

DTSC WORK NOTICE

Department of Toxic Substances Control - Our mission is to protect the people, communities, and environment of California from harmful chemicals by cleaning up contaminated sites, enforcing hazardous waste laws, and compelling the development of safer products.

SOIL, SOIL GAS AND GROUNDWATER WELL SAMPLING

August 31 - September 30, 2021

Avenue 34 – 141 W. Avenue 34, Los Angeles CA 90027

The Department of Toxic Substances Control (DTSC) is overseeing the investigation at the R Cap Avenue 34, LLC (Owner) property located at 141 W. Avenue 34, Los Angeles, California (Site). The environmental consultant (California Environmental – CE) will complete the work for the Owner using various subcontractors including licensed drilling companies and DTSC approved laboratories.

BACKGROUND

The Site is a 5-acre parcel previously used for commercial/industrial purposes between the 1920's and 2000s. The Site is being investigated because new mixed-use redevelopment is proposed for the Site. The Owner has entered into a Voluntary Cleanup Agreement with DTSC to assess contamination at the Site. This work is expected to begin on August 31, 2021.

WHAT WORK IS BEING DONE?

- Install new groundwater monitoring wells.
- Drill and sample new soil borings.
- Drill and sample new soil gas probes.
- Sample existing gas probes and groundwater wells.

SAFETY MEASURES

All field work will be performed pursuant to a DTSC approved workplan and a site-specific Health and Safety Plan to ensure community and workers safety.

- Site access is restricted to workers and DTSC personnel.
- Site is fenced, access is controlled.

HOW WILL WORK IMPACT YOU?

- No traffic impacts are anticipated as all work will occur within the boundary of the Site.
- You may see and hear drilling equipment onsite.
- You may see workers onsite.

WORK SCHEDULE

Dates: August 31 to September 30

Work Hours: Weekdays from 8 AM to 4 PM

**CLICK LINK FOR THE CASE FILE
FOR ACCESS TO ALL DTSC TEST
RESULTS FOR AVENUE 34**

Where can I get more information?

EnviroStor website: https://www.envirostor.dtsc.ca.gov/public/profile_report?global_id=60003112

DTSC Contacts:

Luis Garcia, Project Manager
Email: Luis.Garcia@dtsc.ca.gov
Phone: (818) 717-6563

Jessica Swan, Public Participation
Email: Jessica.Swan@dtsc.ca.gov
Phone: (818) 717-6568



Hearing impaired individuals may use the California Relay Service at 711 or 800-735-2929 TTY/VCO/HCO to voice.

Additional information on DTSC sites can be found through our [EnviroStor](#).





Jared Blumenfeld
Secretary for
Environmental Protection



Department of Toxic Substances Control

Meredith Williams, Ph.D.
Director
9211 Oakdale Avenue
Chatsworth, California 91311



Gavin Newsom
Governor

Greetings Sara Clendening and the Lincoln Heights Neighborhood Council,

Thank you for contacting the Department of Toxic Substances Control (DTSC) about the Avenue 34 project. I am responding to you as the point of contact for this project on behalf of DTSC.

DTSC is overseeing the environmental investigation at the Avenue 34 project site to determine the nature and extent of chemical releases. DTSC is committed to ensuring that a thorough, scientifically supported investigation of the site is completed before any decisions are made. DTSC is requiring the project proponent, Pinyon Group, to comply with all requirements governing environmental investigation and cleanup. We will continue to share information with the community and stakeholders as is becomes available. Our primary goal is to protect human health and the environment.

The environmental consultant, California Environmental, for the project proponent recently completed an additional investigation and we are evaluating the results to determine future steps. Future steps may include additional investigation to determine the extent of the chemical releases, preparation of a human health risk assessment to determine if any hazardous substances detected would pose a potential risk to the construction workers, the nearby residents and future users of the property, and cleanup, as necessary.

In the coming weeks we expect to send out a community survey to help us determine the best ways to engage you and your community. A community update with more information about the project and DTSC's oversight will accompany the survey. If you would like, I can add your email address to our list of contacts for this site so that you will receive this information electronically. Please have any other board or community members notify me if they would also like to be a part of our contacts list.

DTSC uploads information about all the sites we work on to EnviroStor. Here is a link to this specific site https://www.envirostor.dtsc.ca.gov/public/profile_report.asp?global_id=60003112. You can sign up for email alerts for the Avenue 34 project on EnviroStor to be notified when any documents are uploaded. Currently, most of the documents are in the "Community Involvement" tab.

We appreciate the opportunity to engage with you on this project. Please contact me with any further questions.

Kindly,

Jessica Swan
Department of Toxic Substances Control – Public Participation Specialist
Office of Environmental Equity – Chatsworth Regional Office

LINCOLN HEIGHTS NEIGHBORHOOD COUNCIL

EXECUTIVE COMMITTEE MEMBERS

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July 15, 2021

Community Impact Statement

DIR-2019-6048-TOC-SPR-WDI and ENV-2016-273-MND-REC1

The Board Approves This Community Impact Statement Yea (x), Nay (x), Abstain (x) on July 15, 2021

DTSC & LA CITY PLANNING

RE: Re: AVENUE 34 DTSC Results. 141 W. Avenue 34, LA, CA 90031
(DIR-2019-6048-TOC-SPR-WDI and ENV-2016-273-MND-REC1)

Dear DTSC Director Meredith Williams and US EPA Assistant Director Dana Barton,

The Lincoln Heights Neighborhood Council is writing to express our deep concerns with a project that is currently under DTSC's review. This massive mixed-use project would be built at Avenue 34 and Pasadena Avenue in Lincoln Heights ("Avenue 34" - Cortese listing #60003112). Since this project was proposed at the beginning of 2020, our neighbors have been very vocal in their opposition to the project due to its inaccessibility to our neighborhood's residents, and the risks of contamination. Recent testing has confirmed dangerously high levels of toxic contaminants on the site. We are calling on you to insist that no approvals of the site's use be made prior to the most thorough and transparent investigation, and not before successful remediation of the existing contamination.

We recently learned that DTSC required testing at Avenue 34, which revealed dramatically high levels of PCE and TCE in the soil gas, as well as elevated levels of toxins including arsenic, lead, mercury, benzene, bromodichloromethane, chloroform, 1,1-dichloroethane, 1-2 dichloroethane, cis-1,2-dichloroethene, trans-1,2-dichloroethene, and vinyl chloride.

This news follows more than a year of many people in our community voicing their opposition to this project for the environmental dangers they suspected it would present. Their objections were countered by the project developers, who you should be aware have acted with complete dishonesty and impunity towards Lincoln Heights. They lied at Neighborhood Council meetings, at City Planning Commission hearings, in meetings with community members, in emails, and on their website, repeating the claim

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that they had tested the site more than 30 times, and that the site was free of contamination. They paid actors to attend hearings to support this project, silencing our community's genuine voices. They hired consultants to walk door-to-door in Lincoln Heights, spreading misinformation about the affordability and safety of the property. The developer's Phase 1 report made grossly incorrect statements about the site and the impact from adjacent sites, including the conclusion that Welch's contamination was travelling away from the Avenue 34 property, rather than directly through it as it does. Furthermore, the environmental review for this project (ENV-2016-273-MND) made no mention of the likely impacts from Welch's Dry Cleaning releases on the adjacent lot. For this omission, neighboring residents filed an appeal under CEQA (Council File 21-0024), which LA City Council has so far neglected to hear, and which DCP recommended dismissing, in an apparent push to approve this project at great risk to human health. Now that the contamination is confirmed, it is clear that these developers have gone to great lengths to put their profits ahead of our community's safety.

We understand that DTSC wrote a letter in November, 2020 which concluded that contaminants from the adjacent property, the former Welch's dry cleaner, would not pose a risk to this project's future inhabitants. That conclusion appears to conflict with this recent testing data. We also know that a vapor extraction system was decommissioned on Welch's site in 2016. DTSC said they would require a Land Use Covenant restricting Welch's site to "commercial use only" as a condition for that equipment's removal. That determination for the adjacent property is in stark contrast to the current proposed use at Avenue 34, which lies in the path of the plume from Welch's, and has its own long history of industrial uses.

In light of the developer's clear disregard for environmental safety, and the troubling history of this lot, the neighboring lot, and the history of determinations regarding both, we are calling on your agency to take a more aggressive position for environmental protection. We understand that the most recent round of testing, conducted within the last few weeks, was executed on the site without DTSC having reviewed or approved any plans before work started. This is an unacceptable way for DTSC to oversee an investigation at such a problematic site in our neighborhood. We call on DTSC to actively lead this investigation, rather than simply approve work plans - sometimes even after the fact - prepared by these clearly untrustworthy developers.

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Lincoln Heights suffers from enduring inequity. One of the oldest neighborhoods in Los Angeles, it also has a history of unchecked industrial uses that gives us a pollution burden percentile of 99%, according to the Office of Environmental Health Hazard Assessment. Additionally, we suffer some of the highest traffic impacts, unemployment rates, poverty rates, education deficits, and housing burdens in our city. It is a community of mostly Latino and Asian residents, with many of our community not fluent in English. These conditions provide background for Lincoln Heights' broad opposition to this project ever since it was introduced at a Lincoln Heights Neighborhood Council meeting on February 12, 2020. This project would only include 14% affordable housing, at a rate above median income in our neighborhood. This project will not serve our low-income residents. We need projects that serve our community, not ones that heighten inequities while ignoring environmental dangers to our residents, workers, and schoolchildren.

We ask that DTSC inform the Lincoln Heights Neighborhood Council about their plans for future testing or remediation on the site. Furthermore, we ask your agency to clarify what potential health risks this contamination poses to our community. What is the risk of vapor intrusion at Hillside Elementary across the street, where students and teachers were impacted by the pollution from Welch's in the '80's and '90's? With hundreds of current neighboring residents, workers, and five schools within 1,200 feet, what happens at this site has an impact well beyond the property boundaries. We urge your agency to reserve approving any use of this site until there is a comprehensive understanding of the nature and full extent of this contamination, and also not until after the contamination has been successfully remediated to levels meeting State and Federal standards for residential safety.

We hope your agency will fulfill your mission to defend the health and safety of our community, and will give this project the close scrutiny it has evaded so far.

Sincerely,

Sara Clending
President
Lincoln Heights Neighborhood Council