

**CALIFORNIA ENVIRONMENTAL QUALITY ACT
NOTICE OF EXEMPTION**

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
8800 Cal Center Drive,
Sacramento, CA 95826

Project Title: Time Critical Removal Action at Property Number P0009

Project Location: Benito Juarez Park (Property) is located at 5515 Maywood Ave, Maywood, California 90270 (P0009)

County: Los Angeles

Project Applicant: Department of Toxic Substances Control, Exide Cleanup

Approval Action Under Consideration by DTSC: Other, Time Critical Removal Action

Statutory Authority: California Health and Safety Code, Chapter 6.8

Project Description:

Lead-impacted soil at the Property will be excavated to a maximum of 18 inches below ground surface (bgs). Approximately 228 cubic yards of contaminated soil will be excavated and transported to a permitted facility. Approximately 285 cubic yards of “clean” backfill will be transported to the site to replace the excavated contaminated soil. Interior cleaning will be offered by California Department of Toxic Substances Control (DTSC) within 2 weeks after completion of exterior work on the property and will be scheduled by the property owner(s), in accordance with DTSC's Temporary Relocation and Compensation Implementation Plan.

The property is currently used as a community park that contains a playground and basketball court. Approximately 84 children nine (9) years of age or younger and 135 adults (children older than 9 are counted as adults) are present on a daily basis.

The DTSC has determined that the presence of lead-impacted soil at the property presents a threat to the public health or welfare and the environment because potential for complete exposure pathway for lead exists at the property. Persons at or in the vicinity of the property may ingest or inhale bare or manually disturbed soils containing elevated concentrations of lead. Lead is a neurotoxin that accumulates both in soft tissues and the bones. The group most at risk to lead-exposure related impacts are fetuses, infants, and children under age 7. DTSC, pursuant to regulatory authority granted under Health and Safety Code, Chapter 6.8, has evaluated and approved a Time Critical Removal Action (TCRA) to reduce the risk to public health and the environment from exposure to the lead-impacted soil.

Background: The TCRA at the Property implements DTSC's Amended Time Critical Removal Action Implementation Plan for the Exide Preliminary Investigation Area, (DTSC, March 2018) (including any modifications, amendments, or addenda thereto subsequently approved by DTSC) (TCRA Implementation Plan), 2nd Amended Master Excavation, Disposal, and Restoration Plan (DTSC, April 13, 2020) (including any modifications, amendments, or addenda thereto subsequently approved by DTSC), and DTSC's Amended Time Critical Removal Action (TCRA) Guidance, Exide Preliminary Investigation Area (including any modifications, amendments, or addenda thereto subsequently approved by DTSC) (TCRA Guidance). DTSC developed these documents to reduce the risk to public health and the environment from exposure to lead-impacted soil at sensitive land use properties within the Preliminary Investigation Area (PIA). The PIA is the area within an approximately

1.7-mile radius of the former Exide Technologies, Inc. (Exide) lead-acid battery recycling facility in Vernon, California (hereafter, "former Exide facility"). The past operational activities at the former Exide facility resulted in the release of lead and other substances related to lead-acid battery recycling to the PIA. Property Number S0001 is within the PIA.

Soil samples were collected at the Property on December 12, 2016, and discrete samples were submitted for laboratory analysis. Based on the soil analysis, the representative soil lead concentration at the Property is 124 milligrams per kilograms (mg/kg). The lead cleanup value for residential and sensitive use properties is 80 mg/kg. The Property has a calculated Relative Risk Ranking System score of 97, which means the soil at the Property is a relatively high risk due to the presence of lead compared to other properties considered for TCRA prioritization.

Project Activities:

Lead-impacted soil at the Property will be excavated in accordance with the Project Excavation, Disposal and Restoration Design Plan. The excavated areas will be based on the concentrations of lead found in the soils and the accessibility of such soils for excavation. Approximately 228 cubic yards of contaminated soil (approximately 20 truck roundtrips) will be excavated and transported to a permitted facility. Approximately 285 cubic yards of "clean" backfill (approximately 25 truck roundtrips) will be transported to the site to replace the excavated contaminated soil. Soil excavation depths will range from 6 inches to 18 inches below ground surface (bgs). As part of this TCRA, DTSC or its contractor, will collect and analyze post-excavation confirmation samples from the bottom of the excavation that did not achieve the target depth specified in the Project Excavation, Disposal and Restoration Design Plan; backfill the excavated area with clean soil; restore landscaping and grass destroyed during removal actions and repair any damage to property caused by excavation activities; and transport and dispose off-site any hazardous substances, pollutants and contaminants at an approved disposal facility in accordance with U.S. EPA's Off-Site Rule (40 CFR § 300.440). Trees and established shrubs will not be removed. Areas within the biological root zone of trees or established shrubs (dripline) will be excavated to a maximum depth of 6 inches to preserve the integrity and survivability of the trees. Excavations will be conducted using small construction equipment and/or hand dug.

This is a small and short-term excavation project. Excavation activities are anticipated to last up to two weeks, while loading and transportation of excavated soils for off-site disposal is expected to last two to three days. Dust control will be addressed through the integration of standard control measures with a combination of Best Available Control Measures for dust control. Measures will be used to significantly control dust emissions and reduce the potential for incidental exposure to chemicals of concern: including use of water spray; work sequencing (e.g. avoiding excavation activities during high wind conditions); and effective use of Best Management Practices (BMPs) to limit tracking of dirt by vehicles.

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

Name of Person or Agency Carrying Out Project: Department of Toxic Substances Control, Site Mitigation and Restoration Program

Exempt Status: General Rule Exemption [14 CCR, Sec. 15061(b)(3)]

Reasons Why Project is Exempt:

DTSC has determined with certainty that there is no possibility that the activities would result in "a substantial, or potentially substantial, adverse 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" (14 CCR, Sec. 15382).

DTSC has analyzed the environmental review documents for other similar cleanup activities, including the Interim Measures - Northern and Southern Assessment Areas and the Negative Declaration prepared in 2014 for those interim measures; the Addendum to the 2014 Negative Declaration, which was prepared in November 2015, as well as a July 17, 2017, Removal Action Plan (Cleanup Plan), Offsite Properties within the Exide Preliminary Investigation Area and Final Environmental Impact Report (EIR) to determine that there is no possibility that the activity in question may have a significant effect on the environment. The TCRA is an action to eliminate the direct contact threat associated with elevated levels of lead-impacted soils at the Property. The threat will be eliminated by excavation and offsite disposal.

The administrative record for this project is available to the public by appointment at the following location:

Department of Toxic Substances Control
Site Mitigation and Restoration Program
8810 Cal Center Drive
Sacramento, CA 95826

Additional project information is available on EnviroStor: <http://www.envirostor.dtsc.ca.gov/public/>

<u>Contact Person</u>	<u>Contact Title</u>	<u>Phone Number</u>
Hortensia Muniz	Supervising Hazardous Substances Engineer	(916) 255-6632

Approver's Signature:

Mehdi Bettahar

Date:

October 23, 2020

<u>Approver's Name</u>	<u>Approver's Title</u>	<u>Approver's Phone Number</u>
Mehdi Bettahar	Branch Chief, Exide Residential Cleanup	(323) 803-2515

TO BE COMPLETED BY OPR ONLY

Date Received for Filing and Posting at OPR: [Governor's Office of Planning & Research](#)

Oct 26 2020

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