



CITY OF COMMERCE AGENDA REPORT

TO: Honorable Successor Agency **Item No.** _____

FROM: Executive Director

SUBJECT: DTSC Agreement for the former Specific Plating Site Environmental Assessment and Remediation – 1350 S. Eastern Avenue, Commerce, California

MEETING DATE: September 18, 2018

RECOMMENDATION:

Adopt a resolution of the Successor Agency to the Commerce Community Development Commission approving execution of a Facility Initiated Corrective Action (FICA) Agreement with the California Department of Toxic Substances Control (DTSC) for the former Specific Plating Site Environmental Assessment and Remediation located at 1350 S. Eastern Avenue, Commerce, California and authorize the City Administrator or his designee and legal counsel to finalize the terms of said Agreement.

ANALYSIS:

In 2011, the DTSC conducted preliminary soil sampling at the Eastern-Triggs Site and discovered contamination. Since that time, the Successor Agency has litigated issues with Mayans Development, Inc./Los Jardines, entered into an agreement with a consultant to develop a Workplan, which DTSC approved on June 3, 2016, secured an executed site access agreement with Mayans/Los Jardines, and began the environmental assessment in multiple phases.

Work previously completed includes soil gas sampling. Based on the onsite sampling results, DTSC required sampling in public right-of-ways adjacent to the project site to determine any off-site migration. This additional sampling was completed and confirmed the existence of off-site migration. Further investigation is necessary to complete the site characterization and determine the geographic limits of pollutants beyond regulatory limits.

Phase 2 work is ongoing. Work remaining includes vertical delineation of pollutants and groundwater impact determination, if any, geographic limits of the pollutants beyond regulatory limits, well installation, and a preliminary assessment of human health risks posed by chemicals at the site.

Work to be completed is comprised of the following six tasks:

- Task 1: Indoor air sampling of 12 homes per DTSC – currently underway with occupant approved access agreements.
- Task 2: Soil stockpile removal, disposal and reporting for future site work.
- Task 3: Soil Vapor Extraction (SVE) Pilot Study as an interim remedial action which includes installation of two additional SVE wells at various depths between 5 and 100 feet.
- Task 4: Annual SVE operations, maintenance and reporting to DTSC.
- Task 5: Site-specific South Coast Air Quality Management District (SCAQMD) permit.
- Task 6: Full-scale SVE well system network onsite if warranted.

The DTSC previously requested the Successor Agency to enter into a letter agreement for the environmental assessment and remediation of the subject site. Subsequently, the Successor Agency adopted Resolution SA 15-08 in good faith to conduct an initial study not to exceed an amount of \$115,000. Based on results of the on-site assessment to date, remediation will be necessary. As a result, the DTSC is requesting the Successor Agency to enter into a Facility Initiated Corrective Action (FICA) Agreement (template attached).

Staff recommends the Successor Agency adopt a resolution approving the FICA with the DTSC and authorize the City Administrator or his designee and legal counsel to finalize the terms of said Agreement.

ALTERNATIVES:

1. Approve staff recommendation.
2. Decline staff recommendation and provide further direction to staff.

FISCAL IMPACT:

The DOF authorized \$1,038,741 to date for the assessment and remediation. Future costs need to be determined if a full-scale Soil Vapor Extraction well system is warranted.

RELATIONSHIP TO STRATEGIC GOALS:

This item is related to the specific 2016 Strategic Goal to develop a tangible environmental mitigation plan.

Respectfully submitted by: Edgar P. Cisneros, Executive Director

Approved by: Maryam Babaki, Director of Public Works and Development Services

Prepared by: Gina Nila, Deputy Director of Public Works Operations

Reviewed by: Vilko Domic, Director of Finance

ATTACHMENTS:

1. Resolution