

APPENDIX J-3B

Removal Action Work Plan Approval Letter



Department of Toxic Substances Control



Matthew Rodriguez
Secretary for
Environmental Protection

Deborah O. Raphael, Director
8800 Cal Center Drive
Sacramento, California 95826-3200

Edmund G. Brown Jr.
Governor

November 12, 2013

Mr. Sean M. O'Neill
Genesis Engineering
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APPROVAL OF THE REMOVAL ACTION WORKPLAN FOR SPRING HILL MINE PROPERTY, GRASS VALLEY, CALIFORNIA, ASSESSOR'S PARCEL NUMBERS 35-260-62, 63, AND 64.

Mr. O'Neill:

The Removal Action Work Plan (RAW) and the proposed Notice of Exemption (NOE) from the California Environmental Quality Act (CEQA) for the Spring Hill Mine property located south of Dorsey Drive and south east of State Highway 49/20 in Grass Valley, California (Site) underwent a 30 day public comment period from August 8, 2013 to September 9, 2013. The comment period allowed the general public to review the proposed RAW and the proposed NOE and to write to The Department of Toxic Substances Control (DTSC) if they had any questions or comments. DTSC received written comments on the project from four community members during the comment period and one individual sent a comment by phone. The comments were addressed in the Response to Comments document that was issued to each person who commented and a copy of this document is included in the project file. None of the comments required changes to the draft RAW or NOE and thus DTSC now considers these documents as final and is hereby granting our decision of approval.

The Site consists of approximately 26 acres and is identified by Assessor's Parcel Numbers (APNs) 35-260-62, 25-260-63, and 35-260-64. The Site is currently being evaluated for commercial development. The Preliminary Endangerment Assessment (PEA) completed in January 2008 identified mine waste in soils on the property containing arsenic and lead concentrations ranging up to 579 milligrams per kilogram (mg/kg) and 418 mg/kg respectively. A draft RAW was submitted on August 26, 2008 to address the contamination found during the PEA investigation.

After reviewing the draft RAW, DTSC issued comments to the project consultants – Holdrege and Kull (H&K) on October 2, 2008. These comments were addressed in a

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draft Final RAW submitted on June 15, 2012. As part of the RAW review process, DTSC also prepared a draft NOE to address the requirements of CEQA. The draft RAW was approved for release for public review and comment on the dates specified above and a copy of the NOE was also made available to the public during the review period.

The Site has been divided into 3 areas of concern (AOCs). The final RAW indicates that AOC 1 and AOC 2 should undergo remediation to be protective of human health and the environment for the proposed future commercial usage of the Site. Excavation and removal of approximately 1,700 cubic yards (yds³) or approximately 150 truckloads of mine wastes and soils in AOC 1 will be taken off-site to a permitted facility. In AOC 2 approximately 64,000 yds³ of mine wastes and soils below AOC 1 concentration levels are proposed for on-site burial with a cap and land use restrictions. These buried materials will be placed under 10 feet of clean fill and then capped beneath a future building or parking lot foundation. A land use covenant (LUC) and operation and maintenance agreement (OMA) will also be enforced to prevent future disturbance of COC impacted mine wastes and soils and to ensure the Site continues to be used in an appropriate manner for the remedy.

You may proceed with implementing the RAW at your discretion, however please ensure that the enclosed public notice announcing DTSC's approval of the RAW is posted in the local area newspaper prior to commencing the cleanup. In addition, please notify Mr. Dean Wright at (916) 255-6528 at least one week prior to commencing the remediation effort.

Sincerely,



Dean Wright, P.E.
Brownfields & Environmental Restoration Program

Enclosure

cc: Mr. Jason Muir, P.E., G.E.
Holdrege & Kull
792 Searls Avenue
Nevada City, California 95959

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Mr. Steven Becker, Chief
Supervising Senior Engineering Geologist
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DEPARTMENT OF TOXIC SUBSTANCES CONTROL APPROVES CLEANUP PLAN FOR THE SPRING HILL MINE SITE, GRASS VALLEY, CALIFORNIA

The Department of Toxic Substances Control (DTSC) has approved a Removal Action Work Plan (RAW) and Notice of Exemption (NOE) for the Spring Hill Mine property (Site) located south of Dorsey Drive and south east of State Highway 49/20 in Grass Valley, California, Nevada County, California. Historic mining activities at the Site resulted in contamination of soil with arsenic and lead that exceeded levels considered acceptable for the protection of human health given the Sites proposed future commercial use. The RAW states contaminated soil in certain areas of the Site will be dug up and taken off-site while contamination in other areas will be consolidated and placed under 10 feet of clean fill and capped with a building or parking area once development occurs. Finally, land use controls (LUCs) and an operation and maintenance (O&M) agreement will be used to ensure the integrity of the remedy into the future.

Copies of the RAW and NOE are available for review at:

Department of Toxic Substances Control
8800 Cal Center Drive
Sacramento, California, 95826

Please contact DTSC at (916) 255-3545 to review the files at the Cal Center office.

Before the cleanup was approved, it had to meet the requirements of a California state law known as the California Environmental Quality Act (commonly referred to as CEQA) or it had to be shown to be exempt from CEQA. CEQA is important because it determines what impacts, if any, a proposed cleanup will have on the environment. After reviewing the cleanup measures to be taken, DTSC determined that a NOE from CEQA was appropriate and should be approved for this project. The NOE states that the project is exempt from CEQA because it is a minor cleanup action which will not have a significant effect on the environment given the activities outlined in the RAW.

If you have questions about the project, please contact the DTSC project manager Mr. Dean Wright at (916) 255-6528 or Radhika Majhail, the DTSC Public Participation Specialist at (916) 255-6681 or by e-mail at dean_wright@dtsc.ca.gov and radhika_majhail@dtsc.ca.gov respectively.