FINAL
INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

Figueroa Street Business Park Project

SCH NO. 2023050278

Lead Agency:

CITY OF CARSON
701 East Carson Street
Carson, California 90745
Contact: Ms. McKina Alexander, Senior Planner
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Prepared by:

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May 2024

JN 184706

EXHIBIT NO. 6

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ATTACHMENTS

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1.0 INTRODUCTION

The proposed Figueroa Street Business Park Project (herein referenced the "project") is located in the City of Carson (City), approximately 600 feet southeast of the Del Amo Boulevard and Figueroa Street intersection, at 20601 South Main Street. The project site is currently vacant, disturbed land. The project proposes the development of a business park campus that can accommodate a range of uses that includes offices, research and development, e-commerce, and light industrial uses on three structures totaling approximately 309,266-square feet and one general commercial/retail structure totaling approximately 4,000-square feet (all four structures would include a total building area of 313,266-square feet) in accordance with the proposed Figueroa Street Business Park Specific Plan. Additionally, the project would include site remediation in coordination with the Department of Toxic Substances Control due to the historic use of the site (formerly part of the Gardena Valley Landfill No. 1 and 2, a Class 2 landfill).

In accordance with the California Environmental Quality Act (CEQA) Guidelines, an Initial Study/Mitigated Negative Declaration (IS/MND) has been prepared for the proposed project. The IS/MND was made available for public review and comment pursuant to CEQA Guidelines Section 15070. The public review period commenced on May 11, 2023, and expired on June 9, 2023. The IS/MND and supporting attachments were available for review by the general public on the City's website at http://ci.carson.ca.us/CommunityDevelopment/Planning.aspx, or in person at the City's Community Development Department, Planning Division, 701 East Carson Street, Carson, CA 90745 (Monday through Thursday from 7:00 a.m. to 6:00 p.m.), and at the Dr. Martin Luther King, Jr. Library, 17906 South Avalon Boulevard, Carson, CA 90746.

Following the public review period of the Draft IS/MND (May 11, 2023, through June 9, 2023), comments were received from the Department of Toxic Substances Control (DTSC) recommending corrections to the Final IS/MND. This document addresses those comments.

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2.0 RESPONSE TO COMMENTS

During the public review period, comments were received on the Draft IS/MND from certain interested public agencies and private parties. Following the public review period of the Draft IS/MND (May 11, 2023, through June 9, 2023), comments were received from the Department of Toxic Substances Control (DTSC) recommending corrections to the Final IS/MND.

Comment Letter No.	Person, Firm, or Agency	Letter Dated
7	Clayton Larkins Department of Toxic Substances Control (DTSC)	April 26, 2024

Although the CEQA Guidelines do not require a Lead Agency to prepare written responses to comments received (see CEQA Guidelines Section 15088), the City of Carson has elected to prepare the following written responses with the intent of conducting a comprehensive and meaningful evaluation of the proposed project. The number designations in the responses are correlated to the bracketed and identified portions of the comment letter.

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COMMENT LETTER 7

Department of Toxic Substances Control

Meredith Williams, Ph.D., Director
5796 Corporate Avenue
Cypress, California 90630

Yana Garcia
Secretary for
Environmental Protection

Gavin Newsom
Governor

SENT VIA ELECTRONIC MAIL

April 26, 2024

McKina Alexander
Senior Planner
City of Carson Planning Division
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DTSC COMMENTS ON THE FIGUEROA STREET. BUSINESS PARK – DESIGN OVERLAY REVIEW (DOR) NO. 1854-21, CONDITIONAL USE PERMIT (CUP) NO. 1108-21, ZONE CHANGE (ZCC) NO. 189-22, SPECIFIC PLAN (SP) NO. 25-21, AND DEVELOPMENT AGREEMENT (DA) NO. 26-21 CITY COUNCIL HEARING ITEM

Dear Ms. Alexander:

The Department of Toxic Substances Control (DTSC) and Carson Main Street, LLC (owner) entered into a California Land Reuse and Revitalization Act (CLRRA) Agreement (Docket No. HSA FY-20/21-137) on June 9, 2021, for the assessment and remediation of the Figueroa Street Business Park property, also known as the Gardena Valley Landfill 1&2 property (Site). As part of the proposed development, the Site will be remediated in accordance with a DTSC-approved CLRRA Response Plan. The draft Response Plan has not been approved for public review due to a number of outstanding technical issues on which DTSC and the owner are presently working to resolve in the Response Plan. 7-1

DTSC reviewed the Draft Initial Study/Mitigated Negative Declaration (IS/MND) with attention to Site remediation. DTSC subsequently submitted comments to the City of Carson on June 9, 2023 to clarify certain inconsistencies with Response Plan requirements. DTSC accessed the City's Response to Comments on March 25, 2024,

and identified some elements of project remediation described in the Final IS/MND that remain inconsistent, largely related to the draft status and outstanding technical issues in the Response Plan. DTSC provided comments to the City's Planning Commission on March 26, 2024 (Planning Commission Meeting Agenda item 7A State Clearinghouse Number: 2023050278), and subsequently met with city staff and owner representatives on April 4, 2024, to discuss the first two comments below. DTCS is submitting this letter to further clarify the remediation requirements and provide recommendations for changes in the Final IS/MND. 7-1 cont'd

1. Reasonable Characterization of Groundwater: The owner will need to conduct characterization of groundwater to evaluate whether the Site causes impacts to the groundwater. If risk from Site impacts is identified based on current regulations, the proponent will need to prepare and implement a Groundwater OU Response Plan to address such risk. Therefore, DTSC recommends updating the text throughout the IS/MND regarding groundwater characterization to more accurately reflect DTSC's requirements for Site remediation. For example: 7-2

   DTSC requests that the non-committal wording, such as *would* and *may*, pertaining to groundwater actions throughout the IS/MND, be revised to convey a definitive commitment (i.e., *will*).

   Response number 5-3 in the Final IS/MND shows revisions to Section 2.4.1 Site Remediation (pages 2-4 and 2-5) that state "In reference to recent communication with DTSC, future action on the Groundwater OU will be conducted independent of site redevelopment activities." To clarify, DTSC recommended implementing Groundwater OU Site Assessment prior to Site development and cap construction to avoid compromising the Wastefill OU remedy. However, the owner maintained that it can be completed after Site development. DTSC agreed to the proposed alternative. 7-3

2. Risk Assessment Data Gaps in Soil Vapor: Additional characterization of off-site soil gas is likely to be required for Response Plan adequacy. Therefore, the final scope of response actions remains subject to change, pending the findings of on-going soil vapor characterization. DTSC recommends that the Final IS/MND provide clarification that characterization is on-going, and that the scope of response actions is therefore subject to change. 7-4

3. Section 4.0, Errata of the Final IS/MND in reference to Section 2.4.1 Site Remediation (page 2-5) states "The buildings would be *sheet piles* with foundations…" The draft Response Plan describes proposed buildings supported on precast concrete driven piles. This detail is related to safely building on the former landfill without causing contaminant release. DTSC recommends confirming the proposed method for supporting buildings and revising the text, as needed. 7-5

4. The City's Response to Comment #5-6 indicates that the Response Plan post-development monitoring does not include off-Site monitoring and that off-Site monitoring will be conducted if surface and perimeter monitoring results indicate it is necessary and will be coordinated with DTSC. DTSC notes that the Applicable or Relevant and Appropriate Requirements (ARARs) defined in the Response Plan require post-closure subsurface monitoring around the waste disposal footprint but not within the refuse. In addition, post closure monitoring requirements must be coordinated with the local enforcement agency (LEA), in addition to DTSC, and follow local county ordinances. DTSC recommends that the Final IS/MND is revised to accurately describe planned and required post-development monitoring outside the waste prism. 7-6

5. The City's Response to Comment #5-7, in Section 4.8, Greenhouse Gas Emissions (page 4.8-7) states that "…project *may* be required to obtain an SCAQMD Rule 1150 permit *if* landfill material is removed, disrupted, or uncovered…" DTSC understands that the planned development would require encountering waste material, and therefore, would require a Rule 1150 permit. DTSC recommends the text be revised globally (e.g. would vs. may), to accurately reflect the intended project design. 7-7

6. The City's Response to Comment #5-10, in Section 4.9, Hazards and Hazardous Materials (pages 4.9-6) includes additional detail regarding methods to prevent vertical migration of leachate to the underlying aquifer during pile installation. DTSC recommends revising the text to indicate that description of this approach is subject to change, based on DTSC review. 7-8

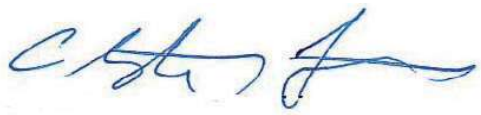
7. The City's Response to Comment #5-10, in Section 4.9, Hazards and Hazardous Materials (pages 4.9-7) indicates that project dewatering water will be characterized and managed in accordance with National Pollution Discharge Elimination System (NPDES) permit requirements. Construction dewatering from a landfill will likely contain hazardous substances that could result in exposure to human health and the environment. DTSC recommends that the Final IS/MND clarifies that dewatering may be a health and safety issue that could impact 7-9

workers and surrounding neighborhoods and will be managed in a manner that prevents such impacts to health and safety. 7-9 cont'd

8. The City's Response to Comment # 5-34 states that landfill gas emissions do not need to be considered in the draft IS/MND's Section 4.3, Air Quality Health Risk Assessment, because the project includes remediation (as described in the Response Plan) that would reduce impacts associated with landfill gas emissions to a negligible level. The draft Response Plan requires compliance with SCAQMD rules but does not currently specify treating landfill gas. Please elaborate how the Response Plan will reduce landfill gas to negligible levels. 7-10

DTSC appreciates the opportunity to provide comments on the Figueroa Street Business Park Project for the remedial measures that will be implemented for the proposed project.

Sincerely,



Clayton Larkins, P.G.
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Response No. 7

Clayton Larkins
Department of Toxic Substances Control
April 26, 2024

7-1 This comment provides introductory language summarizing the California Land Reuse and Revitalization Act (CLRRA) Agreement between the Department of Toxic Substances Control (DTSC) and Carson Main Street, LLC, for the assessment and remediation of the Figueroa Street Business Park property. The commenter notes that the project site will be remediated in accordance with a DTSC-approved CLRRA Response Plan; however, the Response Plan has not been approved for public review and is currently undergoing revisions. The commenter summarizes DTSC's comment letters on the Draft and Final Initial Study/Mitigated Negative Declaration (IS/MND) submitted to the City on June 9, 2023, and March 26, 2024, and subsequent meetings with the City and owner representatives on April 4, 2024. The letters received from DTSC include the following:

1. June 9, 2023, DTSC comment letter on the Public Review Draft IS/MND (refer to the February 2024 Final IS/MND, Comment Letter 5 and Response No. 5),
2. March 26, 2024, DTSC comment letter addressed to the City of Carson Planning Commission on the Final IS/MND (refer to Attachment 1, *Planning Commission Letter*). Note, as stated in Comment 7-1, the comments provided in the March 26, 2024, letter were updated by DTSC for clarity and included in this comment letter dated April 26, 2024 (Comment Letter 7, bracketed comments 7-2 through 7-4) and are addressed in Responses 7-2 through 7-4, below.

7-2 In this comment, the commenter asserts that groundwater characterization is required for the Figueroa Street Business Park property, and if groundwater characterization identifies risk from site impacts, the proponent shall prepare and implement a Groundwater Operable Unit (OU) Response Plan to address such risk. The commenter suggests revising any "non-committal wording" regarding future Groundwater OU actions in the Draft IS/MND to convey definitive commitment. As such, minor corrections have been made to Draft IS/MND Section 2.4.1, *Site Remediation* (pages 2-4 and 2-5) and Draft IS/MND Section 4.9, *Hazards and Hazardous Materials* (pages 4.9-4 and 4.9-5), and are reflected below and in Section 4.0, *Errata*, of this Final IS/MND. Draft IS/MND text changes are presented in a box, with added text indicated by underlining and deleted text indicated by ~~strike through~~.

Draft IS/MND Section 2.4.1, Site Remediation (pages 2-4 and 2-5)

2.4.1 SITE REMEDIATION

The project site was formerly part of the Gardena Valley 1 & 2 Landfill (landfill) and, based on ~~to~~ the minimal impacts to soil underlying the landfill waste, hydrogeologic investigation delays, and the need to address gas migration and the infiltration of water into the landfill, the Department of Toxic Substances Control (DTSC) historically divided the former landfill into two separate operable units (OU); the Wastefill and Groundwater OUs. In support of an expedited redevelopment plan, the Supplemental Site Investigation (SSI) that was conducted in 2021 and subsequent Draft Response Plan, dated April 11, 2023, by Haley & Aldrich, Inc. (Haley & Aldrich), focus on the Wastefill OU. Refer to Exhibit 2.3a, *Site Remediation - Wastefill Operable Unit*, for the limits of the Wastefill OU. Future ~~remedial~~ action ~~on~~ in assessing the Groundwater OU ~~would~~ will be coordinated with the DTSC and ~~would likely be initiated with a monitoring program~~ ~~may include a work plan and groundwater investigation~~ if groundwater characterization identifies risk from site impacts, the proponent shall prepare and implement a Groundwater Operable Unit (OU) Response Plan to address such

risk. ~~In reference to recent communication with the DTSC,~~ Future action on the Groundwater OU will be conducted independent of site redevelopment activities.

Draft IS/MND Section 4.9, Hazards and Hazardous Materials (pages 4.9-4 and 4.9-5)

On March 24 and 25, 2021, the project Applicant re-engaged the DTSC regarding cleanup of the project site and submitted a complete Request for Agency Oversight Application (application) and All Appropriate Inquiries (AAI) report that provides sufficient information for DTSC, pursuant to Health and Safety Code Section 25395.92(c), to prepare a California Land Reuse and Revitalization Act Agreement (CLRRA Agreement). The final executed CLRRA Agreement (Site Code: 401966-11; Docket Number: HSA-FY20/21-137) was signed by both parties on June 9, 2021. The purpose of the CLRRA Agreement is to implement CLRRA for the assessment and remediation of the project site. In accordance with the CLRRA Agreement and in support of an expedited redevelopment plan, DTSC agreed that the SSI and subsequent Draft Response Plan prepared by Haley & Aldrich, dated April 11, 2023, would focus on the Wastefill OU. It is acknowledged that the Draft Response Plan is currently pending DTSC approval. Refer to Exhibit 2.3, *Wastefill Operable Unit*, for the limits of the Wastefill OU. Future ~~remedial~~ action ~~on~~ in assessing the Groundwater OU ~~would~~ will be coordinated with DTSC and ~~would likely be initiated with a monitoring program~~ ~~may include a work plan and groundwater investigation~~ if groundwater characterization identifies risk from site impacts, the proponent shall prepare and implement a Groundwater Operable Unit (OU) Response Plan to address such risk. ~~In reference to recent communication with the DTSC,~~ Future action on the Groundwater OU will be conducted independent of site redevelopment activities.

These changes provide a minor update, correction, or clarification and do not represent "significant new information" as defined in CEQA Guidelines Section 15088.5.

7-3 The comment references the February 2024 Final IS/MND, Response 5-3, and the commenter provides clarification that, while DTSC recommends that the Groundwater OU assessment occur prior to site development and cap construction, the property owner maintains that the Groundwater OU assessment can be completed after site development; see corrections to Draft IS/MND Section 2.4.1, *Site Remediation* (pages 2-4 and 2-5) and Draft IS/MND Section 4.9, *Hazards and Hazardous Materials* (pages 4.9-4 and 4.9-5), above. No further corrections or responses are necessary.

7-4 In this comment, the commenter suggests that, as additional characterization of off-site soil vapor/landfill gas will likely be required, the scope of response actions is subject to change. Accordingly, minor corrections have been made to Draft IS/MND Section 4.9, *Hazards and Hazardous Materials* (page 4.9-5), and are reflected below and in Section 4.0, *Errata*, of this Final IS/MND. Draft IS/MND text changes are presented in a box, with added text indicated by underlining and deleted text indicated by ~~strike through~~.

Draft IS/MND Section 4.9, Hazards and Hazardous Materials (page 4.9-5)

Overall, the former uses associated with the Gardena Valley 1 & 2 Landfill have the potential to expose construction workers to hazardous materials (i.e., arsenic in soil, and VOCs in soil gas) during site disturbance activities. Furthermore, additional characterization of off-site soil vapor/landfill gas is likely to be required for Response Plan adequacy. Therefore, the final scope of response actions remains subject to change, pending the findings of ongoing soil vapor characterization.

These changes provide a minor update, correction, or clarification and do not represent "significant new information" as defined in CEQA Guidelines Section 15088.5.

7-5 This comment references text modifications in Section 4.0, *Errata* of the Final IS/MND, and the commenter corrects these modifications to state that rather than sheet piles, the proposed structures should be supported on precast concrete driven piles. As such, an additional minor correction has been made to Draft IS/MND Section 2.4.1, *Site Remediation* (page 2-5). Text changes are reflected below and in Section 4.0, *Errata*, of this Final IS/MND. Draft IS/MND text changes are presented in a box, with added text indicated by underlining and deleted text indicated by ~~strike through~~.

Draft IS/MND Section 2.4.1, Site Remediation (page 2-5)

- Engineered Landfill Cap: An engineered landfill cap would be installed consisting of different integrated elements: hardscape, landscape and building foundations with building protective systems; refer to Exhibit 2-3b, *Site Remediation – Conceptual Engineered Landfill Cap*. The engineered landfill cap would include a compacted foundation layer constructed from the existing landfill cover material that is a minimum of 22-inches thick. In addition, the exterior hardscape and landscape elements of the engineered landfill cap would include an erosion-resistant protective layer, low-permeable barrier layer, and a sub-grade passive landfill gas venting system. The buildings would be ~~sheet piles slab on grade~~ supported on precast concrete driven piles with foundations that allow for a minimum 22-inch foundation cover soil. Buildings would also include building protective systems, as described below.

These changes provide a minor update, correction, or clarification and do not represent "significant new information" as defined in CEQA Guidelines Section 15088.5.

7-6 The comment references Response to Comment 5-6 in the February 2024 Final IS/MND. The commenter asserts that per the DTSC's Applicable or Relevant and Appropriate Requirements, post-closure subsurface monitoring is required outside the waste prism, and that this monitoring must be coordinated with the local enforcement agency (LEA), in addition to DTSC, as well as follow local county ordinances. As such, an additional minor correction has been made to Draft IS/MND Sections 2.4.1, *Site Remediation* (pages 2-8 and 2-9) and 4.9, *Hazards and Hazardous Materials* (page 4.9-7). Text changes are reflected below and in Section 4.0, *Errata*, of this Final IS/MND. Draft IS/MND text changes are presented in a box, with added text indicated by underlining and deleted text indicated by ~~strike through~~.

Draft IS/MND Section 2.4.1, Site Remediation (pages 2-8 and 2-9)

- Landfill Gas Monitoring: A landfill gas monitoring program at the surface and perimeter of the project site would be developed to monitor the performance of the engineering controls. Additionally, the landfill gas monitoring program will include post-development subsurface monitoring outside the waste prism. Such monitoring would occur in coordination with the Los Angeles County Department of Public Health and DTSC, and would follow County of Los Angeles requirements. Additionally, monitoring of the indoor air of any buildings on the project site would occur to ensure compliance with County of Los Angeles requirements.

- Land Use Covenant: Implementation of institutional controls, including land use covenants and/or deed restrictions to manage future use of the project site would be employed. A limitation on future use would not be intended to prevent redevelopment but rather to control and restrict what activities could be applied and any limitations to be imposed. Requirements may include precluding any future use of the project site for residential use or other sensitive uses, prohibiting subsurface

disturbance and groundwater use, requiring adherence to OM&M Plan and SMP, and/or requiring mitigation measures in site buildings.

- Engineering Controls: Engineering controls may be implemented such as construction of an access barrier (e.g., chain-link fence or other barrier) along the perimeter of the property to deter trespassing.

Prior to initiating the long-term operation, maintenance, and monitoring (OM&M) activities at the site, a site-wide OM&M Plan covering the engineered soil cover inspections and as-needed maintenance, the VIMS, MDAS, and passive landfill gas venting system OM&M requirements, and the long-term perimeter, ~~and~~ landfill surface, and off-site (outside waste prism) monitoring guidelines would be prepared in coordination with the Los Angeles County Department of Public Health and DTSC, and submitted to the DTSC for review and approval. The OM&M Plan would include the post-closure care activities and monitoring requirements, and at minimum, will contain the following components:

- Hazard Analysis and Health Safety Risks;
- Best Management Practices (BMPs);
- Emergency Response Plans;
- Soil Cover Inspections, Maintenance, and Repair Requirements;
- VIMS, MDAS, and Passive Landfill Gas Venting System Operational Procedures, Inspections, and
- As-Needed Long-Term Monitoring, Maintenance, and Repair Requirements;
- Landfill Perimeter Monitoring Guidelines;
- Landfill Surface Monitoring Guidelines;
- Off-site Monitoring Outside Waste Prism Guidelines;
- Excavation and Soil Management Guidelines for Potential Future Site Modifications and/or Site
- Maintenance/Repairs Related Activities; and
- Reporting and Notifications Requirements.

OM&M activities would be the responsibility of the site owner and governed by an OM&M Agreement with DTSC.

Draft IS/MND Section 4.9, Hazards and Hazardous Materials (page 4.9-7)

OPERATIONS

Vapor Intrusion

As discussed above, potential accidental conditions involving exposure of future users as a result of vapor intrusion into on-site buildings may occur. As such, the project proposes installation of building protective

systems, including VIMS and MDAS. The VIMS system would consist of a sub-slab vapor control barrier, sub-slab venting system, conduit seals, trench vapor cut-off barriers and an integrated MDAS that notifies responsible parties and activates building venting systems. The building protective systems would be incorporated into the design of on-site structures to reduce or eliminate the exposure pathway of methane ~~chemicals of potential concern~~ and alert occupants in the event of a detection. The detection of methane would also serve as an indicator to warn occupants of the potential occurrence of other chemicals of concern. It is noted that the building protective systems do not include an alarm for chemicals of concern other than methane.

As detailed in Section 2.4.1, the project would also include engineered landfill cap and landfill gas mitigation systems. Sub-slab venting systems that operate in passive and active modes are proposed under building's foundations as part of building protective systems, and passive venting systems are proposed under all hardscape as well as landscaped areas. The design of the engineered landfill cap and landfill gas mitigation systems would be developed as part of the development plans and would be submitted to applicable agencies (i.e., DTSC, CalRecycle, and Los Angeles County Department of Public Works Building and Safety Division) for approval prior to initiation of any ground-disturbing activities. The passive hardscape venting system allows for the natural release of landfill gas via an engineered system of below-grade collection pipe ~~and risers~~ located below the engineered landfill cap and surface-mounted risers that rise above the hardscape/landscape and vent to the atmosphere. This venting system would reduce the potential for accumulation and migration of landfill gas. Moreover, a landfill gas monitoring program at the surface and perimeter of the project site would be developed to monitor the performance of the engineering controls. Additionally, the landfill gas monitoring program will include post-development subsurface monitoring outside the waste prism. Such monitoring would occur in coordination with the Los Angeles County Department of Public Health and DTSC, and would follow County of Los Angeles requirements. Monitoring of the indoor air of any buildings on the project site would occur to ensure compliance with County of Los Angeles requirements.

These changes provide a minor update, correction, or clarification and do not represent "significant new information" as defined in CEQA Guidelines Section 15088.5.

7-7 The comment references Response to Comment 5-7 in the February 2024 Final IS/MND regarding South Coast Air Quality Management District (SCAQMD) permitting requirements. The commenter asserts that, as the proposed development would encounter waste material during project construction, a SCAQMD Rule 1150 permit will be required. As such, the commenter suggests revising the text to convey definitive commitment. As such, minor corrections have been made to Draft IS/MND Sections 4.8, *Greenhouse Gas Emissions* (page 4.8-7) and 4.3, Air Quality (page 4.3-16) and is reflected below and in Section 4.0, *Errata*, of this Final IS/MND. Draft IS/MND text changes are presented in a box, with added text indicated by underlining and deleted text indicated by ~~strike through~~.

Draft IS/MND Section 4.8, Greenhouse Gas Emissions (page 4.8-7)

Short-term Remediation and Landfill Gas

Gaseous emissions from the project site to the atmosphere or off-site in the subsurface do not currently exceed regulatory thresholds. The project would involve a total of 12 cubic yards of soil excavation for the purpose of remediation during construction. The soil excavation would be nominal compared to the 18,000 cubic yards soil export during construction of the proposed development and would not introduce significant GHG emissions. Additionally, an engineered landfill cap consisting of different integrated elements, including hardscape, landscape and building foundations with building protective systems, would be installed at the site. Along with the engineering controls proposed for the site, institutional controls including a Soil Management Plan, land use covenant, and long-term operation, maintenance, and monitoring (OM&M) would be implemented. The project would also adhere to SCAQMD Rule 403 (requiring control of fugitive dust emissions) and other applicable permitting requirements~~, which could include Rule 1150 for landfill excavation activities and Rule 1166 for earthwork involving VOC-impacted soils~~. Specifically, the project ~~may~~ would be required to obtain an SCAQMD Rule 1150 permit ~~if~~ for landfill material that is removed, disturbed, or uncovered during excavation or grading operations. Additionally, the project may be required to obtain an SCAQMD Rule 1166 permit, if the levels of volatile organic chemicals are observed exceeding thresholds during the excavation or grading operations. Thus, with adherence to SCAQMD permitting requirements and implementation of a DTSC approved Response Plan, which would include the proposed remedial actions (limited soil excavation, SMP, landfill gas monitoring, land use covenant, engineered landfill cap, building protective systems, and a hardscape venting system), impacts would be less than significant.

Draft IS/MND Section 4.3, Air Quality (page 4.3-16)

Short-term Remediation

When the former landfill was closed in 1969 it was capped with approximately five feet of soil. Within the cover soil, elevated arsenic concentrations were identified during the SSI investigation and delineated during subsequent step-out sampling. Additionally, other contaminants of concerns identified include VOCs, SVOCs, pesticides, PCBs, and metals in soil cover; VOCs, SVOCs, pesticides, herbicides, PCBs, and metals in waste material; VOCs, SVOCs, PCBs, metals in native soils below the waste material; and landfill gas and VOCs in soil vapor. The contaminated soils with elevated arsenic would be removed using limited excavation totaling approximately 12 cubic yards. The planned maximum excavation depth is approximately six feet below ground surface (bgs); however, the actual excavation depths would be determined in the field based on the depth to waste material, observations of potential chemical impacts (i.e., stained, discolored, wet, or saturated soil, odors in ambient air, elevated air quality readings), and confirmatory soil sampling, if applicable. Excavations are planned to be completed within the soil cover material without extending into the waste material. A minimum 0.5-foot of soil cover would be maintained during the excavation to prevent ~~uncontrolled landfill gas surface emissions and~~ the creation of other nuisances such as dust, litter, vectors, and odors. Once the excavation activities have been completed, a Removal Action Completion Report (RACR) would be prepared and submitted to the Department of Toxic Substances Control (DTSC), including the field observations, documentation, and the results of the confirmatory soil sampling. The 12-cubic-yard remedial soil excavation would be nominal compared to the 18,000-cubic-yard soil export anticipated during construction of the proposed development. Additionally, an engineered landfill cap consisting of integrated elements, including hardscape, landscape and building foundations with building protective systems, would be installed at the site. Along with the engineering controls proposed for the site, institutional controls including a Soil Management Plan, land use covenant, and long-term operation, maintenance, and monitoring (OM&M) would be implemented. All contaminated soil and waste disturbance activities should

be conducted under a Site Health and Safety Plan prepared in accordance with Occupational Safety and Health Administration (OSHA) regulations, 29 Code of Federal Regulations (CFR) 1910, with air monitoring performed in accordance with DTSC Community Air Monitoring Plan (CAMP) guidance. The project would also adhere to SCAQMD Rule 403 (requiring control of fugitive dust emissions), Rule 1466 (requiring control of particulate emissions from soils with toxic air contaminants such as arsenic) and other applicable permitting requirements. Specifically, the project would be required to obtain an SCAQMD Rule 1150 permit ~~if~~ for landfill material that is disturbed or uncovered during excavation or grading operations. Last, the project may be required to obtain an SCAQMD Rule 1166 permit if the levels of volatile organic chemicals observed exceed thresholds during excavation and grading operations. Therefore, with adherence to SCAQMD permitting requirements and implementation of a DTSC-approved Response Plan, which would include the proposed remedial actions (limited soil excavation, SMP, landfill gas monitoring, land use covenant, engineered landfill cap, building protective systems, and a hardscape venting system), impacts related to short-term remediation would be less than significant.

These changes provide a minor update, correction, or clarification and do not represent "significant new information" as defined in CEQA Guidelines Section 15088.5.

7-8 The comment references Response to Comment 5-10 in the February 2024 Final IS/MND regarding the potential migration of leachate during pile installation. The commenter suggests that it be clarified that methods to prevent vertical migration of leachate to the underlying aquifer during pile installation are subject to change based on review by DTSC. As such, minor corrections have been made to Draft IS/MND Section 4.9, *Hazards and Hazardous Materials* (Pages 4.9-4, and 4.9-6 and 4.9-7), and Draft IS/MND Section 4.10, *Hydrology and Water Quality* (page 4.10-2). Text changes are reflected below and in Section 4.0, *Errata*, of this Final IS/MND. Draft IS/MND text changes are presented in a box, with added text indicated by underlining and deleted text indicated by ~~strike through~~.

Draft IS/MND Section 4.9, Hazards and Hazardous Materials (page 4.9-4)

Existing Soil, Soil Gas, and/or Groundwater Concerns

Former Operation of the Gardena Valley 1 & 2 Landfill

Soil, landfill gas, landfill liquids, and groundwater on the project site have contained concentrations of contaminates above screening levels. According to the Phase I ESA, results of previous site investigations indicated the presence of concentrations of metals, pesticides, and organics, including arsenic, dichlorodiphenyltrichloroethane (DDT), polychlorinated biphenyls (PCBs), diethylphthalate, and di-n-butylphthalate in soil. Organic chemicals and methane have also been detected in soil gas. Groundwater in the vicinity of the project site has reported elevated levels of volatile organic compounds (VOCs)~~, although it is unlikely to have been caused by the former landfill uses of the site~~; refer to *Groundwater Impacts from Former Landfills Operated in the Vicinity* below for a detailed discussion.

Future assessment and potential remedial action, if any, on the Groundwater OU would be coordinated with DTSC. If groundwater characterization identifies risk from site impacts, the proponent shall prepare and implement a Groundwater Operable Unit (OU) Response Plan to address such risk. ~~The Groundwater OU site assessment may include the development of a Groundwater OU site assessment workplan and implementation of a groundwater investigation.~~

Draft IS/MND Section 4.9, Hazards and Hazardous Materials (pages 4.9-6 and 4.9-7)

Groundwater Impacts

As discussed above, due to past on-site uses as well as off-site releases, there is the potential for accidental conditions involving existing and/or likely on-site contamination in groundwater. According to the SSI, shallow unconfined groundwater occurs at depths ranging from approximately 40 to 50 feet bgs beneath the project site. According to the Geotechnical Report (refer to Appendix C, *Geotechnical Investigation Report*), some areas of seepage was encountered while drilling at the project site at depths ranging from 40 to 50 feet bgs. As such, construction workers could be exposed to contaminated soil gas and groundwater during excavation activities, since pile driving activities would be approximately 60 feet bgs. According to the project Applicant, the potential vertical migration of leachate at the bottom of the pre-drilled pile borehole is managed by placing two 50-pound bags of 3/8-inch (or larger) bentonite chips by the Environmental General Contractor in each borehole from the surface after the removal of the displacement auger and before the placement of the precast concrete pile. If any gas levels are above the permissible exposure limit, the hole would be abandoned, and the drill rig would be moved to another location until further direction is provided. No open boreholes would be left open overnight. All contaminated soil and waste disturbance activities would be conducted under a Site Health and Safety Plan prepared in accordance with Occupational Safety and Health Administration (OSHA) regulations, 29 Code of Federal Regulations (CFR) 1910, with Continuous air monitoring performed to identify combustible gases and VOCs in accordance with DTSC Community Air Monitoring Plan (CAMP) guidance. This method to prevent vertical migration of leachate to the underlying aquifer during pile installation is subject to change based on DTSC review.

Future assessment and potential remedial action, if any, on the Groundwater OU would be coordinated with DTSC. If groundwater characterization identifies risk from site impacts, the proponent shall prepare and implement a Groundwater Operable Unit (OU) Response Plan to address such risk. ~~The Groundwater OU site assessment may include the development of a Groundwater OU site assessment workplan and implementation of a groundwater investigation.~~

Draft IS/MND Section 4.10, Hydrology and Water Quality (page 4.10-2)

According to the Geotechnical Report, regional groundwater is reported at approximately 95 feet below ground surface (bgs); however, some areas of seepage were encountered at the project site as part of the geotechnical investigation at depths ranging from 40 to 50 feet bgs. As such, dewatering could potentially be required should groundwater be encountered during project construction. According to the project Applicant, the potential vertical migration of leachate at the bottom of the pre-drilled pile borehole is managed by placing two 50-pound bags of 3/8-inch (or larger) bentonite chips by the Environmental General Contractor in each borehole from the surface after the removal of the displacement auger and before the placement of the precast concrete pile. If any gas levels are above the permissible exposure limit, the hole would be abandoned, and drill rig would be moved to another location until further direction is provided. No boreholes would be left open overnight. All contaminated soil and waste disturbance activities would be conducted under a Site Health and Safety Plan prepared in accordance with Occupational Safety and Health Administration (OSHA) regulations, 29 Code of Federal Regulations (CFR) 1910 and DTSC-approved SMP with continuous air monitoring performed to identify combustible gases and VOCs in accordance with DTSC Community Air Monitoring Plan (CAMP) guidance. This method to prevent vertical migration of leachate to the underlying aquifer during pile installation is subject to change based on DTSC review.

> Future assessment and potential remedial action, if any, on the Groundwater OU would be coordinated with DTSC. If groundwater characterization identifies risk from site impacts, the proponent shall prepare and implement a Groundwater Operable Unit (OU) Response Plan to address such risk. ~~The Groundwater OU site assessment may include the development of a Groundwater OU site assessment workplan and implementation of a groundwater investigation.~~

These changes provide a minor update, correction, or clarification and do not represent "significant new information" as defined in CEQA Guidelines Section 15088.5.

7-9 The comment references Response to Comment 5-10 in the February 2024 Final IS/MND regarding dewatering activities. The commenter asserts that construction dewatering in accordance with National Pollution Discharge Elimination System (NPDES) permit requirements may contain hazardous substances that could result in exposure to human health and the environment. As such, minor corrections have been made to Draft IS/MND Section 4.9, *Hazards and Hazardous Materials* (Pages 4.9-6 and 4.9-7), and Draft IS/MND Section 4.10, *Hydrology and Water Quality* (page 4.10-2). Text changes are reflected below and in Section 4.0, *Errata*, of this Final IS/MND. Draft IS/MND text changes are presented in a box, with added text indicated by underlining and deleted text indicated by ~~strike through~~.

Draft IS/MND Section 4.9, Hazards and Hazardous Materials (pages 4.9-6 and 4.9-7)

> Additionally, a~~A~~s detailed in Section 4.10, *Hydrology and Water Quality*, project dewatering, if necessary, would be subject to compliance with the *Waste Discharge Requirements for Discharges of Groundwater From Construction and Project Dewatering to Surface Waters in Coastal Watersheds of Los Angeles and Ventura Counties* (Order No. R4-2018-0125, NPDES No. CAG994004). Order No. R4-2018-0125, NPDES No. CAG994004 is intended to authorize discharges of treated or untreated groundwater generated from permanent or temporary dewatering operations or other applicable wastewater discharges not specifically covered in other general or individual NPDES permits. The application for a NPDES permit would also include test results, if required by the RWQCB. Discharge levels as outlined in the NPDES permit will be met. Compliance with Order No. R4-2018-0125, NPDES No. CAG994004 requirements would ensure project construction dewatering would not cause State waste discharge and federal NPDES permit requirements to be exceeded. It shall be noted that dewatering could result in a health and safety hazards to workers and surrounding neighborhoods; however, dewatering activities will be managed in a manner that prevents such impacts to health and safety.
>
> Upon DTSC approval and implementation of the Response Plan as well as ~~With~~ compliance with applicable dewatering permit requirements, impacts in this regard would be reduced to less than significant levels.

Draft IS/MND Section 4.10, Hydrology and Water Quality (page 4.10-2)

> Project dewatering, if necessary, would be subject to compliance with the *Waste Discharge Requirements for Discharges of Groundwater From Construction and Project Dewatering to Surface Waters in Coastal Watersheds of Los Angeles and Ventura Counties* (Order No. R4-2018-0125, NPDES No. CAG994004). Order No. R4-2018-0125, NPDES No. CAG994004 is intended to authorize discharges of treated or untreated groundwater generated from permanent or temporary dewatering operations or other applicable wastewater discharges not specifically covered in other general or individual NPDES permits. The application for a NPDES permit would also include test results, if required by the RWQCB. Discharge levels as outlined in the NPDES permit will be met. Compliance with Order No. R4-2018-0125, NPDES No. CAG994004 requirements would ensure project construction dewatering would not cause State waste

discharge and Federal NPDES permit requirements to be exceeded. It shall be noted that dewatering could result in a health and safety hazards to workers and surrounding neighborhoods; however, dewatering activities will be managed in a manner that prevents such impacts to health and safety.

Accordingly, upon DTSC approval and implementation of the selected alternatives in the Response Plan, as well as compliance with the Construction General Permit and current NPDES permitting requirements for dewatering, ~~would reduce~~ short-term construction-related impacts to water quality would be reduced to a less than significant level.

These changes provide a minor update, correction, or clarification and do not represent "significant new information" as defined in CEQA Guidelines Section 15088.5.

7-10 The comment references Response to Comment 5-34 in the February 2024 Final IS/MND regarding landfill gas emissions. The commenter requests that reduction in landfill gas to negligible levels be included in the Draft Response Plan. As described in the Response Plan, risks associated with landfill gas emissions will be addressed with the following remedial actions and compliance activities:

Remedial Actions and Compliance Activities	Description
Building vapor intrusion mitigation systems (VIMS)	The proposed building VIMS consists of a sub-slab vapor control barrier, active sub-slab venting system, utility conduit seals, and trench vapor cut-off barriers. The VIMS will be designed to eliminate the vapor intrusion pathway and reduce risk to building occupants. A conceptual design of VIMS is provided in Appendix B of the Response Plan. The final design will be coordinated with the DTSC, CalRecycle, and Los Angeles County Health and Building Departments.
Building methane detection and alarm systems (MDAS)	The proposed building MDAS includes a network of methane detectors, transmitters, and annunciators inside the buildings that notify occupants, the fire department and maintenance personnel of the presence of combustible gas within the structure. The MDAS will also include a control panel, battery back-up, and telemetry for notifications. The MDAS will be integrated with the sub-slab vent system to activate blowers if the sub-slab environment exceeds action levels.
Engineered landfill cap with a passive landfill gas venting system	The proposed engineered landfill cap will consist of a foundation layer, an impervious geomembrane, a landfill gas venting layer, and drainage layer. The landfill gas venting layer will include a network of collection pipes and risers designed to manage landfill gas emissions and direct it to specific exhaust locations that are at least 10 ft from openable doors, windows, air intakes, and vents. Conceptual designs of the landfill cap and passive venting system are provided in Appendix B of the Response Plan. The final designs will be coordinated with the DTSC, CalRecycle, and Los Angeles County Health and Building Departments.
Implementation of a post-construction landfill perimeter and surface monitoring program	The post-construction monitoring program will be detailed in an Operation, Maintenance, and Monitoring (OMM) Plan that will be coordinated with the DTSC and comply with substantive requirements of SCAQMD Rule

	1150.1. The landfill perimeter monitoring program will ensure methane is not observed above the lower explosive limit (LEL) of 5 percent by volume in the perimeter vapor monitoring probes. The landfill surface monitoring program will ensure methane is not observed above 200 parts per million by volume (ppmV) total organic carbon (TOC) in ambient air on the surface of the landfill. Contingency actions will be described in the OMM Plan if the perimeter and surface monitoring action levels are exceeded.
Implementation of a post-construction landfill cover inspection and maintenance program	Site inspections will be conducted semiannually for the first five years following construction completion and annually thereafter to verify the integrity of the landfill cover. Additionally, iso-settlement surveys will be used to monitor settlement over time consistent with requirements in CCR Title 27 Section §21090 (e). Maintenance and repairs to the landfill cover and mitigation systems will be completed if required following the site inspections.
Compliance with SCAQMD Rule 1150 during landfill material disturbance activities.	An application for an SCAQMD Rule 1150 permit will be submitted to the SCAQMD prior to initiating activities that expose landfill waste material to the atmosphere. The SCAQMD Rule 1150 permit is expected to have limits on excavation surface areas that exposes waste material and include landfill gas emission monitoring requirements that will be followed during construction. The monitoring program will ensure landfill gas emissions do not exceed permissible limits.
Compliance with other SCAQMD Rules 402, 403, 1166, 1466 ad DTSC's Community Air Monitoring Plan (CAMP) guidance during construction.	Construction and post-construction activities will comply with requirements in applicable SCAQMD rules. SCAQMD Rule 402 is for the discharge of air contaminants or other material that may cause a public nuisance. SCAQMD Rule 403 is for the control of fugitive dust. SCAQMD Rule 1166 is for the control of volatile organic compounds (VOC) during soil excavation, stockpiling activities. SCAQMD Rule 1466 is for the control of particulate emissions from soils with toxic air contaminants. DTSC's CAMP guidance requires air monitoring during activities that disturb soil and waste material and have the potential to release fugitive emissions including vapors, particulate matter, or aerosols. An Air Monitoring Plan will be coordinated with the DTSC prior to the initiation of redevelopment activities. The AMP is expected wo include upwind and downwind monitoring of particulate matter PM10, methane, and VOCs.

The commenter does not raise new environmental information or directly challenge information provided in the Draft IS/MND, and the commenter has not identified any basis for withdrawal, revision, or recirculation of the Draft IS/MND. The City of Carson decision makers will consider all comments on the proposed project. No further response is necessary.

3.0 ERRATA TO THE DRAFT IS/MND

The Draft IS/MND text changes resulting from subsequent comments on the Draft IS/MND are detailed below. These changes do not affect the Draft IS/MND's overall conclusions, rather, provide clarification, amplification, and/or insignificant modifications. Further, the text changes do not warrant Draft IS/MND recirculation pursuant to CEQA Guidelines Section 15088.5. None of the changes or information provided in the comments reflect a new significant environmental impact, a substantial increase in the severity of an environmental impact for which mitigation is not proposed, or a new feasible alternative or mitigation measure that would clearly lessen significant environmental impacts but is not adopted. In addition, the changes do not reflect a fundamentally flawed or conclusory Draft IS/MND. Text changes are merely intended to clarify, amplify, or correct information in the Draft IS/MND, as initiated by the Lead Agency or due to environmental points raised in the comment letters. Therefore, this Final IS/MND is not subject to recirculation prior to adoption.

Draft IS/MND text changes are presented in a box, with added text indicated by underlining and deleted text indicated by strike through, as follows:

~~Deleted text~~ Added text

Draft IS/MND text changes are presented below according to Draft IS/MND section, page, and, where appropriate, paragraph.

SECTION 2.0 PROJECT DESCRIPTION

Draft IS/MND pages 2-4 and 2-5 is revised in the Final IS/MND, as indicated below.

2.4.1 SITE REMEDIATION

The project site was formerly part of the Gardena Valley 1 & 2 Landfill (landfill) and, based on ~~to~~ the minimal impacts to soil underlying the landfill waste, hydrogeologic investigation delays, and the need to address gas migration and the infiltration of water into the landfill, the Department of Toxic Substances Control (DTSC) historically divided the former landfill into two separate operable units (OU); the Wastefill and Groundwater OUs. In support of an expedited redevelopment plan, the Supplemental Site Investigation (SSI) that was conducted in 2021 and subsequent Draft Response Plan, dated April 11, 2023, by Haley & Aldrich, Inc. (Haley & Aldrich), focus on the Wastefill OU. Refer to Exhibit 2.3a, *Site Remediation - Wastefill Operable Unit*, for the limits of the Wastefill OU. Future ~~remedial~~ action ~~on~~ in assessing the Groundwater OU will ~~would~~ be coordinated with the DTSC and ~~would likely be initiated with a monitoring program~~ may include a work plan and groundwater ~~investigation~~ if groundwater characterization identifies risk from site impacts, the proponent shall prepare and implement a Groundwater Operable Unit (OU) Response Plan to address such risk. ~~In reference to recent communication with the DTSC,~~ Future ~~future~~ action on the Groundwater OU will be conducted independent of site redevelopment activities.

Draft IS/MND page 2-5 is revised in the Final IS/MND, as indicated below.

- Engineered Landfill Cap: An engineered landfill cap would be installed consisting of different integrated elements: hardscape, landscape and building foundations with building protective systems; refer to Exhibit 2-3b, *Site Remediation – Conceptual Engineered Landfill Cap*. The engineered landfill cap would include a compacted foundation layer constructed from the existing landfill cover material that is a minimum of 22-inches thick. In addition, the exterior hardscape and landscape elements of the engineered landfill cap would include an erosion-resistant protective layer, low-permeable barrier layer, and a sub-grade passive landfill gas venting system. The buildings would be ~~sheet piles slab on grade~~ supported on precast concrete driven piles with foundations that allow for a minimum 22-inch foundation cover soil. Buildings would also include building protective systems, as described below.

Draft IS/MND page 2-8 is revised in the Final IS/MND, as indicated below.

- Landfill Gas Monitoring: A landfill gas monitoring program at the surface and perimeter of the project site would be developed to monitor the performance of the engineering controls. Additionally, the landfill gas monitoring program will include post-development subsurface monitoring outside the waste prism. Such monitoring would occur in coordination with the Los Angeles County Department of Public Health and DTSC, and would follow County of Los Angeles requirements. Additionally, monitoring of the indoor air of any buildings on the project site would occur to ensure compliance with County of Los Angeles requirements.

- Land Use Covenant: Implementation of institutional controls, including land use covenants and/or deed restrictions to manage future use of the project site would be employed. A limitation on future use would not be intended to prevent redevelopment but rather to control and restrict what activities could be applied and any limitations to be imposed. Requirements may include precluding any future use of the project site for residential use or other sensitive uses, prohibiting subsurface disturbance and groundwater use, requiring adherence to OM&M Plan and SMP, and/or requiring mitigation measures in site buildings.

- Engineering Controls: Engineering controls may be implemented such as construction of an access barrier (e.g., chain-link fence or other barrier) along the perimeter of the property to deter trespassing.

Prior to initiating the long-term operation, maintenance, and monitoring (OM&M) activities at the site, a site-wide OM&M Plan covering the engineered soil cover inspections and as-needed maintenance, the VIMS, MDAS, and passive landfill gas venting system OM&M requirements, and the long-term perimeter, ~~and~~ landfill surface, and off-site (outside waste prism) monitoring guidelines would be prepared in coordination with the Los Angeles County Department of Public Health and DTSC, and submitted to the DTSC for review and approval. The OM&M Plan would include the post-closure care activities and monitoring requirements, and at minimum, will contain the following components:

- Hazard Analysis and Health Safety Risks;
- Best Management Practices (BMPs);
- Emergency Response Plans;
- Soil Cover Inspections, Maintenance, and Repair Requirements;
- VIMS, MDAS, and Passive Landfill Gas Venting System Operational Procedures, Inspections, and
- As-Needed Long-Term Monitoring, Maintenance, and Repair Requirements;
- Landfill Perimeter Monitoring Guidelines;
- Landfill Surface Monitoring Guidelines;
- Off-site Monitoring Outside Waste Prism Guidelines;

- Excavation and Soil Management Guidelines for Potential Future Site Modifications and/or Site
- Maintenance/Repairs Related Activities; and
- Reporting and Notifications Requirements.

OM&M activities would be the responsibility of the site owner and governed by an OM&M Agreement with DTSC.

SECTION 4.3 AIR QUALITY

Draft IS/MND page 4.3-16 is revised in the Final IS/MND, as indicated below.

Short-term Remediation

When the former landfill was closed in 1969 it was capped with approximately five feet of soil. Within the cover soil, elevated arsenic concentrations were identified during the SSI investigation and delineated during subsequent step-out sampling. Additionally, other contaminants of concerns identified include VOCs, SVOCs, pesticides, PCBs, and metals in soil cover; VOCs, SVOCs, pesticides, herbicides, PCBs, and metals in waste material; VOCs, SVOCs, PCBs, metals in native soils below the waste material; and landfill gas and VOCs in soil vapor. The contaminated soils with elevated arsenic would be removed using limited excavation totaling approximately 12 cubic yards. The planned maximum excavation depth is approximately six feet below ground surface (bgs); however, the actual excavation depths would be determined in the field based on the depth to waste material, observations of potential chemical impacts (i.e., stained, discolored, wet, or saturated soil, odors in ambient air, elevated air quality readings), and confirmatory soil sampling, if applicable. Excavations are planned to be completed within the soil cover material without extending into the waste material. A minimum 0.5-foot of soil cover would be maintained during the excavation to prevent ~~uncontrolled landfill gas surface emissions and~~ the creation of other nuisances such as dust, litter, vectors, and odors. Once the excavation activities have been completed, a Removal Action Completion Report (RACR) would be prepared and submitted to the Department of Toxic Substances Control (DTSC), including the field observations, documentation, and the results of the confirmatory soil sampling. The 12-cubic-yard remedial soil excavation would be nominal compared to the 18,000-cubic-yard soil export anticipated during construction of the proposed development. Additionally, an engineered landfill cap consisting of integrated elements, including hardscape, landscape and building foundations with building protective systems, would be installed at the site. Along with the engineering controls proposed for the site, institutional controls including a Soil Management Plan, land use covenant, and long-term operation, maintenance, and monitoring (OM&M) would be implemented. All contaminated soil and waste disturbance activities should be conducted under a Site Health and Safety Plan prepared in accordance with Occupational Safety and Health Administration (OSHA) regulations, 29 Code of Federal Regulations (CFR) 1910, with air monitoring performed in accordance with DTSC Community Air Monitoring Plan (CAMP) guidance. The project would also adhere to SCAQMD Rule 403 (requiring control of fugitive dust emissions), Rule 1466 (requiring control of particulate emissions from soils with toxic air contaminants such as arsenic) and other applicable permitting requirements. Specifically, the project would be required to obtain an SCAQMD Rule 1150 permit ~~if~~ for landfill material that is disturbed or uncovered during excavation or grading operations. Last, the project may be

required to obtain an SCAQMD Rule 1166 permit if the levels of volatile organic chemicals observed exceed thresholds during excavation and grading operations. Therefore, with adherence to SCAQMD permitting requirements and implementation of a DTSC-approved Response Plan, which would include the proposed remedial actions (limited soil excavation, SMP, landfill gas monitoring, land use covenant, engineered landfill cap, building protective systems, and a hardscape venting system), impacts related to short-term remediation would be less than significant.

SECTION 4.8 GREENHOUSE GAS EMISSIONS

Draft IS/MND page 4.8-7 is revised in the Final IS/MND, as indicated below.

Short-term Remediation and Landfill Gas

Gaseous emissions from the project site to the atmosphere or off-site in the subsurface do not currently exceed regulatory thresholds. The project would involve a total of 12 cubic yards of soil excavation for the purpose of remediation during construction. The soil excavation would be nominal compared to the 18,000 cubic yards soil export during construction of the proposed development and would not introduce significant GHG emissions. Additionally, an engineered landfill cap consisting of different integrated elements, including hardscape, landscape and building foundations with building protective systems, would be installed at the site. Along with the engineering controls proposed for the site, institutional controls including a Soil Management Plan, land use covenant, and long-term operation, maintenance, and monitoring (OM&M) would be implemented. The project would also adhere to SCAQMD Rule 403 (requiring control of fugitive dust emissions) and other applicable permitting requirements~~, which could include Rule 1150 for landfill excavation activities and Rule 1166 for earthwork involving VOC-impacted soils~~. Specifically, the project ~~may~~ would be required to obtain an SCAQMD Rule 1150 permit ~~if~~ for landfill material that is removed, disturbed, or uncovered during excavation or grading operations. Additionally, the project may be required to obtain an SCAQMD Rule 1166 permit, if the levels of volatile organic chemicals are observed exceeding thresholds during the excavation or grading operations. Thus, with adherence to SCAQMD permitting requirements and implementation of a DTSC approved Response Plan, which would include the proposed remedial actions (limited soil excavation, SMP, landfill gas monitoring, land use covenant, engineered landfill cap, building protective systems, and a hardscape venting system), impacts would be less than significant.

SECTION 4.9 HAZARDS AND HAZARDOUS MATERIALS

Draft IS/MND page 4.9-4 is revised in the Final IS/MND, as indicated below.

Existing Soil, Soil Gas, and/or Groundwater Concerns

Former Operation of the Gardena Valley 1 & 2 Landfill

Soil, landfill gas, landfill liquids, and groundwater on the project site have contained concentrations of contaminates above screening levels. According to the Phase I ESA, results of previous site investigations indicated the presence of concentrations of metals, pesticides, and organics, including arsenic, dichlorodiphenyltrichloroethane (DDT), polychlorinated biphenyls (PCBs), diethylphthalate,

and di-n-butylphthalate in soil. Organic chemicals and methane have also been detected in soil gas. Groundwater in the vicinity of the project site has reported elevated levels of volatile organic compounds (VOCs)~~, although it is unlikely to have been caused by the former landfill uses of the site~~; refer to *Groundwater Impacts from Former Landfills Operated in the Vicinity* below for a detailed discussion.

Future assessment and potential remedial action, if any, on the Groundwater OU would be coordinated with DTSC. If groundwater characterization identifies risk from site impacts, the proponent shall prepare and implement a Groundwater Operable Unit (OU) Response Plan to address such risk. ~~The Groundwater OU site assessment may include the development of a Groundwater OU site assessment workplan and implementation of a groundwater investigation.~~

Draft IS/MND pages 4.9-4 and 4.9-5 is revised in the Final IS/MND, as indicated below.

On March 24 and 25, 2021, the project Applicant re-engaged the DTSC regarding cleanup of the project site and submitted a complete Request for Agency Oversight Application (application) and All Appropriate Inquiries (AAI) report that provides sufficient information for DTSC, pursuant to Health and Safety Code Section 25395.92(c), to prepare a California Land Reuse and Revitalization Act Agreement (CLRRA Agreement). The final executed CLRRA Agreement (Site Code: 401966-11; Docket Number: HSA-FY20/21-137) was signed by both parties on June 9, 2021. The purpose of the CLRRA Agreement is to implement CLRRA for the assessment and remediation of the project site. In accordance with the CLRRA Agreement and in support of an expedited redevelopment plan, DTSC agreed that the SSI and subsequent Draft Response Plan prepared by Haley & Aldrich, dated April 11, 2023, would focus on the Wastefill OU. It is acknowledged that the Draft Response Plan is currently pending DTSC approval. Refer to Exhibit 2.3, *Wastefill Operable Unit*, for the limits of the Wastefill OU. Future ~~remedial~~ action ~~on~~ in assessing the Groundwater OU ~~would~~ will be coordinated with DTSC and ~~would likely be initiated with a monitoring program~~ may include a work plan and groundwater ~~investigation~~ if groundwater characterization identifies risk from site impacts, the proponent shall prepare and implement a Groundwater Operable Unit (OU) Response Plan to address such risk. ~~In reference to recent communication with the DTSC,~~ Future action on the Groundwater OU will be conducted independent of site redevelopment activities.

Draft IS/MND page 4.9-5 is revised in the Final IS/MND, as indicated below.

Overall, the former uses associated with the Gardena Valley 1 & 2 Landfill have the potential to expose construction workers to hazardous materials (i.e., arsenic in soil, and VOCs in soil gas) during site disturbance activities. Furthermore, additional characterization of off-site soil vapor/landfill gas is likely to be required for Response Plan adequacy. Therefore, the final scope of response actions remains subject to change, pending the findings of ongoing soil vapor characterization.

Draft IS/MND pages 4.9-6 and 4.9-7 is revised in the Final IS/MND, as indicated below.

Groundwater Impacts

As discussed above, due to past on-site uses as well as off-site releases, there is the potential for accidental conditions involving existing and/or likely on-site contamination in groundwater. According

to the SSI, shallow unconfined groundwater occurs at depths ranging from approximately 40 to 50 feet bgs beneath the project site. According to the Geotechnical Report (refer to Appendix C, *Geotechnical Investigation Report*), some areas of seepage was encountered while drilling at the project site at depths ranging from 40 to 50 feet bgs. As such, construction workers could be exposed to contaminated soil gas and groundwater during excavation activities, since pile driving activities would be approximately 60 feet bgs. According to the project Applicant, the potential vertical migration of leachate at the bottom of the pre-drilled pile borehole is managed by placing two 50-pound bags of 3/8-inch (or larger) bentonite chips by the Environmental General Contractor in each borehole from the surface after the removal of the displacement auger and before the placement of the precast concrete pile. If any gas levels are above the permissible exposure limit, the hole would be abandoned, and the drill rig would be moved to another location until further direction is provided. No open boreholes would be left open overnight. All contaminated soil and waste disturbance activities would be conducted under a Site Health and Safety Plan prepared in accordance with Occupational Safety and Health Administration (OSHA) regulations, 29 Code of Federal Regulations (CFR) 1910, with Continuous air monitoring performed to identify combustible gases and VOCs in accordance with DTSC Community Air Monitoring Plan (CAMP) guidance. This method to prevent vertical migration of leachate to the underlying aquifer during pile installation is subject to change based on DTSC review.

Future assessment and potential remedial action, if any, on the Groundwater OU would be coordinated with DTSC. If groundwater characterization identifies risk from site impacts, the proponent shall prepare and implement a Groundwater Operable Unit (OU) Response Plan to address such risk. ~~The Groundwater OU site assessment may include the development of a Groundwater OU site assessment workplan and implementation of a groundwater investigation.~~

Draft IS/MND pages 4.9-6 and 4.9-7 is revised in the Final IS/MND, as indicated below.

Additionally, a~~A~~s detailed in Section 4.10, *Hydrology and Water Quality*, project dewatering, if necessary, would be subject to compliance with the *Waste Discharge Requirements for Discharges of Groundwater From Construction and Project Dewatering to Surface Waters in Coastal Watersheds of Los Angeles and Ventura Counties* (Order No. R4-2018-0125, NPDES No. CAG994004). Order No. R4-2018-0125, NPDES No. CAG994004 is intended to authorize discharges of treated or untreated groundwater generated from permanent or temporary dewatering operations or other applicable wastewater discharges not specifically covered in other general or individual NPDES permits. The application for a NPDES permit would also include test results, if required by the RWQCB. Discharge levels as outlined in the NPDES permit will be met. Compliance with Order No. R4-2018-0125, NPDES No. CAG994004 requirements would ensure project construction dewatering would not cause State waste discharge and federal NPDES permit requirements to be exceeded. It shall be noted that dewatering could result in a health and safety hazards to workers and surrounding neighborhoods; however, dewatering activities will be managed in a manner that prevents such impacts to health and safety.

Upon DTSC approval and implementation of the Response Plan as well as ~~With~~ compliance with applicable dewatering permit requirements, impacts in this regard would be reduced to less than significant levels.

Draft IS/MND page 4.9-7 is revised in the Final IS/MND, as indicated below.

OPERATIONS

Vapor Intrusion

As discussed above, potential accidental conditions involving exposure of future users as a result of vapor intrusion into on-site buildings may occur. As such, the project proposes installation of building protective systems, including VIMS and MDAS. The VIMS system would consist of a sub-slab vapor control barrier, sub-slab venting system, conduit seals, trench vapor cut-off barriers and an integrated MDAS that notifies responsible parties and activates building venting systems. The building protective systems would be incorporated into the design of on-site structures to reduce or eliminate the exposure pathway of methane ~~chemicals of potential concern~~ and alert occupants in the event of a detection. The detection of methane would also serve as an indicator to warn occupants of the potential occurrence of other chemicals of concern. It is noted that the building protective systems do not include an alarm for chemicals of concern other than methane.

As detailed in Section 2.4.1, the project would also include engineered landfill cap and landfill gas mitigation systems. Sub-slab venting systems that operate in passive and active modes are proposed under building's foundations as part of building protective systems, and passive venting systems are proposed under all hardscape as well as landscaped areas. The design of the engineered landfill cap and landfill gas mitigation systems would be developed as part of the development plans and would be submitted to applicable agencies (i.e., DTSC, CalRecycle, and Los Angeles County Department of Public Works Building and Safety Division) for approval prior to initiation of any ground-disturbing activities. The passive hardscape venting system allows for the natural release of landfill gas via an engineered system of below-grade collection pipe ~~and risers~~ located below the engineered landfill cap and surface-mounted risers that rise above the hardscape/landscape and vent to the atmosphere. This venting system would reduce the potential for accumulation and migration of landfill gas. Moreover, a landfill gas monitoring program at the surface and perimeter of the project site would be developed to monitor the performance of the engineering controls. Additionally, the landfill gas monitoring program will include post-development subsurface monitoring outside the waste prism. Such monitoring would occur in coordination with the Los Angeles County Department of Public Health and DTSC, and would follow County of Los Angeles requirements. Monitoring of the indoor air of any buildings on the project site would occur to ensure compliance with County of Los Angeles requirements.

SECTION 4.10 HYDROLOGY AND WATER QUALITY

Draft IS/MND page 4.10-2 is revised in the Final IS/MND, as indicated below.

According to the Geotechnical Report, regional groundwater is reported at approximately 95 feet below ground surface (bgs); however, some areas of seepage were encountered at the project site as part of the geotechnical investigation at depths ranging from 40 to 50 feet bgs. As such, dewatering could potentially be required should groundwater be encountered during project construction. According to the project Applicant, the potential vertical migration of leachate at the bottom of the pre-drilled pile borehole is managed by placing two 50-pound bags of 3/8-inch (or larger) bentonite chips by the Environmental General Contractor in each borehole from the surface after the removal of the displacement auger and before the placement of the precast concrete pile. If any gas levels are above the permissible exposure limit, the hole would be abandoned, and drill rig would be moved to another

location until further direction is provided. No boreholes would be left open overnight. All contaminated soil and waste disturbance activities would be conducted under a Site Health and Safety Plan prepared in accordance with Occupational Safety and Health Administration (OSHA) regulations, 29 Code of Federal Regulations (CFR) 1910 and DTSC-approved SMP with continuous air monitoring performed to identify combustible gases and VOCs in accordance with DTSC Community Air Monitoring Plan (CAMP) guidance. This method to prevent vertical migration of leachate to the underlying aquifer during pile installation is subject to change based on DTSC review.

Future assessment and potential remedial action, if any, on the Groundwater OU would be coordinated with DTSC. If groundwater characterization identifies risk from site impacts, the proponent shall prepare and implement a Groundwater Operable Unit (OU) Response Plan to address such risk. ~~The Groundwater OU site assessment may include the development of a Groundwater OU site assessment workplan and implementation of a groundwater investigation.~~

Project dewatering, if necessary, would be subject to compliance with the *Waste Discharge Requirements for Discharges of Groundwater From Construction and Project Dewatering to Surface Waters in Coastal Watersheds of Los Angeles and Ventura Counties* (Order No. R4-2018-0125, NPDES No. CAG994004). Order No. R4-2018-0125, NPDES No. CAG994004 is intended to authorize discharges of treated or untreated groundwater generated from permanent or temporary dewatering operations or other applicable wastewater discharges not specifically covered in other general or individual NPDES permits. The application for a NPDES permit would also include test results, if required by the RWQCB. Discharge levels as outlined in the NPDES permit will be met. Compliance with Order No. R4-2018-0125, NPDES No. CAG994004 requirements would ensure project construction dewatering would not cause State waste discharge and Federal NPDES permit requirements to be exceeded. It shall be noted that dewatering could result in a health and safety hazards to workers and surrounding neighborhoods; however, dewatering activities will be managed in a manner that prevents such impacts to health and safety.

Accordingly, upon DTSC approval and implementation of the selected alternatives in the Response Plan, as well as compliance with the Construction General Permit and current NPDES permitting requirements for dewatering, ~~would reduce~~ short-term construction-related impacts to water quality would be reduced to a less than significant level.

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ATTACHMENT 1
Planning Commission Letter

Department of Toxic Substances Control

Yana Garcia
Secretary for
Environmental Protection

Meredith Williams, Ph.D., Director
5796 Corporate Avenue
Cypress, California 90630

Gavin Newsom
Governor

March 26, 2024

Planning Commission
The City of Carson
cityclerk@carsonca.gov

DTSC COMMENTS ON THE FIGUEROA ST. BUSINESS PARK – DESIGN OVERLAY REVIEW (DOR) NO. 1854-21, CONDITIONAL USE PERMIT (CUP) NO. 1108-21, ZONE CHANGE (ZCC) NO. 189-22, SPECIFIC PLAN (SP) NO. 25-21, AND DEVELOPMENT AGREEMENT (DA) NO. 26-21 PLANNING COMMISON MEETING AGENDA ITEM 7A STATE CLEARINGHOUSE NUMBER: 2023050278

Dear Planning Commission Members,

The Department of Toxic Substances Control (DTSC) on March 25, 2024, accessed the Staff Report and Final Initial Study/Mitigated Negative Declaration (IS/MND) for the Figueroa Street Business Park project, located at 20601 South Main Street in Carson, California (Site). The City of Carson Planning Department is recommending approval. DTSC completed an expedited review of the Final IS/MND and we believe the document may not adequately convey the requirements and status of the Site remediation, which is being conducted under a California Land Reuse and Revitalization Act of 2004 (CLRRA) voluntary agreement between Carson Main Street, LLC, (proponent), and DTSC.

To-date, DTSC has not approved the Response Plan, the remediation decision document required under CLRRA, due to a number of outstanding technical issues that continue in the most recent version of the draft Response Plan which was submitted to DTSC on February 5, 2024. These issues are also reflected in the Final IS/MND (refer to Response to Comments, Response No 5).

DTSC provides the following high-level comments to clarify our position regarding Site remediation requirements and status for this project.

1. Reasonable Characterization of Groundwater: This landfill has created and continues to create landfill gases and leachate that may present a threat. Therefore, in accordance with California Health and Safety Code (HSC) section 25395.94, a site assessment plan under CLRRA requires reasonable characterization of the landfill's releases/impact on the underlying groundwater. To facilitate development, DTSC divided the landfill cleanup into two Operable Units (OUs), the Wastefill OU and the Groundwater OU. The proponent has prepared a Response Plan for only the Wastefill OU, and the extent of groundwater impacts from the landfill have not yet been characterized. DTSC has accepted this approach to expedite the development, but any immunities afforded by CLRRA require the Response Plan(s) to comprehensively address all unreasonable risk posed by the site, including risk posed by impacts to groundwater. The proponent will need to conduct characterization of groundwater to evaluate whether the Site is causing unreasonable risk via impacts to the groundwater and if unreasonable risk is identified, prepare and implement a Groundwater OU Response Plan to address such risk. Because of the way CLRRA is structured, the immunities provided to the proponent will be in effect on completion of the Wastefill OU Response Plan. However, immunities will be lost if the proponent fails to complete the site assessment and any subsequently identified Response Plan requirements for the Groundwater OU. With this in mind, DTSC notes the following outstanding issues with the Staff Report and IS/MND:

    a. The text throughout the IS/MND regarding groundwater characterization is both non-committal and does not accurately convey the required scope of the commitment. For example, Section 2.4.1 Site Remediation states "…assessing Groundwater OU *would* be coordinated with DTSC and *may* include a *work plan* and *groundwater investigation*." In contrast, DTSC's position on Site remediation is that the proponent *must* conduct reasonable characterization of groundwater, and if determined necessary, *will* implement clean-up actions under a separate Response Plan to maintain immunities under CLRRA. To more accurately reflect DTSC's

requirements for Site remediation, we request that the non-committal wording, such as *would* and *may*, pertaining to groundwater actions throughout the IS/MND, be revised to convey a definitive commitment (i.e., *will*).

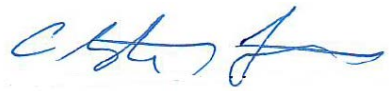
b. The Final IS/MND, Section 2.4.1 Site Remediation states "In reference to recent communication with DTSC, future action on the Groundwater OU will be conducted independent of site redevelopment activities." This sentence may misrepresent DTSC's position regarding Groundwater OU characterization requirements. In DTSC's July 17, 2023 comments on the draft Response Plan, DTSC recommended "implementing Groundwater OU Site Assessment prior to Site development and cap construction to avoid compromising the Wastefill OU remedy." If the timing of development prohibits groundwater characterization prior to cap construction, the proponent should provide contingencies, such as physical access and space requirements, to ensure groundwater characterization and, if needed, clean-up actions, can be implemented after the Wastefill OU remedy is constructed.

2. Risk Assessment Data Gaps in Soil Vapor: In accordance with California Health and Safety Code (HSC) section 25395.94, a site assessment plan under CLRRA shall evaluate whether a release of hazardous materials has occurred from the site, and whether the release poses unreasonable risk to public health and safety or the environment. The proponent's Site characterization report identified concentrations of Site contaminants (including vinyl chloride, trichloroethene, tetrachloroethene, naphthalene, ethylbenzene, benzene, and 1,4-dichlorobenzene, among others) in soil vapor at the Site perimeters that exceed residential *and* commercial screening levels. The Site is bordered to the east by residential and commercial properties (east of Main Street), and to the south by commercial properties. To adequately evaluate whether contaminants in soil vapor constitute a release of hazardous materials, and whether that release from the landfill waste mass poses unreasonable risk, DTSC has requested the proponent conduct off-Site characterization of Site contaminants in soil vapor. This request has not been adequately addressed in the most recent version of the draft Response Plan, as reflected in Response No. 5, 5-6. In this response, the proponent cites the draft (not DTSC-approved) Response Plan, with regard to off-Site monitoring requirements, and maintains non-committal language with

regard to post-development monitoring requirements. DTSC notes that, in addition to post-development monitoring, further characterization will be required pre-development to ensure the protection of workers and occupants of adjacent properties during development and to ensure that the remedy is adequately protective when the Response Plan is fully implemented.

Please note that these are high-level comments and not comprehensive. DTSC will continue to review the Staff Report packet and is submitting these comments to the City of Carson Planning Commission to highlight the outstanding issues with the status of Site remediation that are not reflected in the Final IS/MND. We look forward to continuing to work with the City to remediate the Site and move the overall project forward.

Sincerely,



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