



David Yelton, Deputy Building Official
Development Services Division
Community Development Department

August 4, 2020

Ms. Sara Vela, Project Manager
Department of Toxic Substances Control
9211 Oakdale Avenue
Chatsworth, CA 91311

Subject: City of Beverly Hills Peer Review by Lindmark Engineering's peer review of Jacobs Engineering Group, Inc. Draft Removal Action work Plan (RAW) on behalf of the responsible party, the Union Pacific Railroad for the property known as Lots 12, 13, and 13A in the City of Beverly Hills, California, 90210

Dear Sara,

The City is enclosing Lindmark Engineering's review of Jacobs's Draft Removal Action Work Plan (RAW), dated December 18, 2019 for Lots 12, 13 and 13A. Jacobs prepared the RAW on behalf of the responsible party, the Union Pacific Railroad (UPRR).

As Lindmark's review outlines, the RAW is inadequate in several aspects; most notably it assumes there were no railroad operations and arsenic weed abatement at the site, no significant vertical migration of arsenic in soil, and no groundwater contamination from arsenic releases at the site. Due to these improper assumptions, only a portion of the arsenic-impacted soil is proposed to be removed and the groundwater contamination, including off-site migration, is not addressed. Furthermore, arsenic contamination on adjoining City rights-of way is not addressed.

The groundwater contamination of arsenic is of great concern given the City water wells in the site vicinity and presence of elevated arsenic levels in the water supply within 100 feet of the site.

The City wants the site and adjoining City rights-of-way to be remediated to safe levels and to ensure that the remediation is implemented in a manner to prevent off-site migration of dust in compliance with all applicable DTSC and AQMD requirements. The City requests that all tasks, assessments and remediation recommended in the enclosure hereto be completed and paid for by the UPRR prior to issuance of a No Further Action letter for the site. Access to City rights-of-way will require an access agreement.

The City objects to contamination being left in place at the site at levels that will require future Institutional Controls affecting City property. Institutional controls, after the completion of remediation on City rights-of-way, are not acceptable to the City, including for Lots 13 and 13A which will be deeded to the City. The City requests that the site be remediated in a manner that will not result in future regulatory oversight and dust monitoring of the City rights-of-way and Lots 13 and 13A after they have been remediated.

Sincerely,



David Yelton

Attachment: Lindmark Engineering report dated August 4, 2020, Project No. 2020-260, titled Review of Jacob's Draft Removal Action Work Plan, dated December 18, 2019 for Lots 12, 13 and 13A.

cc: Haissam Salloum, Supervisor (DTSC)
Ulf Lindmark, PE, BCEE, Senior Principal, Lindmark Engineering
Masa Alkire, Principal Planner, City of Beverly Hills