

## CALIFORNIA ENVIRONMENTAL QUALITY ACT NOTICE OF DETERMINATION

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  
Site Mitigation and Restoration Program  
700 Heinz Avenue, Suite 200  
Berkeley, California 94710

**Subject:** FILING OF NOTICE OF DETERMINATION IN COMPLIANCE WITH SECTION 21108 OF THE PUBLIC RESOURCES CODE

**Project Title:** Seventh Revised Draft Remedial Action Plan, Station East Voluntary Cleanup Agreement Area, Union City

**State Clearinghouse Number:** 2020039032

**Project Location:** 7th Street and Decoto Road, Union City, California 94587

**County:** Alameda

**Project Applicant:** The Station East Owner, LLC

**Project Description:** The project activities involve the excavation and offsite disposal of impacted soils and installation and operation of a vapor intrusion mitigation system (VIMS) and soil vapor extraction (SVE) system for soil vapor as described in the *Seventh Revised Draft Remedial Action Plan, Station East Voluntary Cleanup Agreement Area, Union City* (RAP). The project site is located east of the 7<sup>th</sup> Street and Decoto Road intersection in Union City.

**Background:** The Station East site occupies approximately 18.71 acres located within a commercial/industrial area of the City of Union City. The site operated as agricultural land from the 1930s to the present and remains largely undeveloped, although two warehouses were added in the 1980s in the northern portion of the site. Historical agricultural use and a former rail spur were identified as sources for environmental impacts to surface soil at the site. In addition, volatile organic compounds (VOCs) released from the upgradient former McKesson facility have impacted groundwater and soil vapor at the site. Soil, soil vapor, and groundwater investigations at the Station East site go back 30 years. In shallow soil, elevated concentrations of pesticides, related to the area with historical agricultural use, and lead, along the former rail spur, were identified. The VOCs groundwater plume originated from the upgradient former McKesson facility and lies below the eastern portion of the Site affecting shallow, intermediate, and deep aquifer zones. VOCs off-gassing from the groundwater plume also affect soil vapor.

The property owner proposes to redevelop the site by demolishing onsite buildings and surface parking lots to develop up to 974 new residential units (i.e., apartments, condominiums, townhome-style condominiums) and approximately 30,800 square feet of commercial space.

**Project Activities:** To allow for redevelopment of the site, project activities will involve excavation and offsite disposal of impacted soils and installation and operation of a VIMS and SVE system for soil vapor as described in the RAP. The RAP involves a two-fold approach to address soil contaminated with pesticides from former agricultural use and with lead from former rail spurs. Approximately 38,500 cubic yards (cy) of impacted soils will be excavated and disposed offsite during the site development process. The excavation activities will also remove rail lines where present. Additionally, construction and operation of a VIMS for future buildings will serve to mitigate potential human exposure to soil vapor containing VOCs.

The excavation and offsite disposal activities will consist of removing and transporting impacted soil to an appropriate, permitted off-site facility for disposal. Excavation includes using loaders, backhoes, and/or other appropriate equipment. Excavation activities have the potential to generate dust emissions during the use of earth-moving equipment. Suppressants, water spray, and other forms of dust control will be implemented, as necessary, during excavation, and workers may be required to use personal protective equipment to reduce exposure to COCs. Sloping excavation sidewalls could result in increasing the volume of soil requiring excavation. Confirmation soil sampling and analysis will be conducted to verify that cleanup criteria have been met at the excavation bottom and sidewalls. Excavation may also require soil stockpiling prior to disposal. It is anticipated that soil excavation depths will range from 1 to 2 feet below ground surface (bgs). If cleanup goals are not met, step-out and/or step-down excavation could be performed beyond 2 feet bgs. The excavations will be backfilled using clean overburden or imported soil.

The cleanup activities for soil vapor will consist of constructing and operating a VIMS for all newly constructed buildings and an SVE system for the entire site. Lastly, a land use covenant (LUC) will be recorded for the Site that addresses the presence of a potential vapor intrusion threat and any existing or planned VIMS.

The SVE system will be constructed and operated to address the area most impacted with VOCs in soil vapor, located directly above the McKesson groundwater plume, where concentrations of tetrachloroethene (PCE) and trichloroethene (TCE) exceed 100 times the default soil vapor screening level. The SVE system is anticipated to consist of approximately 14 vertical SVE wells screened from approximately 8 to 38 feet bgs, conveyance piping, and a centralized vapor-phase granular activated carbon (GAC) treatment system. The SVE system will require an air permit from the Bay Area Air Quality

Management District (BAAQMD) and SVE system operation will commence after collection of paired soil vapor/indoor air data from the fully constructed residences.

The overall cleanup activities will occur at the same time as the overall redevelopment project and, therefore, the timeframe for completion of cleanup activities would be contingent on the overall project timeframe.

DTSC utilized information and analysis in the Station East Residential/Mixed Use Project Environmental Impact Report (EIR) to support a final determination about the type of environmental document required to be prepared for the Seventh Revised Draft Remedial Action Plan, Station East Voluntary Cleanup Agreement Area, Union City, as provided by Sections 15162, 15163, and 15164 of the CEQA Guidelines. The City of Union City certified the EIR on June 10, 2021.

As Responsible Agency under the California Environmental Quality Act (CEQA), DTSC approved the above-described project on May 3, 2023 and has made the following determinations:

1. The project will not have a significant effect on the environment.
2. An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation measures were not made a condition of project approval.
4. A Statement of Overriding Considerations was not adopted for this project.
5. Findings were made pursuant to the provisions of CEQA.

The administrative record for this project is available to the public by appointment at the following location:

Department of Toxic Substances Control  
 700 Heinz Avenue, Suite 200  
 Berkeley, California 94710  
 (510) 540-2122 (call for an appointment)

Additional project information is available on EnviroStor:  
[www.envirostor.dtsc.ca.gov/public/profile\\_report?global\\_id=60002290](http://www.envirostor.dtsc.ca.gov/public/profile_report?global_id=60002290)

Contact Person Elizabeth Chung	Contact Title Environmental Scientist	Phone Number (510) 540-3842
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Approver's Signature:



Date:

May 3, 2023

Approver's Name Marikka Hughes, PG	Approver's Title Senior Engineering Geologist, Acting Branch Chief	Approver's Phone Number (510) 540-3926
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TO BE COMPLETED BY OPR ONLY

Date Received for Filing and Posting at OPR: