

**CALIFORNIA ENVIRONMENTAL QUALITY ACT
NOTICE OF EXEMPTION**

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

From: Department of Toxic Substances
Control
Site Mitigation and Restoration Program
700 Heinz Avenue
Berkeley, CA 94710

Project Title: Removal Action Workplan, 40871 High Street

Project Location: 40871 High Street, Fremont, CA 94538

County: Alameda

Project Applicant: MPV Land Company, LLC

Approval Action Under Consideration by DTSC: Removal Action Workplan

Statutory Authority: California Health and Safety Code, Div. 45

Project Description: The project consists of implementation of a Removal Action Workplan (RAW) which proposes excavation and disposal of approximately 1,150 cubic yards of lead- and organochlorine pesticide-contaminated soil at a 1.2-acre parcel located at 40871 High Street in Fremont, California (Site).

Background: The Site is located on the southwestern side of High Street in a residential area of Fremont. Historically, the Site contained a single-family residence, barn, and pool which were built in the central area of the Site between 1939 and 1946. Orchards are visible in aerial photographs of the Site between the 1930s and 1940s. Former structures have since been demolished, and the Site is presently vacant. Future development planned at the Site includes three-story, multi-unit residences consisting of 32 dwelling units with detached garages, paved streets, underground utilities, retaining walls, detention basins, sidewalks, and landscaping.

Contaminants of concern (COCs) identified in the RAW consist of lead and organochlorine pesticides (OCPs) within the upper 1 to 2 feet of soil located near the previous residence and barn, and in the southern area of the Site. The source of lead is attributed to the weathering of lead-based paint used to coat the residence and barn. The source of OCPs is likely attributable to termite suppression surrounding the barn and house. The source of lead contamination in the southern area of the property is not known but may be attributed to a painted fence or a former structure.

Project Activities: The removal action outlined in the RAW to address the lead and OCP contamination at the Site consists of excavating approximately 1,150 cubic yards (1,725 tons) of soil. Excavation will include using loaders, scrapers, and/or other appropriate equipment. Excavated soil will be loaded directly into trucks. Suppressant foam, water spray, and/or other forms of vapor and dust control could be required during excavation to control for potential fugitive dust emissions. The soil will be stockpiled and characterized for disposal as required by the receiving facility. Following characterization, impacted soils will be directly loaded and/or stockpiled and loaded into trucks and transported for offsite disposal at an appropriate Class I or Class II disposal facility. Fill material, if any, will comply with DTSC Information Advisory Clean Imported Fill Material (October 2001) and the construction manager will coordinate with DTSC prior to onsite placement. The anticipated duration of the removal activity is three to five weeks. Assuming each truck carries 18 tons, up to 96 trucks will be required to transport the 1,150 cubic yards of impacted soil.

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

Name of Person or Agency Carrying Out Project: MPV Land Company, LLC

Exempt Status: Categorical Exemption: Class 30 - Minor Actions to Prevent, Minimize, Stabilize, Mitigate or Eliminate the Release or Threat of Release of Hazardous Waste or Hazardous Substances [CCR Title 14, Sec. 15330]

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 is a removal action that will not exceed \$1 million in cost.
3. The project does not involve the on-site 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 (VOCs) as defined in Health and Safety Code Section 25123.
4. The project will be consistent with applicable state and local environmental permitting requirements.
5. The exceptions pursuant to Cal. Code Regs., tit. 14, § 15300.2 have been addressed as follows:
 - 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.
 - 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.
 - 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 view of a highway officially designated as a state scenic highway.
 - 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 is not expected to cause a substantial adverse change in the significance of a historical resource because none are anticipated.

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
700 Heinz Avenue
Berkeley, CA 94710

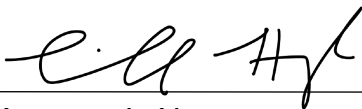
Additional project information is available on EnviroStor:

https://www.envirostor.dtsc.ca.gov/public/profile_report?global_id=60003401

Contact Person	Contact Title	Phone Number
Dennis Palacios	Engineering Geologist	510-540-2432

Approver's Signature:

Date:



June 26, 2024

Approver's Name	Approver's Title	Approver's Phone Number
Marikka Hughes	Environmental Program Manager I	510-540-3926

TO BE COMPLETED BY OPR ONLY

Date Received for Filing and Posting at OPR: