APPENDIX F

WORK PLAN SUPPLEMENT: PILOT PROJECT - ENVIRONMENTAL REVIEW INSTITUTIONAL CONTROL

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
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June 27, 2007

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Re: Work Plan Supplement: Administrative Order on Consent
for Remedial Investigation/Feasibility Study and Focused Feasibility Study
Docket No. 92-13
Del Amo Superfund Site

Dear George, Larry, and Safouh:

As discussed during the past year, the U.S. EPA wants to supplement the existing Work Plan for the *Administrative Order on Consent ("AOC") for Remedial Investigation/Feasibility Study ("RI/FS") and Focused Feasibility Study ("FFS")*, Docket No. 92-13. The supplemental work consists of a pilot test of an "Environmental-Review Institutional Control," to be conducted in cooperation with the City of Los Angeles.

According to the AOC, Section XI *"Modification of the Work Plan,"* 4th paragraph, EPA may determine that additional work is necessary to accomplish the objectives of the RI/FS, and the Respondents agree to perform these tasks according to the standards, specifications, and schedule set forth or approved by EPA in a written modification or supplement to the work plans. Per this provision, EPA may either set forth such a Work Plan Supplement (unilaterally) or approve it (if it is proposed by the Respondents). In the cooperative spirit with which EPA and the Respondents have been working, I would like to establish this Work Plan Supplement in collaboration with you. Attached is a final version of the Work Plan originally distributed via email by Jude Francis of URS on 5/26/06. This final version reflects all the recent changes by both

parties and is agreeable to EPA. Please sign in the space below to indicate your agreement and return the original (with both original signatures) to me.

If you have any question, please contact me at (415) 972-3166, or via email at rodriguez.dante@epa.gov. Thank you.

Sincerely,

Dante Rodriguez

Dante Rodriguez, P.E.
Del Amo Project Manager
U.S. EPA Region IX

cc: Michele Benson, EPA

Dante Rodriguez

Dante Rodriguez
Remedial Project Manager
U.S. EPA Region 9

George Landreth
Project Coordinator
Del Amo Respondents

WORK PLAN SUPPLEMENT
AOC for RI/FS
Del Amo Superfund Site

PILOT PROJECT
ENVIRONMENTAL REVIEW INSTITUTIONAL CONTROL

April 24, 2007

PURPOSE:

The purpose of this Work Plan Supplement ("the Supplement") is to set forth the plans for conducting a feasibility study (FS) pilot project of an institutional control (IC) to be known as the "Environmental-Review Institutional Control" ("ERIC"). The Supplement specifies the tasks to be performed by the Administrative Order on Consent (AOC) parties, including the U.S. Environmental Protection Agency ("EPA"), the California Department of Toxic Substances Control ("DTSC"), and the Respondents. The Supplement also gives an overall description of how the ERIC pilot project is designed to work, although in the course of implementing the ERIC pilot project with the City of Los Angeles, the details of the project could vary (upon approval by EPA) based on feedback from the City. In addition, ERIC pilot project modifications may be required as a working history is established to make the ERIC pilot project more efficient and effective.

ROLES:

The ERIC pilot project shall be conducted and funded by the Respondents, with the agencies playing approval roles as specified. The ERIC pilot project will be implemented on parcels that have been identified by EPA as properties requiring supplemental environmental review when certain types of construction projects are planned.

EPA is the Lead Agency for the Supplement and DTSC is the Support Agency. The Support Agency shall at all times have the opportunity to review and comment on any submittals to the Lead Agency, concurrent with the Lead Agency's review and within the timeframe specified by the Lead Agency.

A team consisting of the Respondents, EPA, and DTSC (referred to as the Del Amo Environmental Review Team "Del Amo ERT") will work together when a building or excavation permit request is received by the Los Angeles Department of Building and Safety ("DBS") from a Permit Application (i.e., "Applicant").

INITIAL ACTIVITIES OF PILOT PROJECT:

This ERIC pilot project shall consist of the Respondents, EPA, and DTSC first working together with the City of Los Angeles to place "flags" on identified Del Amo parcels in the Los Angeles Department of City Planning's database known as "ZIMAS." These flags are notes that provide information and instructions to City employees and Applicants who propose development on identified Del Amo parcels. The DBS permit reviewer refers to the ZIMAS database whenever someone applies for a building or excavation permit. These flags will alert the Applicant and the DBS permit reviewer of the existence of the Del Amo Superfund site; the flag will specify that separate environmental review by the Del Amo ERT and approval by EPA is needed; and the flag will instruct the Applicant and DBS to contact the Del Amo ERT to initiate the review.

The process from initiation of permit application to issuance of a letter by EPA recommending follow-up actions to be taken during construction is specified in the following sections of this Supplement. This ERIC pilot project may involve several phases of review and evaluation in the context of the Applicant's planned construction activities, and may include: plan preparation, sampling, laboratory analysis, risk assessment, and reporting phases. These activities will be conducted by either Applicant or Respondents, as defined in Section II. Subsequent actions of the Applicant and/or Respondents to address site-related contamination related to the Applicants' project will be further developed and are not included as part of this pilot.

MAIN ACTIVITIES OF PILOT TEST:

Start: Applicant files the Permit Application(s) and appropriate plans and specifications with DBS for construction on a parcel that has been identified by EPA as a property requiring supplemental environmental review during the DBS permitting process. This includes building permits and "grading" permits, both issued by DBS. "Grading" permits cover any excavation or grading activities on private properties. (Such activities within a public right-of-way require another type of "excavation" permit; EPA will follow-up with the City to pursue an IC to cover that issue separately). The following actions will then occur:

I. Initial Pre-screening Performed by DBS

A. Pre-screening by DBS for Projects with Certain Land-Use Changes

1. If the project involves changing current industrial or commercial uses to a residential use, a hospital for humans, a school for persons under 21 years of age, or a day care center for children, then DBS refers the Applicant to the Del Amo ERT for environmental review concurrent with the City's permit review.
2. If the project involves contact with soil deeper than 18 inches below ground surface, then DBS refers the Applicant to the Del Amo ERT for environmental review concurrent with the City's permit review.

B. Applicant Notification and Referral to Del Amo ERT

If either condition A(1) or A(2) above is met, the following actions will occur:

1. The Applicant is informed by DBS that the parcel is part of the Del Amo Superfund site and that an environmental review of the project must be performed during the DBS review of the Applicant's permit application(s).
2. DBS provides the Applicant with a website address to obtain information and instructions for the environmental review. DBS also informs the Del Amo ERT of the application. The Respondents shall be responsible for creating, operating, and maintaining this website. The website shall contain up-to-date site-specific information, contact information for the Del Amo ERT, and instructions for initiating the environmental review. The *site-specific information link* (i.e., web-based information) will provide the Applicant access to parcel specific history, Remedial Investigation results, and Baseline Risk Assessment results. The *contact information* will provide the Applicant with contact names, telephone numbers, and e-mail addresses for the Del Amo ERT. The *environmental review instructions* will provide direction to the Applicant on how to initiate the environmental review.

II. Supplemental Environmental Review Process

This review is conducted by the Del Amo ERT. Specified below are the actions to be taken by each of the Del Amo ERT members (Respondents, EPA, or DTSC). Upon being contacted by an Applicant, the Del Amo ERT conducts the following actions:

A. Initial Environmental Screening

1. The Respondents will request an initial meeting or teleconference with the Applicant to obtain basic information about the Applicant's project, including location and depth of excavations and other invasive activities, basic design, location and planned end-use of improvements.
2. The Applicant's project and existing environmental information is reviewed by the Respondents, with EPA oversight. The review will address the following:
    1. Calculated risks to commercial/industrial and construction worker receptors (from Baseline Risk Assessment) at the project location;
    2. Any institutional and/or engineering controls applicable to the project location, including any restricted uses;
    3. Proximity of existing environmental data and sampling locations to the sites of planned excavations and construction work; and,
    4. Proximity of any previously un-sampled former plant site facilities to planned excavations and construction work.

3. A *Screening Evaluation Summary Report* (SESR) will be compiled by the Respondents, using a standard check-list type format, along with specific recommendations. The SESR will include:

   a. A narrative description of the proposed project with construction drawings (provided by Applicant – i.e., permit application materials) and a narrative summary of existing environmental information;

   b. A parcel map showing planned excavations and improvements (provided by Applicant – i.e., permit application materials) overlain on the site historical base map of former plant site facilities, with existing environmental data sampling locations;

   c. Tables presenting detected compounds from the existing environmental data, keyed to the above map;

   d. A summary statement of any applicable institutional and engineering controls;

   e. Preliminary recommendations for follow-up actions that may include:

      - no further action;
      - preparation of a Soil Management Plan ("SMP") and recommendation for using HAZWOPER-trained contractors for construction;
      - additional targeted sampling and laboratory testing;
      - possible alternative locations for planned improvement; or
      - any other recommendations; and,
      - identification of follow-up activities and responsibilities.

   (A check-box type list would provide a standard, concise format for the response from the Respondent's review).

4. Upon completion, the SESR will be critically reviewed by the Lead and Support Agencies.

B. Critical Review of *SESR* and Recommendation of Follow-up Actions will include:

1. Review of SESR by Lead and Support Agencies for completeness, identification of critical issues, questions and concerns;

2. Meeting(s), as necessary, between the Applicant and the Respondents (and Lead and Support Agencies as warranted) to discuss and resolve the identified environmental issues, specific actions to be taken, and areas of responsibility;

3. Adjustment of recommendations in SESR as warranted based on discussions (and as approved by Lead Agency);

4. A letter from the Lead Agency to the Respondents and Applicant recommending follow-up actions to be taken during the overall construction process that the Lead Agency believes are necessary to protect human health and the environment and to ensure there is no interference with needed actions under CERCLA for site investigation access or remediation activities. The letter will also identify the Party(ies), based on negotiations between EPA and Party(ies), responsible for implementing the recommended follow-up actions according to Section III (i.e., Implementing Party(ies)).

III. Recommended Follow-up Actions

(If Lead Agency recommends that follow-up actions are necessary)

A. Examples of Possible Recommended Follow-up Actions

1. Preparation of a Sampling and Analysis Plan (SAP) to be submitted by the designated Implementing Party for Lead and Support Agencies' review and Lead Agency approval, followed by:
   a. Implementation of sampling and analysis activities specified,
   b. Presentation of new data,
   c. Assessment of risk based on new data,
   d. Recommendation(s) for adjustments or modifications to project plans.
2. Preparation of any necessary plans such as a SMP and/or a Health and Safety Plan (HASP) to be submitted by Implementing Party(ies) to Lead and Support Agencies for review and Lead Agency approval;

B. Implementing Parties

Implementing Party(ies) will conduct the above actions that are recommended by the Lead Agency.

1. If Respondents are designated as the implementing party, standard plans for SAPs, SMPs, and Quality Assurance Project Plans (QAPPs) are to be used. To make the process of preparing and reviewing plans as efficient as possible, the Respondents will develop standardized plans for common activities during the pilot project. The draft standardized plans will be submitted to the Lead and Support Agencies for review and advance approval by the Lead Agency.

2. When the Applicant is identified as the Implementing Party of one or more plans, the pre-approved standard plans will be made available to the Applicant for use at the Applicant's discretion where appropriate. It is anticipated that plans such as SMPs, SAPs, QAPPs, and HASPs that are prepared by Applicant, as the Implementing Party, shall be submitted to the Respondents for their review and recommendation, and submitted for subsequent review and approval by the Lead Agency.

C. Review of Results of Recommended Follow-up Actions

1. Once recommended follow-up actions are satisfactorily completed or addressed, the Implementing Party(ies) will submit the results and their recommendation(s) in a report to the Lead and Support Agencies for review and Lead Agency approval, with a copy to the Respondents and DBS.
2. The Lead Agency issues a letter to the Respondents and Applicant specifying any additional recommendations, with a copy to the Support Agency and DBS.

This Work Plan Supplement may be further modified to make the ERIC process more efficient as experience is acquired during the pilot project and based on feedback from the City of Los Angeles.