

**San Francisco Bay Regional Water Quality Control Board**

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July 8, 1998

File No. 2199.9309 (MEJ)

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ENVIRONMENTAL  
PROTECTION

Larry Mencin, Env. Specialist  
Corporate Env. Health and Regulatory Services  
The Sherwin-Williams Company  
101 Prospect Ave., N.W.  
Cleveland, OH 44115

Subject: Comments Regarding (1) May 20, 1998, Draft Final, Evaluation of Existing Interim Remedial Measures and Workplan for Implementation of Future Interim Remedial Measures and, (2) April 30, 1998, Quality Assurance Project Plan, Sherwin-Williams Site, 1450 Sherwin Avenue, Emeryville, Alameda County

Dear Mr. Mencin:

Regional Board staff (staff) have reviewed the subject reports and have prepared comments contained herein. In addition, comments have also been submitted to the Board by DTSC and Chiron. These comments are attached.

**(1) Draft Final, Evaluation of Existing Interim Remedial Measures and Workplan for Implementation of Future Interim Remedial Measures report (IRM report)**

The IRM report evaluates the interim remedial measures which have been implemented at the Site. These include a cap, slurry wall and a groundwater extraction and treatment system. The report states that "the objectives of the IRMs were to reduce or eliminate the potential to human exposure to affected soil and groundwater, prevent or minimize off-site migration of affected groundwater, and control source areas".

Staff recognize that the IRMs taken are only interim and are not the final remedy for the site. In our view these measures are necessary to contain the majority of the pollutants and retard further migration while the site is being fully characterized and an appropriate final remedy developed. It is also recognized that source soils likely exist outside of the slurry wall and that groundwater concentrations in these areas may actually increase before a final remedy is implemented.

In our review of the document as well as comments submitted by DTSC and Chiron (prepared on behalf of Chiron by Erlen and Kalinowski, Inc.), it appears that most of Board staff's concerns are addressed by the DTSC comments. In general, staff concur with your conclusion that the IRMs as a whole are not working as intended. However, we disagree with your other conclusions as to the effectiveness of each of the components of the IRMs.

We find it difficult to properly evaluate each of the components of the IRMs when the system as a whole is not working properly and do not believe that one can draw conclusions as to the effectiveness of the slurry wall or cap with any degree of confidence with the data available. Once an inward hydraulic gradient has been achieved, a proper evaluation of the entire system should be conducted.

Our primary concern with the IRMs is the positive hydraulic head inside the slurry wall which has resulted in an outward hydraulic gradient creating a condition which potentially allows for adverse migration of pollutants laterally, vertically or along conduits such as the storm drains. This is unacceptable to the Board and immediate actions must be taken to assure an inward gradient is achieved and maintained. Staff find the proposed expansion of the groundwater extraction and treatment system an appropriate measure to address the current situation. Additionally, we also find the schedule set forth in Figure 10, acceptable. In order to evaluate the effectiveness of this additional IRM, please indicate when an inward hydraulic gradient is predicted and justify how you have come to this conclusion. Furthermore, should this additional IRM not result in an inward gradient within a reasonable time period, the Board will require further actions be taken.

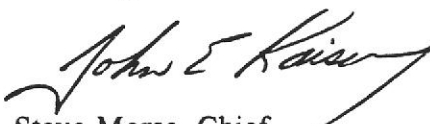
As stated previously, comments have been submitted by DTSC and Chiron. Copies of these comments are attached. We request that you address each of these comments. We do recognize however, that some of these comments may be more appropriately addressed, and will be addressed, in other documents which shall be prepared pursuant to the Site Cleanup Requirements. Should this be the case, please state so in your response and also state which document will address the comment.

## (2) Quality Assurance Project Plan

Staff have reviewed the Quality Assurance Project Plan (QAPP), prepared on your behalf by Entrix. While Regional Board staff are not expert in review of such a document, we have relied on the specialists at the DTSC, Hazardous Materials Office for regulatory review and comments. These comments are attached as are comments submitted by Chiron. Please incorporate both sets of these comments into the document.

Should you have any questions or comments, please contact Mark Johnson of my staff at (510) 286-0305.

Sincerely,

  
Steve Morse, Chief  
Toxics Cleanup Division

encl.: June 15, 1998, DTSC letter, commenting on IRM Report  
May 21, 1998, DTSC Memorandum, commenting on QAPP  
June 12, 1998, Erler and Kalinowski letter, commenting on IRM Report and QAPP

cc: attached list, w/encl.

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# Workplan for Sherwin-Williams Public Participation Plan

## I. PROPOSED OUTLINE FOR THE PUBLIC PARTICIPATION PLAN

- A. **Introduction**  
Explains the components and purpose of the Public Participation Plan (Plan).
- B. **Site/History**  
Provides an overview of the site history, including historical site use, regulatory history, and the history of community concern with and involvement in activities at the site.
- C. **Community Description**
  - 1. Community Profile
  - 2. Community Involvement with the Site
  - 3. Community Concerns and Comments.

(Information for this section will be gathered from both community interviews and secondary research.)
- D. **Objectives of the Public Participation Program**  
Describes the major objectives of the Public Participation Program. Objectives will address, to the greatest extent possible, the concerns summarized in the "Community Concerns and Comments" section of the Plan.
- E. **Public Involvement Activities and Timing**  
Describes the specific activities that will be conducted to meet the objectives outlined in the "Objectives" section of the Plan. The timing for public involvement activities, which is generally tied to technical milestones in the site remediation process, will also be outlined in the Plan. Public involvement activities may include fact sheets, community meetings, briefings for local officials, and/or creation of a citizen task force.
- F. **Appendices**
  - Appendix A- List of Persons Consulted for PPP Development
  - Appendix B- Project Mailing List
  - Appendix C- Project Contact Information, Location and Hours of Operation for Information Repository, and Suitable Locations for Public Meetings
  - Appendix D- Glossary

## II. LIST OF CANDIDATES TO INTERVIEW

- A. **Residents Living Near the Site**
  - 1) Emeryville Artists' Coop Residents:  
Randi Parker-Germaine, Business Manager  
Peter Coquillard, Building Manager  
Sharon Wilshire  
Paul Germaine, Resident and City of Emeryville Planning Commissioner

2) Horton Street Loft Residents:  
Jason Tannen  
Martha Marquand or Amy Barnes

- B. Businesses Located Close to the Site**  
Ric Notini, Chiron  
Glenda Ruben, Chiron
- C. Elected Officials**  
Nora Davis, Mayor  
Dick Kassis, Vice-Mayor  
Greg Harper, Council Member  
Keith Carson, Alameda County Supervisor, District 5  
Barbara Lee, California State Senator  
Dion Aroner, California State Assemblywoman
- D. Representatives of City Departments/Agencies**  
John Flores, City Manager,  
Ignacio Dayrit, Brownfields Coordinator, Redevelopment Agency
- E. Community/Environmental Groups**  
Jody Sparks, Toxics Assessment Group  
Wendy Silvani, President, Emeryville Chamber of Commerce  
Paul Desurick, Chair, Brownfields Task Force
- F. County and State Health Agencies**  
Susan Hugo, Alameda County Health Agency.  
Marilyn Underwood, California Department of Health Services

### III. INTERVIEW QUESTIONS

- A. History**
- How long have you lived in/worked in/represented this area?
  - Are you familiar with the site? If so, when did you first learn of the site and from what sources have you received information about it?
- B. Concerns**
- Do you have any concerns about the site? If so, what are they and which are the most important?
  - Do you have confidence in the Regional Water Quality Control Board's ability to clean up this site? Keep community members informed about the clean up? Incorporate community input into the plan for cleaning up the site?
- C. History of Community Involvement**
- Have you been actively involved with the site in any way?
  - Have you contacted any local, state or other officials regarding this site? If so, what was the nature of the contact.

- What do you know about the community's involvement with the site to date? Do you know of any individuals or groups who have been involved with the site?
- Have any of these individuals or groups emerged as community leaders on this issue?
- Do you feel these individuals/groups adequately and accurately express your concerns?

**D. Media**

- Are you aware of any media coverage of the site to date? Do you feel the coverage presented an accurate picture of the situation?
- Have you personally had any experiences with the media regarding this site? If so, do you feel your concerns and opinions were accurately reported?
- Do you listen to news on the radio? Which station?
- On which TV station do you watch the news, if any.
- What newspaper (s) do you read regularly?

**E. Communication/Public Involvement Activities**

**1. Getting Information to the Interviewee:**

- Do you feel you have been adequately informed about the site?
- What if any problems in communication have you or the group you represent experienced in the past?
- Are there any additional kinds of information you would like to be receiving?
- What is the best way to provide you with information about the site?
  - \_\_\_\_\_ fact sheets
  - \_\_\_\_\_ community meetings
  - \_\_\_\_\_ workshops
  - \_\_\_\_\_ advisory committees
  - \_\_\_\_\_ email
  - \_\_\_\_\_ Other

**2. Getting Information to the Community**

- What do you think is the best way to provide community members with information about the site?
- Are you aware of any particular translation/interpretation needs in this community?
- Can you suggest convenient locations for :
  - a. community meetings
  - b. local information repositories
- Is there any one else you think it is important that we interview?
- Is there anything else you would like to add – any additional comments, suggestions, or concerns?