

NOTICE OF EXEMPTION

2019120016

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: Time Critical Removal Action Workplan, Hernan Norge Cleaners		
Project Address: 11905 Wilshire Boulevard	City: Los Angeles	County: Los Angeles
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 project includes the approval of the Time Critical Removal Action Workplan (TCRAW) for perchloroethylene-impacted soil at the Hernan Norge Cleaners (Site). The TCRAW summarizes historic soil sampling at the Site and details the proposed excavation and off-site disposal of approximately 170 cubic yards of soil impacted with perchloroethylene (PCE) at the Site. The excavation will be backfilled with clean replacement slurry/soil, then re-bar mesh will be installed, and a four-inch thick concrete floor will be poured. Post-excavation sampling of indoor air and soil vapor will also be conducted. Due to the unacceptable predicted cancer risk to building occupants and nearby residents, this action is classified as a time-critical removal action. A land use covenant may be necessary to restrict the Site from residential land use.

Background: The Site is located at 11905 Wilshire Boulevard in the city of Los Angeles at the west corner of Westgate Avenue and Wilshire Boulevard. The Site, located in the northwestern portion of the building, has been occupied by dry cleaning facilities from 1977 to present. PCE was used at the Site from 1977 to 2006 as a dry-cleaning solvent. Hernan Norge Cleaners has operated at the Site since 2006. The building is also currently occupied by a vacant space (former restaurant) and a cafe in the southeastern portion. The Site is surrounded by residential apartments to the northwest, an office building to the northeast, and commercial businesses to the southwest and southeast.

Historic soil sampling, which occurred between November 2000 and May 2002, analyzed for volatile organic compounds (VOCs) indicated that PCE was detected in soil at the Site at the highest concentration of 5,965 milligrams per kilogram (mg/kg) at 2 feet below ground surface (bgs). In November 2015, samples of soil, soil vapor, and groundwater were collected and also indicated the presence of PCE. PCE was detected in soil at 100 mg/kg at 3 feet bgs. PCE was detected in soil vapor at a maximum concentration of 7,500,000 micrograms per cubic meters ($\mu\text{g}/\text{m}^3$) at 15 feet bgs. This soil vapor sample was collected beneath the dry-cleaner building, approximately 40 feet to the closest residential housing area and approximately 80 feet to the closest commercial business area. PCE was detected in a grab groundwater sample (via Hydropunch) at 0.5 micrograms per liter ($\mu\text{g}/\text{l}$) at 30 feet bgs.

Using the maximum PCE concentrations in soil vapor samples, the cancer risk indicates that mitigation action is necessary to address unacceptable risk to human health due to potential vapor intrusion. Based on the maximum concentration of PCE detected at 7,500,000 $\mu\text{g}/\text{m}^3$, the cancer risk for a commercial scenario is predicted to be 1.12E-01 (one in ten), by using an attenuation factor of 0.03, which warrants interim action.

Using the soil vapor data closest to the residential area (PCE detected at 7,500,000 $\mu\text{g}/\text{m}^3$), DTSC estimated the cancer risk for a residential scenario to be 4.9E-01 (five in ten) using an attenuation factor 0.03. If these concentrations are directly adjacent to the residential buildings, the predicted cancer risks warrant interim action.

Creative Concepts Group Inc. (project Proponent) and Department of Toxic Substances Control (DTSC) entered into a Standard Voluntary Agreement (HSA-FY 18/19-121) to investigate and cleanup the Site, as necessary, to protect human health and the environment.

Project Activities: Excavation and off-site soil disposal was chosen as the proposed removal action to remediate shallow soil contamination. The proposed removal action will require approximately four weeks to complete and includes the following activities:

- Excavate soil via the "A-B-C slot-cut method" (top-down excavation and construction method for retaining walls) at an approximate 35-foot by 22-foot area to depths of 5 feet to 10 feet bgs (inside the dry cleaner business area);
- Collect verification soil samples from the sidewalls and floor of the excavation and analyze samples for volatile organic compounds (VOCs), and conduct additional excavation depending on the analytical results;
- Stockpile excavated soil in roll-off bins and sample for proper disposal classification;
- Transport and dispose of excavated soil;
- Place and compact clean replacement slurry/soil, install re-bar mesh, and pour a new four-inch thick concrete floor;
- Conduct an indoor air survey and sample indoor air for VOCs (at the dry cleaner business and the adjacent former restaurant areas) post-excavation; and
- Install five soil vapor probes set at 5 feet and 15 feet bgs (four in the alley located between the Site and apartment buildings to the northwest, and one inside the dry cleaner business building), and then collect and sample soil vapor for VOCs post-excavation.

Excavation areas will be controlled to avoid dust generation with physical barriers (such as perimeter fencing with windscreen), soil wetting and air monitoring at property perimeter and work area. The Site will be controlled, and excavation will not be conducted in times of high wind conditions (i.e., wind speeds in excess of 25 miles per hour for a 15-minute duration). In addition, the following measures will be performed at the Site during excavation to control fugitive dust emissions:

- Apply water to control dust generation at the working face and other points of dust/odor generation;
- Control stockpile by covering, wetting, and/or using bins;
- Cease work as a result of high wind speed, odor, and/or particulate monitoring thresholds;
- Cover truck loads; and
- Clean street, if necessary.

An estimated total of 25 truckloads will be needed to transport the impacted soil to an off-site disposal facility. Waste will be transported under generally accepted manifest procedures to one or more of the following pre-designated landfills:

- RCRA Hazardous Waste Facilities (Class I) - Kettleman Hills, located at 35251 Old Skyline Boulevard in Kettleman City (approximately 173 miles from Site);
- RCRA Hazardous Waste Facilities (Class I) - Clean Harbors-Westmorland, located at 5295 S. Garvey Road in Westmoreland (approximately 204 miles from Site);
- Non-RCRA Hazardous Waste Facilities (Class I or II) - McKittrick Waste Landfill, located at 56533 Highway 58 in McKittrick (approximately 133 miles from Site); or
- Non-Hazardous Waste Facilities - Thermal Remediation Solutions, located at 1211 West Gladstone Street in Azusa (approximately 38 miles from Site).

All necessary permits will be obtained from the City of Los Angeles to ensure structural integrity of the building is maintained. All activities will be conducted between the hours of 7:00 a.m. to 9:00 p.m. Monday through Friday and 8:00 a.m. to 6:00 p.m. on Saturdays and holidays in conformance with the City of Los Angeles Noise Ordinance.

In the event biological, cultural or historical resources are discovered in the course of project activities, work will be suspended while a qualified biologist, cultural or historical specialist assesses the area and arrangements are made to protect or preserve any resources that are discovered. If human remains are discovered, no further disturbance will occur in the location where the remains are found, and the County Coroner will be notified pursuant to the Health and Safety Code, Chapter 2, Section 7050.5.

Based on final confirmation post-excavation sampling, DTSC may require the recordation of a land use covenant, to include restricting the Site from residential land use.

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

Name of Person or Agency Carrying Out Project: Creative Concepts Group Inc.

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 Threat of Release of Hazardous Waste or Hazardous Substances.

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 including a building permit from the City of Los Angeles and a Rule 1166 permit from the South Coast Air Quality Management District (for VOC-contaminated soils).
4. The project does not involve the on-site 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.
7. The exceptions pursuant to California Code of Regulations, Title 14, § 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. (<https://calepa.ca.gov/sitecleanup/corteselist/>)
 - 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, available for inspection at:

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

https://www.envirostor.dtsc.ca.gov/public/profile_report.asp?global_id=60002746

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Governor's Office of Planning & Research

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