Department of Toxic Substances Control

Barbara A. Lee, Director
5796 Corporate Avenue
Cypress, California 90630

Matthew Rodriquez
Secretary for
Environmental Protection

Edmund G. Brown Jr.
Governor

August 4, 2016

Ms. Penny Newman
Center for Community Action and Environmental Justice
P.O. Box 33124
Riverside, California 92519

RESPONSE TO CENTER FOR COMMUNITY ACTION AND ENVIRONMENTAL JUSTICE LETTERS DATED JANUARY 19, 2016, FEBRUARY 5, 2016 AND FEBRUARY 29, 2016 REGARDING RIVERSIDE AGRICULTURAL PARK, 7020 CREST AVENUE, RIVERSIDE, CALIFORNIA

Dear Ms. Newman:

Thank you for your letters from the Center for Community Action and Environmental Justice (CCAEJ), dated January 19, 2016, February 5, 2016 and February 29, 2016, regarding concerns about the former Riverside Agricultural Park property, located at 7020 Crest Avenue, Riverside, California (Ag Park). The Department of Toxic Substances Control (DTSC) has developed the attached responses to address CCAEJ questions and concerns.

In addition to the specific responses included as attachments to this letter, DTSC would also like to provide clarification on several broader topics that have been discussed in various meetings and correspondence.

DTSC Oversight:
DTSC's regulatory oversight of this 60-acre property began in April of 2005, when a Voluntary Cleanup Agreement (VCA) was signed with the City of Riverside (City). The purpose of that agreement was to review the assessment activities conducted by the City, and to provide the City with feedback as to the results of the assessment. DTSC next entered into a Reimbursement Agreement with the Friends of the Riverside Airport (FRA), the Ag Park developer, in August 2005, and a California Land Reuse and Revitalization Act (CLRRA) Agreement in May 2006 in order to continue the

Printed on Recycled Paper

investigation and cleanup of the Ag Park under DTSC's oversight and direction. DTSC continued to work with the City to ensure that off-site northwest drainage area impacts related to the Ag Park were also being investigated. Both the Ag Park and the off-site activities were certified closed with no further action required in April and May of 2014. The certification for the Ag Park remains intact, however, DTSC is continuing to work with FRA to address residual PCB concentrations discovered during the development of the Ag Park.

Historical Activities at the Ag Park:

Soil contamination at the Ag Park resulted from the operation of a former sewage treatment plant built by the U.S. Army on the Ag Park in 1942 as part of the 1,247-acre Camp Anza. Additional information regarding Camp Anza is provided below. After Camp Anza closed in 1946, the sewage treatment plant was run by a private utility company from 1947 to 1963, and then acquired by the City of Riverside in 1963. The City operated the plant until 1965. The Ag Park was used intermittently until the early 2000s for various activities including livestock shows and BMX bicycle activities. In July and August of 2003, the above-ground concrete structures associated with the former sewage treatment plant were demolished, and there was a spill of sludge; this incident started the process of environmental evaluation, leading to the City's request for DTSC oversight in 2005.

During the investigations that took place under DTSC's oversight, soil, soil gas, groundwater and sediment samples were collected and analyzed for various contaminants including, polychlorinated biphenyls (PCBs), volatile organic compounds (VOCs), semi-volatile organic compounds (SVOCs), polynuclear aromatic hydrocarbons (PAHs), chlorinated pesticides, organophosphorous pesticides, herbicides, total petroleum hydrocarbons, explosive analytes (perchlorate, NDMA, nitroaromatics and nitramines), California Title 22 metals including arsenic, and dioxins and furans. After DTSC analyzed the data, it was determined that the only chemicals of concern in need of remediation were PCBs, and a cleanup plan was developed.

The CLRRA Response Plan (Response Plan) for the Ag Park was presented for public comment from December 22, 2005 through January 31, 2006. A public meeting to discuss the Response Plan was held on January 25, 2006, at the Arlanza Elementary School located at 5891 Rutland Avenue in Riverside. Only one comment was received (from a local agency) as a result of the public participation process. The comment was addressed, and the Response Plan was approved by DTSC on August 4, 2006.

Cleanup activities were delayed due to a CEQA court challenge filed against the City, along with the economic downturn that further delayed the process. The cleanup work was divided into two phases, described as follows:

1. Phase 1: Between April and July 2009, about 8,666 tons of soil containing PCB concentrations above 50 milligrams per kilogram (mg/kg) were removed from the Ag Park. 50 mg/kg is the total threshold limit concentration at which waste is designated hazardous in California. Soil was transported and disposed at the Waste Management facility in Kettleman Hills. A sewer line traversing the Ag Park was also removed during this phase of cleanup, and sealed with concrete at the Ag Park boundary; and,

2. Phase 2: Between July 2013 and January 2014, about 166,000 tons of soil containing PCB concentrations above 0.22 mg/kg were removed. 0.22 mg/kg was the United States Environmental Protection Agency (USEPA) regional screening level (RSL) for residential use of a property at that time (this RSL has since been raised to 0.24 mg/kg). The soil was transported to the Waste Management facility in Azusa for recycling.

The Ag Park was closed and certified for unrestricted land use in April 2014. FRA began mass grading operations soon thereafter, which resulted in the conditions observed today.

Historical Northwest Drainage Area Activities:
Concurrent with Ag Park work, DTSC had been working with the City to study potential off-site impacts, specifically the northwest drainage area. Under the direction of DTSC, the City collected streambed samples within the Santa Ana River, and groundwater and soil samples from the Santa Ana River trail area. The potential human exposure to soil contaminants for trespassers and recreational users was evaluated. In addition, an ecological risk assessment along with a biological survey was conducted to evaluate potential habitat for sensitive species. These studies indicated that residual PCB and dioxin concentrations in soils in the drainage area do not pose elevated risks to human health or ecological receptors. In May 2014, DTSC determined that no further action was required for the off-site northwest drainage area.

Recent Onsite Activities:
In response to a request from CCAEJ, DTSC developed a work plan and collected additional samples at the Ag Park to confirm the April 2014 Ag Park closure results.

Initial confirmatory soil sampling was conducted in September 2015, and the results indicated higher than expected residual concentrations of PCBs in some soil samples. Based on the results, DTSC required FRA to conduct additional soil sampling in November 2015.

November sampling results are summarized as follows:

- PCBs were not detected in 43 of the 176 samples collected;
- Of the 133 soil samples with PCB detections, 44 were below the original cleanup goal of 0.22 mg/kg. The concentration of 0.22 mg/kg used throughout the project is a conservative cleanup goal, which at the time was the Preliminary Remediation Goal for residential development as issued by US EPA;
- 54 of the 89 samples with detections of PCBs above the conservative cleanup goal had concentrations between 0.22 mg/kg and 1 mg/kg. These concentrations are protective of public health in a residential setting and fall within both DTSC and USEPAs' acceptable risk management range;
- 35 samples detected PCBs above levels that would be protective for residential land use. The maximum concentration of PCBs was detected in four samples collected in a single, isolated area (western gully) outside of the currently proposed development area. Four of the 176 samples collected during November 2015 exhibited results over 50 mg/kg, including a concentration of 131 mg/kg. The concentration of 131 mg/kg was unanticipated because samples collected in its vicinity earlier indicated that there were no PCBs above the 0.22 mg/kg screening level. However, this is also an area that was outside of the current phase of residential development.

Results of the November 2015 sampling indicated that PCB levels at the Ag Park do not pose a health risk to surrounding communities. Additional cleanup is needed in certain areas of the Ag Park prior to residential use. Because FRA is still interested in bringing the Ag Park to productive re-use, DTSC is providing oversight on a Phase 3 cleanup process.

FRA submitted a plan for the Phase 3 cleanup on February 10, 2016, which included additional pre-excavation sampling. This plan provided additional focused details to the approved CLRRA Response Plan from 2006. DTSC and USEPA provided comments which were incorporated into the CLRRA Response Plan, and conditional approval of the additional cleanup was provided on March 21, 2016. Sampling began on

March 22, 2016. Excavation activities will be initiated after DTSC determines that the requirements of its March 21st letter have been satisfactorily resolved, and DTSC provides a final approval letter to FRA for this Phase 3 cleanup.

Since March 22, 2016, approximately 1,047 discrete soil samples have been collected in accordance with the February 10, 2016 plan. DTSC provided full-time oversight of the sample collection.

Groundwater:
Groundwater monitoring wells were installed as part of DTSC's investigation effort in September 2015. The purpose of the wells is to establish the current condition of the groundwater beneath the Ag Park. Four rounds of groundwater sampling have been conducted since installation of the wells. Groundwater sample laboratory results have not identified the presence of PCBs above analytical method detection limits. Calculated dioxin/furan Total Toxic Equivalency (TEQ) units have been 0.0 in each of the sampling efforts. Perchlorate was not identified above the laboratory quantitation limits (PQL), however, two very low detections were identified between the Method Detection Limit (MDL) and the PQL (J flagged). As expected, metals have been detected, however, groundwater is not a pathway of concern, and they have been detected in concentrations consistent with local geologic conditions.

Work Group:
DTSC established a Work Group to provide input and feedback on the process to determine if PCBs may have dispersed from the Ag Park via windblown dust and deposited in the neighborhood. As an act of good government, DTSC is also attempting to address community health concerns by contacting local and federal health agencies that may be able to address their concerns.

More detailed information is provided in the response to the January CCAEJ letter (see Attachment 1).

New DTSC Team for Neighborhood Evaluation:
DTSC recognizes that an evaluation of the neighborhood is very important for the nearby residents. DTSC has allocated a new Project Manager and support staff to design the investigation to determine if PCBs may have dispersed from the Ag Park and deposited in the surrounding neighborhood. The dedicated DTSC team will be responsible for coordination with sister agencies for input, feedback and collaboration,

development of a conceptual model and work plan, communication and interaction with internal and external stakeholders, and implementation of the evaluation.

Former Camp Anza:

The Ag Park was part of the former Camp Anza, which operated from December 1942 to March 1946 (see figure). Camp Anza was a staging area used to train, prepare and supply troops for embarkation to the Pacific Theatre of Operations during World War II. Camp Anza, which encompassed 1,240 acres, had hundreds of buildings, and numerous (reportedly fifty-nine (59)) underground storage tanks. Camp Anza was decommissioned in 1946 after the War. According the US Army Corps of Engineers (USACE), chemical weapons training took place using Chemical Agent Identification Sets (CAIS) or kits, which are small vials of chemical agents that are used during training exercises. No large scale chemical warfare exercises took place at the former Camp Anza. An arms range was not present and, according to the USACE, there is no indication that unexploded ordnance or munitions were ever used or stored at Camp Anza.

After Camp Anza was decommissioned, most of the property was subdivided for housing. Many of the barracks were converted directly into homes. The residential development occurred in the 1940s, 1950s and 1960s. A few of the substantial buildings, namely the headquarters, officers' club, laundry facility, and chapel were retained and were adapted to new uses. In 1946, when Camp Anza closed, there were a number of petroleum fuel oil (heating oil) storage tanks located within the footprint. In 1995, the Regional Water Quality Control Board (RWQCB) and the County of Riverside Department of Environmental Health began work on the remediation of the Underground Storage Tanks (USTs). Fourteen (14) USTs were closed by the County of Riverside and seventeen (17) were closed by the RWQCB. According to the RWQCB, all USTs within the Camp Anza footprint have been closed. No USTs are known to have been located within the boundaries of the Ag Park.

The only property that is currently under active environmental oversight within the Camp Anza footprint is the former Rohr Industries (Rohr) property, located at 8200 Arlington Avenue, Riverside, south of the Ag Park. The Rohr site is comprised of approximately 75 acres of active manufacturing operations, equipment storage areas and parking lots. This portion of the former Camp Anza was purchased by Rohr, Inc. in 1952, and was developed and used for manufacturing operations. In addition, the Hoffman Leather manufacturing company was located on the south-central boundary of the Rohr site from 1953 until 1986; and was purchased by Rohr in the late 1980s. The RWQCB is

actively managing a cleanup of VOC-impacted groundwater at the Rohr property. Additionally, the USEPA is currently undertaking a PCB specific investigation at the Rohr property with results forthcoming.

In 1999, under the Formerly Used Defense Sites (FUDS) program, DTSC staff reviewed and commented on an Information Project Report (INPR) and, in 2005, on an Archive Search Records Report (ASR). Both papers were submitted by the USACE for the former Camp Anza. The 2005 ASR discussed a Military Munitions Ranking score or RAC score that indicated a low probability of munitions. DTSC has recently reopened a discussion with USACE regarding the former Camp Anza. The USACE has indicated that they plan to initiate a Preliminary Assessment of Camp Anza this year that will continue into fiscal year 2017.

Conclusion:

DTSC trusts that the information included in this letter and the attached responses address your questions. Do not hesitate to contact me at Peter.Garcia@dtsc.ca.gov or 714-484-5459 if you have any questions or would like clarification on any responses.

Sincerely,

Peter Garcia
Branch Chief
Brownfields and Environmental Restoration Program
Department of Toxic Substances Control

Attachments:

1. Letter from Riverside Agricultural Park Family - Communication Plan, dated January 19, 2016, and DTSC Response
2. Letter from CCAEJ - Seeking Clarification and Answers on Issues Regarding Riverside Ag Park, dated February 5, 2016, and DTSC Response
3. Letter from CCAEJ - November 2015 Testing of Riverside Ag Park, dated February 29, 2016, and DTSC Response

cc: See next page.

cc: The Honorable Richard D. Roth
California State Senate
State Capitol, Room 4034
Sacramento, California 95814

The Honorable Eric Linder
California State Assembly
State Capitol, Room 5135
Sacramento, California 95814

Mr. John A. Russo, City Manager
City of Riverside
3900 Main Street
Riverside, California 92522

Mr. Al Zelinka, Assistant City Manager
City of Riverside
3900 Main Street
Riverside, California 92522

Mayor Rusty Bailey
Riverside City Hall
3900 Main Street
Riverside, California 92522

Riverside City Council
Riverside City Hall
3900 Main Street
Riverside, California 92522

Ms. Sara Ziff, P.E.
Project Manager
Corrective Action Section
U.S. EPA, Region 9
75 Hawthorne Street (LND-4-1)
San Francisco, CA 94105

cc: Mr. Patrick Wilson
Corrective Action Office
USEPA Region 9
75 Hawthorne Street
San Francisco, CA 94105

Mr. Steven S. Armann, Manager
Corrective Action Office (LND-4-1)
USEPA Region 9
75 Hawthorne Street
San Francisco, CA 94105

Mr. Matt Rodriguez, Secretary
California Environmental Protection Agency
1001 I Street, 25th Floor
Sacramento, California 95814

Ms. Barbara A. Lee, Director
Department of Toxic Substances Control
California Environmental Protection Agency
1001 I Street, 25th Floor
Sacramento, California 95814

Ms. Dot Lofstrom, PG
Division Chief
Brownfields and Environmental Restoration Program
Department of Toxic Substances Control
1001 I Street, 25th Floor
Sacramento, California 95814

Mr. Gideon Kracov
Independent Review Panel Member
Department of Toxic Substances Control
California Environmental Protection Agency
1001 I Street
Sacramento, California 95812

Attachment 1

Riverside Agricultural Park Family
Riverside County, California

RECEIVED

January 19, 2016

Barbara A. Lee, Director
P.O. Box 806
Sacramento, CA 95812-0806

RE: Communication Plan between Riverside Ag Park Family and DTSC

Dear Director Lee,

The residents that reside around and near the Riverside Agricultural Park have a petition that was signed so far by 71 residents. There are still additional petitions that are currently being circulated.

The petition reads as follows:

"We, the undersigned, call upon the Department of Toxic Substances Control (DTSC) to agree that it is the right for each individual, group or community that is potentially impacted by any decision made by DTSC to be involved with making that decision. That it is a right of the Riverside Agricultural Park residents to express their ideas and opinions in a public forum freely, and for those ideas and opinions to be heard, respected, and discussed between the community and DTSC.
It is the right for residents' concerned be recognized and serve as a foundation for DTSC's agenda in regards to decisions made by DTSC regarding Riverside Ag Park. In addition, we are demanding a Community Advisory Group be created (ex. Stringfellow, Exide, etc.) to assist in resolving issues related to the Riverside Agricultural Park."

We hope that you will take our petition seriously. We would like a response within two weeks of receiving our packet.

Sincerely,
Riverside Agricultural Park Family

Please respond in writing or
email to CCACJ - Penny Newman

RESPONSE TO CENTER FOR COMMUNITY ACTION AND ENVIRONMENTAL JUSTICE LETTER DATED JANUARY 19, 2016

DTSC received a letter from the Riverside Agricultural Park Family demanding a Community Advisory Group (CAG) be created related to the Riverside Ag Park. As an act of good government, DTSC has established a Work Group in direct response to the request in this letter instead of a CAG. The Work Group will address the request of the Riverside Agricultural Park Family to have an increased level of communication with DTSC and provide a forum for feedback to the process of evaluating possible PCB impacts in the neighborhood.

Given the Riverside Ag Park site specifics, there are two reasons the formation of a CAG is not appropriate as a mechanism to provide a public forum to the interested community. One is the timing of the process, and the other is that the authority for CAG formation is under the state superfund statutes and not under the CLRRA statutes. These are separate statutory schemes with their own separate public participation components.

To elaborate on these points, the intent of forming a CAG is to afford an opportunity for the "affected community to review any response action and comment on the response action to be conducted in that community" (H&SC §25358.7.1). In addition, EPA's guidance on CAGs clearly focus on the cleanup of Superfund sites (http://www.epa.gov/superfund/community-advisory-groups). The Riverside Ag Park has already been certified, and the additional work is a continuation of the Response Plan. This is not a superfund site at the beginning of the decision-making process. It is a Brownfields certified site that is conducting additional work. In addition, CLRRA has its own public participation requirements that have been followed throughout this process, and there is no authority for interplay between the CLRRA public participation requirements and the state superfund public participation requirements. However, DTSC does support community involvement for the work to be conducted in the residential neighborhood adjacent to the Riverside Ag Park. As such, DTSC believes the formation of a community work group (Work Group) would be appropriate. This would allow for residents living in the North Arlanza/Ag Park neighborhood, and stakeholders to participate in a collaborative dialogue with DTSC and other local government agencies. CCAEJ/Riverside Ag Park Family has been invited to participate in the Work Group as an advocacy stakeholder.

Approximately 1000 letters were sent to nearby community members seeking volunteers to participate in monthly meetings as a Work Group member. Out of the approximate 1000 letters sent, ten (10) applications were received requesting membership on the Work Group. DTSC selected six community members to participate in the monthly meetings. Subsequently, other applicants were invited to participate in the Work Group, and DTSC is continuing outreach efforts to have a work group that is representative of the surrounding neighborhood. Work Group meetings are held on the second Wednesday of every month, beginning in June and will continue until objectives have been achieved. The Work Group has previously met at the Norte Vista High School and the Arlanza Community Center; alternative locations are being considered. The meetings are also open to the general public.

Attachment 2

CCAEJ

Center for Community Action and Environmental Justice

And

Riverside Agricultural Park Family

February 5th, 2016

MEMO
Department of Toxic Substance Control
Barbara A. Lee, Director
1001 "I" Street
Sacramento, CA 95812-0806

RE: Seeking Clarifications and Answers on Issues regarding Riverside Agricultural Park

---

1. DTSC continues to conduct a "Brown Fields" project without lawful authority. DTSC letter dated Feb. 2, 2016 should be rescinded due to legal irregularities. Per DTSC document dated November 2, 2015, "the Site is closed and certified for unrestricted use in April 2014"; this means that the Voluntary Agreement with Riverside City and the CLRRA agreement with the Friends of Riverside Airport LLC are legally completed/closed and cannot be reopened. DTSC's letter to Mr. Beers has no force of law. An Administrative Enforcement Order or a Site Mitigation Enforcement Order should be issued establishing DTSC's lawful authority and control of the site to FRA, City and RPs. CLRRA never applied to Ag Park (City and FRA never met definition of qualified applicants) so stop acknowledging project immunity. An Enforcement Order is the new "Ball Game" with cost recovery from RPs. Assign staff to prepare site mitigation documents for continued sampling and RAP.

2. Camp Anza, Riverside Airport, Acorn St. POTW, Ag Park and the abandoned "Pedley Landfill remain to be investigated and remediated according to applicable law.

3. Ag Park needs to be considered part of a larger Superfund Site with identified RPs

4. DTSC needs to ELEVATE PUBLIC HEALTH PRIORITY PCBs are not the killers at this site. It is the Congeners. PCBs are only indicators of the extent of contamination in the soil

5. Sampling results show a heavily contaminated site under control of a private owner.

   a. A robust Health and Safety Plan should be prepared for the site to minimize human contact with the soil/dust borne contaminates known at the site. This includes workers and exposure on the surrounding community. (PPE, dust control, air monitoring at

receptors, entry and exit points shall have decon procedures and facilities for waste collection/ generator storage.

b. Site security to prevent unauthorized entry and hazardous waste site Placarding

c. The site investigation should continue with limited sampling at cells with known contamination. This is a special distribution problem and not one of approving lots for residential construction. The former contractual "misadventure" into CLRRA is mute. DTSC will prevail if it follows a path protective of Public Health and the Environment. (Public Policy)

d. Continue with ground water investigation at Ag Park to include the wider acreage of the Airport, Camp Anza, Pedley Landfill and Acorn St POTW. Look for a broader range of ground water contaminates. Use RWQCB funds (under Prop 1 accessible by DTSC use funding and Cost Recovery to employ DTSC staff doing the majority of the technical work with input from Region 9 and the Community.

6. Use funding and Cost Recovery to employ DTSC staff doing the majority of the technical work with input from EPA Region 9 and Community members.

7. We also would like clarification as to why the dust monitoring records – appeared to not have been taken seriously. Why were only two monitors installed – we notice that the recent sampling map the installation of 4 dust monitoring equipment.

8. Not all sampling results are in, that which we have raises questions. More sampling will add data to the pile. We need to agree on data representation for community presentation – visual display – mapping.

9. All ROHR/BF Goodrich documents concerning the site should be added to Envirostor, including emails – for transparency reasons

10. The following related sites should also be added to Envirostor under Riverside Agricultural Park: Rohr Industries, Inc (Geotracker T060650068; CP Anza (Envirostor 337009; and Pedley Landfill (Geotracker) and Riverside Airport.

11. We request testing for Dioxins, Furans, TCA, Dichorobenzene, metals and perchlorate should be performed on all samples.

12. We request for TSCA Site Characterization Work Plan for UTC Aerospace/Rohr should be placed on Envirostor.

13. Meeting minutes with consultants, Friends of Riverside Airport, City of Riverside, Army Corp of Engineers should be placed into Envirostor – transparency is needed.

14. All responsible parties should be identified and placed into Envirostor

15. Petition the Director of Federal EPA for a TSCA review

16. Define negligence and circumstantial evidence. Then explain that the high levels of PCB contamination found on the entire site after the site was certified meets the legal requirements of Circumstantial Evidence needed to prove Negligence. The question then who was negligent the consultants, Friends of Riverside Airport, DTSC, City of Riverside or all of the above

17. Have the type, depth and limits of contaminated soils been conclusively determined at the subject site? What additional sampling and testing is necessary?

18. What is the recommended remediation for the contaminated soils?

19. What is the strategy moving forward by the DTSC to mandate, enforce and verify the contaminated soils at Ag Park are properly remediated, assuring the health and safety of the area's existing and future residents?

20. What is DTSC's plan moving forward to address the neighborhood's concern of potential contamination in the areas outside the perimeter of Ag Park?

21. What is the proposed schedule, as applicable, for the above noted activities?

22. Will the DTSC indemnify the City of Riverside in the event of litigation by the property's developer to the City's Stop-Work Order?

23. Evidence indicates that DTSC has not considered the issue of environmental justice as required by the California Health and Safety Code section 25395.6 (a)(1)(E).

24. Evidence indicates that DTSC has not provided the community with information regarding the process by which decisions about the site are made and the recourse that is available for those may disagree with the agency decision according to California Health and Safety Code section 35395.6 (a)(1)(D).

25. No workplans, sampling plans should approved until the above items are rectified.

26. All previous sample points that were above .23mg/kg of PCBs should be re-sampled at 3ft., 6ft., 9ft. and tested for PCBs, Dioxin,Furans, Metals, TCA, Dichlorobenzene, and Perchlorate. Additional sampling should 3-D grids according to SW-846 at depths of .5ft., 3ft. and 6ft.

27. Samples should be taken under all proposed houses and areas that have concrete fill.

28. The two ravine locations with the highest PCBs should be tested at 2 ft. intervals until groundwater is hit. All samples should be tested from PCBs, Dioxin, Furans, Metals, TCA, Dichlorobenzene and Perchlorate. The entire length of each ravine requires 20 ft. grids with samples taken from each grid at .5 ft., 3ft, and 6 ft. All samples require full testing.

29. Four additional groundwater wells shall be installed at the two ravine locations with the highest PCBs. Samples shall be tested for PCBs, Dioxin, Furans, Metals, TCA, Dichlorobenzene and Perchlorate.

30. A workplan should not be submitted until all the sample analysis is reviewed and formally discussed with DTSC, Federal EPA and CCAEJ.

31. The Post Plan is rejected as a Post Closure Plan since this should be handled as a new site due to the extremely high levels of PCBs located over the majority of the property.

It is obvious that both Center for Community Action and Environmental Justice and the Riverside Ag Park Family still have many concerns – and we expect responses to our concerns. Many of these issues have been raised during meetings but they continue to be not addressed, therefore we respectfully ask that DTSC respond to our concerns in a written document.

Thank you,

Center for Community Action and Environmental Justice
Riverside Agricultural Park Family

RESPONSE TO CENTER FOR COMMUNITY ACTION AND ENVIRONMENTAL JUSTICE LETTER DATED FEBRUARY 5, 2016

	Comment	Response
1	DTSC continues to conduct a "Brown Fields" project without lawful authority. DTSC letter dated Feb. 2, 2016 should be rescinded due to legal irregularities. Per DTSC document dated November 2, 2015, "the Site is closed and certified for unrestricted use in April 2014"; this means that the Voluntary Agreement with Riverside City and the CLRRA agreement with the Friends of Riverside Airport LLC are legally completed/closed and cannot be reopened. DTSC's letter to Mr. Beers has no force of law. An Administrative Enforcement Order or a Site Mitigation Enforcement Order should be issued establishing DTSC's lawful authority and control of the site to FRA, City and RPs. CLRRA never applied to Ag Park (City and FRA never met definition of qualified applicants} so stop acknowledging project immunity. An Enforcement Order is the new "Ball Game" with cost recovery from RPs. Assign staff to prepare site mitigation documents for continued sampling and RAP.	These statements do not correctly reflect DTSC's legal authority, policies, or procedures. There is no basis to support DTSC issuing an enforcement order at this site because the additional work is being conducted voluntarily under the existing CLRRA agreement.
2	Camp Anza, Riverside Airport, Acorn St. POTW, Ag Park and the abandoned "Pedley Landfill remain to be investigated and remediated according to applicable law.	Camp Anza: The former Camp Anza was evaluated by the Army Corps of Engineers, and two separate projects requiring remediation were identified (Goodrich/Rohr and underground storage tanks areas). These areas are being, or have been, addressed by the RWQCB, USEPA and County of Riverside. However, based on the CCAEJ concerns, the Army Corps of Engineers have expedited their initiation of a Preliminary Assessment of the former Camp Anza this year. Ag Park: The Riverside Ag Park is currently being addressed by DTSC in collaboration with USEPA.

		Riverside Airport: DTSC is not currently managing the Riverside Airport. Acorn St. POTW: DTSC is not currently managing the Acorn St. POTW. Pedley Landfill DTSC is not currently managing the abandoned Pedley Landfill.
3	Ag Park needs to be considered part of a larger Superfund Site with identified RPs	DTSC disagrees with this statement. The Riverside Ag Park is not a Superfund site, and there are no plans by USEPA to categorize it as such.
4	DTSC needs to ELEVATE PUBLIC HEALTH PRIORITY PCBs are not the killers at this site. It is the Congeners. PCBs are only indicators of the extent of contamination in the soil.	This comment is incorrect because neither PCBs, nor the congeners, have been identified as "killers at the site." The approaches for evaluating PCBs for this project are consistent with USEPA and DTSC regulations and guidance. Analyses of individual Aroclors and total PCBs by EPA SW-846 Method 8082 is a standard method for characterizing and evaluating PCBs in hazardous waste sites in California and throughout the US. The toxicity values used to evaluate the health effects for PCBs reflect congener compositions in the Aroclors mixtures (Table 4.5 of ATSDR Toxicological Profile for PCBs). In addition, select soil samples were collected from areas with known PCB impacts during the November 2015 sampling and analyzed for 209 PCB congeners to verify the presence of Aroclors in these samples. USEPA and DTSC have reviewed the data sets and found the distributions of detected congeners and Aroclors in these samples are consistent with each other. The congener concentrations, when converted to the dioxin TEQ concentrations, fall within the acceptable risk management range by both agencies. Thus, the use of Aroclors and total PCB data is adequate for guiding the cleanup in this project.

5	Sampling results show a heavily contaminated site under control of a private owner.	DTSC disagrees that sampling results show a heavily contaminated site. While positive detections of PCBs have been identified at the Riverside Ag Park, in excess of 200,000 tons of the most impacted material have been removed from the Ag Park. The Ag Park does not pose a risk to the community in its current state. Prior to any residential development, the Phase 3 cleanup efforts will be approved by DTSC and USEPA.
5a	A robust Health and Safety Plan should be prepared for the site to minimize human contact with the soil/dust borne contaminates known at the site. This includes workers and exposure on the surrounding community. (PPE, dust control, air monitoring at receptors, entry and exit points shall have decon procedures and facilities for waste collection/ generator storage.	The Response Plan includes provisions to address these concerns including, but not limited to, a health and safety plan and dust monitoring plan.
5b	Site security to prevent unauthorized entry and hazardous waste site placarding	The Riverside Ag Park is fenced with 24 hour on-site security. The follow up communication from CCAEJ regarding hazardous waste site placarding does not apply as discussed in the DTSC letter, dated May 3, 2016, addressed to Mr. Bruce Bailey of CCAEJ.
5c	The site investigation should continue with limited sampling at cells with known contamination. This is a special distribution problem and not one of approving lots for residential construction. The former contractual "misadventure" into CLRRA is mute. DTSC will prevail if it follows a path protective of Public Health and the Environment. (Public Policy)	DTSC's approach is much more robust than what is being proposed in this comment. Since March 22, 2016, over 1,080 discrete soil samples have been collected in an abundance of caution to ensure that the future residents at this property are safe. The approach of addressing cut lots, fill lots and areas outside the proposed residential area individually, conducting soil removal and then returning to each individual residential lot for final confirmation is one that addresses the current site condition regardless of any contaminant distribution. DTSC disagrees with the statements regarding the CLRRA agreement and follows DTSC policies and procedures

		regarding legal agreements.
5d	Continue with ground water investigation at Ag Park to include the wider acreage of the Airport, Camp Anza, Pedley Landfill and Acorn St POTW. Look for a broader range of ground water contaminates. Use RWQCB funds (under Prop 1 accessible by DTSC use funding and Cost Recovery to employ DTSC staff doing the majority of the technical work with input from Region 9 and the Community.	DTSC is currently monitoring groundwater at the Riverside Ag Park. DTSC is not the lead agency for regulatory oversight of the other sites identified in the comment. The Water Board has been involved in some of these sites, and has responded to concerns in a letter dated May 16, 2016.
6	Use funding and Cost Recovery to employ DTSC staff doing the majority of the technical work with input from EPA Region 9 and Community members.	Funding and/or cost recovery mechanisms are considered for all DTSC activities.
7	We also would like clarification as to why the dust monitoring records - appeared to not have been taken seriously. Why were only two monitors installed - we notice that the recent sampling map the installation of 4 dust monitoring equipment.	DTSC disagrees with the statement that dust monitoring was not taken seriously. Dust monitoring has been a significant component of Ag Park activities along with fugitive dust control measures defined in the Response Plan, consistent with best available control measures and South Coast Air Quality Management District (AQMD) requirements for Rule 403. AQMD has reviewed the Air Monitoring Plan for the upcoming Phase 3 cleanup and its recommendations have been incorporated. New monitoring locations have been incorporated for Phase 3 to provide additional data.
8	Not all sampling results are in, that which we have raises questions. More sampling will add data to the pile. We need to agree on data representation for community presentation - visual display - mapping.	Reports documenting Ag Park investigation, including analytical data, is posted to EnviroStor once the documents are approved by DTSC. EnviroStor is current as of the last soil sampling conducted in November 2015, and groundwater sampling conducted in September and December 2015, and March 2016. DTSC continues to work diligently to provide meaningful community communication.

9	All ROHR/BF Goodrich documents concerning the site should be added to Envirostor, including emails - for transparency reasons.	It is not DTSC's practice to include documents on EnviroStor for projects for which we have not been designated as the lead regulatory agency. Information on Water Board projects are available on the GeoTracker database. Please refer to the Water Board letter dated May 16, 2016.
10	The following related sites should also be added to Envirostor under Riverside Agricultural Park: Rohr Industries, Inc (Geotracker T060650068; CP Anza (Envirostor 337009; and Pedley Landfill (Geotracker) and Riverside Airport.	Information on these sites is available to the public on the RWQCB GeoTracker website as indicated in the request. Combining multiple sites under Riverside Ag Park would not be appropriate.
11	We request testing for Dioxins, Furans, TCA, Dichorobenzene, metals and perchlorate should be performed on all samples.	In addition to PCBs, soil sample analytical analyses have been conducted for many groups of compounds, including VOCs, SVOCs, PAHs, chlorinated pesticides, organophosphorous pesticides, herbicides, TPH, perchlorate, NDMA, nitroaromatics and nitramines, title 22 metals and dioxins and furans. Groundwater samples have also been analyzed for PCBs, metals, perchlorate and dioxins and furans.
12	We request for TSCA Site Characterization Work Plan for UTC Aerospace/Rohr should be placed on Envirostor.	UTC Aerospace/Rohr is not an active DTSC project. It is not DTSC's practice to include documents on EnviroStor for projects that we are not the lead regulatory agency. The Water Board is addressing this site as indicated in their letter dated May 16, 2016.
13	Meeting minutes with consultants, Friends of Riverside Airport, City of Riverside, Army Corp of Engineers should be placed into Envirostor - transparency is needed.	DTSC has not developed meeting minutes for meetings related to this project.
14	All responsible parties should be identified and placed into Envirostor.	DTSC is working pursuant to the CLRRA agreement voluntarily with FRA. DTSC may pursue a search of possible responsible parties for costs and or/actions that will either not be addressed by FRA or, if there is a broader scope, that would necessitate the involvement of responsible parties.

15	Petition the Director of Federal EPA for a TSCA review.	USEPA's Corrective Action Section is currently collaborating with DTSC on site investigation and the Phase 3 cleanup plans. Please refer to the October 2011 letter from USEPA in this regard.
16	Define negligence and circumstantial evidence. Then explain that the high levels of PCB contamination found on the entire site after the site was certified meets the legal requirements of Circumstantial Evidence needed to prove Negligence. The question then who was negligent the consultants, Friends of Riverside Airport, DTSC, City of Riverside or all of the above	These questions are mixing different legal theories, along with subjective opinion. In addition, they are not applicable to the Ag Park with regard to the remediation process and DTSC's oversight authority. Finally, any aspect of legal strategy within DTSC is confidential.
17	Have the type, depth and limits of contaminated soils been conclusively determined at the subject site? What additional sampling and testing is necessary?	This is an iterative process and is currently underway. The February 10, 2016 Soil Sampling and Excavation Plan defines the process for additional sampling.
18	What is the recommended remediation for the contaminated soils?	Excavation and off-site disposal is the remediation strategy for the Riverside Ag Park.
19	What is the strategy moving forward by the DTSC to mandate, enforce and verify the contaminated soils at Ag Park are properly remediated, assuring the health and safety of the area's existing and future residents?	Please refer to the February 10, 2016 Soil Sampling and Excavation Plan which focused on ensuring that community and future Ag Park residents are safe. In addition, DTSC is currently undertaking an evaluation to determine if PCBs from the site could have been dispersed into the surrounding neighborhood historically at levels of potential concern.
20	What is DTSC's plan moving forward to address the neighborhood's concern of potential contamination in the areas outside the perimeter of Ag Park?	See response #19 above.
21	What is the proposed schedule, as applicable, for the above noted activities?	See response #19 above.
22	Will the DTSC indemnify the City of Riverside in the event of litigation by the property's developer to the City's Stop-Work Order?	No, DTSC will not indemnify the City of Riverside in the event of litigation by the property's developer to the City's Stop-Work Order.

23	Evidence indicates that DTSC has not considered the issue of environmental justice as required by the California Health and Safety Code section 25395.6 (a)(1)E).	DTSC believes you are referring to Health and Safety Code section 25395.96(a)(1)(E). Ana Mascarenas, DTSC Assistant Director for Environmental Justice, is personally involved with this project. Please refer to response #24 for additional information on public participation activities.
24	Evidence indicates that DTSC has not provided the community with information regarding the process by which decisions about the site are made and the recourse that is available for those may disagree with the agency decision according to California Health and Safety Code section 35395.6 (a)(l)(D).	DTSC has evidence that the community had several opportunities to participate in the public participation process under CLRRA. DTSC believes that the citation referred to in the comment is Health and Safety code section 25395.96(a)(1)(D). This subsection is just one of several that DTSC complied with through the public participation process. DTSC's public participation activities were conducted in compliance with Health and Safety Code section25395.96, and activities included (but were not limited to) the following: 1. Fact Sheet regarding the cleanup proposal, dates for a public comment period, and notice of a public meeting was published in local newspapers and mailed out to residents in December 2005; 2. Public comment period for the Draft Response Plan started on December 22 2005 and ended on January 31, 2005; 3. Draft Response Plan made available at the La Sierra Library, the City of Riverside Planning Department and the DTSC File Room in Cypress; 4. A public meeting and open house was held on January 25, 2006 at the Arlanza Elementary School; 5. Responses to public comments were published on August 4, 2006; 6. Work Notice mailed to residents around April 2009 notifying of the first phase of cleanup; 7. Work Notice mailed to residents in May 2013 notifying of the second

		17. Cleanup plan made available from public review in March 2016; 18. DTSC field oversight reports posted routinely to EnviroStor since March 22nd 2016; 19. Work Notice mailed to the during the week of July 18th; 20. Mailing list expanded to a one mile radius, with over 3,000 addresses; and, 21. An E-list established to increase the ease of dissemination of information.
25	No workplans, sampling plans should be approved until the above items are rectified.	DTSC has conducted oversight at the Ag Park pursuant to its authority, processes and policies, as required. There are no items above that need to be rectified.
26	All previous sample points that were above .23mg/kg of PCBs should be re-sampled at 3ft., 6ft., 9ft. and tested for PCBs, Dioxin, Furans, Metals, TCA, Dichlorobenzene, and Perchlorate. Additional sampling should 3-D grids according to SW-846 at depths of .5ft., 3ft. and 6ft.	DTSC disagrees with this statement because the sampling and removal plans moving forward are more protective and robust than what is being suggested in this comment. The current sampling plan is designed to address any data gaps that were noted during the September and November 2015 sampling events. SW-846 waste sampling protocols are designed for sampling of waste stockpiles and do not apply to the Ag Park. The SW-846 grid sampling protocol is based on the variability of existing data and the difference of the concentrations detected and the applicable regulatory threshold. Sampling conducted at the Ag Park exceeds the requirements of the SW-846 grid sampling protocol.
27	Samples should be taken under all proposed houses and areas that have concrete fill.	This statement is not applicable because the current sampling and removal plan includes the sampling of each residential lot that is currently planned after the cleanup is completed.

28	The two ravine locations with the highest PCBs should be tested at 2 ft. intervals until groundwater is hit. All samples should be tested from PCBs, Dioxin, Furans, Metals, TCA, Dichlorobenzene and Perchlorate. The entire length of each ravine requires 20 ft. grids with samples taken from each grid at .5 ft., 3ft, and 6 ft. All samples require full testing.	The current Soil Sampling and Excavation Work Plan includes a system of regular grid sampling which includes the ravine areas. Any locations which have PCB results above the 0.22 mg/kg screening value will have step-out sample locations until the extent is identified. Soil removal will then occur with bottom confirmation sampling to ensure that the vertical extent is identified. The goal of the Soil Sampling and Excavation Work Plan is: once all site activity is complete, no residual contamination above residential screening values will remain.
29	Four additional groundwater wells shall be installed at the two ravine locations with the highest PCBs. Samples shall be tested for PCBs, Dioxin, Furans, Metals, TCA, Dichlorobenzene and Perchlorate.	This statement is incorrect. Groundwater investigation conducted prior to the Phase 2 cleanup and current ongoing groundwater sampling do not indicate that groundwater beneath the site is impacted with Ag Park related constituents of concern.
30	A workplan should not be submitted until all the sample analysis is reviewed and formally discussed with DTSC, Federal EPA and CCAEJ.	Work plans will be reviewed and approved by USEPA and DTSC. CCAEJ has been engaged and consulted with on this project as part of the public participation process.
31	The Post Plan is rejected as a Post Closure Plan since this should be handled as a new site due to the extremely high levels of PCBs located over the majority of the property.	This is not a hazardous waste facility and therefore a "Post Plan" or Post Closure Plan are not applicable to the Ag Park. In addition, there is no evidence to support this statement.

Attachment 3

CCAEJ

Mailing Address:
PO Box 33124, Jurupa Valley, CA 92519

Physical Address:
3840 Sunnyhill Drive, Suite A, Jurupa Valley, CA 92509

Tel: 951-360-8451
Fax: 951-360-5950
www.ccaej.org

Board of Directors

Teresa Flores-Lopez, President *Community Representative-San Bernardino*

Nanette Protini, President Elect *GIS Specialist*

Gwen D'Arcangelis, Secretary *Asst. Professor Cal Poly Pomona*

Elizabeth Lopez, Financial Officer *Community Representative/Small Business Owner- San Bernardino*

Brinda Sarathy, *Assoc. Professor at Pitzer College and Director of the Robert Redford Conservancy*

Maggie Hawkins, *Director, Randall Lewis Health Policy Fellowship*

Dr. Heidi Millard, MD Asst *Clinical Professor at UC Riverside School of Medicine*

Sandy Briggs, *Community Representative - Riverside*

Wendy Kuhn, *Community Representative-Riverside*

Piya Chatterjee, *Professor Scripps College*

Monideepa Becerra, *Asst. Professor Cal State San Bernardino*

Jade Sasser, *Asst. Prof. UC Riverside*

Bronwyn Leebaw, *Assoc. Professor UC Riverside*

Juliann Anderson, *Deputy City Attorney of Los Angeles*

**Titles for Identification Purposes only*

Center for Community Action and Environmental Justice

Centro de Acción Comunitaria y Justicia Ambiental

February 29th, 2016

Department of Toxic Substance Control
10011 "I" Street
Sacramento, CA 95814-2828

RE: November, 2015 Testing of Riverside Ag Park

Dear Director Lee,

Soil samples were taken in November, 2015 and 5 samples were analyzed for 209 PCB Congeners. The sampling results included Dioxin like PCBs. The Federal EPA has detailed guidelines for computation of clean up screening levels of Dioxin like PCBs due to the high level of toxicity. These computations are needed prior to any additional soil sampling or soil removal. We are asking to review the computations prior to acceptance of the levels. We have arranged for two UCR professors to review and make comment on selected documents.

Secondly, we are also extremely concerned with the new 1mg/kg PCB level referred to in the October, 2016 and the Press Enterprise article as being a safe level. It should be noted that the California OEHHA PCB total residential CHHSL in 2010 was listed at 0.089 mg/kg. Dr. Carpenter, (M.D. professor, PCB expert) advised Bruce Bailey (CCAEJ scientist) that the 0.089mg/kg clean up level would be a safer clean up standard for PCB clean ups but that there is not a safe level for PCB exposure. New Jersey DP has a residential soil remediation standard of 0.2 mg/kg; levels greater than 0.2 mg/kg require a cap and Deed Notice with no impact to groundwater. We will be reviewing appropriate levels with University of Riverside professors.

It should be noted that the samples were not tested for Dioxin or Furans which were found during previous soil sampling. The DTSC November, 2015 samples (20) should be analyzed for dioxin and furans prior to arrive at clean up levels; the lab is usually required to keep unused portions of the samples.

We are requesting a written reply to each item discussed above. If you have any questions please call Bruce Bailey at (909) 709-3180. Thank you for your Assistance in this matter.

Sincerely,
CCAEJ and AG Park Family

RESPONSE TO CENTER FOR COMMUNITY ACTION AND ENVIRONMENTAL JUSTICE LETTER DATED FEBRUARY 29, 2016

The following three issues were raised in the CCAEJ letter dated February 29, 2016:

Dioxin-like PCB congeners

A total of 11 soil samples were collected analyzed for the 209 PCB congeners by EPA Method 1668 during the November 2015 resampling event. These samples were collected from areas with known PCB impacts to verify the presence of Aroclors by EPA Method 8082, which is a standard analytical method used to generate PCB data for health risk assessment. USEPA and DTSC have reviewed the data sets and found the distributions of detected congeners and Aroclors in these samples are consistent with each other. In addition, all congener concentrations were converted to the total dioxin TEQ concentrations (ranging from 5.5 to 17.5 pg/g), and were identified as falling within USEPA and DTSC's acceptable risk range. Based on these evaluations and in consultation with USEPA, DTSC considers the use of PCB Aroclors data for cleanup purposes is adequate and no additional PCB congener analysis is necessary.

PCB Cleanup Level

The DTSC-approved Soil Sampling and Excavation Work Plan dated February 10, 2016 states that the original cleanup level of 0.22 mg/kg will be used for the Phase 3 cleanup. The reference to 1 mg/kg PCB level was in pertaining to health protectiveness under the current regulatory framework. Specifically, the Toxic Substances Control Act (TSCA) requires a PCB soil remediation goal of 1 mg/kg for the self-implementing and performance-based cleanup. The 1 mg/kg level also corresponds to a cancer risk of approximately four in a million (4×10^{-6}) and a noncancer hazard of 0.8 in a residential setting, based on the Regional Screening Levels (RSLs) published by USEPA. These risk levels are at the low end of the acceptable cancer risk range of one in a million to one in ten thousand (1×10^{-6} to 1×10^{-4}) and below the noncancer threshold of one (1), respectively for making cleanup decisions by both USEPA and DTSC. While it is possible that individual residual concentrations above 0.22 mg/kg may be found after the cleanup, due to heterogeneous nature of soil materials and associated PCB distribution, the 0.22 mg/kg value has been used as a conservative cleanup goal, in combination with approximately 3,000 samples collected so far and another additional 1000 samples to be collected following the Phase 3 cleanup, to ensure that the overall PCB exposure concentrations at the Ag Park will remain below the health-protective level of 1 mg/kg.

It should be noted that DTSC no longer recommends using the CHHSLs (last revised in 2010 by the California OEEHA) in a human health risk evaluation, because they have not been routinely reviewed and revised as new scientific information becomes available (http://www.dtsc.ca.gov/PublicationsForms/upload/PEA_Guidance_Manual.pdf). Specifically, the residential CHHSL of 0.089 mg/kg for PCBs was based on an outdated cancer slope factor of 5 mg/kg-day, which was revised to 2 mg/kg-day in 2009 by the OEHHA

(http://www.oehha.ca.gov/tcdb/index.asp). Using the revised OEHHA toxicity value would have resulted in an "updated" CHHSL value that is comparable to the cleanup level used for the Ag Park.

Analysis of dioxin and dioxin-like compounds

Multiple rounds of dioxins/furans sampling were conducted before, during, and after Phase 1 and Phase 2 cleanup. These data were used to guide the cleanup and to support the risk evaluations. The following is a summary table listing the data for dioxins/furans collected for the Riverside Ag Park and purposes/use of these data:

Time Period	No. Samples	TEQ Range (pg/g or ppt)	Purpose/Use
Pre-Phase1 (Frey, 2006)	25	0.462 – 5,270	Data used for statistical analysis to correlate PCBs and dioxin occurrence
Phase 1 (TRC, 2010)	31	0.332 – 8,373	Data used to guide Phase 1 cleanup; several areas > screening level (4.5 ppt) to be addressed in Phase 2 cleanup
Phase 2 (TRC, 2014)	50	0.277 – 465.2	Data used to guide Phase 2 cleanup (all areas > 4.5 ppt were removed); remaining data used in the post-cleanup risk assessment (TRC, 2014)
Post-Phase 2 (DTSC, 2015)	9	0 – 1.04	Data used to verify Phase 2 cleanup and in the health risk evaluation (DTSC, 2015)

Sources:
Frey, 2006: Revised Response Plan, Excavation of Soils Containing PCBs
(http://www.envirostor.dtsc.ca.gov/public/final_documents2.asp?global_id=33490087&doc_id=6009866)
TRC, 2010: Phase 1 Response Plan Implementation Report
(http://www.envirostor.dtsc.ca.gov/public/final_documents2.asp?global_id=33490087&doc_id=60194161)
TRC, 2014: Phase 2 Response Plan Implementation Report
(http://www.envirostor.dtsc.ca.gov/public/final_documents2.asp?global_id=33490087&doc_id=60194163)
DTSC, 2015: Limited Soil Confirmation Evaluation
(http://www.envirostor.dtsc.ca.gov/regulators/deliverable_documents/5470245182/Riverside%20Ag%20Sampling%20Report%20Final%20Nov%202%202015.pdf)

In summary, 115 soil samples were collected for analysis of dioxins/furans throughout the various project phases to guide and verify the Phase 1 and Phase 2 cleanup. A statistical study using co-located PCB and dioxin data (Frey 2006) showed a strong correlation between the presence of PCBs and dioxins/furans within the PCB-impacted areas. This study along with the sampling data were used to guide the Phase 1 and Phase 2 cleanup, and to confirm that all known dioxin concentrations above the screening level of 4.5 pg/g (or ppt) were removed from the property. The dioxins/furans data from the Phase 2 final confirmation sampling and the 2015 re-sampling by DTSC were included in two health risk assessments (TRC, 2014; DTSC,

2015) in accordance with the USEPA and Cal/EPA guidance. The risk assessments showed that PCBs are the main driver for potential health risks, and the total cancer risks and noncancer hazards associated with the other site-related chemicals of potential concern including dioxins/furans are acceptable.

Please note that the Response Plan did not establish a numerical cleanup goal for dioxins and furans (*"...dioxins and furans will be removed from the Site to a level that is determined by the DTSC to be acceptable for residential development" on page 17*) and the removal of soil with dioxins/furans above the screening level of 4.5 pg/g for the Phase 1 and 2 cleanup at the discretion of FRA and its consultant is conservative for protection of public health. For reference, dioxins background concentrations in California urban soils range from 7 to 20 pg/g, and DTSC recommends a residential remedial goal of 50 pg/g for dioxins and dioxin-like compounds in the Human Health Risk Assessment (HHRA) Note 2 (http://www.dtsc.ca.gov/AssessingRisk/upload/HHRA_Note2_dioxin-2.pdf).