



## Department of Toxic Substances Control



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August 8, 2008

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<b>DOCKET</b> 08-AFC-6	
<b>DATE</b>	AUG 08 2008
<b>RECD.</b>	AUG 19 2008

Dear Ms. Woods:

Thank you for the opportunity to comment on the Willow Pass Generating Station, Application for Certification (08-AFC-6). As you may be aware, the California Department of Toxic Substances Control (DTSC) oversees the cleanup of sites where hazardous substances have been released pursuant to the California Health and Safety Code, Division 20, Chapter 6.8. As a Responsible Agency, DTSC is submitting comments to ensure that the environmental documentation prepared for this project to address the California Environmental Quality Act (CEQA) adequately addresses any required remediation activities which may be required to address any hazardous substances release.

The project involves the construction of a new electric power generating facility on a 26-acre brownfield site adjacent to the existing Pittsburg Power Plant in Contra Costa County. Additional construction work will take place at the existing power plant site in order to connect the proposed and existing facilities. The Phase I Environmental Site Assessment for the brownfield site and the existing power plant (Appendix R of the Application for Certification) identified environmental conditions related to the use and storage of hazardous substances, and the presence of hazardous substances in soil and groundwater. For example, investigations have found polycyclic aromatic hydrocarbons (PAH), metals, and volatile organic compounds (VOCs) in groundwater above screening levels. The Phase I report also states that PCBs and PAHs were detected in soils. Hazardous substances such as these may pose a risk to workers at the Site. However, the Application for Certification does not propose further sampling investigations to characterize contamination, and the potential need for soil and/or groundwater remediation is not addressed.

DTSC strongly recommends that additional sampling be conducted to determine whether there are issues that will need to be addressed in the CEQA compliance documents for the project. If hazardous substances have been released, they will need to be addressed as part of this project. For example, if remediation activities at the Site include the need for soil excavation, the CEQA compliance document should include:

- (1) an assessment of air impacts and health impacts associated with the excavation

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activities; (2) identification of any applicable local standards which may be exceeded by the excavation activities, including dust levels and noise; (3) transportation impacts from the removal or remedial activities; and (4) risk of public upset should be there an accident at the Site.

DTSC and the Regional Water Quality Control Boards (Regional Boards) signed a Memorandum of Agreement, March 1, 2005 (MOA) aimed to avoid duplication of efforts among the agencies in the regulatory oversight of investigation and cleanup activities at brownfield sites. Under the MOA, anyone requesting oversight from DTSC or a Regional Board must submit an application to initiate the process to assign the appropriate oversight agency. The completed application and site information may be submitted to either DTSC or Regional Board office in your geographical area. The application is available at <http://www.calepa.ca.gov/brownfields/MOA/application.pdf>.

If you have any questions or would like to schedule a meeting, please contact me at (510) 540-3836.

Sincerely,



Allan Fone, Ph.D., Project Manager  
Brownfields and Environmental Restoration Program  
Berkeley Office