



Yana Garcia
Secretary for
Environmental Protection



Department of Toxic Substances Control

Meredith Williams, Ph.D.
Director
700 Heinz Avenue
Berkeley, California 94710-2721



Gavin Newsom
Governor

April 12, 2023

Mr. Pedro Jimenez
Acting City Manager
1333 Park Avenue
Emeryville, California 94608
pjimenez@emeryville.org

Dear Mr. Jimenez:

The Department of Toxic Substances Control (DTSC) has reviewed *the Updated Feasibility Study/Draft Remedial Action Plan (FS/RAP)*, for the Former Marchant/Whitney site located at 5679 Horton Street, Emeryville, California (Site). The FS/RAP, dated October 31, 2022, was prepared by EKI Environment and Water, Inc. on behalf of the City of Emeryville as Successor Agency to the Emeryville Redevelopment Agency. The FS/RAP summarizes remedial alternatives which were considered to clean up hazardous substances at the Site. The alternative selected in the FS/RAP includes the following:

- Demolition of the existing onsite building.
- Excavation of soil and buried Site facilities to approximately 5 feet below ground surface with offsite disposal of the soil and buried facility materials.
- Vapor intrusion evaluation and installation of a vapor intrusion mitigation system onsite.
- Offsite vapor intrusion evaluation with potential vapor control system to be installed as contingency.
- Thermal treatment with multi-phase extraction of soil and groundwater impacted with trichloroethene. Contingency treatments post-thermal may include enhanced reductive dechlorination, multi-phase extraction, and monitored natural attenuation.

- Institutional controls limiting future site use post-remediation to the range of urban land uses present in the area surrounding the Site.

A public comment period for the FS/RAP was held from November 22, 2022 to January 12, 2023, and a public meeting via videoconferencing was held on December 13, 2022.

DTSC has determined that the FS/RAP satisfactorily addresses all applicable state and federal statutes and regulations. DTSC approves the FS/RAP for the Site. DTSC will file a Notice of Determination (NOD) with the State Clearinghouse of the Governor's Office of Planning and Research to comply with the provisions of the California Environmental Quality Act (CEQA).

Enclosed is a copy of the NOD and Responsiveness Summary that addresses comments received during the comment period. These documents should be added to the FS/RAP and an electronic copy of the FS/RAP in PDF format and a hard copy of the FS/RAP, both marked as final, need to be provided to DTSC within seven days of the date of this letter. Additionally, please place hard copies in the information repositories including:

- Emeryville City Hall, 1333 Park Avenue, Emeryville.
- Oakland Public Library, Golden Gate Branch, 5606 San Pablo Avenue, Emeryville.

If you have questions about this letter, contact Tom Price at 510-540-3811 or at Thomas.Price@dtsc.ca.gov.

Sincerely,



Julie Pettijohn, MPH, CIH
Branch Chief
Site Mitigation and Restoration Program – Berkeley Office

cc: (via email)

Earl James P.G.
EKI Environment and Water, Inc.
ejames@ekiconsult.com

**CALIFORNIA ENVIRONMENTAL QUALITY ACT
NOTICE OF DETERMINATION**

To: Office of Planning and Research
State Clearinghouse
1400 Tenth Street, Room 212
Sacramento, CA 95812-3044

From: Department of Toxic Substances Control
Site Mitigation and Restoration Program
700 Heinz Ave
Berkeley, CA 94710

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

Project Title: Remedial Action Plan for Former Marchant/Whitney Site

State Clearinghouse Number: 2022110502

Project Location: 5679 Horton Street, Emeryville

County: Alameda

Project Applicant: Successor Agency to the City of Emeryville Redevelopment Agency

Project Description: Environmental cleanup of 1.75 acre property which was contaminated with trichloroethylene (TCE), cadmium, and petroleum hydrocarbons in soil, soil vapors, and groundwater. The onsite building, 47,000 square feet in size will be demolished. Cleanup approaches to be employed include excavation, multi-phase extraction of groundwater and soil vapors with thermal enhancement, bioremediation of groundwater by injection of biological amendments, monitored natural attenuation (MNA), capping the site with hardscaping, and land use restrictions. A soil vapor assessment is planned prior to occupancy of future building(s) at the site. The project also involves offsite groundwater cleanup where TCE has migrated to downgradient properties.

As Lead Agency under the California Environmental Quality Act (CEQA), DTSC approved the above-described project on March 27, 2023 and has made the following determinations:

1. The project will not have a significant effect on the environment.
2. A Mitigated Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation measures were 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.

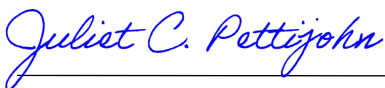
The administrative record for this project is available to the public by appointment at the following location:

Department of Toxic Substances Control
Site Mitigation and Restoration Program
700 Heinz Avenue
Berkeley, CA 94710

Additional project information is available on EnviroStor: www.envirostor.dtsc.ca.gov/public/

Contact Person	Contact Title	Phone Number
Tom Price	Project Manager	510-540-3811

Approver's Signature:



Date:

April 12, 2023

Approver's Name
Juliet C. Pettijohn MPH, CIH

Approver's Title
Branch Chief

Approver's Phone Number
510-540-3843

TO BE COMPLETED BY OPR ONLY

Date Received for Filing and Posting at OPR: