Fact Sheet
August 2004

Cleanup of Old Oakland Road Site
Formerly known as
Markovits & Fox, Inc.

DEPARTMENT OF TOXIC

Draft Removal Action Workplan Available for Public Review & Comment

DTSC is one of six Boards and Departments within the California Environmental Protection Agency. The Department's mission is to restore, protect and enhance the environment, to ensure public health, environmental quality and economic vitality, by regulating hazardous waste, conducting and overseeing cleanups, and developing and promoting pollution prevention.

State of California

California Environmental Protection Agency

Location of Old Oakland Road Site and surrounding area

CLEANUP PROPOSED

Contaminated soil has been found at the Old Oakland Road Site formerly known as the Markovits & Fox, Inc. The site is located at 1633 Oakland Road, San Jose, California.

The Department of Toxic Substances Control (DTSC) is holding a 30-day public comment period on the draft Removal Action Workplan (RAW) which is the cleanup plan proposed for the Site. The draft RAW recommends removal and capping of contaminated soil and placing a deed restriction on a portion of the property.

This fact sheet provides information on the public comment period for the draft RAW and summarizes past environmental investigations, California Environmental Quality Act (CEQA) determination and the cleanup measures proposed to address the environmental issues at the site.

***See glossary insert for terms in bold.**

PUBLIC COMMENT PERIOD

August 20 to September 20, 2004

Share your opinion on the cleanup proposal for the Old Oakland Road Site. The draft Removal Action Workplan and the proposed CEQA determination are available for review at the public information repositories listed on the back page of this fact sheet.

DTSC will consider all public comments before making a final cleanup decision. Please mail written comments postmarked or e-mailed by September 20, 2004 to:

Xavier Bryant
DTSC Project Manager
700 Heinz Avenue
Berkeley, California 94710
(510) 540-3835
Email: xbryant@dtsc.ca.gov

A public meeting will be held if there is significant interest. Please submit a written request for a public meeting, including the issues to be raised, to Xavier Bryant at the address above by August 30, 2004.

SITE DESCRIPTION AND BACKGROUND

The currently vacant site (Figure 1) is approximately 18 acres and is bounded to the north by a business park, to the west by active Union Pacific railroad tracks and an office park, to the east by Oakland Road. Across Oakland Road there is a small commercial/retail center and a public golf course. To the south, the site is bordered by Coyote Creek. The surrounding area is primarily mixed commercial and recreational use.

The site was historically used as a pear orchard. From 1964 until early 2000, it operated as a metals recycling facility under the name of Markovits and Fox, Inc. The facility operations included the sorting, shredding, and compressing of various metals. One portion of the northwest corner (an area of about 250 by 100 feet) was used as a debris pit to dispose of various debris including paper, plastic packaging, scrap metals, and wire insulation.

After the facility closed, processing equipment and scrap metals were removed, buildings and structures were demolished and water retention areas were installed to manage storm water runoff.

SOIL AND GROUNDWATER INVESTIGATIONS

Ten environmental investigations have been conducted at the site since it closed in March 2000. Approximately 370 samples of soil, soil vapor and groundwater were collected and analyzed.

Soil sample results found that some areas of soil contain elevated levels of **total petroleum hydrocarbons** *(*TPHs*)*, **polychlorinated biphenyls** *(*PCBs), **dichloro-diphenyl trichloroethene** (DDT), **polynuclear aromatic hydrocarbons** (PAHs) and **metals**.

Groundwater sample results found low levels of TPHs, metals, and volatile organic compounds *(*VOCs*)* beneath the debris pit. Groundwater in the area is not used for drinking water.

Within the debris pit, soil vapor samples detected low levels of methane.

RISK ASSESSMENT

Because the site is mostly paved and access is restricted the site does not pose an immediate risk to the nearby communities as it exists today.

A risk assessment was completed for the site evaluating various ways people might come in contact with the contaminants and how likely it is that these contaminants might cause health effects to them in the future. This information was used to determine what the cleanup needed for the site and what were acceptable levels based on future land uses.

DRAFT RAW AND CLEANUP ALTERNATIVES

The draft RAW summarizes all previous reports and studies, outlines possible remedial alternatives, and makes a final recommendation to address environmental issues at the site. Each option evaluates current and future site use, how well it protects public health and the environment, compliance with relevant environmental laws, effectiveness, ease of implementation and overall cost.

Six alternatives were evaluated in the draft RAW for the Old Oakland Road Site. A detailed description of the alternatives are described in the draft RAW. Three of the alternatives are outlined below:

No Action: This alternative consists of conducting no remedial work at the site. Consideration of the "no action" alternative is required by law and serves as a comparison to other alternatives.

Excavation and off-site disposal: Contaminated soil with concentrations of contaminants greater than the site **cleanup goals** would be removed and backfilled with clean soil. Under this alternative the existing debris pit would also be removed and backfilled with clean soil. This would clean up the site for unrestricted use.

Excavation, Consolidation, Capping, and Institutional Controls: Some of the contaminated soil would be excavated and disposed of offsite. The soil containing PCB concentration of 10 ppm or greater would be removed and disposed of offsite at a permitted landfill. This soil would also contain significant concentrations of other contaminants detected at the site. The amount of soil expected to be taken offsite is about 470 cubic yards.

Areas of soil that contain PCBs below 10ppm will be consolidated and left onsite. This area would be capped with asphalt. Other contaminated soils with concentrations of chemicals above the site **cleanup goals** would also be consolidated in this capped area next to the existing debris pit. The new consolidation area and the existing debris pit would be capped following federal requirements. A deed restriction to limit future use to commercial/industrial development would be placed on the capped areas of the site. The remaining portion of the site where soil was removed and backfilled with clean soil would have unrestricted land use.

PREFERRED ALTERNATIVE

DTSC proposed Excavation, Consolidation, Capping and Institutional Controls as the preferred method to address contaminated soil at the site. Additionally, the draft RAW would require that the groundwater be monitored and a passive venting system put in place over the debris pit. This alternative is protective of human health and the environment, complies with existing regulatory cleanup criteria, is cost-effective, can be implemented quickly, and allows unrestricted use on the majority of the site. The debris pit and the consolidated soil area would have a deed restriction limiting future use to commercial use only

HOW THE PROPOSED CLEANUP WOULD AFFECT THE COMMUNITY

If the selected alternative is approved, cleanup activities would begin in fall 2004 and would last about three weeks. The work would be performed between the hours of 7 a.m. to 7 p.m. Monday through Friday. All work proposed in this alternative would be overseen and approved by DTSC.

First, the site would be readied for future construction work including installation of security fencing and removal of vegetation. Next, soil excavation and consolidation activities would take place. Air would be regularly monitored and dust would be strictly controlled during excavation work.

The selected alternative involves the removal of 470 cubic yards. Approximately 35 truckloads of contaminated soil would be transported offsite.

All work would be conducted in accordance with a Site-Specific Health and Safety Plan designed to protect on-site workers, and nearby populations. Workers involved in the cleanup would be trained in hazardous waste operations.

CALIFORNIA ENVIRONMENTAL QUALITY ACT

In accordance with the California Environmental Quality Act (CEQA), DTSC has evaluated the project to identify potential environmental impacts associated with the draft RAW alternatives. DTSC found that the draft RAW, if implemented, would have no significant negative effect on the environment. DTSC proposes to issue a Negative Declaration in accordance with CEQA guidelines. This document is also available for public review and comment at the Information Repositories (see back pack).

FOR MORE INFORMATION

If you would like more information about the site, please call Xavier Bryant, DTSC Project Manager, at (510) 540-3835 or Rachelle Maricq, DTSC Public Participation Specialist, at (510)540-3910. For media questions, please contact Angela Blanchette, DTSC Public Information Officer, at (510) 540-3732.

INFORMATION REPOSITORIES

The Draft RAW and the Negative Declaration, which are part of the administrative record for the site, as well as other documents relating to the site are available for public review at the following locations:

Santa Clara County Library
1095 7th Street
San Jose, CA
(408) 293-2326
Call for hours

DTSC File Room
700 Heinz Avenue
Berkeley, CA 94710
(510) 540-3800
Call for Appointment

The full administrative record is available at the DTSC Office listed above.

ANUNCIO

Si prefiere hablar con alguien en español acerca de ésta información, favor de llamar a Jacinto Soto, Departamento de Control de Substancias Tóxicas. El número de teléfono es (510) 3832.

NOTICE TO HEARING IMPAIRED INDIVIDUALS

TDD users can obtain additional information about the Site by using the California State Relay Service (1-888-877-5378) to reach Xavier Bryant at (510) 540-3835

Rachelle Maricq
DTSC
700 Heinz Avenue, Suite 200
Berkeley, CA 94710

Public Comment sought on the proposed clean up plan for the Old Oakland Road Site (formerly Markovits and Fox, Inc.)

GLOSSARY OF TERMS

Arsenic - Arsenic is a metal that can naturally occur in soil at low levels, but is also found in the environment due to man made sources. Arsenic can be toxic to humans and animals if eaten or inhaled.

Benzene – **Commonly found in products like gasoline and has also been used as a solvent. Benzene is classified as a carcinogen.**

California Environmental Quality Act (CEQA) – **A California law requiring an environmental impact review of governmental actions. The Act applies generally to all activities undertaken by state and local agencies, and to private activities financed, regulated, or approved by state and local agencies.**

Chromium - A hard, brittle grayish metal used in tanning, paint formulation and in plating metal for corrosion protection. It is toxic at certain levels and in its hexavalent (versus trivalent) form. Hexavalent chromium is listed as a cancer-causing agent under Proposition 65.

Cleanup goals – A cleanup goal is the amount or concentration of a chemical allowed to remain on a site and still be considered protective of human health. Cleanup goals are determined based on an evaluation of the potential pathways through which people could come in contact with the chemicals and on what the future land use of the site is anticipated. People are exposed to chemical contamination by ingestion (eating), dermal contact (touch), and inhalation (breathing).

Dichloro-diphenyl trichloroethene (DDT) - An environmentally-persistent insecticide banned for most uses by the U.S. EPA in 1972. DDT accumulates in fatty tissues of animals and has lead to serious environmental problems such as thinning of shells of certain birds. It may also have toxic effects on humans upon prolonged exposure.

Lead - **Lead is a metal that can naturally occur in the soil at low levels, but is also found in the environment due to man made sources (e.g. paint, leaded gasoline, etc.). Long term exposure to lead can cause damage to the nervous and reproductive systems and inhibit development, especially in children.**

PCBs (Polychlorinated Biphenyls) - A colorless liquid that historically was used as an insulating fluid in electrical equipment (banned in use for new transformers by the 1976 Toxic Substances Control Act). PCBs, at sufficient concentration may be harmful to human health and/or the ecological environment.

PAHs (Polynuclear aromatic hydrocarbons) - **An aromatic (cyclic) compound containing three or more closed rings, usually of the be nzenoid type. PAHs are natural constituents of crude oil, and may be formed when organic materials such as coal, oil, fuel, wood, or even foods are not completely burned. PAHs are also found in lampblack, a by-product of the historic gas manufacturing process. PAHs are found in a wide variety of other materials, including diesel exhaust, roofing tars, asphalt, fireplace smoke and soot, cigarettes, petroleum products, some foods, and even some shampoos. PAHs tend to stick to soil and do not easily dissolve in water, and generally do not move in the environment. The test method used to analyze for PAHs detects seventeen different compounds. Of the seventeen, seven are suspected of causing cancer in humans.**

Total Petroleum Hydrocarbons (TPHs) – Refined and unrefined compounds that come from crude oil, such as gasoline, grease, motor oil, and diesel fuel.