

NOTICE OF EXEMPTION

To: Office of Planning and Research
State Clearinghouse
P.O. Box 3044, 1400 Tenth Street, Room 212
Sacramento, CA 95812-3044

From: Department of Toxic Substances Control
700 Heinz Avenue, Suite 200
Berkeley, California 94710-2721

Project Title: Proposed Revision To Soil Remedies at Britannia East Grand business park

Project Location – Specific: 450 East Grand Avenue

Project Location – City: South San Francisco

Project Location – County: San Mateo

Description of Project:

The project is approval of revised soil remedies at the former Fuller O'Brien paint manufacturing site (the "Site"), now known as the Britannia East Grand business park at 450 East Grand Avenue in South San Francisco (Figure 1).

Background

Slough SSF, LLC is currently developing the Site for use as a biotechnology (biotech) facility that will include office and laboratory space and will include a day-care center in the northwestern area of the Site (Figure 2).

Although all manufacturing activities have now ceased, the Site was used for over 100 years to manufacture ceramic products, white lead, plate glass, pigment and colorant-pastes, rubber paint, red lead, enamel paint, varnish, resins, and more recently, latex paint products. The current development includes biotech laboratory and office space.

A series of environmental investigations and corrective actions designed to address the legacy of historical manufacturing have occurred at the Site since 1982 when Fuller O'Brien owned the Site. Following decades of investigation, the United States Environmental Protection Agency (USEPA) approved soil remedies for the Site in 2000 when it was owned by Cherokee. At that time USEPA also transferred regulatory oversight to the Department of Toxic Substances Control (DTSC). The soil remedies selected by USEPA included two different remedies for different portions of the Site. For the warehouse and the area around it, the remedy consisted of asphalt and concrete capping of contaminated soil. For the remainder of the Site, the remedy included excavating contaminated soil in a specific area, treating and/or disposing of other contaminated soil, and backfilling excavated areas with clean soil. The entire site was placed under a deed restriction which restricts the land use to commercial or industrial.

Slough has since purchased the Site and plans to re-develop the Site into a business park, including a day-care center for employees. A Final Environmental Impact Report (FEIR) was prepared by the City of South San Francisco to assess the environmental impact of the construction of the proposed Britannia East Grand Business Park development at 450 East Grand Avenue in April 2002. The project was approved, subject to the mitigation measures described in the FEIR, by the South San Francisco City Council on April 24, 2002.

The proposed day-care center is about one acre in size at the northwest corner of the Site. Slough has done additional investigation and removal of contaminated soil where the proposed day-care

center will be located. Investigations consisted of advancement of soil borings to depths of 3 to 10 feet below ground surface (bgs). The investigation results revealed that volatile organic compounds were not present and semi-volatile organic compounds were present at concentrations lower than screening criteria (California Human Health Screening Levels for residential land use). Soil samples contained low concentrations of total petroleum hydrocarbons (diesel) and total petroleum hydrocarbons (motor oil). Metal constituents, with the exception of Arsenic, were below background and/or health screening criteria (California Human Health Screening Levels for residential land use).

Arsenic was detected above site specific background (i.e., naturally occurring) concentrations (15 milligrams per/kilogram [mg/kg]) in one boring (SB-5) at depths of 3.5 feet bgs and 5.5 feet bgs (15 mg/kg and 38 mg/kg, respectively). Soil samples collected in subsequent borings surrounding SB-5 contained concentrations of arsenic within background concentrations.

As an interim remedial measure, Slough excavated 0.6 cubic yards of soil from the area of elevated arsenic concentrations (i.e., sampling location SB-5) and replaced the upper three feet of soil with clean fill at the day-care center location to provide additional certainty that soil contaminants are not present at the proposed day-care center location at concentrations that would potentially provide a risk to human health. Prior to placement of the clean fill, DTSC reviewed and approved sampling results of imported fill material.

After interim soil removal from the proposed day care center, the potential for cumulative adverse health effects as a result of simultaneous exposure to all detected chemicals in the day-care center area soil has been calculated to have a total estimated theoretical cancer risk and hazard index of 1×10^{-6} and 0.61, respectively. These risk levels are considered acceptable by DTSC (generally, the acceptable cancer risk is $\leq 1 \times 10^{-6}$ and the acceptable hazard index is ≤ 1). Site-related adverse health effects from the soil are not likely to occur to the future occupants of the day-care facility. Risk will be further minimized since the soil will eventually be covered with a combination of buildings and hardscape, thus direct contact with soil by future day-care center workers or users will be minimal.

The objective of these investigation and remediation activities was to ensure that residual concentrations of metals and organic compounds in soil at the proposed day-care center location are below the protective levels established by DTSC for unrestricted use, such as residential, schools, childcare centers, or hospitals. This objective has been met and no additional actions or measures are required for soil at the proposed day-care center location. However, in order to actually build the day-care center, the existing deed restriction must be modified to allow unrestricted use in the proposed location.

Additional investigation activities conducted during current development of the Site indicated concentrations of methane gas in soil in the southwest area of the Site (separate from the proposed day-care center area) which require mitigation during development. Soil gas sampling was conducted over the entire Site and demonstrated that methane gas concentrations were less than 0.5% by volume, with the exception of Parking Structure B and Building 9, which had concentrations that exceeded 5% by volume. Soil gas sampling results indicate that the source of methane is likely decaying organic matter. The southwest area of the site possibly has larger methane concentrations due to its proximity to the former San Bruno channel that was filled with industrial fill of unknown origins.

A Methane Mitigation Plan (MMP) has been submitted to address required modifications to the development plans for control of methane gas. The Monitoring and Mitigation Measures (Measures) recommended in the MMP have been reviewed by DTSC and are deemed appropriate for the protection of human health. The Measures include a reinforced concrete structural slab gas barrier,

utility gas barriers, a gas extraction system, and a subsurface gas monitoring system. Due to the elevated methane concentrations in the areas of Parking Structure B and Building 9, the enclosed portions of these buildings will have a geomembrane barrier installed to supplement the reinforced concrete structural slab gas barrier. The geomembrane is a cold spray-applied water-based product that will help control the migration of methane gas into the proposed buildings. Its installation does not generate odors or volatile organic chemicals. For the gas extraction system, subsurface gases will be collected through the sand or aggregate layer (located beneath the concrete structural slab or geomembrane, where applicable) and perforated pipes, which will convey the gases to solid wall header pipes and to the roofline of the buildings, where they will be vented to the atmosphere. A single extraction riser pipe per building will be required to passively convey collected gases to the roofline. Gas monitoring probes will be installed in strategic areas beneath the reinforced concrete structural slab and/or geomembrane gas barrier. Periodic gas monitoring reports shall be submitted to DTSC for review, as specified in the MMP, Section A of the Corrective Measure Study Report.

Project Description

The revised soil remedies include installation of the methane mitigation system, amending the land use covenant to allow unrestricted use in the proposed location of the day-care center, and annual inspection of the Site. The details of the remedies are described in the Corrective Measure Study Report. These remedies represent changes to the FEIR previously approved for the business park development. The northwest corner where the day-care center is to be located will no longer be restricted to commercial or industrial use; however, the remaining acreage will remain restricted to commercial and industrial use.

Name of Public Agency Approving Project: California Department of Toxic Substances Control

Name of Person or Agency Carrying Out Project: Amber Harmon

Exempt Status: *(check one)*

Ministerial (Sec. 21080(b)(1); 15268);

Declared Emergency (Sec. 21080(b)(3); 15269(A));

Emergency Project (Sec. 21080(b)(4); 15269(b)(c));

Categorical Exemption. State type and section number: Title 14, Cal. Code Regs., section 15330

Statutory Exemptions. State code number: _____

General Rule (Sec. 15061(b)(3))

Exemption Title: Minor cleanup actions taken to mitigate or eliminate the release or threat of release of a hazardous waste

Reasons Why Project is Exempt:

This project is exempt because the Site is not on the Hazardous Waste and Substances Sites List pursuant to Government Code 65962.5, consists of small removal actions costing \$1 million or less, and does not require the relocation of residences or businesses. Additional reasons why the project is exempt are given below.

- 1) DTSC has re-evaluated the proposed day-care center location following additional soil removal and has determined that this area is safe for unrestricted use.
- 2) The land use at the site will continue to be restricted to commercial and industrial, with the exception of the proposed day-care center location. Annual inspections will ensure land use restrictions are followed.
- 3) Annual inspection of the Site is expected to add only 2 additional car trips per year. The day-care center shall be for children of employees working in the biotech laboratories and offices, and is not expected to add any additional traffic.

- 4) The reinforced concrete structural slab gas barrier and geomembrane will minimize methane penetration into the building, and periodic monitoring will ensure that methane levels remain safe.
- 5) Methane that emanates from the ground will be collected and passively extracted from the soil beneath the buildings. Since methane is not being actively extracted from the ground, no Air Quality Management District permit is required.
- 6) The methane mitigation system will be installed during construction of building foundations. Construction worker protection will be provided as necessary, as for normal construction activities. Exposure to hazardous waste during construction is not expected.

Amber Harmon	(510) 540-3779
Lead Agency Contact Person	Phone #
DTSC Branch Chief Signature	Date
Mohinder Sandhu	Supervising Hazardous Substances Engineer II
DTSC Branch Chief Name	DTSC Branch Chief Title

TO BE COMPLETED BY OPR ONLY

Date Received For Filing and Posting at OPR: _____

Figures for Britannia East Grand Notice of Exemption



Figure 1: Location of Project



Figure 2: Development Map