

Board of Directors

March 11, 2019

Mary Hashem  
RE | Solutions  
Board Chair

Ms. Meredith Williams, Acting Director  
California Dept. of Toxic Substances Control  
P.O. Box 806  
Sacramento, CA 95812-0806

Nicholas Targ  
Holland and Knight  
Vice Chair

Dear Acting Director Williams:

Zachery Clayton  
City and County of  
Denver, Colorado  
Treasurer

As you may know, the Center for Creative Land Recycling (CCLR) is an Oakland-based, national nonprofit whose mission is to catalyze the redevelopment of underutilized land so that communities can revitalize their economies, enhance the health of their environment and improve the well-being of their residents. CCLR's approach to supporting communities is unique in that its expert guidance includes both project-specific and policy level programs, each informing the other for positive change.

Michael  
Covarrubias  
TMG Partners

David Greensfelder  
Greensfelder Commercial Real  
Estate LLC

Through our work with communities, CCLR has become aware of a proposed change to the Department of Toxic Substances Control (DTSC) vapor intrusion guidelines that would set forth new environmental screening levels (proposed Screening Levels). It appears that the proposed Screening Levels would decrease the screening values by an order of magnitude or more, which could have a tremendous impact on housing production, among other issues.

Kevin McCarty  
GEI Consultants

Cynthia Parker  
BRIDGE Housing

Deborah Schmall  
Paul Hastings, LLP

In addition, we are aware there is significant scientific controversy among scientists and practitioners with expertise in vapor intrusion issues regarding the technical assumptions underlying the proposed Screening Levels. CCLR takes no position regarding the merits of the technical issues or positions asserted by various stakeholders in this controversy. However, in consideration of the magnitude of change represented by the proposed Screening Levels, the significant impact to stakeholders, and the technical controversy surrounding this issue, CCLR urges the DTSC to undertake meaningful steps to enhance public participation on this issue before releasing the new proposed Screening Levels.

Jonathan Scharfman  
Universal Paragon  
Corporation

Subjecting the proposed Screening Levels and assumptions underlying them to public participation would provide a thorough technical vetting of the proposed Screening Levels. Such public participation would also ventilate important policy considerations. For example, CCLR anticipates that if the proposed Screening Levels are adopted for general use state-wide, the impact on brownfields revitalization, job creation and new housing production is likely to be great.

Finally, we also note that subjecting the proposed Screening Levels (and a Vapor Intrusion Guidance document that will follow) to public comment will help ensure compliance with California Administrative Procedures Act and Office of Administrative Law regulations. For all of these reasons, we urge DTSC to solicit

public comment on the technical and policy considerations surrounding the proposed Screening Levels and reach a decision that is right for California.

If we can provide you with additional background, or if you have any questions please let us know.

Sincerely,

A handwritten signature in blue ink that reads "Sarah Sieloff". The signature is fluid and cursive, with a long horizontal stroke extending from the end of the name.

Sarah Sieloff  
Executive Director

CC: Peter Garcia, Division Chief  
Maryam Tasnif-Abbasi, Senior Supervisory Environmental Scientist