



City of Carson Report to Mayor and City Council

June 17, 2014
Unfinished Business

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

Submitted by Cedric L. Hicks, Sr.
Director of Community Services

Approved by Nelson Hernandez
City Manager

I. SUMMARY

This item is on the agenda at the request of Mayor Pro Tem Santarina 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

On June 3, 2014, The Los Angeles Regional Water Quality Control Board (Regional Board) issued a notice of opportunity for additional public comment on the *Proposed Revised Draft Cleanup and Abatement Order No. RB4-2011-0046* (Exhibit No.1). The deadline for public comments is 5 p.m. on June 16, 2014.

On June 4, 2014, the Regional Board granted Shell Oil Company (Shell) request for a two-week extension (Exhibit No. 2) to submit the revised Remedial Action Plan (RAP), Feasibility Study (FS), and Human Health Risk Assessment (HHRA). The revised RAP, FS, and HHRA are due on June 30, 2014.

The Regional Board will hold multiple small group meetings with no more than thirty people per session to allow people to be candid and to speak freely as well as voice their concerns. The Regional Board will notify each individual resident in the Carousel and adjacent tracts of the dates and times of the meetings. The tentative location will be the Carson Community Center, and the tentative dates are August 20, 2014, from 5:00 p.m. to 8:30 p.m. and August 23, 2014, from 9:00 a.m. to 5:00 p.m. The purpose of the meeting is to discuss the draft Environmental Impact Report (EIR) and the revised Remedial Action Plan (RAP) with residents and to receive public comments. Once the meeting dates are definite, notification from the Regional Board will be sent to impacted residents. Staff will confirm the final meeting dates and report back to the City Council in

future meetings.

As of June 9, 2014, the completed Residential Sampling Activity is as follows:

- 270 homes have been screened for methane. (95%)
- 270 homes have had soils sampled and vapor probes installed. (95%)
- 270 homes have had sub-slab soil vapor probes sampled. (95%)
- 250 homes have had indoor air sampling. (88%)
- 236 of 250 homes have had their 2nd round of indoor air sampling. (94%)*

*New data

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. Letter from Regional Board to the Public dated June 3, 2014. (pgs. 3-4)
2. Letter from Regional Board to Shell dated June 4, 2014. (pgs. 5-7)
3. Carousel Tract Environmental Investigation Timeline. (pgs. 8-12)

Prepared by: Ky Truong, Public Safety and Community Services Manager

Carousel Tract June 04, 2014
TO: Rev05-07-2014

Reviewed by:

City Clerk	City Treasurer
Administrative Services	Public Works
Community Development	Community Services

Action taken by City Council

Date _____ Action _____



EDMUND G. BROWN JR.
GOVERNOR



MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

Los Angeles Regional Water Quality Control Board

NOTICE OF OPPORTUNITY FOR ADDITIONAL PUBLIC COMMENT
PROPOSED REVISED DRAFT CLEANUP AND ABATEMENT ORDER
NO. RB4-2011-0046

ISSUED TO SHELL OIL PRODUCTS US
FOR THE FORMER KAST PROPERTY TANK FARM
LOCATED SOUTHEAST OF THE INTERSECTION OF MARBELLA AVENUE AND EAST
244TH STREET, CARSON, CALIFORNIA

NOTICE IS HEREBY GIVEN THAT the Los Angeles Regional Water Quality Control Board (Regional Board) will now accept additional public comments on the proposed revised draft of Cleanup and Abatement Order No. RB4-2011-0046 (Order) issued to Shell Oil Products US. The proposed draft Order is available on the Regional Board's website at <http://www.waterboards.ca.gov/losangeles> or can be received by mail by contacting Susana Lagudis at (213) 576-6694.

On October 31, 2013, Paula Rasmussen, Assistant Executive Officer of the Regional Board published notice of the opportunity to comment on proposed revisions to the Order. The Regional Board received timely comments and evidence from the law firm of Gibson Dunn on behalf of Dole Food Company, Inc. and Barclay Hollander Corporation.

You are hereby provided the additional opportunity to submit comments on the proposed Order to the Regional Board. The Regional Board is accepting comments related only to the proposed revisions to the Order (marked in underline/strikeout) and the comments/evidence already submitted. Comments must be submitted by **5:00 pm on June 16, 2014**. Comments that are outside the scope of this notice or submitted after the deadline will not be considered or included in the record for this matter. Dole Food Company, Inc. and Barclay Hollander Corporation are hereby provided the opportunity to submit responses to any comments/evidence received by June 16, 2014 to the Regional Board. Any such responses must be received by **5:00 pm on June 30, 2014**.

Please send comments related to the proposed revisions to the Order to: Dr. Teklewold Ayalew, Project Manager, by e-mail at tayalew@waterboards.ca.gov (If less than 15 megabytes in size or less), (213) 576-6717 (fax), or by mail to Los Angeles Regional Water Quality Control Board, 320 W. 4th Street, Suite 200, Los Angeles, California 90013. Please also indicate in the subject line "Comment Letter – Former Kast Property Tank Farm – Revised CAO."

Please direct questions about this notice to Susana Lagudis, Public Participation Specialist, at (213) 576-6694.

June 3, 2014
Date

Paula Rasmussen
Assistant Executive Officer

CHARLES STRINGER, CHAIR | SAMUEL UNGER, EXECUTIVE OFFICER

320 West 4th St., Suite 200, Los Angeles, CA 90013 | www.waterboards.ca.gov/losangeles

Exhibit 1





EDMUND G. BROWN JR.
GOVERNOR

MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

Los Angeles Regional Water Quality Control Board

OPORTUNIDAD PARA COMENTARIO PUBLICO

**PROPUESTA DE REVISION DE LA
ORDEN DE LIMPIEZA Y ABATIMIENTO DE LA CONTAMINACION
NO. RB4-2011-0046**

**EMITIDA A SHELL OIL PRODUCTS US
POR LA ANTIGUA KAST TANK FARM (PROPIEDAD CON TANQUES DE ALAMACENAMIENTO)**

**UBICADA AL SURESTE DE LA INTERSECCION DE MARBELLA AVENUE Y AL ESTE
DE LA CALLE 24 EN CARSON, CALIFORNIA**

POR MEDIO DE LA PRESENTE SE NOTIFICA QUE la Junta de Los Angeles de control de Calidad del Agua (Junta Regional) aceptará comentarios adicionales a la propuesta de revisión a la Orden de Limpieza y Abatimiento de la Contaminación No. RB4-2011-0046 (Orden) emitida a Shell Oil Products US. La propuesta de revisión a la Orden está disponible en el sitio de internet de la Junta Regional en <http://www.waterboards.ca.gov/losangeles>. Si desea recibirla por correo, contacte a Susana Lagudis al teléfono (213) 576-6694.

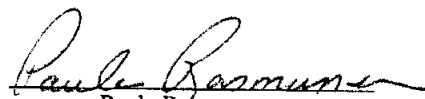
El 31 de octubre de 2013, Paula Rasmussen, Asistente Ejecutiva de la Junta Regional, publicó un aviso para comentario público sobre las revisiones propuestas a la Orden. La Junta Regional recibió comentarios y evidencia de la firma de abogados Gibson Dunn a nombre de Dole Food Company, Inc. y Barclay Hollander Corporation. Estos comentarios fueron hechos dentro del período requerido.

Por medio de la presente se le brinda la oportunidad de emitir sus comentarios sobre la propuesta de revisión a la Orden. La Junta Regional aceptará comentarios relacionados exclusivamente con las revisiones propuestas a la Orden. Estas revisiones incluyen las secciones subrayadas y/o tachadas en la Orden y sobre los comentarios y evidencia presentada. Los comentarios deberán ser presentados por escrito antes de las 5:00 pm del 16 de junio de 2014. Los comentarios que estén fuera del tema o que sean recibidos después de la fecha límite no serán considerados o incluidos en el record para este asunto. Asimismo, Dole Food Company, Inc. y Barclay Hollander Corporation podrán emitir sus comentarios o respuestas a los comentarios recibidos el 16 de junio de 2014. Estas respuestas deberán ser recibidas a más tardar el antes de las 5:00 pm del 30 de junio de 2014.

Por favor envíe sus comentarios relacionados con la propuesta de revisión a la Orden a: Dr. Teklewold Ayalew, Administrador del Proyecto, por correo electrónico a tayalew@waterboards.ca.gov (si el documento es menor que 15 megabytes), por fax al (213) 576-6717, o por correo a Los Angeles Regional Water Quality Control Board, 320 W. 4th Street, Suite 200, Los Angeles, California 90013. Por favor indique en la sección de asunto "Carta de Comentario – Former Kast Property Tank – Revisión CAO."

Por favor dirija sus preguntas sobre esta notificación a Susana Lagudis, Especialista de Participación Pública de la Junta Regional, al teléfono (213) 576-6694.

Fecha June 3, 2014

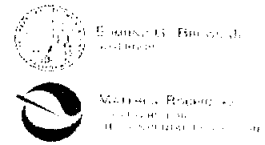

Paula Rasmussen
Asistente Ejecutiva

CHARLES STRINGER, CHAIR | SAMUEL UNGER, EXECUTIVE OFFICER

320 West 4th St., Suite 200, Los Angeles, CA 90013 | www.waterboards.ca.gov/losangeles

♻️ RECYCLED PAPER





Los Angeles Regional Water Quality Control Board

June 4, 2014

Douglas J. Weimer
Shell Oil Products US
20945 S. Wilmington Ave.
Carson, CA 90810

SUBJECT: APPROVAL OF A TWO-WEEK EXTENSION FOR SUBMITTAL OF REVISED REMEDIAL ACTION PLAN, FEASIBILITY STUDY AND HUMAN HEALTH RISK-ASSESSMENT REPORT PURSUANT TO CALIFORNIA WATER CODE SECTION 13304 ORDER

SITE: FORMER KAST PROPERTY TANK FARM LOCATED SOUTHEAST OF THE INTERSECTION OF MARBELLA AVENUE AND EAST 244TH STREET, CARSON, CALIFORNIA (SCP NO. 1230, SITE ID 2040330, CAO NO. R4-2011-0046)

Dear Mr. Weimer:

The California Regional Water Quality Control Board, Los Angeles Region (Regional Board) is the lead agency overseeing the environmental investigation and cleanup of the Former Kast Property Tank Farm Site (Site) under the authority of the Porter-Cologne Water Quality Control Act (Cal. Water Code §§13000 et seq.) and other applicable laws and regulations. Pursuant to Water Code sections 13304 and 13267, the Regional Board issued Cleanup and Abatement Order No. R4-2011-0046 (CAO) on March 11, 2011, requiring Shell Oil Products US (SOPUS) on behalf of Shell Oil Company (collectively, Shell) to investigate and clean up discharges of waste in soil and groundwater at the Site.

On May 29, 2014, Shell requested that the Regional Board provide a two week extension of the June 16, 2014 due date for submittal of the revised Remedial Action Plan (RAP), Feasibility Study (FS) and Human Health Risk-Assessment (HHRA). Shell stated that additional time is needed to resolve few technical issues including Site-Specific Cleanup Goals (SSCGs) for benzene and total petroleum hydrocarbons (TPH) that are the subject of a May 29, 2014 letter from the Regional Board to Shell, for which Shell and its consultants are preparing additional analysis and information to provide to Regional Board staff.

The Regional Board hereby approves the request. The April 30, 2014 letter required significant revisions to the RAP. It is critical that the Regional Board's comments set forth in its letter of April 30, 2014 and the issues raised in the Notice of Violation (NOV) dated April 30, 2014 are resolved in a timely manner. The additional time may avoid the necessity of further extensive revisions to the RAP.

The revised RAP, FS, and HHRA are now due on **June 30, 2014**.

The due date for the above required documents constitutes an amendment to the requirements of Cleanup and Abatement Order No. R4-2011-0046 originally dated March 11, 2011. All other aspects of Order No. R4-2011-0046 originally dated March 11, 2011 and amendments thereto, remain in full force and effect.

Christina S. Hill, Director Samuel Urrutia, Chief of Staff

370 West 113th Street, Suite 200, Los Angeles, CA 90018 www.waterboards.ca.gov/la/angeles

Exhibit 2



Pursuant to section 13350 of the California Water Code, failure to comply with the requirements of Order No. R4-2011-0046 by the specified due date, may result in civil liability administratively imposed by the Regional Board in an amount up to five thousand dollars (\$5000) for each day of failure to comply.

The State Water Resources Control Board (State Water Board) adopted regulations requiring the electronic submittals of information over the Internet using the State Water Board GeoTracker database. You are required not only to submit hard copy reports required in this Order but also to comply by uploading all reports and correspondence prepared to date and additional required data formats to the GeoTracker system. Information about GeoTracker submittals, including links to text of the governing regulations, can be found on the Internet at the following link:


http://www.waterboards.ca.gov/water_issues/programs/ust/electronic_submittal

Please note that, the Regional Board requires you to include a perjury statement in all reports submitted under the CAO. The perjury statement shall be signed by a senior authorized Shell representative (and not by a consultant). The statement shall be in the following format:

“ I, [NAME], do hereby declare, under penalty of perjury under the laws of State of California, that I am [JOB TITLE] for Shell Oil Company that I am authorized to attest to the veracity of the information contained in [NAME AND DATE OF REPORT] is true and correct, and that this declaration was executed at [PLACE], [STATE], on DATE].”

If you have any questions, please contact the project manager, Dr. Teklewold Ayalew at (213) 576-6739 (tayalew@waterboards.ca.gov), or Ms. Thizar Tintut-Williams, Site Cleanup Unit III Chief, at (213) 576-6723 (twilliams@waterboards.ca.gov).

Sincerely,


Samuel Unger, PE
Executive Officer

cc: Mailing List



Mailing List

cc Janice Hahn, Honorable Congresswoman, US House of Representatives,
California's 44th District
Isadore Hall, III, Assembly member, 64th Assembly District
Mark Ridley-Thomas, Supervisor, Second District County of Los Angeles
Jim Dear, Mayor of Carson
Michael Lauffer, Office of Chief Counsel, State Water Resources Control Board
Frances McChesney, Office of Chief Counsel, State Water Resources Control Board
James Carlisle, Office of Environmental Health Hazard Assessment
Robert Romero, Department of Toxic Substances Control
Alfonso Medina, Los Angeles County Department of Health
Angelo Bellomo, Los Angeles County Department of Health
Bill Jones, Los Angeles County Fire Department
Barry Nugent, Los Angeles County Fire Department
Shahin Nourishad, Los Angeles County Fire Department
Kim Clark, Los Angeles County Fire Department
Miguel Garcia, Los Angeles County Fire Department
Nelson Hernandez, Carson City Manager
Sunny Soltani, City of Carson
Ky Truong, City of Carson
Karen A. Lyons, Shell Oil Products US
Alison Abbott Chassin, Shell Oil Products US
Roy Patterson, URS Corporation
Chris Osterberg, URS Corporation
Michelle Vega, Edelman
Robert Ettinger, Geosyntec
Mark Grivetti, Geosyntec
Thomas V. Girardi, Girardi and Keese Lawyers
Robert W. Bowcock, Integrated Resource Management, LLC
Deanne L. Miller, Morgan, Lewis & Bockius LLP
Krista deBoer, Gibson, Dunn & Crutcher LLP
Patrick Dennis, Gibson, Dunn & Crutcher LLP



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	LARWQCB initiated an environmental investigation	
December 2008	LARWQCB approved proposed work plan submitted by Shell to investigate contaminants 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	LARWQCB 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)



Carousel Tract Environmental Investigation Timeline

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
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

