



**Yana Garcia**  
Secretary for  
Environmental Protection



Department of Toxic Substances Control

Meredith Williams, Ph.D., Director  
8800 Cal Center Drive  
Sacramento, California 95826-3200



**Gavin Newsom**  
Governor



**SENT VIA ELECTRONIC MAIL**

December 21, 2023

Julian Capata  
CEQA Project Manager  
Los Angeles Unified School District  
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Los Angeles, CA 90017  
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RE: NOTICE OF PREPARATION (NOP) OF A DRAFT ENVIRONMENTAL IMPACT REPORT (DEIR) FOR THE IRVING MIDDLE SCHOOL MAJOR MODERNIZATION PROJECT, DATED DECEMBER 01, 2023 STATE CLEARINGHOUSE # [2023120006](#)

Dear Julian Capata,

The Department of Toxic Substances Control (DTSC) received a Notice of Preparation (NOP) of a Draft Environmental Impact Report (DEIR) for the Irving Middle School Major Modernization Project (Project). The proposed Project involves building replacement and reconfiguration on the Irving Middle School Campus (Campus) as part of Los Angeles Unified School District's (LAUSD's) update to the School Upgrade Program (SUP). The scope consists of the modernization of the Campus to facilitate a safe and secure campus that is better aligned with the current instructional program and meets current Division of the State Architect (DSA) requirements and educational specifications. The proposed Project includes the demolition of the three permanent classroom buildings located directly over an identified earthquake fault (Homemaking

Building, Classroom Building, and Administration Building) and the removal of six portable bungalow buildings in the northwest corner of the site. These buildings would be replaced by the construction of one, approximately 55,000-square-foot, two-story building that would house 19 classrooms and support spaces, administration offices, library, and other building service spaces. Additionally, the proposed Project would include a new Maintenance and Operation (M&O) building and two modular classrooms to be used by the City of Angeles Community School. The proposed Project also includes essential upgrades including seismic retrofit of the existing Auditorium Building outside of the earthquake fault, the removal of barriers as well as other accessibility upgrades, and various landscape and hardscape improvements. While the Project would reduce the total number of standard classrooms on the campus from 65 to 46 to accommodate the long-term needs of the school and community, it would provide additional outdoor learning and gathering spaces for its students. Based on our review, DTSC requests consideration of the following comments.

1. If the district plans to use California Department of Education (CDE) State funds for the project, then the district shall comply with the requirements of Education Code (EDC), [§17210](#), [§17213.1](#), and [§17213.2](#), unless otherwise specifically exempted under section [§17268](#). If the district is not using CDE State funds for the project, or is otherwise specifically exempt under section [§17268](#), DTSC recommends the district continue to investigate and clean up the Site, if necessary, under the oversight of Los Angeles County and in concurrence with all applicable DTSC guidance documents. For more information on the CDE State funding, please visit [Office of Public-School Consultation](#) webpage.

A local education agency may also voluntarily request the CDE site/plan approval for locally funded site acquisitions and new construction projects. In these cases, CDE will require DTSC to review and approve prior to its final approval, except when exempt under section 17268.

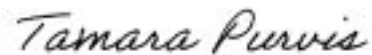
2. If the District elects to proceed and conduct additional environmental assessments at the Site under DTSC oversight, it should enter into an Environmental Oversight Agreement with DTSC to oversee the preparation and or review of the existing environmental assessment documents.
3. If buildings or other structures are to be demolished on any project sites included in the proposed project, surveys should be conducted for the presence of lead-based paints or products, mercury, asbestos containing materials, and polychlorinated biphenyl caulk. Removal, demolition, and disposal of any of the above-mentioned chemicals should be conducted in compliance with California environmental regulations and policies. In addition, sampling near current and/or former buildings should be conducted in accordance with DTSC's 2006 [\*Interim Guidance Evaluation of School Sites with Potential Contamination from Lead Based Paint, Termiticides, and Electrical Transformers\*](#)
4. DTSC recommends that all imported soil and fill material should be tested to ensure any contaminants of concern are within approved screening levels for the intended land use. To minimize the possibility of introducing contaminated soil and fill material there should be documentation of the origins of the soil or fill material and, if applicable, sampling be conducted to ensure that the imported soil and fill material meets screening levels for the intended land use. The soil sampling should include analysis based on the source of the fill and knowledge of the prior land use.

DTSC appreciates the opportunity to comment on the Irving Middle School Major Modernization Project's NOP. If you would like to proceed with DTSC's school environmental review process, please visit [DTSC's Evaluating & Clean-up School 3-Step Process](#) to begin a Phase I Environmental Site Assessment.

Julian Capata  
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Thank you for your assistance in protecting California's people and environment from the harmful effects of toxic substances. If you have any questions or would like any clarification on DTSC's comments, please respond to this letter or via [email](#) for additional guidance.

Sincerely,



Tamara Purvis  
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HWMP – Permitting Division - CEQA Unit  
Department of Toxic Substances Control

cc: Governor's Office of Planning and Research  
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