

CALIFORNIA ENVIRONMENTAL QUALITY ACT
NOTICE OF EXEMPTION

2019038377

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

From: Department of Toxic Substances Control
Site Mitigation and Restoration Program
5796 Corporate Avenue
Cypress, California 90680

Project Title: Former National Cash Register Facility Corrective Measures Proposal

Project Location: 16550 and 16620 West Bernardo Drive, San Diego, 92127

County: San Diego

Project Description: The California Department of Toxic Substances Control (DTSC) determined a cleanup action was required to address elevated arsenic levels in subsurface soil and detections of volatile organic compounds (VOCs) in soil gas beneath the Former National Cash Register (NCR Facility). The cleanup decision document, referred to as a Corrective Measures Study (CMS), summarized the evaluation of remedial alternatives and concluded remediation consisting of institutional controls were required to protect human health and the environment from the contaminated land that will remain on the NCR Facility at levels which are not suitable for unrestricted use. DTSC approved the CMS, prepared by RPS, dated July 9, 2018 pursuant to Chapter 6.5, Division 4.5, Sections 25187 and 25200.14 of the Health and Safety Code.

Project activities consist of the recordation of a Land Use Covenant (LUC) to prohibit the development of the property as a residence, hospital, school, daycare, and restrict the property to industrial development. A Soil Management Plan (SMP) may be required for any future soil remediation.

Background:

The Project Site consists of approximately 76 acres of the former 116-acre NCR Facility. Bernardo Summit is the current owner of 68 acres within the Site, which includes the areas where historically the storage, use, treatment and management of hazardous materials and hazardous wastes is known to have occurred. A smaller 7.8-acre portion of the 76-acre Site is owned by Bernardo Summit's affiliate, TSRB Property LLC (TSRB). This smaller portion of the Site was not used by NCR in any of its operations, and remained undeveloped until 2008, when it was developed into offices. Although the TSRB parcel was not owned/used by NCR in any of its operations, this parcel will be included as part of the remedy.

The Site is located within a light industrial area predominately occupied by warehouses and office buildings. The former NCR Facility was developed by NCR in 1967; from 1968 to 1981, portions of the Site were used for printed circuit board fabrication. Wastewater from electroplating, including plating baths and rinses, was conveyed through underground piping to an on-site wastewater treatment system (WWTS). The Facility operated the WWTS until July 1981; closure certification for the WWTS was issued by DTSC on May 12, 1992. Storage, use, treatment, and management of hazardous materials and hazardous wastes are known to have occurred on the Site as part of NCR operations.

As summarized in the Final Data Gap Investigation (DGI) Report, NCR submitted a Closure Plan for the WWTS, which was approved by the California Department of Health Services and United States Environmental Protection Agency (USEPA) in 1989. In accordance with the Closure Plan, NCR removed associated tanks and equipment from the WWTS vault, excavated contaminated soils from beneath and downgradient of the WWTS vault, and backfilled the vault and downgradient excavations with clean imported fill. A Health Risk Assessment showed that residual contaminants posed a negligible risk to human health and the environment, and the DTSC issued Closure Certification for the WWTS in 1992.

The depth to groundwater at the Site is likely greater than 100 feet below ground surface (bgs), as supported by the lack of groundwater encountered in borings advanced to 80 feet bgs (Haley & Aldrich 2001). Due to the presence of large boulders and gravels of the Stadium Conglomerate, difficult drilling conditions at the Site have impeded the installation of groundwater monitoring wells and the collection of groundwater samples. Only one groundwater sample has been collected at the Site, from MW-1 at a depth of 45 feet bgs (Haley & Aldrich 2001). This zone is likely perched groundwater since subsequent sampling attempts in the area did not encounter groundwater at this depth.

Bernardo Summit and DTSC entered into a Corrective Action Consent Agreement on April 27, 2016. The findings from a Data Gap Investigation Workplan identified arsenic in the soil.

Project Activities:

The remedy selection consists of the following activities:

2019038377

Institutional Controls:

- Restricted Land Uses: Recordation of a Land Use Covenant with the County of San Diego. Sensitive receptors land uses such as residences, hospitals, schools or day care centers will be restricted.
- Activities that may disturb the concrete floor and the exterior building block foundation wall material will not be permitted on the Site without prior written approval by DTSC.
- All uses, and development of the Site will preserve the integrity or effectiveness of the concrete floor, and the exterior building block foundation wall.
- Activities that will disturb the soil at or below the existing surface (e.g. excavation, grading, removal, trenching, filling) shall not be allowed without a Soil Management Plan approved by DTSC.
- Any contaminated soils brought to the surface by grading, excavation, trenching or backfilling will be managed in accordance with all applicable provisions of state and federal law.
- DTSC will be notified of any proposed change in land use.
- Periodic visual inspections of the Site for evidence of deterioration of any concrete floor and exterior building block foundation wall surfaces.
- An annual report summarizing inspection activities submitted to DTSC by January 15th of every year.

Name of Public Agency Approving Project: Department of Toxic Substances Control

Name of Person or Agency Carrying Out Project: Jay Paul Company (Bernardo Summit) ~~Governor's Office of Planning & Research~~

Exemption Status: (check one)

- Ministerial [PRC, Sec. 21080(b)(1); CCR, Sec. 15268]
- Declared Emergency [PRC, Sec. 21080(b)(3); CCR, Sec.15269(a)]
- Emergency Project [PRC, Sec. 21080(b)(4); CCR, Sec.15269(b)(c)]
- Categorical Exemption: [Class 30 Categorical Exemption Cal. Code Regs., Title 14, §15330]
- Statutory Exemptions: [State code section number]
- Common Sense [CCR, Sec. 15061(b)(3)]

MAR 15 2019

STATE CLEARINGHOUSE

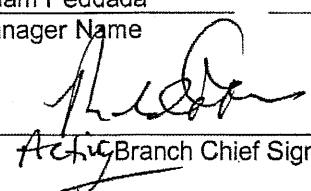
Exemption Title With Certainty, No Possibility of a Significant Environmental Effect

Reasons Why Project is Exempt:

The project will not result in a change in any of the physical conditions within the area affected by the project, including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance. Therefore, DTSC finds with certainty that there is not a possibility that the activities in question will result in a significant environmental effect.

Evidence to support the above reasons is documented in the project file record, available for inspection at:

Department of Toxic Substances Control
Site Mitigation and Restoration Program
5796 Corporate Avenue
Cypress, California 90630

<u>Anantaramam Peddada</u> Project Manager Name	<u>Environmental Scientist</u> Project Manager Title	<u>(714) 484-5418</u> Phone #
 Arch Branch Chief Signature		<u>3/15/2019</u> Date
<u>Robert M. Senga</u> Unit Supervisor Name	<u>Environmental Scientist Supervisor</u> Title	<u>(714) 484-5436</u> Phone #