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Public Comments Not Uploaded Agenda Item 1, Council File 23-0796-S1, PLUM Committee Nov 5, 2024 - Oppose Flawed Lead Testing

1 message

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Tue, Nov 5, 2024 at 12:59 PM

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Dear Planning and Land Use Committee Members:

The Phase 2 testing done was flawed. The methodology for taking soil samples to test for lead does not comply with the usual methodology outlined by the EPA or by DTSC. See the links below. Soil samples should be taken 2 to 4 inches not feet. Please require adequate testing be done. Additionally, because of this methodology error, it calls into question whether the other results obtained were taken according to government standards. The City Council should require additional independent testing.

See below for proper sampling procedures.

EPA, Page 35

<https://semspub.epa.gov/work/09/100037098.pdf>

At each sample location, a localized four-point composite surface soil sample was collected from the upper 2 inches of the soil (0- to 2-inch interval starting below the root zone [if present] and after removal of organic layer [leaves, grass, etc.]) using a coring device or small digging tool. For sampling areas supporting plant growth, the initial sample core was collected to a depth of 4 inches to allow for removal of turf plug and root zone. Before sampling, the four aliquots designated for the composite sample were flagged, beginning with a reference aliquot location. The remaining three aliquot locations were flagged at approximately equidistant intervals from each other along the outside circumference of a 2-ft-diameter circle centered on the reference aliquot location

DTSC, page 23 https://dtsc.ca.gov/wp-content/uploads/sites/31/2023/06/PEA_Guidance_Manual.pdf

For PEA screening risk evaluations, surface soil sampling at zero to 6 inches below ground surface may be necessary, since exposure to contaminants in surface soil is a likely possibility. The depth of all soil sample data for use in the human and ecological risk evaluations should be specified in the DQO process. Surface and subsurface soil sampling should address the horizontal extent of contamination.

The procedures used by Earth Science LLC instead took samples at 2.5 and 5 feet below ground surface as opposed between 2 and 4 inches. The Earth Science company found detectable lead in 3 of 6 samples at levels of, 3.3 mg/kg, 4.0 mg/kg and 3.2 mg/kg. I believe the first two samples were taken at 2.5 ft below ground surface (bgs) and the third at 5 ft bgs. Their methodology is found on page 8 and the samples at page 30. See below:

4.7 SOIL AND GROUNDWATER SAMPLING METHODOLOGY Soil samples were collected and logged from depths of 2.5, 5.0, 10, 15, and 20 feet bgs in all three borings (B-1 and B-3) advanced at the Site. Soil samples were collected using a sampler with an acetate liner and a sampling point. The sampler was advanced by the direct-push drill rig using hollow rods with the inner rods in-place to prevent soil from entering the sampler. Following the advancement of each core interval, the core was retrieved, the core barrel was disassembled, and the sample liner was removed. Since there is lead contamination at 2 feet there could be much higher contamination at surface level. This contamination could be spread throughout the neighborhood and to the adjacent daycare. Correct testing should be done.

CEQA

A full environmental impact report should be undertaken to study the impacts to migratory birds and to wildlife.

Additionally, neighbors and children will be harmed by this project due to pollution.

Additionally, this council is allowed to reject this project under CEQA. You can find based on the evidence presented that there will be a Significant Effect. A categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances. The significant impacts are that this area is already subjected to significant impacts from pollution. Th USC project and the approval of th Boyle Heights Community plan and the approval of other projects in this community have cumulative impacts.

This area according to Cal Enviro screen is in the 89th percentile for pollution burden and 91st percentile for particulate matter. Additionally historic resources will be impactd.

Please grant the appeal.

Thank you,

Clara Solis