



Legislation Text

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**Report to Mayor and City Council**

Tuesday, September 15, 2015

Discussion

**SUBJECT:**

**CONSIDER STATUS REPORT ON THE REGIONAL WATER QUALITY CONTROL BOARD ENVIRONMENTAL INVESTIGATION AND CARSON DECLARATION OF THE EXISTENCE OF A LOCAL EMERGENCY WITHIN THE CAROUSEL TRACT (CITY COUNCIL)**

**I. SUMMARY**

This item is on the agenda to provide updates at all regularly scheduled City Council meetings related to the environmental investigation of the Carousel Tract.

**II. RECOMMENDATION**

CONSIDER and DISCUSS.

**III. ALTERNATIVES**

TAKE such other action the City Council deems appropriate that is consistent with the requirements of law.

**IV. BACKGROUND**

**History**

The California Regional Water Quality Control Board, Los Angeles (Regional Board) is the lead agency overseeing the environmental investigation and cleanup of the Carousel Tract. The Regional Board issued a Cleanup and Abatement Order No. R4-2011-0046 (CAO) on March 11, 2011 requiring Shell Oil Products US to investigate and clean up discharges of waste in soil and groundwater at the Carousel Tract site.

## Recent Events

According to the Regional Board, on September 14, 2015, Shell plans to begin topographic surveying in the Carousel neighborhood to support implementation of the approved Remedial Action Plan (RAP). The survey will include: house corners, slab finished floor elevations, walls, fences, curb/gutter, sidewalk, driveways, patios, pools, large trees, shrubs, lawn areas, rocks, and any other visible surface features or indications of utilities. The survey crew will take photographs to document these features and will access all open front/back yard areas including patios and driveways. The planned work will not require the relocation of any residents and there will be no excavation or digging involved. The work will be performed Monday through Friday, 7 A.M. to 5 P.M. Surveying will take approximately two to four hours per property and will be carried out over four years during the implementation of the RAP. The survey work will be completed in groups of approximately four to ten properties for each phase. Utility markings will be made on city streets throughout the Carousel Tract. (Exhibit Nos. 1 & 2).

## Residential Sampling Activity

Testing of property in the Carousel Tract is continuing and the latest reports are posted on the Regional Board's website at:

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As of March 10, 2015, the completed Residential Sampling Activity is as follows:

- 272 homes have been screened for Methane. (95%)
- 273 homes have had soils sampled and vapor probes installed. (96%)
- 273 homes have had vapor probes sampled. (95%)
- 261 homes have had indoor air sampled. (91%)
- 244 of 261 homes have had their 2<sup>nd</sup> round of indoor air sampling. (94%)
- 86% of total homes in the Carousel Community have had second round of Indoor Air conducted

## Timeline of Activities

A general timeline that tracks past and current activities of the Carousel Tract environmental investigation is included as (Exhibit No. 3).

## V. FISCAL IMPACT

None. VI. EXHIBITS

1. Notification of Work (pgs. 4-5)

2. Regional Board report for months of August and September 2015 by Dr. Teklewold Ayalew (pgs. 6)
3. Carousel Tract Environmental Investigation Timeline (pgs. 7-15)

Prepared by: Zak Gonzalez II, Associate Planner, Planning Division

## Los Angeles Regional Water Quality Control Board

### NOTIFICATION OF WORK (September 2015) Property Topographical Surveys and Street Utility Marking Carousel Tract and Surrounding Area

Under the direction of the Los Angeles Regional Water Quality Control Board, consultants hired by Shell Oil Products US will be performing surveys and marking utilities in the Carousel neighborhood to support implementation of the approved Remedial Action Plan (RAP). Shell Oil Products US and its contractors will be contacting the owners and residents of each group of properties where work will take place ahead of time to answer questions and schedule this work.

Shell will use the survey data to prepare grading plans that will be submitted to the City of Carson and Los Angeles County Department of Public Works for approval and permitting. The survey data will also be used to develop your Property Specific Remediation Plan and as pre-construction inventory for proper site restoration.

**WHAT:** Survey crews from Dulin & Boynton will access all open areas of the front and back yards of the homes, including patios and driveways. The survey crew will survey and take photographs of features including fences, walls, patios, large trees, and other visible items.

**WHEN:** Beginning September 14, 2015, Monday through Friday, 7 A.M. to 5 P.M. Surveying will take approximately two to four hours per property.

Surveying work will be carried out over four years during the implementation of the RAP.

**WHERE:** The survey work will be completed in groups of approximately four to ten properties for each phase. Utility markings will be made on city streets throughout the Carousel Tract.

There will be no excavation or digging. The type of equipment that will be used is shown in the photograph. Surveying personnel will use vehicles with placards indicating the company name and will wear vests with name badges to identify them as a Dulin & Boynton survey crew. One or two trucks or vans will be used during the surveying work.

For more information, please contact:  
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For project-related documents please visit:  
<http://bit.do/kast>



*Thank you for your patience and cooperation*

## Los Angeles Regional Water Quality Control Board

### NOTIFICACIÓN DE TRABAJO (septiembre de 2015)

#### Mediciones Topográficas de Propiedad y Localización y Marcado de Servicios Públicos en las Calles Comunidad Carousel y Alrededores

Bajo la dirección de la Junta Regional de Los Angeles de Control de Calidad del Agua (Junta Regional), los consultores contratados por Shell Oil Products US tomarán medidas topográficas y marcarán la ubicación de servicios públicos en las calles de la Comunidad Carousel. Estas actividades son necesarias para implementar el Plan de Acción de Remediación (RAP). Shell Oil Products US y sus contratistas se pondrán en contacto con los propietarios y residentes de cada grupo de propiedades donde se llevará a cabo el trabajo para proporcionar información, responder sus preguntas y calendarizar este trabajo.

Shell usará las mediciones topográficas para preparar los planos de nivelación que se presentarán a la Ciudad de Carson y al Departamento de Obras Públicas del Condado de Los Angeles para ser aprobados y solicitar los permisos correspondientes. Las mediciones topográficas también se usarán para desarrollar un Plan de Remediación Específico para cada Propiedad (PSRP) y servirán como referencia para la restauración del sitio.

**QUÉ:** Cuadrillas de medición de Dulin & Boynton tendrán acceso a todas las áreas exteriores de las propiedades (los patios delanteros y traseros de las casas), incluyendo patios y entradas a cocheras. La cuadrilla de medición medirá y tomará fotografías de las diferentes estructuras existentes en la propiedad incluyendo cercas, paredes, patios, árboles grandes y otros elementos visibles.

**CUÁNDO:** A partir del 14 de septiembre de 2015, de lunes a viernes de 7 A.M. a 5 P.M. La toma de mediciones llevará de dos a cuatro horas por propiedad, aproximadamente.

El trabajo de medición se llevará a cabo durante cuatro años durante la implementación del RAP.

**DÓNDE:** El trabajo de medición se completará en grupos de aproximadamente cuatro a diez propiedades por cada fase. La localización de los servicios públicos y el marcado correspondiente se hará en todas las calles de la Comunidad Carousel.

No habrá ninguna excavación o perforación. El tipo de equipo que se usará se muestra en la fotografía. El personal de medición usará vehículos identificados con el nombre de la compañía y usarán chalecos con sus nombres que los identificará como una cuadrilla de medición de Dulin & Boynton. Una o dos camionetas o vans serán usadas durante el trabajo de medición.

Para obtener más información, llame a:  
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Para documentos relacionados con el proyecto, por favor visite:  
<http://bit.do/kast>



**Former Kast Property Tank Farm, Carousel Tract, Carson**

*Dr. Teklewold Ayalew, (213) 576-6739*

*Site Cleanup III Unit*

The activities related to the site investigation and cleanup work performed during the month of August and September 2015 include the following:

- 1) On August 5, 2015, the Regional Board successfully conducted an *Open House for the Carousel Tract Community*. The Regional Board staff answered questions and discussed ongoing field activities including the geotechnical investigation and upcoming Property Topographic Surveys and Street Utility Marking. These activities are needed to develop the site-wide Remedial Design and Implementation Plan (RDIP).
- 2) On August 11, 2015, the Regional Board received a document titled *Sub-Slab Mitigation Diagnostic Pilot Test Report*. The report described the results of diagnostic pilot testing conducted at a residential structure located at 24628 Marbella Avenue located within the Carousel Tract. Based on the information submitted in the Report, the SSD system has achieved to create a vacuum below the slab of the residence using a fan to remove air from one or more suction pits below the slab and exhausting it above the building.
- 3) On August 24, 2015, Shell completed geotechnical investigation that included drilling and collection of undisturbed soil samples from the front yards of a total of 74 properties identified. The geotechnical evaluation involved taking soil samples to determine the stability of the soil to protect foundations and other structures during the upcoming implementation of the approved excavation activities.
- 4) On September 14, 2015, Shell plans to begin topographic surveying in the Carousel neighborhood, as part of the initial activities to support implementation of the approved Remedial Action Plan (RAP). Features to be surveyed include: house corners, slab finished floor elevations, walls, fences, curb, gutter, sidewalk, driveways, patios and patio covers, pools, large trees, shrubs, lawn areas, rocks, and any other visible surface features or indications of utilities. The survey crew will also take photographs to document these features. To perform these surveys, the survey crew will access all open areas of the front and back yards of the homes, including patios and driveways. This work will not require the relocation of any residents.

## Carousel Tract Environmental Investigation Timeline

Date	Significant Actions/Reports	Notes
March 11, 2008	DTSC informed LARWQCB about former Shell Oil Company Tank Farm	
May 2008	LAWRQCB initiated an environmental investigation	
December 2008	LAWRQCB approved proposed work plan submitted by Shell to investigate contaminates of concern	
December 31, 2008	LARWQCB issued California Water Code § 13267 Investigative Order	
October 15, 2009	Shell submitted Final Phase I Site Characterization Report	
March 2011	LARWQCB issued Cleanup and Abatement Order No. R4-201100046	
February 22, 2013	Shell submitted <i>Site-Specific Cleanup Goal Report</i>	
May 2013	LAWRQCB issued a fact sheet providing information and advising of comment period for <i>Site-Specific Cleanup Goal Report</i>	30-day comment period ending June 24, 2013
June 24, 2013	City submitted comments to <i>Site-Specific Cleanup Goal Report</i>	Forwarded reports by Everett & Associates and Soil/Water/Air Protection Enterprise
July 18, 2013	City Council conducted workshop to allow presentation by Mr. Sam Unger, Executive Director of LARWQCB	Presentation by Dr. Lorene Everett and James T. Wells PhD raising concerns related to environmental conditions
July 29, 2013	City Council adopted Resolution No. 13-081 declaring the existence of an emergency in the Carousel Tract	
July 30, 2013	Letters sent to the Governor, Attorney General, Los Angeles County Board of Supervisors and Mr. Unger	Requested immediate assistance due to emergency conditions in Carousel Tract
July 31, 2013	City staff, Mr. Bob Bowcock, Dr. Everett and Mr. Wells met with representatives of Los Angeles County Fire Department and Los Angeles County Department of Public Health	City Council declaration of emergency conditions discussed and copies of Everett & Associates reports transmitted for review

## Carousel Tract Environmental Investigation Timeline

Date	Significant Actions/Reports	Notes
August 21, 2013	LARWQCB sent detailed letter to Shell denying proposed site-specific cleanup goals and requiring revisions to be submitted by October 21, 2013	LARWQCB incorporated OEHHA Memorandum dated July 22, 2013 and UCLA Expert Panel Interim Report dated July 24, 2013
September 11, 2013	City letter to Mr. Sam Unger	Expressing appreciation from City Council and community for response to <i>Site-Specific Cleanup Goal Report</i>
September 24, 2013	LARWQCB community open house CEQA scoping meeting	Request for input from community and public agencies related to evaluation of environmental impacts; comment period ends on October 8, 2013
September 30 – October 10, 2013	LARWQCB Public Participation Specialist to conduct office hours at Carson City Hall	Opportunity for LARWQCB to meet with residents and community stakeholders
October 8, 2013	CEQA scoping comments due to LARWQCB from September 9 through October 8, 2013	Comment letters sent by City of Carson and Bob Bowcock/Barbara Post
October 10, 2013	City staff arranging for a meeting with LARWQCB, LACoFD, Los Angeles County Department of Public Health, OEHHA, Mr. Bowcock, Dr. Everett and Mr. Wells PhD	Review of technical reports and discussion of public agencies responses and actions
October 21, 2013	Shell submitted a <i>Revised Site-Specific Cleanup Goal Report</i> to LARWQCB	Shell proposed to evaluate options that provide excavation in specific areas and does not include any further evaluation associated with the removal of homes
October 24, 2013	Los Angeles County Department of Public Health Letter to City of Carson	Letter states there is not an immediate health threat from site conditions

## Carousel Tract Environmental Investigation Timeline

Date	Significant Actions/Reports	Notes
October 30, 2013	LARWQCB letter to Shell for review of <i>Community Outdoor Air Sampling and Analysis Report</i>	Based on statistical tests, LARWQCB concludes that outdoor air concentrations do not differ between the site and surrounding area. Shell is required to address OEHHA comments and to develop a work plan for an additional soil-vapor survey by November 29, 2013. LARWQCB determined on January 13, 2014 that no further evaluation required
October 31, 2013	LARWQCB notice on <i>Proposed Draft Revised Cleanup and Abatement Order No. R4-2011-0046</i>	The proposed draft order names Dole Food Company, Inc. as an additional responsible party. Comments and evidence must be submitted by 12:00 p.m. on December 6, 2013. Dole Food Company has requested an extension to January 2014 to provide comments. LARWQCB approved extension to January 13, 2014. On January 7, 2014, Regional Board approved extension to January 21, 2014
November 12, 2013	Letter to Carousel Tract Owners and Occupants advising of November 19, 2013 City Council Workshop	
November 19, 2013	City Council conducted workshop with Los Angeles County Department of Public Health and Los Angeles County Fire Department	
January 8, 2014	LARWQCB response to <i>Assessment of Environmental Impact and Feasibility of Removal of Residual Concrete Reservoir Slabs</i>	Directs Shell to either remove the residential concrete slabs as appropriate or isolate the residual concrete slabs beneath the foundation of the homes and paved areas using engineering techniques to the extent necessary to address long term health risks or nuisance concerns

## Carousel Tract Environmental Investigation Timeline

Date	Significant Actions/Reports	Notes
January 13, 2014	LARWQCB response to <i>Revised Community Outdoor Air Sampling and Analysis Report</i>	LARWQCB concludes that outdoor air concentrations do not differ between the site and surrounding area. No further evaluation required
January 21, 2014	Dole response to <i>Proposed Draft Revised Cleanup and Abatement Order No. R4-2011-0046</i>	Dole requested to not be included in the Draft Order since their subsidiary, Barclay Hollander Corporation, did not discharge any of the contaminants of concern
January 23, 2014	Community meeting organized by Congresswoman Hahn	Meeting to hear from residents and discuss options for obtaining improved levels of response from the Regional Board
January 23, 2014	LARWQCB response to <i>Revised Site-Specific Cleanup Goal Report</i>	LARWQCB identified deficiencies in the Shell Revised Report and directed a remedial action plan, Human Health Risk Assessment and other environmental documents be submitted by March 10, 2014
February 10, 2014	LARWQCB clarification and revision to their January 8, 2014 letter (effective date of January 13, 2014) regarding the Residential Concrete Slab Report	LARWQCB removed reference to regulations for underground storage tanks
February 23, 2014	Shell submitted a Petition for Review and Request for Hearing to the State Water Resources Control Board in the matter of Cleanup and Abatement Order R4-2011-0046 (CAO)	The State Water Resources Control Board has not responded to Shell's petition
March 10, 2014	Shell submitted Remedial Action Plan (RAP), Human Health Risk Assessment (HHRA), and draft environmental documents to LARWQCB	LARWQCB set a tentative period of 30 day to review the documents and provide opportunity for public viewing
March 19, 2014	LARWQCB filed Notice of Preparation (NOP)	Preparation of a draft Environmental Impact Report in accordance to the California Environmental Quality Act (CEQA)
March 25, 2014	LARWQCB and PCR Service Corporation met with City's staff	As part of the draft Environmental Impact Report, staff discussed transportation, noise, and odor concerns with LARWQCB and PCR

## Carousel Tract Environmental Investigation Timeline

April 18, 2014	LARWQCB received comments from LAUSD regarding the NOP	LARWQCB is reviewing LAUSD comments and will provide response
April 30, 2014	LARWQCB responded to Shell's RAP, FS, and HHRA	LARWQCB rejected Shell's proposed cleanup plan and revised RAP to be submitted by Shell by June 16, 2014 by 5 p.m.
April 30, 2014	LARWQCB issued notice of violation (NOV) to Shell for failure to submit a RAP based on approved site-specific cleanup goals	LARWQCB directed Shell to comply by June 16, 2014
May 23, 2014	LARWQCB met with Shell regarding the RAP	LARWQCB discussed deficiencies and revisions with Shell
June 3, 2014	LARWQCB issued notice of opportunity for additional public comment	The deadline to submit public comments is 5 p.m. on June 16, 2014
June 4, 2014	LARWQCB granted Shell a two-week extension to submit the revised RAP, FS, and HHRA	The revised documents are due on June 30, 2014
June 16, 2014	Shell submitted additional comments regarding the Proposed Revised Draft Cleanup and Abatement Order No. RB4-2011-0046	The Regional Board is reviewing Shell's comments
June 30, 2014	Shell submitted the revised RAP, FS, and HHRA to the Regional Board	The Regional Board is reviewing the revised documents
July 7, 2014	The City of Carson sent a letter notifying the Carousel Tract residents of the availability of the RAP, FS, and HHRA via the Regional Board	The documents are part of the draft EIR process

## Carousel Tract Environmental Investigation Timeline

	website	
July 22, 2014	The Regional Board is reviewing the RAP, FS, HHRA and preparing the draft EIR. Testing of property in the Carousel Tract is ongoing	Testing result and the Regional Board latest activities are available at: <a href="http://geotracker.waterboards.ca.gov/">http://geotracker.waterboards.ca.gov/</a>
August 25, 2014	The Regional Board is reviewing the RAP, FS, HHRA and preparing the draft EIR.	No new dates set for meeting with the Carousel Tract residents
August 27, 2014	The Regional Board released August 2014 community update for the Carousel Tract	Tentative release of proposed RAP and Draft EIR in mid October 2014
September 19, 2014	Shell submitted the RAP Relocation Plan to the Regional Board	Tentative release of proposed RAP and Draft EIR at end of October 2014, and meeting with the Carousel Tract resident is projected to begin on November 2014
October 8, 2014	The Regional Board continues preparation of Draft EIR and review of the RAP	The Regional Board required the RAP addendums to be submitted by Shell on October 20, 2014. Meeting with the Carousel Tract residents is projected to occur in the middle of November 2014
October 15, 2014	The Regional Board scheduled community meetings	The Regional Board mailed invitations of community meetings to the Carousel Tract residents
October 15, 2014	Shell submitted addendums to the RAP, FS, and HHRA	The documents are posted on the Regional Board website
November 5, 2014	The Regional Board released the draft EIR proposed RAP for public review and comment	The draft EIR, proposed RAP and support documents are available at the Carson Library, the Los Angeles Regional Board Office and website

## Carousel Tract Environmental Investigation Timeline

November 12,15,18,20, 2014	The Regional Board held community group meetings with Carousel Tract residents	The discussion was centered on the draft EIR and proposed RAP
November 22, 2014	The Regional Board hosted a public meeting at the Carson Community Center	The discussion centered on the draft EIR and proposed RAP
December 3, 2014	City of Carson Environmental Commission received the draft EIR and proposed RAP for review	City staff will submit the Commission's comments to the Regional Board
December 8, 2014	The Regional Board notified Dole Food Company Inc. (Dole) of its intention to revise the Cleanup and Abatement Order No. R4-2011-0046 CAO)	Barclay Hollander Corporation (Barclay), a wholly-owned subsidiary of Dole, to be named as responsible parties to the Carousel Tract contamination
December 24, 2014	Barclay sent a written request to the Regional Board	Barclay submitted additional written evidence, and schedule a formal evidentiary hearing with the Regional Board
January 6, 2015	Barclay sent a follow up letter to its December 24, 2014 Letter to the Regional Board	Barclay submitted additional documentary evidence to the Regional Board
January 6, 2015	Shell sent a letter to the Regional Board	Shell is opposed to Barclay's requests to submit additional evidence and for a formal evidentiary hearing
January 7, 2015	Integrated Resource Management, Inc. (IRM) responded to Barclay's December 24, 2014 Letter	IRM requested appropriate notice and opportunity to be heard for Carousel Tract residents. IRM also commented on the substance of the revised CAO and attached documentary evidence
January 9, 2015	The Regional Board sent an electronic letter to all interest parties	The Regional Board will consider additional comments on pending procedural request by 5 p.m., January 16, 2015

## Carousel Tract Environmental Investigation Timeline

January 15, 2015	Site Cleanup Program Staff (SCP Staff) of the regional Board sent a response letter objecting inclusion of additional evidence into the record as requested by Barclay Hollander Corporation (Barclay)	SPC Staff is requesting opportunity to respond if a hearing for additional evidence is granted by the Chief Deputy Executive Officer of the Regional Board
January 16, 2015	Barclay sent a letter to the Regional Board	Barclay clarified its scope to submit additional evidence, seek clarification from the Regional Board, and request timing of evidential hearing.
February 20, 2015	The Regional Board released a "Notification of Work" to the public	Land (public streets) and aerial photographic survey activities are tentatively scheduled from March 2, 2015 to March 20, 2015 for the Carousel Tract and surrounding area
February 27, 2015	The Regional Board replied to parties and interested persons	The Regional Board accepted Mr. George Bach deposition dated November 19, 2014 into administrative record
March 11, 2015	The SCP Staff provided explanations to assumptions and copies of graphic results	The explanation addressed the three assumptions in memo dated March 20, 2014 from Dr. C.P. Lai to SCP Staff
April 2, 2015	SCP Staff, Barclay, and Shell submitted comments to the Regional Board regarding the revised CAO	Barclay is requesting inclusion of Mr. George Bach deposition dated November 19, 2014 into administrative record. SCP Staff and Shell opposed its inclusion
April 17, 2015	The Regional Board sent letter to all parties and interested persons	Informing all parties and interest persons of the separation of functions between the Advising Team and SCP Staff. The Regional Board intends to issued final action regarding Tentative Revised CAO on or after April 24, 2015
April 22, 2015	Barclay sent a letter to the Regional Board	Barclay is requesting delay of final action regarding the Tentative Revised CAO until depositions of the SCP Staff are completed

## Carousel Tract Environmental Investigation Timeline

April 30, 2015	Regional Board sent a letter to Dole and Barclay aka (BHC)	The Regional Board issued the Revised CAO adding Dole and Barclay as responsible parties
May 21, 2015	Barclay sent a letter to the Regional Board	Barclay requests stay and reconsideration of the Revised CAO
June 1, 2015	The Regional Board reported that Barclay filed a petition with State Water Board	Barclay is requesting the State Water Board to Review, petition for stay, and petition to submit supplemental evidence and to conduct a hearing
June 22, 2015	The Regional Board provided a copy of Barclay petition to the State Water Board	The Regional Board and Shell are proceeding with their work in the Carousel Tract regardless of the outcome of Barclay's petition