Letter 1

COMMENTER: Adam Michels

DATE: July 21, 2022

Comment 1.1

The commenter states an opinion that the "resolution just passed unanimously by the San Francisco Board of Supervisors that calls for a coordinated response to remediate the toxic contamination" contradicts the Draft EA's finding that the project would not result in a significant impact on the human environment.

Response 1.1

As discussed in the Draft EA, the available environmental (contamination) documentation provides an understanding of the project site situation and California Department of Toxic Substance Control (DTSC) has approved the mitigation plan for the project. A coordinated response to site conditions is underway and does not contradict the analysis or conclusions if the Draft EA.

The approved vapor intrusion mitigation system is detailed in the September 2, 2021 Final Response Plan prepared by Path Forward for Tenderloin Neighborhood Development Corporation (TNDC), the project sponsor. It states that the response plan includes the following:

1. Sub-Slab passive venting system that includes a vapor barrier membrane
2. Construction that will prevent vapor migration through utilities
3. Confirmation testing including sub-slab vapor sampling, indoor air sampling, and outdoor ambient air sampling
4. Land use covenant that requires regular inspections and maintenance
5. Preparation of a Maher Ordinance Compliance and Site Mitigation Plan which will include response action implementation procedures, including dust and vapor control, and monitoring measures during construction activities.

Therefore, there would be no significant unmitigated adverse impact as a result of the project. Additionally, the project site would remain under DTSC oversight throughout demolition, remediation, construction, and operation of the vapor intrusion mitigation system.

In alignment with the coordinated response to remediate the toxic contamination in the area, DTSC has begun preparing a series of community newsletters including each of the four release cases present in the area. Three have been published this year: April 2022, June 2022, and August 2022 (DTSC 2022a). Additional text has been added to the EA's "Contamination and Toxic Substances" section to clarify that there are two release cases associated with the project site.

DTSC has also assigned all four release cases to the same Project Manager and Unit Chief for a more coordinated response, and provides the following contacts for further information:

- Parag Shah, Interim Project Manager, (510) 540-3819, or Parag.Shah@dtsc.ca.gov
- Whitney Smith, Unit Chief, at (510) 540-3772, or Whitney.Smith@dtsc.ca.gov
- Asha Setty, Public Participation Specialist, at (510) 540-3910 or toll-free at (866) 495-5651, or Asha.Setty@dtsc.ca.gov

For Media Inquiries:

- Russ Edmondson, Public Information Officer, (916) 323-3372 or Russ.Edmondson@dtsc.ca.gov

For information in Chinese:

- Yongsheng "Johnny" Sun, (510) 540-3872 or Yongsheng.Sun@dtsc.ca.gov

Comment 1.2

The commenter states an opinion that toxic substances have entered nearby residences and that DTSC is investigating the sources of PCE plumes in the project vicinity.

Response 1.2

Based on DTSC's review of the indoor air sampling conducted at six residences to the north of the project site, DTSC stated the following in their June 2022 Community Newsletter: "September 2021 and March 2022 sampling results indicate that the six residences are safe to occupy, including for sensitive populations such as children and the elderly. There is no current need to ventilate homes or mitigate conditions. We would not expect to see adverse health effects based on the indoor air data." (DTSC 2022a).

In DTSC's April 2022 Response to Mid-Sunset Neighborhood Association's Letter of March 10, 2022 and Inquiry of April 14, 2022, 2550 Irving Street Proposed Affordable Housing Development, DTSC stated: "Residential screening levels (SLs) are conservative, protective thresholds below which there is no significant risk or hazard. SLs are typically set 100 times below the upper range of acceptable risk." (DTSC 2022b).

Finally, because the proposed vapor intrusion mitigation system includes passive venting, the project will not exacerbate specific site conditions.

Comment 1.3

The commenter states an opinion that an Environmental Impact Statement should be prepared for the project as there is toxic contamination on the site that would require investigation and remediation. The commenter expresses concern for nearby residences.

Response 1.3

A draft NEPA Environmental Assessment (EA) was completed for the project and was released for public review. The draft EA states that further research for "Contamination and Toxic Substances" is unnecessary for the project, as the available environmental documentation provides an understanding of the project site conditions and DTSC has approved the vapor intrusion mitigation system for the project. Therefore, there would be no unmitigated adverse impact as a result of the project. Additionally, the project site would remain under DTSC oversight through demolition, remediation, construction, and operation of the vapor intrusion mitigation system.

The EA concludes that there would be no significant impact on the human environment and, in accordance with both Council on Environmental Quality and Department of Housing and Urban Development regulations, the preparation of an Environmental Impact Statement is not necessary. See 40 CFR §1501.3, 1501.4 and 1508.9; and 24 CFR §58.36 and 24 CFR 58.40 through 58.46.

Comment 1.4

The commenter opines that vapor barriers are not considered adequate responses to the contamination onsite and that remediation should be done before vapor barriers are installed. The commenter expresses concern for potential vapor barrier failure for both the project residents and nearby residents.

Response 1.4

DTSC reviewed three response action alternatives: 1) no further action; 2) soil excavation; and 3) vapor intrusion mitigation system, land use covenant, and operations and maintenance. The third response action was chosen based on the effectiveness, ability to be implemented, and cost as described in the Sept. 2, 2021 Final Response Plan (Path Forward 2021).

Evidence to assert the claim "vapor barriers are no longer considered adequate responses to such contamination" was not provided by the commentor. It is common practice to use sub-slab vapor barriers and passive venting systems to keep contaminated soil vapors from entering development projects.

DTSC has approved response action alternative 3 - vapor intrusion mitigation system, land use covenant, and operations and maintenance activities as the preferred and recommended response action alternative for the project site at 2550 Irving Street. The response plan, included in Attachment B to the EA, "would achieve response action objectives (RAOs), be protective of human health and the environment, and a have a much lower impact on the adjacent community as compared to Alternative 2 (soil excavation) while being a cost-effective remedy" (Path Forward 2021).

Alternative 2 included excavation of impacted soils which would provide low effectiveness, given the "widespread and diffuse nature of PCE in soil gas. Removal of soils across the Site may lead to removal of some PCE impacted soil; however, it is believed there is an additional off-Site source that is commingled with the on-Site soil vapor plume. Therefore, it is entirely possible that, post-excavation, on-Site soil gas may become re-contaminated due to the Site's proximity to the off-Site soil vapor plume" (Path Forward 2021).

Additionally, excavation and off-site disposal is a common method for remediating contaminated sites. However, soil excavation would likely "have the greatest impact on nearby residents and businesses due to the excavation volume, including: the duration of soil handling activities, greater potential for dust emissions, and large number of truck trips required to haul soil to and from the Site" (Path Forward 2021).

Comment 1.5

The commenter expresses concern that the site would not be adequately remediated prior to the development of the site and cites Lenny Siegel, who has written a paper detailing the contamination in and around 2550 Irving.

Response 1.5

As referenced in the paper written by Lenny Siegel, the DTSC Responsiveness Summary for 2550 Irving Street (dated September 2021) indicates that development at the project site would not

disturb the tetrachloroethylene (PCE) source, the contaminant of concern (COC). The DTSC document states,

> "No PCE source area has been identified on Site. Site groundwater contains low concentrations of PCE (concentrations that are lower than California drinking water standards for PCE). Sixty-six soil samples have been collected from the Site and tested for PCE: 65 had no detectible PCE, and one sample had PCE, but at concentrations below human health screening levels. Site soil gas contains up to 1,500 micrograms per meter cubed (ug/m3) of PCE, which is well below soil gas levels that would be typical near a liquid PCE source in the subsurface; Site soil gas appears to contain dilute PCE concentrations that have migrated from a more distant source. The former Albright Cleaners site, located south of Irving Street, had historical use of PCE, and sample results from Albright Cleaners are relatively high, suggesting that may be a PCE source area. DTSC is working with the responsible party for former Albright Cleaners to investigate this area. In summary, no on-Site source area of PCE has been identified. On-Site soil gas concentrations of PCE are low, but warrant mitigation to protect future on-site residents, and on-Site soil and groundwater concentrations of PCE do not pose unacceptable risk" (DTSC 2021a).

As stated above in Response 1.1, there would be no unmitigated adverse impact as a result of the project.

Comment 1.6

The commenter states that the project changed from its original plan to an all-concrete design and expresses a concern that remediation would be difficult with this design.

The commenter further states an opinion that using concrete would have a negative impact on the environment and cites three articles.

Response 1.6

Please see responses 1.1 through 1.5 regarding remediation of contamination. The current design of the structure, including concrete, does not preclude the use of a vapor intrusion mitigation system.

In response to this comment regarding concrete, additional text has been added to the EA's "Energy Consumption" section to clarify that "Project construction activities would also use building materials that would require energy use during the manufacturing and/or procurement of that material. However, the analysis reasonably assumes that manufacturers of building materials such as concrete, steel, lumber, or other building materials would employ energy conservation practices in the interest of minimizing the cost of doing business. Therefore, the consumption of energy required for the manufacturing and/or procurement of building and construction material is not within the scope of this analysis."

No information provided by the commenter in this comment affects the conclusions of the Draft EA.

Comment 1.7

The commenter states an opinion that the project would have a significant impact on water services, sewer services, demand for public transportation, parking and traffic.

Response 1.7

As stated in the Draft EA in the "Waste Water / Sanitary Sewers," "Water Supply," and Transportation and Accessibility" sections, development of the project would be urban infill and would not result in substantial increases in demand for water services, sewer services and public transportation, as the site is already developed and is served by water, sewer, and public transportation. The project would be reasonably accommodated through existing utilities and service systems within the area. The draft EA also states, in the *Transportation and Accessibility* section, that the State of California now relies upon vehicles miles traveled for evaluation of transportation impacts. The project site lies within a Transportation Analysis Zone that is below the regional VMT per capita and the project was therefore determined not to result in adverse transportation impacts. Demand for public transportation would incrementally increase as a result of the project; however, additional demand would be reasonably accommodated by existing transit services. The project would provide 18 off-street parking spaces, consistent with the City's zoning requirements, and would be consistent with General Plan policies that discourage facilities that would facilitate and encourage automobile use, such as parking. No revisions to the draft EA are required in response to this comment.

Comment 1.8

The commenter requests reconsideration of the project due to the need for remediation.

Response 1.8

Please see Responses 1.1 through 1.5.

Letter 2

COMMENTER: Flo Kimmerling, President, Mid-Sunset Neighborhood Association

DATE: August 19, 2022

Comment 2.1

The commenter states an opinion that a Finding of No Significant Impact (FONSI) for the proposed development is inadequate.

Response 2.1

Please see Response 1.3.

Preparation of the EA/FONSI was based on Path Forward relevant documents available at the time of preparation. Some new information has been published since that time, but the new information does not contradict the information in the EA, nor result in changes to its findings or conclusions. Since the approval of the Final Response Plan [DTSC 2021b], no additional information has been collected suggesting either that onsite conditions differ from those documented in the EA and its appendices, nor that the proposed mitigation measures will not be adequately protective of future residents. (Path Forward 2022; Appendix C).

Comment 2.2

The commenter expresses concern that the property lies above a soil gas plume of cancer-causing tetrachloroethylene (PCE) and its potential to result in vapor intrusion. The commenter states an opinion that the soil gas PCE has not been investigated and the extent of soil gas PCE impacts extending into the surrounding neighborhoods has not been adequately delineated.

Response 2.2

Please see Response to Comments 1.1 and 1.2.

Contrary to this comment, subsurface investigations have been conducted at the project site. As stated in the Draft EA, AllWest prepared several Phase II ESAs in 2019 and 2020, as well as several indoor air quality assessments, which were included in Attachment B of the Draft EA. The proposed project will protect residents from potential vapor intrusion through the use of a vapor intrusion mitigation system, as documented in the mitigation measures in the Draft EA.

Under Mitigation Measure HAZ-1 in the Draft EA, which concerns continuing regulatory agency involvement, DTSC will continue to assess the adjacent streets and parcels to determine the source and delineate the PCE impacts. In alignment with the coordinated response to remediate the contamination in the area, DTSC has completed the following: assigned all 4 release cases to one project manager and has prepared a series of community newsletters regarding each of the four release cases present in the area (see also Response 1.1).

Comment 2.3

The commenter states an opinion that under 24 CFR § 58.47, MOHCD, as the responsible entity, is required to re-evaluate its environmental findings to determine if the original findings are still valid,

when there are new circumstances and environmental conditions which may affect the project or have a bearing on its impact. In its re-evaluation, the commenter suggests that affected public should be involved to the maximum extent practicable under 40 C.F.R. § 1501.5(e) and 40 C.F.R. § 1506.6.

Response 2.3

As stated in Response to Comment 2.1, no new site specific information for the project site has been identified that would change the analysis or conclusions in the Draft EA, nor have new circumstances occurred that would affect the project or have a bearing on the impact of the project since the Draft EA was published.

DTSC has prepared a series of community newsletters regarding each of the four release cases present in the area; the third community newsletter was published in August 2022 (please see Response 1.1).

Comment 2.4

The commenter states an opinion that under 24 CFR § 58.5, the EA prepared by MOHCD does not adequately include evaluation of previous uses of the site or other evidence of contamination on or near the site, to ensure that the occupants of proposed site are not adversely affected by the existing PCE contamination on the site. The commenter further suggests that the Draft EA does not adequately evaluate the other sites which sit in adjacent or close proximity to the site that have been found to contain PCE contamination or use the appropriate current techniques by qualified professionals to undertake the necessary investigations.

Response 2.4

Please see the responses to comments 1.1, 1.2, and 2.2.

The Draft EA includes a summary of a Phase I Environmental Site Assessment (AllWest 2019, included in Attachment B of the EA) prepared for the project. The Phase I ESA included an evaluation of previous uses of the project site and other adjacent sites within close proximity to the project, including two former gas stations and a former dry cleaner onsite, as well as past use as a mortuary and various shops. It also identified a former adjacent dry cleaner to the south of the project site. The EA also included subsurface investigation information regarding the project site and former adjacent dry cleaner to the south. As stated in the EA, the Phase I ESA results prompted completion of several subsurface investigations and indoor air quality studies at the project site from June 2019 through July 2020. Summaries of these assessments are included in the EA. As indicated in Response 2.2, DTSC will continue to assess the adjacent streets and parcels to determine the source of the PCE impacts.

To date, a PCE source area has not been identified onsite. In an April 26, 2022 letter responding to similar comments from Don Moore, a consultant of the Mid-Sunset Neighborhood Association, consultant, the DTSC directly addressed this comment stating that based on the extensive investigations performed and the subsurface conditions, if a source was present onsite it would have been discovered; however, a source area has not been identified (Path Forward 2022; Appendix C):

> *"If there were a release of liquid PCE in the subsurface at TPCU* [the Site]*, it would be highly probable to detect significant concentrations of PCE in soil, soil vapor*

> *and/or groundwater, especially given the significant density of samples collected at TPCU. However, the data indicates the contrary: PCE concentrations in site media are not observed at levels consistent with an on-site source of PCE."* (Path Forward 2022, DTSC 2022a).

The DTSC further supported these comments that a source area has not been identified onsite and based on the available information, it is highly improbable that any additional information would change this conclusion (DTSC in a June 23, 2022 public meeting; Path Forward 2022; Appendix C). The DTSC reiterated their position that the discovery of a source area onsite is highly improbable due to the testing conducted to date and the subsurface geology (DTSC, August 25, 2022 meeting; Path Forward 2022).

Path Forward Investigations of the project site were conducted utilizing appropriate current techniques under the responsible charge of both David A Grunat, a California Professional Geologist (PG # 9227) and Certified Hydrogeologist (CHG # 1043), and Gregory S. Noblet, a California Professional Civil Engineer (C57069). Both Mr. Grunat and Mr. Noblet have experience in the investigation, risk assessment, remediation, and mitigation of contaminated sites. Additionally, Mr. Grunat and Mr. Noblet have expertise in evaluating vapor intrusion risks and proposing mitigation measures that are protective of applicable receptors (Path Forward 2022; Appendix C).

Prior to preparation of the Final Response Plan, a Site Assessment Plan and Report of Findings dated February 2, 2021 was prepared by Path Forward. The Site Assessment Plan was prepared in accordance with the California Health and Safety Code (HSC) Section 25395.9 to document:

- Adequate characterization of the hazardous materials released or threatened to be released at, or from, the site and documentation of the findings;
- Reasonably available information about the site, including, where appropriate, a risk assessment that evaluates the risk posed by any hazardous materials released or threatened to be released at, or from, the site, and information regarding reasonably anticipated foreseeable uses of the site based on current and projected land use and zoning designations; and
- If the release has impacted groundwater, reasonable characterization of underlying groundwater, including present and anticipated beneficial uses of that water.

The DTSC approved the *Site Assessment Plan and Report of Findings* in their June 8, 2021 letter (Path Forward 2022; Appendix C).

The project does not increase the significance of contamination effects on human health and the environment, and the mitigation measured identified in the Draft EA would reduce the impacts to a less than significant level.

Comment 2.5

The commenter states an opinion that under 24 CFR § 58.40, the Draft EA does not adequately identify, analyze, and evaluate all potential environmental impacts from the PCE contamination, the significance of its effects on human health and the environment, and the conditions that would change as a result of the project. The commenter further claims that the EA does not adequately examine or recommend feasible ways in which the project could be modified to eliminate or minimize the adverse environmental impacts from the contamination.

Response 2.5

Attachment B to the Draft EA contains multiple reports, plans, and documents relating to hazardous materials, including subsurface investigation reports, indoor air quality studies, and other environmental investigations which do adequately identify, analyze, and evaluate potential environmental impacts from PCE contamination, as well as potential effects on human health and the environment. Additionally, the Draft EA includes mitigation measures to eliminate the adverse environmental impact of existing contamination (Path Forward 2022; Appendix C).

Specifically, the Final Response Plan included in Attachment B of the Draft EA presents results of the Site investigations, risk assessment to future residents without implementing any mitigation measures, and approved response actions to ensure the protection of future residents of the development. No additional information has been collected to date that would change the conclusions presented in the Final Response Plan of the Draft EA (Path Forward 2022; Appendix C). Furthermore, in DTSC's approval letter for the Final Response Plan, DTSC stated:

> "DTSC hereby determines that proper completion of the Response Plan constitutes "appropriate care" for purposes of subdivision (a) of Section 25395.67 and approves the Response Plan for implementation." (DTSC 2021b).

Section 25395.67 defines appropriate care as either of the following:

> "(a) The performance of a response action, with respect to hazardous materials found at a site, for which the agency makes the determination specified in paragraph (1) of subdivision (c) of Section 25395.96 and that meets all of the following conditions:
>
> (1) The response action is determined by an agency to be necessary to prevent an unreasonable risk to human health and safety or the environment, as defined in Section 25395.90.
>
> (2) The response action is performed in accordance with a response plan approved by the agency pursuant to Article 6 (commencing with Section 25395.90).
>
> (3) The approved response plan includes a provision for oversight and approval of the completed response action by the agency pursuant to Article 6 (commencing with Section 25395.90). (b) A determination that no further action is required pursuant to Section 25395.95." (Path Forward 2022; Appendix C).

Responses 1.1, 2.1 and 2.4 further describe how the EA adequately identifies, analyzes, and evaluates the environmental impacts from the PCE contamination, the significance of its effects on human health and the environment, and the conditions that would change as a result of the project. Also, the Final Response Plan prepared by Path Forward adequately examined and selected a feasible way to minimize the adverse environmental impacts from the contamination.

Comment 2.6

The commenter summarizes cleanup efforts of the site and states an opinion that MOHCD's Finding of No Significant Impact (FONSI) is outdated in that it only considers the September 2, 2021 approval by the DTSC of the Response Plan submitted by TNDC, and suggests that events which have occurred subsequent to September 2, 2021 have not been considered in the Finding.

Response 2.6

Please see Response to Comment 1.3.

The information presented by the commenter does not represent new information regarding environmental conditions or impacts. However, text has been added to the EA's "Contamination and Toxic Substances" section to clarify that additional information regarding releases on adjacent sites has been posted on the DTSC EnviroStor website since the publication of the Draft EA. This information is now summarized in the EA's "Contamination and Toxic Substances" section (refer to *Changes to the in the next section of this document*). However, it does not change the findings of or analysis in the Draft EA.

Responsibility for the implementation of the Final Response Plan under the California Land Revitalization and Reuse Act Agreement between the DTSC and TNDC, included in the Draft EA as Mitigation Measure HAZ-2, is the sole responsibility of TNDC. No other entities have a role in the implementation of the Final Response Plan (Path Forward 2022; Appendix C). Regardless of continuing source investigation and cleanup, the implementation of the mitigation measures detailed in the Draft EA would result in less than significant impacts to future residents at the project site.

Comment 2.7

The commenter states an opinion that a Vapor Mitigation System in the new construction is appropriate, but insufficient. The commenter further claims that soil vapor extraction (SVE), an active remedial action consistent with DTSC and Water Board guidance, would be better.

Response 2.7

The purpose of this NEPA review is to ensure that the proposed project does not have a significant adverse effect on the surrounding environment and that the project itself will not have an adverse environmental or health effect on end users. Responses 1.1, 2.1, and 2.4 describe how the EA adequately identifies, analyzes, and evaluates the environmental impacts from the PCE contamination, the significance of its effects on human health and the environment, and the conditions that would change as a result of the project. Also, the Final Response Plan prepared by Path Forward adequately examined and selected a feasible way to minimize the adverse environmental impacts from the contamination.

The use of a vapor intrusion mitigation system is a common approach to mitigating soil vapor that may pose a risk to future inhabitants and is commonly used at sites with significantly higher concentrations then are present at the project site. This mitigation was proposed in the Final Response Plan and approved by the DTSC (DTSC 2021b). It is additionally noted that the commenter fails to provide the subsequent quote from the same June 2022 Update to Vapor Intrusion Mitigation (VIM) Guidance that states:

> "Additionally, VIM may be the only viable long-term response action where remediation is infeasible (e.g., further concentration reductions are not possible and residual concentrations pose a VI threat)." (Path Forward 2022; Appendix C).

As referenced by the DTSC in their Responsiveness Summary attached to the Final Response Plan:

> "DTSC understands that the community's preference is for the installation and operation of a soil vapor extraction (SVE) system or full remediation at the 2550

> Irving Site to address the presence of PCE in soil vapor. Under CLRRA statute, TNDC is only required to propose one remedy that provides long-term protection for residents of the future development. However, based on the frequent requests from the community, DTSC has considered SVE as a remedial option for this Site and concurs with the Draft Response Plan that a vapor intrusion mitigation system is still the preferred protective measure. Use of a mitigation system such as this is effective, commonly accepted by DTSC, consistent with our current guidance (DTSC and SWRCB 2020) and is being used successfully on other sites with VOC contamination that presents a significantly higher potential risk. (Path Forward 2022, DTSC 2021a).
>
> Based on the sampling performed to date, the observed concentrations do not suggest that there is a significant source of PCE in soil vapor present on Site that would warrant operation of an SVE system. Such a system has the potential to exacerbate soil vapor concentrations beneath the Site, by drawing PCE from off-Site source areas. An additional source of soil vapor impacts, including the highest observed concentrations, is located off-Site to the south, at the former Albrite Cleaners site. Operation of an SVE system on-Site has the potential to draw the soil vapor plume from Albright Cleaners northward onto the Site. Based on the on- and off-Site distribution of PCE concentrations, it is unlikely that SVE would be effective at treating low-level PCE onsite and would not be more protective of future on-Site residents than VIMS." (Path Forward 2022, DTSC 2021).

DTSC has reviewed the site-specific contamination conditions and determined that a source of PCE has not been identified at the project site. However, DTSC is continuing to investigate the area regarding a regional PCE contamination plume in the vicinity and could require remediation of the source of PCE once identified and PCE impacts are fully delineated. Thus, remediation of the source (once identified) is planned, and redevelopment of the project site with a vapor intrusion mitigation system is appropriate to protect human health and the environment for future occupants of the project, and would not exacerbate conditions on the site nor on the surrounding properties.

Comment 2.8

The commenter states an opinion that investigation of the previous dry cleaner use on the project site was insufficient and that other nearby dry cleaner sites have received greater investigation.

Response 2.8

See responses 2.2 and 2.4 above regarding the subsurface assessments completed onsite to date. As stated by DTSC, extensive investigations have been performed and a source area has not been identified at the project site (DTSC 2022b). Additionally, DTSC indicated that PCE concentrations at the project site have not been observed at levels consistent with an onsite source (DTSC 2022b).

No information provided by the commenter in this comment affects the conclusions of the Draft EA.

Comment 2.9

The commenter states an opinion that no effort is being made to fully delineate the off-site extent of the PCE soil gas plume under and near the 2500 block of Irving Street to the DTSC environmental

screening level (ESL) and that additional step-out sampling is needed in all directions to delineate the PCE soil gas plume in the surrounding residential neighborhood to DTSC's ESLs.

Response 2.9

See responses 2.2 and 2.4 above regarding the subsurface assessments completed onsite to date. Additionally, while the extent of the off-site plume is not yet known, it does not affect the efficacy of the mitigation measures presented in the Draft EA, which will reduce the impacts of the existing onsite contamination to a less than significant level for the project, and would not exacerbate impacts related to the off-site plume on neighboring properties.

It is unclear who prepared the handwritten data and contours on the figure submitted by the commenter. However, it should be noted that this figure lacks delineation data from the former Albrite Cleaners location. A Revised Site Assessment Work Plan (February 23, 2022) has been prepared for the Albrite Cleaners site and has been approved by DTSC; however, the assessment results have not been posted to EnviroStor for review.

Regardless, this information regarding soil vapor concentrations at adjacent properties is not relevant to analysis of potential soil vapor impacts at the project site, which will be adequately mitigated through installation of a vapor intrusion mitigation system, required in Mitigation Measure HAZ-2 of the Draft EA.

Comment 2.10

The commenter states an opinion that the EA's conclusion that the six residences north of the TNDC property "are safe to occupy, including for sensitive populations, without mitigation" is not supported by the evidence and DTSC's Community Update is misleading. The commenter outlines DTSC sampling at the residences and suggests that more conservative and protective measures should be required by DTSC.

Response 2.10

The EA's conclusion that the six residences north of the TNDC property are "are safe to occupy, including for sensitive populations, without mitigation" was consistent with DTSC's June 2022 Community Update. DTSC responded to a similar comment regarding the March 2022 indoor air sampling results in the following April 26, 2022 letter: Response to Mid-Sunset Neighborhood Association's Letter of March 10, 2022 and Inquiry of April 14, 2022, 2550 Irving Street Proposed Affordable Housing Development, (Site 202334), 2511 Irving Street -Former Albrite Cleaners (Site: 202372), The Police Credit Union (Site: 202312), 1300 26th Avenue (Site: 202392), San Francisco, California (DTSC 2022b).

Specifically, DTSC stated:

> "DTSC Response #6 - On April 5, 2022, DTSC presented March 2022 sampling results, for indoor and other associated media, to the residents of six residences that were sampled. In this presentation to the residences DTSC stated that:
>
> 1. DTSC typically does not act (e.g., set cleanup goals or action levels) without a publicly-commented decision document;
>
> 2. That additional sampling will be conducted in September 2022, to be followed by risk assessment;

> 3. Because neighborhood communication has alarmed these residents, DTSC outlined what a typically process might look like for similar types of sites. DTSC discussed this with the residents to (1) allay their concerns, and (2) provide them with a sense of how similar sites are often managed, while noting that DTSC cannot be pre-decisional (i.e., commit to an approach prior to characterization, risk assessment, and completion of relevant publicly commented decision documents).
>
> Residential screening levels (SLs) are conservative, protective thresholds below which there is no significant risk or hazard. SLs are typically set 100 times below the upper range of acceptable risk. It is possible that DTSC has used residential SLs as an action level at one or more sites. Typically, DTSC manages risk in the low end of the risk management range (i.e., above residential SLs)." (DTSC 2022b).

Regardless, this information regarding indoor air quality at adjacent properties is not relevant to analysis of potential soil vapor impacts at the project site, which will be adequately mitigated through installation of a vapor intrusion mitigation system, required in Mitigation Measure HAZ-2 of the Draft EA.

Comment 2.11

The commenter states an opinion that that no Request for Release of Funds (RROF) should be submitted until an overall environmental investigation that adequately considers each site contributing to the PCE contamination profiles the "toxic environmental impact," and a workplan is approved to protect future residents of the affordable housing project, as well as the residents of nearby homes, from PCE vapor intrusion.

Response 2.11

See Response 2.5 above. The project will not affect or exacerbate indoor air quality at nearby homes, as the indoor air quality at neighboring properties is a direct result of the sub-surface contamination under each property and would not be affected by the construction of the proposed project. The project is not responsible for remediating an existing PCE plume, and mitigation measures in the Draft EA ensure the project will have a less than significant impact related to existing contamination in the sub-surface at the project site.

Comment 2.12

Conclusion

The commenter suggests that the Finding of No Significant Impact (FONSI) issued by MOHCD should be rescinded and a Notice of Intent to Prepare an EIS should be issued under 24 C.F.R. § 58.55, and all procedures followed under 24 CFR Subpart G of Part 58, and 40 CFR Part 1500 to Part 1508, as applicable.

Response 2.12

Please see responses 2.1 through 2.11. According to 24 CFR 58.37, an EIS is required when a project is determined to have a potentially significant impact on the human environment. As stated in the Draft EA, and elaborated on throughout the responses to comments above, the proposed project

would not result in a significant impact on the human environment, and mitigation measures identified in the Draft EA would reduce the impacts of vapor intrusion into the proposed building. No EIS is necessary, and all procedures of the relevant regulations have been followed.

References

California Department of Toxic Substances Control (DTSC). 2021a. Responsiveness Summary for 2550 Irving Street, San Francisco, CA 94122.

_____. 2021b. Approval of Response Plan for 2550 Irving Street, San Francisco, CA 94122.

_____. 2022a. Cleanup Program Community Update, April 2022.

_____. Response to Mid-Sunset Neighborhood Association's Letter of March 10, 2022 and Inquiry of April 14, 2022, 2550 Irving Street Proposed Affordable Housing Development, (Site 202334), 2511 Irving Street -Former Albrite Cleaners (Site: 202372), The Police Credit Union (Site: 202312), 1300 26th Avenue (Site: 202392), San Francisco, California.

Path Forward. 2021. Final Response Plan: 2550 Irving Street Affordable Housing Project, San Francisco, California.

_____. 2022. Memorandum: Response to Comments – Notice of Intent to Request Release of Funds.