COUNCIL FILE
12-0967

BioTox Services

June 22, 2012

Los Angeles City Council
Planning and Land Use Committee
200 N Spring Street, 3rd Floor
Los Angeles, CA 90012

and

Department of City Planning
Environmental Review Division
200 N Spring Street, 7th Floor
Los Angeles, CA 90012

RE: **Case No.:** ENV-2007-365-MND-R3
Project Location: 5243-5253 Santa Monica Blvd., Los Angeles, CA

Dear Honorable Council Members and LA City Planning Department:

On behalf of concerned neighbors near the proposed project site, I have reviewed the Phase II Subsurface Soil Investigation report (the Report) for commercial property located at 5243-5253 Santa Monica Boulevard in Los Angeles, California (the Site) and dated March 31, 2005. The Phase II work and report were performed by EP Associates Environmental Consulting and Management (Glendale, CA). The purpose of my review was to determine whether, as a result of this report, subsurface soil conditions have been adequately defined at the Site. I have concluded that, due to the apparent limited scope of the investigation, certain subsurface soil conditions remain to be resolved as discussed below.

- **Potential UST**: The Report concluded that a waste oil underground storage tank (UST) may exist beneath the Site near the western portion of the parking area and adjacent to one of the businesses formerly located on-Site named "George's Muffler & Frame." The Report recommended that a subsurface investigation be conducted in this area to determine whether such a UST exists. Typically, a ground-penetrating radar (GPR) survey would be performed across the parking area surface. This is a non-invasive method that is commonly used to identify underground structures. In addition, fill caps or steel cover plates that enable UST pump-out should be visible at ground surface. No mention of such caps/plates was made in the Report. If a UST containing waste oil does exist on-Site, it presents an environmental hazard because of the potential for hazardous waste release from the tank, either through UST leakage or redevelopment activities. In California, waste oil is considered a hazardous waste (termed a "non-RCRA waste"). Thus, a GPR survey and possible UST removal and testing of underling soils with LA City Fire Department oversight needs to be performed.

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- **Elevated Lead in Soil:** In the northeastern corner of the Site, lead was detected at 405 mg/kg in boring B-3 at 1 ft depth (ie, B3-1'). The current lead soil screening level (SSL) for residential land use is 80 mg/kg and for commercial land use it is 320 mg/kg (OEHHA, 2010). Because lead in sample B3-1' exceeds the 80 mg/kg SSL, the lateral and vertical extent of elevated lead concentrations should be determined and impacted soils should be excavated.

- **Total Petroleum Hydrocarbon Impacts to Soil:** Also in sample B3-1', total petroleum hydrocarbons (TPH) were detected at 720 mg/kg. The composition of TPH in sample B3-1' was speciated according to carbon chain lengths, where carbon chain fractions ranging from 13 to 22 carbons in length (ie, C13-C22) comprised 209 mg/kg TPH and carbon chain fractions ranging from C23-C40 comprised 511 mg/kg TPH. Applicable cleanup guidelines for TPH in soil are provided in the Los Angeles Regional Water Quality Control Board's Interim Site Assessment and Cleanup Guidebook, dated May 1996. Soil TPH cleanup levels are listed in Table 4-1 (Maximum Soil Screening Levels for TPH and BTEX Above Drinking Water Aquifers) as a function of distance from underlying groundwater. The Report stated that the depth to groundwater was 19.1 ft in groundwater Well #2671A, located approximately 1 mile southwest of the Site. Assuming groundwater is located less than 20 feet from the soil surface at the Site, the soil cleanup target for the C13-C22 TPH fraction is 100 mg/kg. Thus, cleanup of TPH-impacted Site soils near boring B-3 needs to be addressed.

Concerning my qualifications, I have 22 years experience in the environmental consulting industry and am a Diplomate of the American Board of Toxicolology (DABT; resume enclosed). If you have any questions about this review, you may contact me at the phone number or email address shown below.

Sincerely,

Donald V. Greenlee, PhD, DABT
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REFERENCES

Los Angeles Regional Water Quality Control Board's Interim Site Assessment and Cleanup Guidebook, May 1996.

Office of Environmental Health Hazard Assessment (OEHHA), "Soil-Screening Numbers (mg/kg soil) for Nonvolatile Chemicals Based on Total Exposure to Contaminated Soil: Inhalation, Ingestion and Dermal Absorption." September 23, 2010. Available at: http://oehha.ca.gov/risk/chhsltable.html#table1.

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EXPERIENCE SUMMARY:

- ***Risk Assessments:*** During the past 16 years, authored approximately 50-100 human health risk assessments (HHRAs) for industrial and commercial clients. Evaluated indoor vapor and outdoor vapor/particulate inhalation and outdoor direct soil contact chronic exposure pathways for residential, industrial and construction worker receptors. Chemicals of concern included volatile organic compounds (VOCs), metals, polynuclear aromatic hydrocarbons (PAHs), polychlorinated biphenyls (PCBs), dioxins/furans, pesticides and TPH carbon fractions. Routinely presented results to clients and regulatory agencies. Outcome of risk assessments generally facilitated timely and safe development of properties.

- ***Air Pollution Control:*** Authored air permit applications for industrial facilities. Modeled air dispersions of potential chemical releases for construction of air toxics HHRAs for compliance with SCAQMD Rule 1401 and for emergency planning in Risk Management Prevention Plans (RMPPs). Measured air emissions of VOCs and particulates for various construction projects. Co-authored report for the San Joaquin Valley Unified Air Pollution Control District that evaluated air emission inventories and latest control technologies for 13 major air emissions sources.

- ***Compliance Audits:*** Principal author of EHS compliance audits for industrial facilities. Updated programs and provided support in hazardous materials (HM) management [e.g., hazardous waste (HW) storage/disposal, personnel training, SB 14 waste minimization, waste water treatment permits, stormwater plans, lab chemical hygiene plans, emergency response, SPCC plans], health and safety [e.g., illness/injury, blood-borne pathogens, respiratory protection, hazard communication, confined spaces, forklifts] and air regulatory compliance [eg, RECLAIM, CEMS, Rule 1158 & 1470]. Achieved economical/least liability disposal of HW streams for industrial clients, including auditing TSDFs and tolling subcontractors, manifest tracking and report writing. Principal author of HM Management Plans for several naval installations in San Diego. Managed/performed Phase II sampling projects for industrial facilities; managed Phase III remediation projects.

EMPLOYMENT HISTORY

2008-2009	Risk Assessor, URS Corporation, Los Angeles, California
2001; 2005	Part-time faculty, Cal State Univ-Northridge (taught Hazardous Materials Management)
1994-current	Independent Environmental Toxicologist Consultant
1991-1993	Senior Project Scientist, ERM-West (environmental consulting firm)
1989-1991	Assist. Professor, Neurology Department, School of Medicine, University of Southern CA
1982-1989	Assist. Professor, Biomedical Sciences Dept, College of Osteopathic Medicine, Ohio Univ.

EDUCATION AND CERTIFICATIONS

DABT	Diplomate of the American Board of Toxicology
CPP	Certified Permitting Professional at South Coast Air Quality Management District
Hazwoper	40 Hr. Hazardous Waste Operations and 8 Hr. Refresher Training (current)
Certificate	Hazardous Materials Management, University of California-Los Angeles
PhD	Biochemistry, University of California-Riverside
BSc	Chemistry, University of New Mexico

AFFILIATIONS

Society of Toxicology (SOT) American Chemical Society (ACS)

REFERENCES, PROJECTS COMPLETED and PUBLICATIONS: Provided upon request