

LETTER NO. 10

Dated: 3/7/01

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COMMENT 10.1

The Department of Toxic Substances Control (DTSC) has received your draft Environmental Impact Report (EIR) for the above mentioned Project. Based on the review of the document, DTSC comment's are as follows:

- 1) The draft EIR needs to identify and determine whether historic uses at the project site have resulted in any release of hazardous wastes/substances at the project area.

RESPONSE 10.1

The identification and remediation of hazardous wastes/substances at the Project site was analyzed in Section IV.G. Hazardous Materials of the Draft EIR on pages 306 through 333. This section assessed potential environmental impacts associated with existing soil and/or groundwater contamination at the Project site. The analysis summarized the findings and conclusions provided in an updated Phase I environmental assessment report (Updated EA Report) prepared by SCS Engineers (SCS) for six discrete areas of the Project site in general accordance with American Society of Testing and Materials (ASTM) standards. The report was provided in Appendix F of the Draft EIR. Detailed subsurface investigations have been performed for the Project site. Remediation of hazardous wastes/substances was completed during the development of the STAPLES Center project and was discussed in both Section IV.G. Hazardous Materials and Appendix F of the Draft EIR. After the incorporation of mitigation measures included in the Draft EIR, Section IV.G. Hazardous Materials on pages 332 and 333 no adverse impacts from hazardous materials would occur.

COMMENT 10.2

- 2) The draft EIR should identify the mechanism to initiate any required investigation and/or remediation for any site that may require remediation, and which government agency will provide appropriate regulatory oversight.

RESPONSE 10.2

See Response to Comment 10.1. Draft EIR Section IV.G. Hazardous Materials provides mitigation on Page 332 which serves as a mechanism for requiring further investigation and/or remediation of hazardous wastes/substances at the project site. As stated in Mitigation Measure 1 on Page 332, the RWQCB is identified as the government agency that would provide regulatory oversight for site investigations and potential remediation.

More specifically, Mitigation Measure 1 states that further investigation by a registered environmental professional of the potential soil and/or groundwater contamination on 1240 South Figueroa Street (APN 5138-025-004), 844 West Olympic Boulevard (APN 5138-009-002), and 931 West Olympic Boulevard (APN 5138-005-018) shall be conducted in accordance with the RWQCB, where applicable. Any required remedial action recommended by the registered environmental professional and approved by the RWQCB for any contamination discovered during these investigations shall be fully implemented and documented. After incorporation of the Project mitigation measures included on pages 332 and 333 of the Draft EIR, no adverse impacts from hazardous materials would occur.

COMMENT 10.3

3) According to the previous environmental investigations in the draft EIR, there was no report regarding the investigations of asbestos containing materials, which might be released or dissipated into the atmosphere for any reason. In consideration of safety for the demolition and/or construction workers, there should be a clear and concise plan included in the draft EIR clarifying the sampling and/or analysis of asbestos prior to the demolition.

RESPONSE 10.3

As was stated in Section IV.G. Hazardous Materials in the Draft EIR on page 306, the Project site has been paved and currently is used for surface parking activities, with the exception of two warehouse-related buildings located on the Figueroa Central Properties. The two warehouse-related buildings are the only buildings on the Project site with the potential for containing asbestos materials.

The Draft EIR provides a plan for addressing asbestos issues prior to demolition. As was stated in Section IV.G. Hazardous Materials in the Draft EIR on page 331, Mitigation Measure 3, removal of any asbestos-containing materials found in the only two site structures (Figueroa Central Properties) shall be conducted in accordance with the requirements of South Coast Air Quality Management District Rule 1403. With the incorporation of this mitigation measure, no adverse impacts from asbestos removal would occur.

COMMENT 10.4

4) If during demolition or construction of the project, soil and/or groundwater contamination is suspected, demolition or construction in the area should stop and appropriate health and safety procedures should be implemented. If it is determined that contaminated soil and/or groundwater exists, the draft EIR should show a diagram of the concise plan that identifying how any required investigation and/or remediation will be conducted, and which government agency will provide appropriate regulatory oversight.

DTSC provides guidance for Preliminary Endangerment Assessment preparation and cleanup oversight through the Voluntary Cleanup Program (VCP). For additional information on the VCP or if you have any questions, please contact Ms. Jessy Philip at (818) 551-2174 or me at (818) 551-2877.

RESPONSE 10.4

As was stated in Section IV.G. Hazardous Materials in the Draft EIR, Mitigation Measure 5, on page 333, in the event that previously undiscovered contaminated soil or hazardous materials are encountered at the Project site during construction, identification and remediation procedures shall be developed in accordance with applicable federal, State and City regulations to ensure that the potential for risk of upset would be below a level of significance. With the incorporation of this mitigation measure, no adverse impacts from hazardous materials would occur.