

CALIFORNIA ENVIRONMENTAL QUALITY ACT STATEMENT OF FINDINGS

The Department of Toxic Substances Control (DTSC) has issued Findings for this project pursuant to the California Environmental Quality Act (CEQA; California Public Resources Code, Division 13, Section 21081) and implementing Guidelines (California Code of Regulations, Title 14, Division 6, Chapter 3, Sections 15091 et seq.)

A. PROJECT SUBJECT TO DTSC APPROVAL

PROJECT TITLE: GE Oakland Explanation of Significant Differences		CALSTARS CODING:
PROJECT ADDRESS: 5441 International Avenue	CITY: Oakland	COUNTY: Alameda
PROJECT SPONSOR: Bridge Point Oakland, LLC	CONTACT: Yongsheng Sun	PHONE/ EMAIL: 510-540-3872 Yongsheng.Sun@dtsc.ca.gov

APPROVAL ACTION UNDER CONSIDERATION BY DTSC:

- Initial Permit Issuance Permit Renewal Permit Modification Closure Plan
 Removal Action Workplan Remedial Action Plan Interim Removal Regulations
 Other (specify): Explanation of Significant Differences

STATUTORY AUTHORITY:

- California H&SC, Chap. 6.5 California H&SC, Chap. 6.8 Other (specify):

PROJECT DESCRIPTION

Project Description: The project involves approval of an Explanation of Significant Differences (ESD) to a Remedial Action Plan (RAP) for the General Electric Company (GE) Oakland site (Site). The U.S. Environmental Protection Agency (EPA) currently has an environmental oversight role at the Site with respect to polychlorinated biphenyls (PCBs). Bridge Point Oakland, LLC (Bridge) acquired the Site in 2019 and plans to redevelop it into an approximately 530,000-square foot (sf) warehouse building. The 2011 RAP, approved by DTSC and EPA, considered the current vacant land use and a future occupancy of existing buildings at the Site, but did not contemplate a new onsite warehouse building. The remedy, as modified by this ESD, will involve minor and significant changes to the remedy described in the RAP to accommodate the redevelopment. The significant difference will involve inclusion of a vapor intrusion mitigation system (VIMS) for the new warehouse building. DTSC has determined that this is a significant but not a fundamental change to the remedy as described in the 2011 RAP and requires that an ESD be prepared.

Background: The Site is approximately 24 acres, has been vacant since 2005, and is entirely covered by buildings, asphalt, or asphalt/bentonite caps. GE operated a transformer manufacturing facility at the Site between 1924 and 1975 and an electrical equipment maintenance and repair operation in portions of the Site between 1975 and the mid-1990s. PCBs in soil and chlorinated volatile organic compounds (CVOCs), including trichloroethene (TCE), cis-1,2- dichloroethene (cDCE), and vinyl chloride (VC) in soil, soil gas, and groundwater are the primary chemicals and media of concern.

As described in the RAP, “[t]he selected remedial alternative ... consists of groundwater extraction and treatment at the downgradient property boundary; groundwater extraction and treatment in CVOC hot spots; monitored natural attenuation (MNA) for other areas of groundwater; targeted excavation of a CVOC hot spot in soil; capping for PCBs in soil; and institutional controls.” All of these elements of the approved remedy, with the changes discussed in the ESD, will be implemented as part of the redevelopment. An addendum to the Remedial Design Implementation Plan (RDIP Addendum) has been prepared to describe the specific measures being taken to implement the RAP for the redevelopment project, including the actions described in the ESD. Bridge entered into an agreement with DTSC (Docket Number: HSA-FY19/20-048) to facilitate Bridge’s cleanup activities.

Project Activities: The draft final ESD describes the following minor changes that will be made to the remedy in conjunction with the redevelopment:

- Removal of the existing site-wide cap construction of a new cap for the redevelopment, to various depths depending on the planned ground surface: (1) concrete pavement; or (2) concrete building slab. Drainage for the new cap (i.e., surface water control system) will be functionally equivalent to the existing system;
- Modification of the existing onsite components of the groundwater remedy (treatment system, extraction wells, monitoring wells, and related infrastructure) as needed to allow for the construction of the planned warehouse building. Some monitoring wells will be destroyed and new wells will be installed after construction of the new building. The modified network will continue to provide volatile organic compound (VOC) source control and containment as described in the 2011 RAP;
- Expansion of the VOC excavation extent to include an additional area near existing Building 1 in the vicinity of borehole 5GP5 for mass removal and to reduce potential impacts to soil gas and groundwater in the area; and
- Excavation of soil with the highest known concentrations of PCBs remaining on the Site. A total estimated volume of 2,650 cubic yards of soil will be excavated for off-site disposal at a permitted facility.

The VIMS will be a sub-slab depressurization system (SSD) with components that are integral to the new warehouse building design. The integrated components of the SSD system will be installed during building construction and will be active and tested prior to building occupancy.

The SSD system will cover the entire ground-floor footprint of the new warehouse building (approximately 530,000 sf). Testing will consist of indoor air and sub-slab soil vapor sampling. Based on testing, chemicals of concern (COCs) for indoor air and sub-slab vapor will be identified and site-specific commercial/industrial cleanup goals for COCs in soil gas beneath and indoor air within the new building will be developed under DTSC oversight consistent with DTSC's Human Health Risk Assessment Note 3. The expected outcome from the addition of the VIMS is to continue to have a remedy in place that is protective of human health (i.e. future building occupants) and the environment.

DTSC finds that the GE Site Redevelopment and Redevelopment Project (PLS19-076/ER18-013) Environmental Impact Report (EIR) prepared and certified by the City of Oakland evaluated the full scope of the activities that DTSC is approving in the Draft Final ESD and Draft Final RDIP Addendum and the approval is entirely consistent with the EIR. DTSC agrees with and incorporates all findings made by the City of Oakland when certifying the EIR.

B. LEAD AGENCY ENVIRONMENTAL DOCUMENT REVIEWED

Lead Agency: City of Oakland

Lead Agency Environmental Document Title: GE Site Redevelopment and Redevelopment Project (PLS19-076/ER18-013) Environmental Impact Report

Date Certified: 6/3/2020

State Clearinghouse Number: 2018122043

C. STATEMENT OF FINDINGS AND FACTS FOR ADEQUACY OF LEAD AGENCY ENVIRONMENTAL DOCUMENT

Using its independent judgment, DTSC makes the following findings:

The Lead Agency Final Environmental Document includes a description of the Project now before DTSC for decision

The Lead Agency Final Environmental Document adequately analyzed impacts associated with the Project before DTSC for decision.

DTSC concurs with the findings made by the Lead Agency Final Environmental Document relating to the Project before DTSC for decision.

Mitigation measures are included in the Lead Agency Final Environmental Document for the following resources that would potentially be affected by the DTSC project and have been or will be implemented by the project proponent:

<input type="checkbox"/> Aesthetics	Mitigation Measure: None
<input type="checkbox"/> Agricultural Resources	Mitigation Measure: None
<input checked="" type="checkbox"/> Air Quality	Mitigation Measure: AIR-1
<input type="checkbox"/> Biological Resources	Mitigation Measure: None
<input checked="" type="checkbox"/> Cultural Resources	Mitigation Measure: CULT-1a, CULT-1b, CULT-1c, CULT-1d, CULT-2
<input type="checkbox"/> Geology/ Soils	Mitigation Measure: None
<input checked="" type="checkbox"/> Greenhouse Gas Emissions	Mitigation Measure: GHG-1, GHG-2, GHG-3
<input checked="" type="checkbox"/> Hazards/Hazardous Materials	Mitigation Measure: HAZ-1
<input type="checkbox"/> Hydrology/ Water Quality	Mitigation Measure: None
<input type="checkbox"/> Land Use/Planning	Mitigation Measure: None
<input type="checkbox"/> Mineral Resources	Mitigation Measure: None
<input type="checkbox"/> Noise	Mitigation Measure: None
<input type="checkbox"/> Population/Housing	Mitigation Measure: None
<input type="checkbox"/> Public Services	Mitigation Measure: None
<input type="checkbox"/> Recreation	Mitigation Measure: None
<input type="checkbox"/> Transportation/Traffic	Mitigation Measure: None
<input type="checkbox"/> Utilities/ Service Systems	Mitigation Measure: None

Mitigation measures identified in the Lead Agency Final Environmental Document have been adopted by DTSC for this Project and have been or will be implemented by the project proponent to avoid, reduce, or substantially lessen the project impacts. No additional mitigation measures are necessary, and no additional mitigation monitoring plan is required pursuant to CEQA.

For each significant environmental effect identified for the Project:

Changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effects as identified in the Lead Agency Final Environmental Document.

Such changes or alterations are within the responsibility and jurisdiction of City of Oakland and not DTSC.

Such changes have been adopted by this public agency or can and should be adopted by this public agency.

Mitigation measures included in the Lead Agency Final Environmental Document are infeasible, and therefore, will not be incorporated into the DTSC Project for the following reasons:

Based on the above findings, DTSC concludes:

The proposed Project will not result in significant and unavoidable effects to the environment.

The proposed Project will result in significant and unavoidable effects to the following environmental resources.*

- Aesthetics
- Agricultural Resources

<input type="checkbox"/> Air Quality
<input type="checkbox"/> Biological Resources
<input checked="" type="checkbox"/> Cultural Resources
<input type="checkbox"/> Geology/ Soils
<input checked="" type="checkbox"/> Greenhouse Gas Emissions
<input type="checkbox"/> Hazards/Hazardous Materials
<input type="checkbox"/> Hydrology/ Water Quality
<input type="checkbox"/> Land Use/Planning
<input type="checkbox"/> Mineral Resources
<input type="checkbox"/> Noise
<input type="checkbox"/> Population/Housing
<input type="checkbox"/> Public Services
<input type="checkbox"/> Recreation
<input type="checkbox"/> Transportation/Traffic
<input type="checkbox"/> Utilities/ Service Systems



*Impacts to these resources would remain significant even after applying mitigation measures described in the Lead Agency Final Environmental Document, or there is no feasible mitigation available.

*In accordance with Cal. Code of Regs., title 14, section 15093, a Statement of Overriding Considerations was adopted by the Lead Agency for these resources. DTSC adopts a Statement of Overriding Considerations for these resources having determined that the DTSC Project benefits outweigh the significant environmental effects for the following reasons:

None of the conditions requiring a subsequent EIR or Negative Declaration pursuant to Cal. Code Regs., title 14 Section 15162 exist.

In accordance with Cal. Code of Regs., title 14, section 15093, a Notice of Determination indicating the results of said Findings will be filed with the Governor’s Office of Planning and Research/ State Clearinghouse.

D. CERTIFICATION

 _____ Project Manager Signature	6/4/2020 _____ Date	
Yongsheng Sun _____ Project Manager Name	Hazardous Substances Engineer _____ Title	510-540-3872 _____ Phone #
 <small>Juliet C. Pettijohn (Jun 4, 2020 12:30 PDT)</small> _____ Supervisor Signature	Jun 4, 2020 _____ Date	
Juliet C. Pettijohn _____ Branch Chief Name	Branch Chief _____ Title	510-540-3843 _____ Phone #