has rendered the data taken from the first seven units invalid. Reber explained that the revised sampling procedures does not in any way adversely affect or negate the earlier sampling data; it merely provides S-W with duplicate samples, which it can have independently analyzed.

Jim Lawrence from Sherwin Williams asked Reber to explain the purpose of the Co-op sampling because he is concerned that DHS is trying to establish a link between elevated levels of lead and arsenic and the S-W plant. Reber responded that the aim of the testing is not to determine the source. Jody commented that she isn't sure that Co-op residents understand that this study cannot link the lead and/or arsenic in dust to the S-W plant. Reber responded that community members have been informed that the testing will not reveal the source of the contamination and that activities within the unit, particularly vocational uses, can also contribute to elevated levels of lead and/or arsenic.

Reber explained that once the sampling results are back and have been reviewed, he will provide two different reports to the residents who've had sampling done. Residents of each unit will get a report that summarizes the sampling data for their unit and explains the potential adverse health effects if there are elevated lead or arsenic levels. The report will also identify locations within the unit where

elevated levels of lead and/or arsenic were found. The second report will be a summary and evaluation of the findings in all of the units. Reber said this document will be very much like the public health assessment done for the Co-op after the Emergency Removal Action in 1997.

Ignacio and Jody both commented that DHS will need to work very closely with them and, if possible, provide them with advance copies of the reports because TAG and the City will receive calls from community members once the results have been sent to them. Ann Gates from Environ, the City's technical consultant for this project, asked whether sampling results, without names or unit identifiers, could be provided to the CWG before being released to the residents. Another CWG member commented that, if this is done, it is critical that the CWG not give the public the impression that it is sitting on important or controversial information.

There was a discussion of the criteria DHS will use to decide whether the lead and arsenic levels present a health risk to occupants. Reber stated that DHS uses its own criteria as well as ATSDR screening values. Reber commented that while screening levels for lead in dust are well established, there are no comparable levels for arsenic in dust. He stated that because of this, DHS may use a screening level for arsenic in soil. Wini Curley responded that exposure to dust and soil are very different and that it is inappropriate to use the soil screening level for dust. She added that Steve De Zio of DTSC indicated in a meeting with Reber in June that mass balance of available material should be considered when evaluating dust exposure. He also said that use of a soil scenario for dust exposure typically violates the mass balance constraints. Peggy Peischl stated that if DHS plans to devise its own screening levels for arsenic in dust, it is very important for the CWG to understand and agree with the rationale behind it. Ann Gates asked whether Reber could present information on the screening level to the CWG before sampling results are released to residents. She also suggested alternatively that, to save time, the CWG could work to devise its own screening level while it is waiting for the data to come back. Reber responded that he would try to get a letter to CWG members fairly soon explaining the rationale behind the screening level that DHS will use for arsenic in dust, and the process DHS will use to decide if each unit is safe or not.

Jody stated her view that the decision about what screening level to use should have been made before this and that background levels should be taken into account when setting the screening level. If levels are determined to be unsafe, DHS and the CWG will need to take action quickly once the results are back. She also commented that it is vital that the CWG suggests a solution if lead and arsenic levels are elevated, because most Co-op members do not have the financial resources to address the problem.

FOR INFORMATION AS TO YOUR OBLIGATIONS AND RIGHTS,
YOU SHOULD READ THE RESTRICTIONS. THE SUBDIVIDER
MUST MAKE THEM AVAILABLE TO YOU.

USES AND ZONING: Zoning to the north, east, south and west is
Light Industrial/Commercial.

HAZARDS: The following hazards exist within or near this
development:

1. Interstate 80 is 1/4± mile to the east and southeast; Highway 580 is to the west and southeast 1-1/4± mile; railroad tracts immediately abut this subdivision.
2. East Bay Municipal Utility Distribution Sewage Treatment Plant is 1/2± to the southwest.
3. San Francisco Bay is 1/2± mile to the west, U.S. Army Reserve Center is 3/4± mile to the west, Oakland Army Base is 1-1/4± mile to the west.
4. Adjacent property to the north known as the Sherwin Williams Plant is presently working with the California Regional Water Control Quality Board, San Francisco Region, to remediate ground water contamination. Electro-Coatings building located at 1401 and 14211 Park Avenue also has ground water contamination and it is our understanding that they too are working with the same authoritative body to remediate the contamination.

The City of Emeryville advises:

"This is to confirm that Emeryville Lofts project has complied with Condition of Approval Number III, B, to provide written documentation that the site has received clearance from the appropriate authorities related to soil or ground water contamination. Such written documentation has been received and the City of Emeryville considers that this requirement has been met."

5. The subdivider has advised that this subdivision is located within an Earthquake Fault Zone. Additionally, the subdivider has advised that all prospective purchasers will be provided separate disclosure regarding this hazard along with this public report.

TAXES: The maximum amount of any tax on real property that can be collected annually by counties is 1% of the full cash value of the property. With the addition of interest and redemption charges on any indebtedness, approved by voters prior to July 1, 1978, the total property tax rate in most counties is approximately 1.25% of the full cash value. In some counties, the total tax rate could be well above 1.25% of the full cash value. For example, an issue of general obligation bonds previously approved by the voters and sold by a county water district, a sanitation district or other such district could increase the tax rate.

ENTRIX

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September 8, 1999

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 for
Sherwin-Williams Facility, 1450 Sherwin Drive, 9:30 AM September 16, 1999**

Dear Mr. Johnson:

The purpose of this letter is to propose an agenda for the Consultative Work Group (CWG) meeting next week regarding the Sherwin-Williams facility located at 1450 Sherwin Drive, Emeryville, California. The proposed meeting details are as follows:

Date: Thursday September 16, 1999
Time: 9:30 AM
Location: Sherwin-Williams Facility
1450 Sherwin Drive, Emeryville, California

The following topics are proposed for discussion:

1. Status of Remedial Investigation Field Program
2. Consensus Building during RI/RA/FS Program
3. Extraction system expansion and related monitoring program at the former Rifkin property.
4. DHS dust sampling program

We would appreciate any comments or recommendations in regard to this draft agenda. Please feel free to call Larry Mencin (216-566-2000) or Sandra Maxfield (925-988-1225).

Very truly yours,

 for

Sandra L. Maxfield
Project Manager, Senior Consultant

cc: Distribution list
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Consultative Work Group
9/16/99 930 am

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