NOTICE OF EXEMPTION 2019098021

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 90630

Project Title: Advanced Steel Recovery Removal Action Workplan		
Project Address: 14451 Whittram Avenue	**City:** Fontana	**County:** San Bernardino

Approval Action Under Consideration by DTSC:

- ☒ Removal Action Workplan
- ☐ Corrective Measure Study/Statement of Basis
- ☐ Remedial Action Plan
- ☐ Other (specify):
- ☐ Initial Permit Issuance
- ☐ Permit Modification
- ☐ Regulations
- ☐ Permit Re-Issuance
- ☐ Closure Plan
- ☐ Interim Removal

Statutory Authority:

☐ California H&SC, Chap. 6.5 ☒ California H&SC, Chap. 6.8 ☐ Other (specify):

Project Description: The project involves the installation of a concrete cover, Operation and Maintenance (O&M) Plan to maintain the integrity of the cover, and preparation of a land use covenant (LUC) to restrict future site use for the Advanced Steel Recovery (ASR Project Site). The Cleanup Decision Document, referred to as a Removal Action Workplan (RAW) concluded that the contaminated soil with metals and polychlorinated biphenyls (PCBs) could be addressed by the installation of a concrete cover, Operation and Maintenance (O&M) Plan to maintain the integrity of the cover, and preparation of a land use covenant (LUC) to restrict future land use development.

Background: The ASR Project Site is approximately 5.59 acres and bounded by Whittram Avenue on the north, industrial properties on the west, San Bernardino Flood Control Channel (Banana Channel) and AT&SF rail road to the south and Depot Road and BNSF Kaiser terminal to the east. The ASR Project Site was previously utilized for agricultural purposes from 1938 until 1980. Prior to ASR's operations, the Project Site was reportedly used for an auto scrap yard, performing auto dismantling operations until ASR commenced its operations in early 2000s. ASR's operations include purchasing, receiving and processing scrap metal from industrial manufacturing companies.

On May 9, 2013, DTSC conducted a walk-through inspection at the Project Site and observed materials requiring special handling intermixed with scrap material. DTSC subsequently collected twelve shallow soil samples in the southern portion of the property. The soil samples were analyzed for metals and PCBs. All the samples contained one of more metals at concentrations exceeding Regional Screening Levels (RSLs) for residential and commercial use. In July 2015, DTSC conducted confirmation sampling to determine whether elevated concentrations of contaminants of concern (COC) were still present at the ASR Project Site. Samples were collected throughout the Project Site (in addition to two offsite samples, adjacent to drainage pipping). Various metals and PCB concentrations were above industrial RSLs. ASR performed additional soil testing at the Site in December 2017, as requested by DTSC, to define extent of impacted soil and obtain additional subsurface soil data with appropriate spatial distribution.

The COCs at the ASR Project Site are select metals (i.e., antimony, arsenic, barium, cadmium, chromium, cobalt, copper, lead, mercury, molybdenum, nickel, silver, thallium, vanadium, and zinc) and PCBs.

DTSC and ASR entered into a Remediation Agreement (Docket Number HSA-FY15/16-096) on August 18, 2016 to remediate the Site.

Project Activities: The project activities consist of the following:

- Excavation of surface soil (approximately 400 cubic yards) to accommodate for the concrete cover;
- Soil sampling of the excavated and stockpiled soil for offsite disposal;
- Placement of a fiber mesh reinforced, 8-inch to 12-inch thick, high strength concrete cover (over the unpaved area, approximately 1.5 acres);
- Implementation of Institutional Controls (ICs), which will establish procedures to maintain the cap and ensure future activities at the Project Site do not penetrate the cover, resulting in an exposure that would be considered an unacceptable risk to human health;
- O&M Plan and O&M Agreement to maintain the integrity of the cover;
- Preparation and recordation of an LUC which will prohibit unrestricted use of the Site

The project is expected to take approximately four weeks to complete.

In the event biological, cultural or historical resources are discovered during project activities, work will be suspended while a qualified biologist or a cultural or historical resource specialist assesses the area and arrangements are made to protect or preserve any resources that are discovered. If human remains are discovered, no further disturbance will occur in the location where the remains are found, and the County Coroner will be notified pursuant to the Health and Safety Code, Chapter 2, Section 7050.5.

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

Name of Person or Agency Carrying Out Project: Advances Steel Recovery

Exempt 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: [CCR Title 14, Sec. 15330]
☐ Statutory Exemptions: [State Code Section Number]
☐ Common Sense Exemption [CCR, Sec. 15061(b)(3)]

Exemption Title: Minor Actions to Prevent, Minimize, Stabilize, Mitigate or Eliminate the Release or Threat of Release of Hazardous Waste or Hazardous Substances.

Reasons Why Project is Exempt:

1. The project is a minor action designed to prevent, minimize, stabilize, mitigate or eliminate the release or threat of release of hazardous waste or hazardous substances.
2. The project will not exceed $1 million in cost.
3. The project does not involve the onsite use of a hazardous waste incinerator or thermal treatment unit or the relocation of residences or businesses; and does not involve the potential release into the air of volatile organic compounds as defined in Health and Safety Code Section 25123.
4. The exceptions pursuant to Cal. Code Regs., tit. 14, § 15300.2 have been addressed as follows:
   a. Cumulative Impact. The final remedy will not lead to a succession of projects of the same type in the same place over time.
   b. Significant Effect. The environmental safeguards and monitoring procedures that are enforceable and made a condition of project approval will prevent unusual circumstances from occurring so that there is no possibility that the project will have a significant effect on the environment.
   c. Scenic Highways. The project will not damage scenic resources, including but not limited to, trees, historic buildings, rock outcroppings, or similar resources, because it is not located within a highway officially designated as a state scenic highway.
   d. Hazardous Waste Sites. The project is not located on a site which is included on any list compiled pursuant to Section 65962.5 of the Government Code. Historical Resources. The project will not cause a substantial adverse change in the significance of a historical resource at the Site because there are none at the Site.

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

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Site Mitigation and Restoration Program
5796 Corporate Avenue
Cypress, California 90630
[DTSC EnviroStor website]
https://www.envirostor.dtsc.ca.gov/public/profile_report.asp?global_id=60002306&mytab=activities

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Branch Chief's Signature — 8-26-19 (Date)

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Date Received for Filing and Posting at OPR:

Governor's Office of Planning & Research

SEP 12 2019

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