



## Department of Toxic Substances Control



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March 13, 2019

Mr. John Chwastyk  
Director of Facilities  
Fermont Unified School District  
4210 Technology Drive  
Fremont, California 94538

MAR 13 2019

STATE CLEARINGHOUSE

NOTICE OF PREPARATION FOR AN ENVIRONMENTAL IMPACT REPORT FOR  
THE THORNTON JUNIOR HIGH SCHOOL IMPROVEMENTS PROJECT, THORNTON  
AVENUE AND CORONADO DRIVE, FREMONT, ALAMEDA COUNTY  
(SCH #2019029016)

Dear Mr. Chwastyk:

The Northern California Schools Unit of the Department of Toxic Substances Control (DTSC) has reviewed the Notice of Preparation (NOP) for an Environmental Impact Report (EIR) for the Thornton Junior High School Improvements project (Project) proposed by the Fremont Unified School District (District). The due date to submit comments is March 13, 2019.

As reported in the NOP, the proposed Project would convert a 7<sup>th</sup>/8<sup>th</sup> grade junior high school into a middle school with 6<sup>th</sup> grade. The project would include two components: 1) construction of new buildings to provide new classrooms and facilities to support an expanded student enrollment; and 2) modernization and upgrades to existing facilities. The project is intended to support an increase in the overall capacity of the school's facilities from the current capacity of 1,259 students to 2,176 students.

Based on a review of the NOP, DTSC would like to provide the following comments:

1. If the District plans to use State funds for the Project, then the District shall comply with the requirements of California Education Code, sections 17210, 17213.1 and 17213.2, unless otherwise specifically exempted under section 17268. If the District is not using State funds for the Project, or is otherwise specifically exempted under section 17268, DTSC recommends the District continue to investigate and clean up the site, if necessary, under the oversight of Alameda County and in concurrence with all applicable DTSC guidance documents.

A local education agency may also voluntarily request the California Department of Education (CDE) site/plan approval for locally funded site acquisitions and new construction projects. In these cases, CDE will require DTSC review and approval prior to its final approval, except when exempt under section 17268.

2. The presence of existing, older or former structures at the Site may result in potential environmental concerns due to lead from lead-based paint and/or organochlorine pesticides from termiticide applications and polychlorinated biphenyls (PCBs) from electrical transformers, light ballast or window caulking or glazing. DTSC recommends that these environmental concerns be investigated and possibly mitigated, in accordance with DTSC's *"Interim Guidance, Evaluation of School Sites with Potential Soil Contamination as a Result of Lead from Lead-Based Paint, Organochlorine Pesticides from Termiticides, and Polychlorinated Biphenyls from Electrical Transformers, dated June 9, 2006"*, and in accordance with the recommendations provided in the United States Environmental Protection Agency's website *"PCBs in Caulk in Older Buildings"* (<http://www.epa.gov/pcbsincaulk/index.htm>).
3. If the Site is, or was previously, used for agricultural purposes, pesticides (such as DDT, DDE, and toxaphene) and fertilizers (usually containing heavy metals) commonly used as part of agricultural operations are likely to be present. These agricultural chemicals are persistent and bio-accumulative toxic substances. DTSC recommends that these environmental concerns be investigated and possibly mitigated, in accordance with the *"Interim Guidance for Sampling Agricultural Soils (Third Revision)"*, dated August 2008. This guidance should be followed to sample agricultural properties where development is anticipated.
4. If fill material exists on the Site, DTSC recommends these areas be investigated and possibly mitigated in accordance with DTSC's *"Information Advisory, Clean Imported Fill"*, dated October 2001.
5. The Site appears to be located within 10-miles of a geological unit potentially containing naturally occurring asbestos (NOA). Pursuant to DTSC's *"Interim Guidance – Naturally Occurring Asbestos at School Sites, Revised September 24, 2004"*, further action should be considered and conducted to determine whether a naturally occurring hazardous material (i.e., NOA) is present, based on reasonably available information about the properties and the areas in their vicinity, and a soil assessment pursuant to the DTSC's NOA guidance.
6. If a response action is required based on the results of the above investigations, and/or other information, the EIR will require an analysis of the potential public health and environmental impacts associated with any proposed response action, pursuant to requirements of the California Environmental Quality Act (CEQA - Pub.

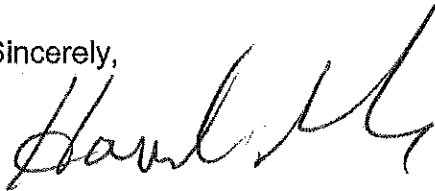
Mr. John Chwastyk  
March 13, 2018  
Page 3

Resources Code, Division 13, section 21000 et seq.), and its implementing Guidelines (California Code of Regulations, Title 14, section 15000 et seq.), prior to approval or adoption of a CEQA determination for the Project. A discussion of the mitigation and/or removal actions, if necessary, and associated cumulative impacts to the Project properties and the surrounding environment, should be included in the EIR. If sufficient information to discuss the proposed mitigation and/or removal actions, and their associated impacts to the Project properties and the surrounding environment, are not available for inclusion in the EIR, then an Addendum or Supplement to the EIR may be required.

DTSC is also administering the Revolving Loan Fund (RLF) Program which provides revolving loans to investigate and clean up hazardous materials at properties where redevelopment is likely to have a beneficial impact to a community. These loans are available to developers, businesses, schools, and local governments.

For additional information on DTSC's Schools process or RLF Program, please visit DTSC's web site at [www.dtsc.ca.gov](http://www.dtsc.ca.gov). If you would like to discuss this matter further, please contact me at (916) 255-3695, or via email at [Bud.Duke@dtsc.ca.gov](mailto:Bud.Duke@dtsc.ca.gov).

Sincerely,



Harold (Bud) Duke, PG  
Northern California Schools Unit  
Brownfields and Environmental Restoration Program

cc: (via email)

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