



Department of Toxic Substances Control

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Governor

September 8, 2010

Mr. Michael Brady  
Assistant Superintendent  
Facilities Maintenance and Operation  
Piedmont Unified School District  
760 Magnolia Avenue  
Piedmont, California 94611

**RECEIVED**

11:29 am, Mar 30, 2011  
Alameda County  
Environmental Health

ENVIRONMENTAL OVERSIGHT AGREEMENT (DOCKET NUMBER HSA-EOA 09/10-048) TERMINATION AT PRELIMINARY ENVIRONMENTAL ASSESSMENT REPORT PHASE, FRANK C. HAVENS ELEMENTARY SCHOOL, 1800 OAKLAND AVENUE, PIEDMONT (SITE CODE 204235)

Dear Mr. Brady:

The Department of Toxic Substances Control (DTSC) received notification on May 18, 2010 through School Site Solutions, Inc., Piedmont Unified School District's (District) consultant, that the District is requesting to terminate the subject Environmental Oversight Agreement (EOA) with DTSC pursuant to Section 3.18 (Termination) of the EOA. Although the District is seeking funding from the California Department of Education (CDE) for the modernization project, based on the CDE's determination, the District is exempt from DTSC oversight. However, the District chose to submit the Preliminary Environmental Assessment (PEA) Report and other pertinent documents for DTSC review and comment.

In response to the request of the District, DTSC agrees to terminate the EOA, Docket Number HSA-EOA 09/10-048, between DTSC and the District, effective immediately.

On August 23, 2010, DTSC received an electronic copy (e-copy) of the PEA Report dated August 4, 2010 and the Passive and Active Soil Gas Investigation Report and Vapor Intrusion Pathway Screening Risk Assessment (Soil-Gas Investigation report) dated August 3, 2010 (both documents prepared by Millennium Consulting Associates). In addition, DTSC also received an e-copy of the peer review final report from Exponent entitled Risk Assessment Report Services for Havens Elementary School via e-mail on August 17, 2010. The PEA report and the Soil-Gas Investigation report presents investigation results and conclusions based on a health risk screening evaluation for the site. The Exponent's report presents their independent review of the Millennium's Soil-

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Gas Investigation report and their independent conclusions regarding the need for further investigation at the site.

The Site is approximately three acres and located at 1800 Oakland Avenue in Piedmont, California. The Site was occupied with numerous single-story structures prior to the current modernization project and operated by the District as an elementary school. The immediate vicinity around the Site is zoned as residential and commercial.

A PEA investigation was conducted at the site to evaluate the potential presence of lead from lead-based paints, organochlorine pesticides (OCPs) from termiticide application, and arsenic in on-site fill materials. In addition, passive and active soil-gas sampling was conducted to assess the potential for vapor intrusion due to potential on- and/or off-site releases of petroleum hydrocarbons (TPHs). The PEA sampling results were used to assess if lead, arsenic, OCPs, and/or TPHs pose an unacceptable health risk under unrestricted land use standards.

The PEA Report indicated that concentrations of OCPs and lead in soil were below their respective California Human Health Screening Levels (CHHSLs) as established by the Office of Environmental Health Hazard Assessment. Concentrations of arsenic in soil were all below levels of concern. The PEA Report concludes no further action is required on the site with regards to OCPs, lead, and arsenic.

The Soil-Gas Investigation report indicated that no onsite TPH-sources were found and it would appear that the TPH may have migrated from an unidentified up gradient source. The Soil-Gas Investigation reported the resulting calculated cancer risk, utilizing the maximum detected active soil gas concentrations, was  $5.6 \times 10^{-7}$  while the cumulative hazard index was  $5.4 \times 10^{-3}$ . The Exponent's report indicated that some chemicals of potential concerns (COPCs) (e.g. 1, 3-butadiene) were not included in the Millennium's risk assessment analysis. However, the inclusion of all COPCs still resulted in a calculated cancer risk of  $1 \times 10^{-6}$  and a hazard index of 0.01. The calculated cancer risks and hazards were at or below the industry standard of  $1.0 \times 10^{-6}$  and 1.0, respectively. Both the Millennium and the Exponent's reports conclude that soil-vapors do not pose a risk or hazard to human health.

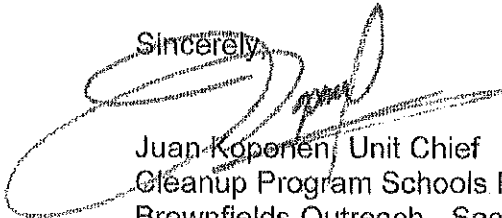
Based on review of the PEA Report and the other pertinent documents, neither a release of hazardous material nor the presence of a naturally occurring hazardous material which would pose a threat to public health or the environment under unrestricted land use was indicated at the site. Since the District has not put the PEA report out for public comment, DTSC cannot approve the PEA report. However, DTSC concurs with the conclusion of the PEA report that further environmental investigation of the site is not required.

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DTSC copied the Oakland Certified Unified Program Agency (CUPA) on this letter for notification and for them to take appropriate action(s) regarding the outside source of the TPH issue, if needed.

If you have any questions regarding the project, please contact Ms. Mellan Songco at (916) 255-6527 or via e-mail at [MSongco@dtsc.ca.gov](mailto:MSongco@dtsc.ca.gov) or myself at (916) 255-3732 or via e-mail at [JKoponen@dtsc.ca.gov](mailto:JKoponen@dtsc.ca.gov).

Sincerely,



Juan Koponen, Unit Chief  
Cleanup Program Schools Evaluations &  
Brownfields Outreach - Sacramento

cc: (via e-mail)

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