

## 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, California 95812-3044

**From:** Department of Toxic Substances Control  
Site Mitigation and Restoration Program  
8800 Cal Center Dr  
Sacramento, California 95826

**Project Title:** Removal Action Workplan, Kiewit Property

**Project Location:** 3300 Busch Road, Pleasanton, California 94556

**County:** Alameda

**Project Applicant:** Department of Toxic Substances Control

**Approval Action Under Consideration by DTSC:** Removal Action Workplan

**Statutory Authority:** California Health and Safety Code, Chapter 6.8

**Project Description:** The project involves approval of a Removal Action Workplan (RAW) for the excavation, removal, and off-site disposal of approximately 11,500 cubic yards (cy) of contaminated soil located at the Kiewit Property, 3300 Busch Road, Pleasanton, California 94556 (Site). Due to past industrial activities at the Site, elevated concentrations of Total Petroleum Hydrocarbons (TPH) and polychlorinated biphenyls (PCBs) have been detected in surface soils.

**Background:** The Site consists of one rectangular-shaped parcel of land occupying approximately 49-acres. The Site was historically used as a sand/gravel borrow pit operation. The former borrow pit was reportedly backfilled prior to the Kiewit Corporation taking ownership of the property in the 1960s. Kiewit reportedly utilized the Site for concrete casting, along with storage and maintenance of construction equipment and materials. Currently, the Site is occupied by three tenants: Bigge Crane and Rigging Co., A-1 Enterprises, and Western Traffic Supplies.

Previous Environmental Site Assessments and a Supplemental Site Investigation (SSI) characterized the lateral and vertical extent of soil impacts associated with the historical use of the Site. The results of the SSI indicated the presence of TPH and PCBs at concentrations exceeding residential soil screening criteria, primarily in the southeastern portion of the Site.

**Project Activities:** The goal of the cleanup is to convert the existing commercial zoned property to unrestricted land use, suitable for residential redevelopment. Remedial goals for Kiewit were selected based on DTSC residential screening levels, listed in HERO HHRA Note 3. For TPH, the 2019 San Francisco Bay Regional Water Quality Control Board environmental screening levels is appropriate. Cleanup activities will involve excavating to a depth of 10 feet and disposing of an estimated 11,500 cy of TPH- and PCB-impacted soil that exceed residential soil screening levels.

The removal action objectives are as follows:

- Eliminate potential exposure of humans to contaminants of concern (COCs) in soil through direct contact, inhalation of dust, or accidental ingestion.
- Reduce the human health-based risks associated with onsite TPH and PCB contamination in soil to a level that is acceptable for unrestricted land use.

Based on sample results from the SSI and previous investigations at the Site, the soil is anticipated to be disposed of as non-hazardous waste. However, compliance with the DTSC requirements of hazardous waste generation, temporary on-Site storage, transportation, and disposal will still be adhered to.

The soil will be excavated from the targeted areas of concern and then temporarily stockpiled or loaded directly into trucks for transportation and off-Site disposal. This project excavation and re-grading at the Site have the potential to generate fugitive dust. Dust from operations at the Site may contain COCs, particularly PCBs. Dust concentrations will be assessed at the Site through periodic (approximately every 2-hours) monitoring using direct reading instruments utilizing an upwind/downwind monitoring approach. Dust monitoring will be conducted at three locations, including upwind of Site activities, within the worker's breathing zone, and downwind of the Site activities. The locations of air monitoring stations will be modified as necessary based on the wind direction at the time of earth-moving activities. Qualitative dust monitoring (i.e., opacity) will be performed by a certified and qualified observer. Workers will be in the proper level of personal protective equipment for personal safety. Wind speeds will be monitored regularly, and dust generating activities will cease when sustained wind speeds exceed 25 mph.

Dust control measures will be implemented by the earthwork contractor to mitigate the potential for offsite migration of fugitive dust and to minimize visible dust emissions as a product of excavation and soil exporting. The following control measures will be implemented during excavation and soil loading:

- Water will be applied to areas where excavation will be performed and when wind speeds exceed 15 miles per hour (mph); this application will be done in a manner that does not result in run-off;

- On-Site vehicles will drive slowly (under 10 mph) when on-Site and entering or exiting the Site;
- Stockpiled soil will be placed on Visqueen or the equivalent liner, and covered when not in use and at the end of each day;
- Track-out pads or gravel will be used at the Site entrance/exit, and any tracked out soil will be cleaned up at the end of each workday.

During soil transportation activities, trucks will enter the Site through a gate located off 3300 Busch Road. A flag person will be located at the Site to assist the truck drivers with safely entering and exiting the Site. Transportation will be coordinated in such a manner that at any given time, on-Site trucks will be in communication with the Site Manager. In addition, all vehicles will be required to maintain slow speeds for safety and for dust control purposes.

Prior to exiting the Site, the vehicle will be swept to remove any extra soil from areas not covered or protected. This cleanup/decontamination area will be set up as close to the loading area as possible to minimize spreading any impacted soil. Prior to off-Site transport, the Site Manager will be responsible for inspecting each truck to ensure that the payloads are adequately covered, the trucks are cleaned of excess soil and properly placarded, and that the truck's manifest has been completed and signed by the generator or its agent, and its transporter. As the trucks leave the Site, the flag person will assist the truck drivers, so they can safely turn onto Busch Road.

Prior to project completion, confirmation soil samples will be collected and analyzed for applicable COCs to confirm soil concentrations meet the project goals for residential soils. If concentrations detected in the confirmation soil samples exceed the screening level, over-excavation will be performed until confirmation soil samples do not exceed the screening level.

Approximately 718 trucks are estimated to be needed to transport the impacted soil for disposal. Operation of the trucks on local streets has been permitted by the City of Pleasanton (Commercial On-Site Permit, #B23-0217, dated 6/20/23). Excavation, sampling, and grading is anticipated to take 6 to 8 weeks.

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

**Name of Person or Agency Carrying Out Project:** Square Mile Pleasanton, LLC

**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 Taken to Prevent, Minimize, Stabilize, Mitigate, or Eliminate the Release or Threat of Release of Hazardous Waste or Hazardous Substance.

**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 will be consistent with applicable State and local environmental permitting requirements (Project will conform with Commercial On-Site Permit (#B23-0217) approved by City of Pleasanton on 6/20/23).
4. The project does not involve the onsite use of a hazardous waste incinerator or thermal treatment unit.
5. The project does not involve the relocation of residences or businesses.
6. The project does not involve the potential release into the air of volatile organic compounds as defined in Health and Safety Code Section 25123 (Notifications for fugitive dust emissions will be submitted to the Bay Area Air Quality Management District in accordance with Regulation 8, Rule 40).
7. The exceptions pursuant to California Code Regulations, Title 14 § 15300.2 have been addressed as follows:
  - a. Cumulative Impact. The project will not result in cumulative impacts because it is designed to be a short-term final remedy that would not lead to a succession of projects of the same type in the same place over time.
  - b. Significant Effect. The project does not involve any unusual circumstances 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. (<http://calepa.ca.gov/sitecleanup/corteselist/default.htm>)
  - e. Historical Resources. The project will not cause the substantial adverse change in the significance of an 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:

Department of Toxic Substances Control  
Site Mitigation and Restoration Program  
8800 Cal Center Dr  
Sacramento, California 95826

DTSC EnviroStor website: [https://www.envirostor.dtsc.ca.gov/public/profile\\_report?global\\_id=60003462](https://www.envirostor.dtsc.ca.gov/public/profile_report?global_id=60003462)

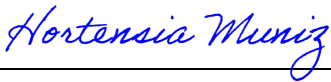
Contact Person:  
Matthew Kasjaka

Contact Title:  
Project Manager

Phone Number:  
(916) 255-3698

Approver's Signature:

Date:



1/23/2024

Approver's Name  
Hortensia Muniz-Ghazi

Approver's Title  
Branch Chief

Approver's Phone Number  
(916) 255-6442

TO BE COMPLETED BY OPR ONLY

---

Date Received for Filing and Posting at OPR: