

NOTICE OF EXEMPTION

2019110451

To: Office of Planning and Research
 State Clearinghouse
 P.O. Box 3044, 1400 Tenth Street, Room 212
 Sacramento, CA 95812-3044

From: Department of Toxic Substances Control
 Site Mitigation and Restoration Program
 5796 Corporate Avenue
 Cypress, CA 90630

Project Title: Tom's Truck Center Removal Action Workplan		
Project Address: 936 East 3rd Street (includes: 905 East 2nd Street, 927-1002 East 3rd Street & 1008-1028 East 4th Street)	City: Santa Ana	County: Orange
Approval Action Under Consideration by DTSC:		
<input checked="" type="checkbox"/> Removal Action Workplan	<input type="checkbox"/> Initial Permit Issuance	<input type="checkbox"/> Permit Re-Issuance
<input type="checkbox"/> Corrective Measure Study/Statement of Basis	<input type="checkbox"/> Permit Modification	<input type="checkbox"/> Closure Plan
<input type="checkbox"/> Remedial Action Plan	<input type="checkbox"/> Regulations	<input type="checkbox"/> Interim Removal
<input type="checkbox"/> Other (specify):		
Statutory Authority:		
<input type="checkbox"/> California H&SC, Chap. 6.5 <input checked="" type="checkbox"/> California H&SC, Chap. 6.8 <input type="checkbox"/> Other (specify):		

Project Description: The purpose of the Removal Action Workplan (RAW) is to remediate the lead and Total Petroleum Hydrocarbons (TPHs) contamination of on-site soils to minimize future potential human exposure to these chemicals. Implementation of the RAW is expected to take 10 days and require excavation, loading and off-site disposal of approximately 1,500 Cubic Yards (CY) of soil from the Site. Soil and soil gas confirmation sampling, analyses, and health risk assessment will be conducted to confirm that residual chemicals on site will have no potential future impact on site occupants and that unrestricted closure status can be granted by DTSC for the Site. The RAW identifies evaluation of available alternatives for the design of the RAW and the selected preferred alternative to be used to clean-up the Site based on the available Supplemental Site Investigation/Human Health Risk Assessment Report (SSI/HHRA) approved by DTSC in May 2019. The RAW was submitted in May 2019, by CEM Consultants on behalf of Tom's Truck Center and KC Heidler, the project proponents.

Background: The former Tom's Truck site (Site) is currently vacant and comprises approximately 6.7 acres of land, which had been primarily occupied by two businesses over the past 50 years. Rice Auto Parts had occupied the southwest portion of the property (1.75 acres) bounded by Garfield Avenue on the west, 3rd Street on the north, and 2nd Street on the south, and had been addressed as 905 E. 2nd Street. Rice Auto was the subject of subsurface investigations and remedial action (excavation of impacted soils) under regulatory supervision by Orange County Health Care Authority (OCHCA) (Case #07IC013). In 2008, shallow soils across the property were excavated to 1.5 to 2 feet below ground surface (bgs), with isolated areas excavated to 4 to 12 feet bgs. Based on the removal of the impacted soils and the results of the confirmation sampling, OCHCA issued a case closure for the Site on February 25, 2008; the closure was limited in scope and was intended for the purposes of commercial development only. The remainder of the property was essentially occupied by Tom's Truck Center, with a primary address of 936-1000 E. 3rd Street. This main facility is bounded by 3rd Street on the north, Standard Avenue on the east, and 2nd Avenue on the south, and is improved with buildings for truck sales, parts, service, and storage.

The Site had included a bermed area for waste oil aboveground storage tanks (ASTs) and hazardous waste storage (at the rear of the main building), with truck service conducted in the northeast quadrant of the Site (Building specifically addressed as 928-936 E. 3rd Street). The remainder of the property had been located along the north side of 3rd Street and had been used for storage of towed vehicles (927 E. 3rd Street); fueling and washing (1008 E. 4th Street), which included a clarifier and a former underground storage tank (UST), and parts storage (1022-1028 E. 4th Street). The parts storage building included a vehicle wash rack area and clarifier in the rear. All business operations have ceased at the site and have moved elsewhere; all USTs, hazardous materials and wastes, and other significant surficial pieces of equipment have been removed. The surrounding land use is commercial, recycling, self-storage, and wrecking yards, with residential use beyond 3rd Street northwest and southwest of the former Rice Auto lot. The Site has undergone numerous site investigations, including a supplemental site investigation in 2019, which resulted in a determination that the Chemicals of Concern (COCs) at the Site are lead and TPH.

Project Activities: Four remedial alternatives were evaluated and scored based on the following criteria: short-term effectiveness; long-term effectiveness and permanence; reduction of toxicity, mobility, volume; implementability; cost; compliance with Applicable or Relevant and Appropriate Requirements (ARARs); overall protection of human health and the environment; DTSC acceptance; community acceptance; and sustainability. Based on the results of this evaluation, Alternative 4 (removal of contaminated soil and off-site disposal) was selected as the most appropriate remedial

alternative. This alternative consists of the excavation, removal, and off-site disposal of approximately 1,500 cubic yards of shallow soils (2,500 tons). The cost to implement the RAW is under \$250,000.

Contaminated soils will be excavated and removed from the Site in order to allow for risk-based Site closure as described in the SSI/HHRA; the areas of exceedance were generally within the top 2 to 5 feet bgs. The proposed closure scenario for the Site is intended to remove soils with concentrations of COCs that exceed residential use levels, which will be protective of future intrusive workers and future site occupants. Soil removed from the Site will be transported to a Class III landfill for appropriate treatment/disposal facility using the haul route shown in the RAW, as the excavated material is profiled as nonhazardous TPH and lead-impacted soil.

After the completion of soil removal work, confirmation soil samples will be collected from the sidewalls and bottom of the excavation, followed by post-remediation soil gas sampling in the VOC impacted area. Determining whether the remedial action objective for Site's shallow soils has been achieved will involve a statistical evaluation in which the distribution of remaining exceedances in soils at the Site will be compared to the screening criteria for TPH in soils. A post-remediation health risk assessment will be performed to document that the residual levels of TPH and lead in soil and soil gas remaining at the Site are safe and acceptable for future unrestricted land use.

Specific enforceable environmental safeguards and monitoring procedures will be made a condition of project approval to ensure that impacts to the environment are less than significant; these include an approved Excavation Plan, Health and Safety Plan, South Coast Air Quality Management District (SCAQMD) Rule 1466 Monitoring, a Storm Water Management Plan and Project Quality Assurance requirements.

Name of Public Agency Approving Project: Department of Toxic Substances Control

Name of Person or Agency Carrying Out Project: KC Heidler

Exempt Status: (check one)

- Ministerial [PRC, Sec. 21080(b)(1); CCR, Sec. 15268]
 Declared Emergency [PRC, Sec. 21080(b)(3); CCR, Sec.15269(a)]
 Emergency Project [PRC, Sec. 21080(b)(4); CCR, Sec.15269(b)(c)]
 Categorical Exemption: CCR Title 14, Sec. 15330
 Statutory Exemptions: [State Code Section Number]
 Common Sense Exemption [CCR, Sec. 15061(b)(3)]

Exemption Title: Minor actions to prevent, minimize, stabilize, mitigate or eliminate the release or exposure risks associated with contaminated shallow soils on site.


Reasons Why Project is Exempt:

1. The project is a minor action designed to prevent, minimize, stabilize, mitigate, or eliminate the release or threat of release of hazardous waste or hazardous substances.
2. The project will not exceed \$1 million in cost.
3. The project will be consistent with applicable State and local environmental permitting requirements.
4. The project does not involve the onsite use of a hazardous waste incinerator or thermal treatment unit.
5. The project does not involve the relocation of residences or businesses.
6. The project does not involve the potential release into the air of volatile organic compounds as defined in Health and Safety Code Section 25123. (Exception: Small-scale in situ soil vapor extraction and treatment systems which have been permitted by the local Air Pollution Control District or Air Quality Management District.)
7. The exceptions pursuant to California Code of Regulations, Title 14, Section 15300.2 have been addressed as follows:
 - a. Cumulative Impact. The project will not result in cumulative impacts because it is designed to be a short-term final remedy that would not lead to a succession of projects of the same type in the same place over time.
 - b. Significant Effect. The environmental safeguards and monitoring procedures that are enforceable and made a condition of project approval will prevent unusual circumstances from occurring so that there is no possibility that the project will have a significant effect on the environment.
 - c. Scenic Highways. The project will not damage scenic resources, including but not limited to, trees, historic buildings, rock outcroppings, or similar resources, because it is not located within a highway officially designated as a state scenic highway.

- d. Hazardous Waste Sites. The project is not located on a site which is included on any list compiled pursuant to Section 65962.5 of the Government Code.
(<http://calepa.ca.gov/sitecleanup/corteselist/default.htm>)
- e. Historical Resources. The project will not cause a substantial adverse change in the significance of a historical resource at the Site because there are none at the Site.

Evidence to support the above reasons is documented in the project file record at:

Department of Toxic Substances Control
 File Room
 Site Mitigation and Restoration Program
 5796 Corporate Avenue
 Cypress, CA 90630
www.dtsc.ca.gov

Mustapha Guerbaz Project Manager	Hazardous Substances Engineer Title	(714) 484-5430 Phone No.
 Branch Chief's Signature		11-21-19 Date
A. Edward Morelan PG, CHG Branch Chief	Branch Chief Title	(714) 484-5440 Phone No.

TO BE COMPLETED BY OPR ONLY

Date Received for Filing and Posting at OPR:

Governor's Office of Planning & Research
 NOV 22 2019
 STATE CLEARINGHOUSE