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Sent via fax: 916-445-6401

Terry Tamminen, Agency Secretary
California Environmental Protection Agency
1001 I Street, 25th Floor
Sacramento, CA 95814

Dear Secretary Tamminen:

I am writing to ask that the Department of Toxic Substances Control (DTSC) become much more actively and directly involved in the oversight of the characterization and clean-up of the Zeneca toxic site, otherwise known as the Meade Street Operable Unit, in Richmond, Contra Costa County.

The Zeneca site is located along the San Francisco Bay waterfront and marshland, just south of Marina Bay, Richmond. Zeneca is one of the more complex toxic sites that have been addressed in Contra Costa. Chemical manufacturing facilities were active on that site for nearly a century, and contaminants include large quantities of buried acidic pyrite residues, as well as a variety of heavy metals, volatile organic compounds, PCBs, and pesticides. The original interest in remediating the site was motivated by contaminated marshland that is being incorporated into the East Bay Regional Park system, and the developer stated that they intended to use the remainder of the site for light industrial activity. I suspect those were the reasons that the San Francisco Regional Water Quality Control Board was originally designated as the lead agency for this project.

Subsequent characterization has indicated how complex the site actually is. In addition, the developer, in a change in plans, now proposes to build high-density residential units on the site.

The Regional Water Quality Control Boards are an important part of Cal/EPA, and their expertise on water quality issues is obviously essential for the proper management of this site. However, RWQCB's have neither the expertise nor experience to properly oversee characterization of a site this complex, appropriately evaluate comprehensive remediation plans, assess health hazards and risks from the site and the clean-up process, develop appropriate enforcement orders for clean-ups that protect public health, implement strategies to enforce those orders in a timely manner to protect the community, or evaluate developer proposals for the final residential use of the site. In my meetings with the San Francisco Regional Water Quality Control Board staff on the Zeneca project, it is clear they have important knowledge and expertise of the water quality control issues. However, they are evidently lacking important areas of expertise and experience essential to the proper characterization and remediation of this site. That expertise needs to be supplied by DTSC and other appropriate Cal/EPA agencies.



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In more than 20 years as Public Health Director for Contra Costa County, I have worked extensively with Cal/EPA and its predecessors in the characterization, health risk assessment, and mitigation and clean-up of numerous toxic and Superfund sites throughout the county. The Department of Toxic Substances Control or its predecessor has been the lead agency in all of the complex sites. DTSC has the expertise in health risk assessment, overall site characterization, toxicology, analyzing multiple exposure pathways, and enforcement of clean-up plans that protect public health and consider air, water, ground, and soil exposure. The important expertise in the RWQCB's, Air Resources Board, and other Cal/EPA agencies are typically brought in to provide a comprehensive environmental approach to these sites.

Increased involvement of DTSC in this project is even more important because the developer is now intending to utilize the site for high-density residential purposes. My understanding is that the site is expected to emit toxic soil gases for decades, and the developer is proposing to install fans to keep the gases from accumulating to toxic levels in the residential structures. They are possibly considering other engineering solutions as well. The City of Richmond is relying on the expertise of the State agencies to tell them if these approaches are appropriate for the long-term safety of their citizens. Evaluation of the health risks from toxic air contaminants, the accumulation of toxic gases in building structures, and the suitability of various proposed engineering solutions for toxic gases is well beyond the expertise and experience of the Regional Water Quality Control Board and its staff. The clean-up of the nearby Marina Bay site in Richmond, which is now an attractive medium-density residential area, was successfully overseen by DTSC with appropriate input from the other Cal/EPA agencies. The Zeneca site is more complex than Marina Bay, and requires the expertise of DTSC to ensure the safety of the final use plan.

I would recommend DTSC be designated as the lead agency for the Zeneca site in Contra Costa. However, if for some reason Cal/EPA does not want to change the lead agency on this project, it is absolutely essential that DTSC have a much more significant role in the oversight of this project than they currently do.

I look forward to hearing from you or your representative on this issue.

Sincerely,



Wendel Brunner, PhD, MD, MPH
Director of Public Health
Contra Costa Health Services

cc Bruce Wolfe, Executive Officer, San Francisco Regional Water Quality
Control Board, Region II
B. B. Blevins, Chief Deputy Director, Department of Toxic Substances Control
Richard Jackson, MD, California State Health Officer, Department of Health Services
Assemblymember Loni Hancock (D-14)
Senator Don Perata (D-9)
Mayor Irma Anderson, City of Richmond

bcc Dr. Walker

~~Richard Jackson~~