



**Jared Blumenfeld**  
Secretary for  
Environmental Protection



## Department of Toxic Substances Control

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**Gavin Newsom**  
Governor

### SENT VIA ELECTRONIC MAIL

August 29, 2022

Ms. Ranu Aggarwal  
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Governor's Office of Planning & Research

**Aug 29 2022**

**STATE CLEARINGHOUSE**

INITIAL STUDY-MITIGATED NEGATIVE DECLARATION FOR 3636 ENTERPRISE AVENUE INDUSTRIAL PROJECT – DATED JULY 2022 (STATE CLEARINGHOUSE NUMBER: 2022070542)

Dear Ms. Aggarwal:

The Department of Toxic Substances Control (DTSC) received an Initial Study-Mitigated Negative Declaration (IS-MND) for the 3636 Enterprise Avenue Industrial Project (Project). The Lead Agency is receiving this notice from DTSC because the Project includes one or more of the following: groundbreaking activities, presence of site buildings that may require demolition or modifications, importation of backfill soil, and/or work on or in close proximity to an agricultural or former agricultural site.

DTSC recommends that the following issues be evaluated in the Hazards and Hazardous Materials section of the IS-MND:

1. The IS-MND states that a Phase I Environmental Site Assessment (ESA) performed at the proposed project site identified two historical recognized environmental conditions (RECs) that included abandoned waste oil drums and asbestos-containing materials (ACM). The Phase I ESA also identified a single non-historical REC known as the Runnels property. A metal finishing and coating business was run on this property from 1966 through 2006. Groundwater at the Runnels property was determined to have been affected with metals, trichloroethylene, tetrachloroethylene, and 1,1-dichloroethylene. Soil contamination associated with the Runnels property included arsenic, chromium,

copper, zinc, petroleum hydrocarbon as diesel, petroleum hydrocarbon as oil, and polyaromatic hydrocarbons.

Based on results of the Phase I ESA, a Phase II ESA for the proposed Project site was prepared in March 2021. Analytical results of samples collected for the Phase II ESA showed elevated levels of arsenic in soil. Based on laboratory analytical results of groundwater samples collected for the Phase II ESA, groundwater at the project site was determined to contain 1,1-dichloroethene, 1,1-dichloroethane, cis-1,2-dichloroethene, trichloroethene, and tetrachloroethene. Trichloroethene concentrations were determined to exceed environmental screening levels. The IS-MND proposes three mitigation measures that include project activities to address hazards related to building demolition, a Soil and Groundwater Vapor Management Plan, and a groundwater vapor mitigation system.

DTSC recognizes the rationale for identification of the three RECs given the historic and current uses of the Project site and adjacent properties. However, the IS-MND does not identify a qualified regulatory agency that has provided regulatory oversight and concurrence that the Phase I and II ESAs were conducted in accordance with industry standards and that the proposed project is protective of human health and the environment.

A regulatory agency such as DTSC or Regional Water Quality Control Board (RWQCB), or a qualified local agency that meets the requirements of [Assembly Bill 304 \(AB304\)](#) should provide regulatory concurrence that the Phase I and II ESAs were conducted in accordance with industry standards and the site is safe for construction and the proposed use with the proposed mitigation measures. The Soil and Groundwater Vapor Management Plan, and a groundwater vapor mitigation system should have oversight from one of the aforementioned regulatory agencies. The groundwater vapor mitigation system should have long-term operations and maintenance, and sampling to ensure that building occupants remain protected.

2. If buildings or other structures are to be demolished on any project sites included in the proposed project, surveys should be conducted for the presence of lead-based paints or products, mercury, asbestos containing materials, and polychlorinated biphenyl caulk. Removal, demolition, and disposal of any of the above-mentioned chemicals should be conducted in compliance with California environmental regulations and policies. In addition, sampling near current and/or former buildings should be conducted in accordance with [DTSC's 2006](#)

[Interim Guidance Evaluation of School Sites with Potential Contamination from Lead Based Paint, Termiticides, and Electrical Transformers.](#)

3. If any projects initiated as part of the proposed project require the importation of soil to backfill any excavated areas, proper sampling should be conducted to ensure that the imported soil is free of contamination. DTSC recommends the imported materials be characterized according to [DTSC's 2001 Information Advisory Clean Imported Fill Material.](#)
4. If any sites included as part of the proposed project have been used for agricultural, weed abatement or related activities, proper investigation for organochlorinated pesticides should be discussed in the IS-MND. DTSC recommends the current and former agricultural lands be evaluated in accordance with DTSC's 2008 [Interim Guidance for Sampling Agricultural Properties \(Third Revision\).](#)

DTSC appreciates the opportunity to comment on the IS-MND. Should you choose DTSC to provide oversight for any environmental investigations, please visit DTSC's [Site Mitigation and Restoration Program](#) page to apply for lead agency oversight. Additional information regarding voluntary agreements with DTSC can be found at [DTSC's Brownfield website.](#)

If you have any questions, please contact me at (916) 255-3710 or via email at [Gavin.McCreary@dtsc.ca.gov](mailto:Gavin.McCreary@dtsc.ca.gov).

Sincerely,



Gavin McCreary  
Project Manager  
Site Evaluation and Remediation Unit  
Site Mitigation and Restoration Program  
Department of Toxic Substances Control

cc: (via email)

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