



# City of Carson Report to Mayor and City Council

October 6, 2009  
New Business Consent

**SUBJECT: CONSIDERATION OF RESOLUTION NO. 09-112 IN SUPPORT OF THE CAROUSEL HOMEOWNERS AND THEIR CHALLENGES RELATING TO THE SIGNIFICANT UNDERGROUND CONTAMINATION**

Submitted by Jerome G. Groomes  
City Manager

Approved by Jerome G. Groomes  
City Manager

## **I. SUMMARY**

This item is on the agenda at the request of Mayor Dear and Mayor *Pro Tem* Davis-Holmes.

During the community meeting held September 19, 2009, Mayor Dear and Mayor *Pro Tem* Davis-Holmes requested a resolution be placed on tonight's agenda in support of the residents concern due to underground contamination (Exhibit No. 1).

## **II. RECOMMENDATION**

TAKE the following actions:

1. WAIVE further reading and ADOPT Resolution No. 09-112, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA, URGING RESOLUTION OF UNDERGROUND CONTAMINATION ISSUES IN THE CAROUSEL TRACT."
2. INSTRUCT staff to transit a copy of the executed resolution to Carousel Homeowners Association President Barbara Post.

## **III. ALTERNATIVES**

1. DECLINE to support Resolution No. 09-112.
2. TAKE another action the City Council deems appropriate.

## **IV. BACKGROUND**

The Regional Water Quality Control Board (Water Board) is the lead agency overseeing Shell Oil Company in the environmental investigation of the Carsousel Tract. The former Kast property is 50 acres bounded by East 244th Street on the north, Lomita Boulevard on the south, Marbella Avenue on the west, and Panama Avenue on the east, in the City of Carson, California. Between the mid-1920s and 1960s, it was used as an oil storage facility. Afterward, it was sold and developed into a residential community known as the

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Carsousel Tract. The Water Board has initiated the environmental investigation as a result of potentially significant and harmful contamination in the soils and groundwater underlying the Carsousel Tract.

The Water Board is working in coordination with the city of Carson, DTSC, Los Angeles County Department of Public Health, Los Angeles County Fire Department, and Shell Oil Company. The purpose of the environmental investigation is to determine the presence of methane and petroleum hydrocarbons, including benzene. Initial sampling of homes reviewed by the Regional Water Quality Control Board and the Los Angeles County Fire Department indicate that there is no endangerment associated with the detected levels of methane. Sampling has been initiated for benzene and related petroleum hydrocarbons. Results will be available in the next several weeks.

On September 19, 2009, the Carousel Tract Homeowner's Association held a community meeting at the Congresswoman Juanita Millender-McDonald Community Center. The meeting was scheduled to discuss the underground contamination issues.

The law firm Girardi and Keese and its engineering consultant, Intergraded Resource Management LLC, discussed the history of the site and their strategies to move forward with the claim on behalf of the residents. The law firm determined that each homeowner will be represented separately as an individual or as a family.

The firm reported that they would send a letter to Shell Oil Company to cease all testing within the Carousel Tract until the Water Board approved the work plan for the environmental investigation. Some residents in attendance signed the attorney-client representation contract with the law firm after the meeting. Another community meeting is being scheduled by the Carousel Tract Homeowner's Association within the next few weeks. The time and date have not been determined.

On September 28, 2009, City Manager Groomes forwarded a memo to the Mayor and City Council reporting staff's participation in two conference calls with representatives from the Regional Water Quality Control Board, Department of Toxic Substances Control, Los Angeles County of Public Health, Los Angeles County Fire Department and Shell Oil Company (Exhibit No. 2). The memo also included a summary of current and future steps to be taken by the Regional Water Quality Control Board, Shell Oil Company, Los Angeles County Fire Department and all regulatory agencies.

The Water Board and Shell Oil Company will conduct a community meeting on October 7, 2009, in the Congresswoman Juanita Millender-McDonald Community Center. Additional information will be provided regarding the environmental assessment process and preliminary results from testings. The Water Board will also have representatives available at the City Council meeting of October 6, 2009.

**V. FISCAL IMPACT**

None.

**VI. EXHIBITS**

1. Resolution No. 09-112. (pg. 4-5)
2. Memo to Mayor and City Council from City Manager Groomes. (pg. 6-7)

Prepared by: Lisa Berglund, City Council Field Representative

sf:Rev061902

Reviewed by:

City Clerk	<u>City Treasurer</u>
<u>Administrative Services</u>	<u>Development Services</u>
<u>Economic Development Services</u>	<u>Public Services</u>

**Action taken by City Council**

Date \_\_\_\_\_ Action \_\_\_\_\_

\_\_\_\_\_

RESOLUTION NO. 09-112

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARSON,  
CALIFORNIA, URGING RESOLUTION OF UNDERGROUND CONTAMINATION  
ISSUES IN THE CAROUSEL TRACT

WHEREAS, the city of Carson is committed to protect the health and safety of its citizens; and

WHEREAS, the Mayor and City Council are elected to represent the community and to provide leadership that provides for the public health, safety, comfort, convenience and general welfare of its citizens; and

WHEREAS, the city of Carson has recently been notified of potentially significant and harmful contamination in the soils and groundwater underlying the Carousel Tract; and

WHEREAS, the city of Carson is committed to supporting and facilitating a rapid and thorough environmental investigation as ordered by the California Regional Water Quality Control Board; and

WHEREAS, the city of Carson will organize resources, provide data and support a coordinated effort among all agencies (local, state and federal) ensuring a complete environmental investigation and remediation; and

WHEREAS, the city of Carson has important and encompassing concerns about the impact of the potential contamination on the physical well-being and property investments of those living in the Carousel Tract community as well as those living throughout the city.

NOW, THEREFORE BE IT RESOLVED, the City Council of the city of Carson does hereby adopt this Resolution of Support for the Carousel Tract community and the agencies overseeing the environmental investigation and remediation;

**Section 1.** City Council directs staff to assist in the establishment of a data clearing house for all investigations and remedial actions and results association with the same.

**Section 2.** City Council directs staff to coordinate and expedite any and all City of Carson Public Works, Building or Encroachment Permits required to conduct work in association with the environmental investigation and remediation.

**Section 3.** City Council directs staff to notify and coordinate with the Los Angeles County Fire Department to determine appropriate referral to the Underground Service Alert as may be deemed necessary to designate the Carousel Tract as a methane gas impacted area with locations that may be above explosive condition thresholds.

**Section 4.** City Council further directs staff to notify all elected officials, with jurisdiction, that the city of Carson has potentially been significantly impacted by contamination by former industrial activities, including but not limited to Shell Oil Products U.S., and their assistance is vital to the timeliness of the investigation and ultimate remedial activities which may result.

**Section 5.** City Council further directs staff to seek technical support and financial assistance from all local, state and federal agencies that may have jurisdiction or resources.

**Section 7.** City Council further directs staff to continue to provide leadership and assistance to the impacted parties and agencies associated with the environmental investigation and remediation.

**PASSED, APPROVED and ADOPTED** this 6<sup>th</sup> day of October 2009.

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Mayor Jim Dear

ATTEST:

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City Clerk Helen S. Kawagoe

APPROVED AS TO FORM:

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City Attorney





**CITY OF CARSON**  
**INTEROFFICE MEMORANDUM**

**TO:** MAYOR AND CITY COUNCIL  
**FROM:** JEROME G. GROOMES, CITY MANAGER   
**SUBJECT:** CAROUSEL HOUSING TRACT  
**DATE:** SEPTEMBER 28, 2009

On September 16 and September 23, 2009, staff participated in conference calls with representatives from the Regional Water Quality Control Board (Water Board), Department of Toxic Substances Control (DTSC), Los Angeles County Department of Public Health, Los Angeles County Fire Department, and Shell Oil Company to discuss the ongoing investigation of the Carousel Tract. The purpose of the environmental investigation is to determine the presence of methane and petroleum hydrocarbons, including benzene. Initial sampling of homes reviewed by the Regional Water Quality Control Board and the Los Angeles County Fire Department indicates that there is no endangerment associated with the detected levels of methane. Sampling has been initiated for benzene and related petroleum hydrocarbons. Results will be available in the next several weeks. The following summarizes current and proposed activities:

WATERBOARD

- Work plan in final stage of approval to specify the environmental investigation and protocol for soil and soil vapor testing.
- Technical Advisory Group to be established to assist residents in understanding process and obtain independent 3<sup>rd</sup> party technical expertise to help explain results of tests.
- Website to be developed to allow public access to fact sheets, work plans, and sampling results (link to be provided from Carson website).
- Carson Regional Library to be used as repository for public documents.
- A Fact Sheet will be prepared to disseminate information and provide contact information.
- Contact will be made to Carson Mayor and City council (by telephone) to provide briefing of investigation status.

SHELL OIL

- Continue to conduct field samples under the guidance of the Water Board.
- All samples will be collected following procedures accepted by the State of California and all samples will be analyzed by laboratories certified by the state.
- 3<sup>rd</sup> party testing will be permitted subject to compliance of sampling protocol approved by the Water Board. Only testing from a state certified laboratory will be considered by the Water Board.
- Establish a community information line to address community questions, concerns or scheduling for testing (310-857-2335). An average of 3-5 calls is received per day.

EXHIBIT NO. 02



## LA COUNTY FIRE DEPARTMENT

- Reviewed methane samples and determined that test results were significantly below lower explosive limit.
- Will continue to monitor sampling results.

## ALL REGULATORY AGENCIES

- Plan for October 7, 2009 community meeting to be held at the Congresswoman Juanita Millender-McDonald Community Center (Halls ABC).
- Coordinate with the Carousel Homeowners' Association on the agenda for community meeting.
- Establish an ongoing conference call schedule to ensure information is shared on a regular basis.

The conference calls also included a discussion regarding a meeting conducted by the Carousel Homeowners' Association on Saturday, September 19, 2009 at the Congresswoman Juanita Millender-McDonald Community Center. The meeting included participation from the law firm of Girardi & Keese, which is the exclusive law firm on the west coast working with Erin Brockovich.

Representatives from Shell Oil Company and the various regulatory agencies were not in attendance. Approximately 300 residents and interested parties were in attendance. Information was presented by the law firm and an environmental testing company regarding possible health concerns resulting from the tank farm and residual contaminants. Residents were encouraged to engage the law firm of Girardi & Keese to individually represent homeowners in lawsuits against Shell Oil Company. Residents were also told that they should delay testing until such time as the Water Board officially approved the work plan.

The Water Board and other regulatory agencies will work closely together to complete the environmental investigation and to ensure that public health and the environment are protected. A commitment was expressed to work with the community and to establish an open dialogue. City staff will continue to be active participants to represent the City Council and communities' interests.

Additional updates will be provided as information becomes available.

JGG:SRL

cc:

General Managers  
Planning Officer  
Public Safety and Community Services Manager

