Department of Toxic Substances Control

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SENT VIA ELECTRONIC MAIL

October 24, 2025

Maurice Brenyah-Addow
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RE: MITIGATED NEGATIVE DECLARATION FOR THE SAN FRANCISCO BAY AGGREGATE'S GLOBAL INNOVATION CENTER DATED SEPTEMBER 26, 2025, STATE CLEARINGHOUSE #2025091294

Dear Maurice Brenyah-Addow:

The Department of Toxic Substances Control (DTSC) reviewed the Initial Study (IS) / Mitigated Negative Declaration (MND) for the San Francisco Bay Aggregate's Global Innovation Center (Project). Specifically, DTSC reviewed the content relevant to the GWF Power Systems (Site Code 200447) located at 895 E. 3rd Street, Pittsburgh, California 94565 (Site) which is currently under DTSC's oversight. The Project proposes to construct a carbon capture and mineralization facility on top of the existing cap at the Site. Further information is required to assess the risk to the existing Site cap from the proposed construction activities. DTSC recommends and requests consideration of the following comments:

1. The Land Use Covenant (LUC) dated January 15, 2014, states:
    - "Activities that may disturb the Cover (e.g. excavation, grading, removal, trenching, filling, earth movement, or mining) shall not be permitted on the Property without prior review and approval by the Department."
    - "All uses and development of the Covered Property shall preserve the integrity of the Cover."

- “The Cover shall not be altered without written approval by the Department. Regular maintenance and repair of the cover, including patching and repaving, may be conducted without the Department's approval.”
  The need for Departmental approval based on the LUC was not identified in Section 1.5 Required Permits and Approvals in the IS/MND.”

2. The IS/MND does not contain sufficient detail to support a defensible evaluation of potential risks to the existing Site cap. The current documentation lacks Site-specific analysis of construction impacts, subsurface interactions, and protective measures necessary to assess cap integrity. DTSC requests a detailed assessment of potential impacts to the cap associated with proposed construction and operational activities. At a minimum, the submittal should:
   - Describe the scope of construction activities.
   - Describe and depict with a plan view and/or cross-sectional figure of all anticipated work including depth, method, and location relative to the cap.
   - Provide a baseline characterization of the existing cap system including a discussion on cap design specifications, horizontal and vertical extents of the cap, performance history, and historical repair or construction activities post installation. Supporting figures should also be included.
   - Provide a description and figure of the planned locations for the buildings and equipment (including tanks, conveyors, and absorption columns) associated with the proposed carbon capture facility.
   - Delineate the existing cap footprint and construction zones.
   - Evaluate risks that pose structural compromise of the cap and explain how the proposed activities will avoid damaging the cap.
   - Evaluate risks and controls pertaining to human health and the environment.
   - Quantify expected equipment loads and traffic routes.
   - Provide a description and figure of excavation areas and any confirmation sample data.

3. Provide the current (i.e., post-remediation) data set of Contaminants of Concern (COC) left in place for soil, soil vapor, and groundwater. This data should include COC concentrations, sample depth, and sample location in a summary table as well as a figure. All data tables should include appropriate screening levels. For COCs in all media, please reference the DTSC's HHRA Note 3 SLs. When HHRA Note 3 SLs are not available, reference the United States Environmental Protection Agency Regional Screening Levels. The San Francisco Bay Regional Water Quality Control Board Environmental Screening Levels should only be used for the evaluation of total petroleum hydrocarbons (TPH).
4. Due to the volatile organic compounds (VOCs) present at the Site, DTSC recommends conducting a vapor intrusion investigation to evaluate the risk to potential future commercial receptors and inform a possible modification of the LUC. A vapor intrusion investigation may identify areas of potential risk for vapor intrusion and may help determine if any vapor intrusion remedies are needed before the construction of the proposed carbon capture facility. Please refer to the DTSC 2023 Supplemental Guidance: Screening and Evaluating Vapor Intrusion for more information regarding soil vapor sampling.
5. The updated Soil Mitigation Plan shall adhere to the requirements outlined in the Community Air Monitoring Plan (CAMP) Guidance.
6. The Hazards and Hazardous Materials Section 4.9 of the IS/MND notes that portions of the site are capped with various surface materials to prevent exposure of human and ecological receptors to contaminated soil that was left in place following closure and remediation of previous activities at the Site. The proposed project will involve excavation of a utility trench that will penetrate a portion of the cap, potentially exposing contaminated soil. The IS/MND does not provide further specifics about the excavation though the cap. Subsection 4.9.4(d) states that Mitigation Measure (MM) HAZ-1 will be followed to mitigate this hazard. DTSC recommends all comments provided ensure that the Mitigated Negative Declaration adequately assesses and evaluates all the risks to the existing cap integrity on the Site and upholds the LUC.

DTSC would like to thank you for the opportunity to comment on the IS/MND for the San Francisco Bay Aggregate's Global Innovation Center. Any future documents or project changes related to the Project shall be sent to DTSC for review and approval prior to proceeding.

Thank you for your assistance in protecting California's people and environment from the harmful effects of toxic substances. If you have any questions or would like clarification on DTSC's comments, please respond to this letter or via our CEQA Review email for additional guidance. If you have any questions, please contact Kristina Femal, DTSC Project Manager for GWF Power Systems, at (510) 540-3725 or via her email.

Sincerely,



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cc: (via email)

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