

**From:** [David Richter](#)  
**To:** [Gregg Gipe](#)  
**Cc:** [Jacki Scott](#); [pthimmappa@ninyoandmoore.com](mailto:pthimmappa@ninyoandmoore.com); [nanglin@ninyoandmoore.com](mailto:nanglin@ninyoandmoore.com)  
**Subject:** Discovery of Soil Contamination, West Corner Irvine Blvd and Marine Way  
**Date:** Tuesday, November 18, 2014 6:06:53 PM  
**Attachments:** [11-18-14 Ninyo Site Visit Location Plan.pdf](#)

---

Gregg:

Per your request yesterday, we contacted City inspector Craig Hutchins and arranged a site visit for 7:00 this morning. Prasad Timmappa, PE, Sr. Engineer, met with Craig who brought him to the location where suspect petroleum hydrocarbon impacted soil was discovered yesterday (generally near the south corner of Irvine Boulevard and Desert Storm Dr.) We understand that the discovery was made during excavation for installation of a large storm drain box channel. The location of the excavation is shown in the attached sketch plan. Craig related that he understood that the contractor working for FPC (Kennedy Pipeline) had excavated and stockpiled petroleum hydrocarbon impacted soil from the trench (approx. 15' deep) and stockpiled it next to the excavation, adjacent to approximate stations 11+50 to 12+50. They then replaced the stockpile into the trench between approximately stations 11+75 and 12+75.

We have reviewed analytical results of samples reportedly collected by ENGEO yesterday from the excavation bottom and stockpile prior to the replacement of the stockpile into the excavation. (Sunstar Laboratory ID nos. T142327-01 and 02, 11/14/14) These results indicate between 1,400 and 3,700 parts per million (ppm) of petroleum hydrocarbons generally in the diesel range, with some volatile constituents and naphthalenes, possibly indicating jet fuels.

Prasad screened surface and near-surface soils using a photoionization detector (PID) in the areas where the suspect soil had been stockpiled and in the trench where it was replaced. He recorded readings ranging up to 15 ppm in these areas. Craig also directed Prasad to some discolored soil apparently from the stockpile that had rolled down on the side slopes. He recorded readings up to 30 ppm in these soils.

Craig reported that ENGEO had directed pot-holing along the trench alignment to learn where the impacted soil likely ended. While we were there work was continuing in areas approximately 100 feet on either side of the suspected impacted soil area we were observing.

Prior to our site visit we did some research on the High School #5 Site A on the California EPA, Department of Toxic Substances Control (DTSC) website (link below). The DTSC is tasked with approving all California K-12 school new site construction that uses State funds. The DTSC process is typically very comprehensive. A routine environmental study (Phase I ESA) is always a part of these school projects. In the case of this school site the DTSC directed the performance of an additional study, a Preliminary Environmental Assessment (PEA) that included sampling of site soils and soil vapors based on the results of initial study. This is also pretty typical. Ultimately the DTSC approved the PEA results which found little in the way of contamination that would pose a risk to the use of the site as a school. The possible presence of the petroleum contamination found at the storm drain

excavation was not anticipated by the environmental studies.

[http://www.envirostor.dtsc.ca.gov/public/profile\\_report.asp?global\\_id=60001784](http://www.envirostor.dtsc.ca.gov/public/profile_report.asp?global_id=60001784)

While we were at the site, we met with Michael Watson from Placeworks (formerly the Planning Center – authors of the above school site environmental studies). There were also representatives of TRC (the FPC remediation/removal contractor) at the site.

We understand from our conversation with you late this afternoon that the storm drain alignment is recognized by FPC to be FPC property.

Based on the discovery of site soil contamination that was not anticipated by the DTSC school site review and approval process, we recommend that the City assure that both the DTSC and the Irvine Unified School District are informed of this changed condition. Based on our experience it is our expectation that the DTSC will reconsider its prior approval of the PEA and will request additional information to identify the limits of site contamination, determine whether remediation of the discovered contamination is needed and to what concentration, and will only re-certify the site for school construction after it is satisfied that there is no significant risk to students or school workers.

As we discussed, there is a possibility that the contamination may also extend to City property adjacent to the storm drain excavation. We recommend that the City maintain open communication with FPC as the impacted soil issue progresses so that activities to address the soil contamination to the benefit of FPC, the school district and the City are effectively coordinated.

We hope this information meets your current needs.

David L. Richter

Principal Environmental Scientist

**Ninyo & Moore**

Geotechnical & Environmental Sciences Consultants

475 Goddard, Suite 200

Irvine, California 92618

(949) 753-7070 (x12204)

(949) 753-7071 (Fax)

(858) 472-0536 (Cell)

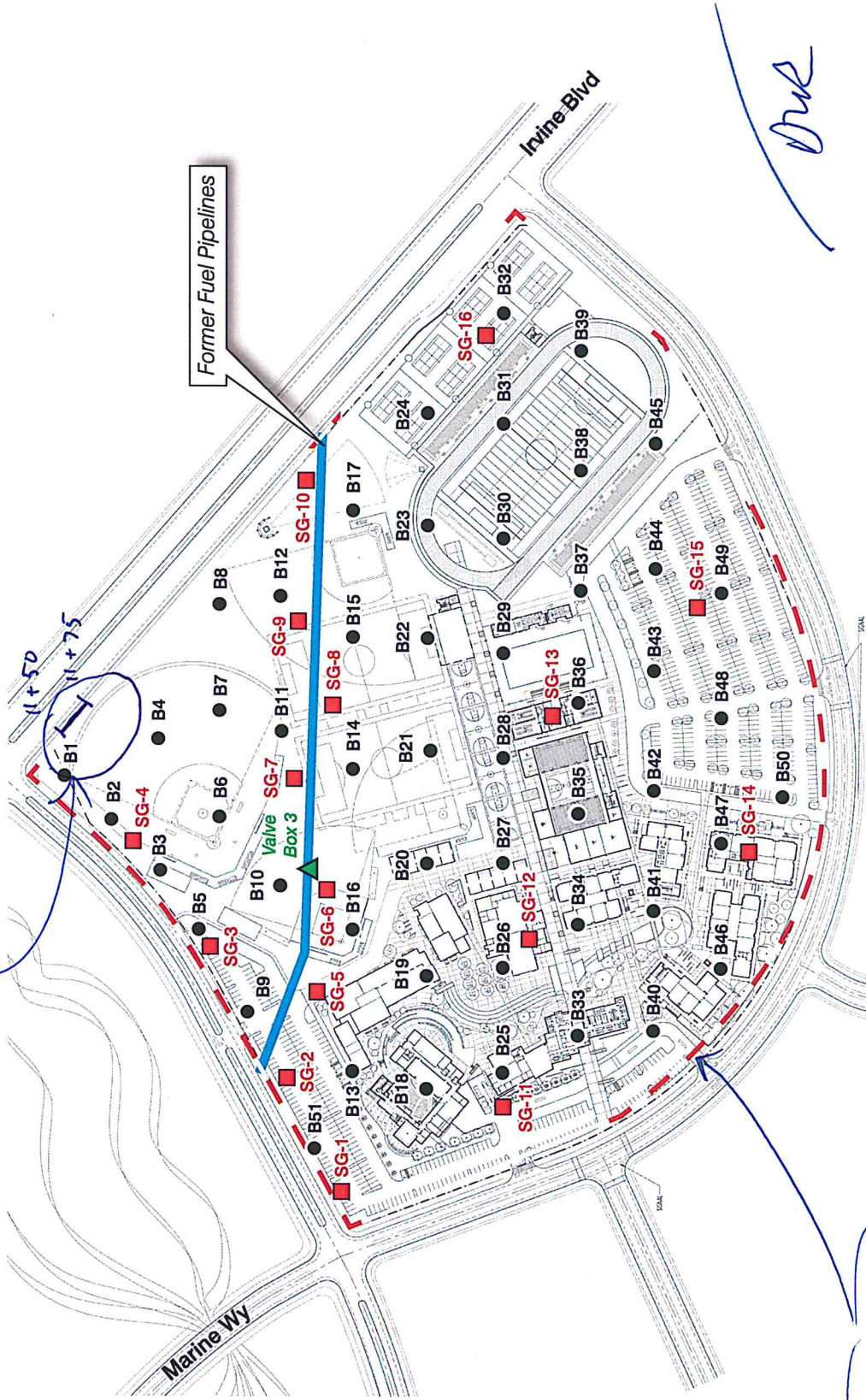
[drichter@ninyoandmoore.com](mailto:drichter@ninyoandmoore.com)

***Experience · Quality · Commitment***

CONFIDENTIALITY NOTICE: This email message, including any attachments, is intended for the official and confidential use of the recipients to whom it is addressed. It contains information that may be confidential, privileged, attorney work product, or otherwise exempted from disclosure under applicable law. If you have received this message in error, be advised that any review, disclosure, use, dissemination, distribution, or reproduction of this message or its contents is strictly prohibited. Please notify the sender of this email immediately by reply email that you have received this message in error, and immediately destroy this message, including any attachments.

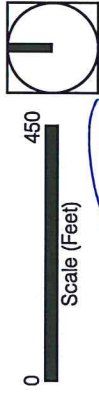
Storm Drain Excavation with  
Suspect Petroleum Contaminated Soil  
11/13/14

Sample Locations Overlying Site Plan



High School 5 Boundary

B1 ● Soil Sample (51)    SG-1 ■ Soil Gas (16)



Source: HMC Architects

High School #5 Site A

Samples Collected during  
DTSC site approval

The Planning Center D&E • Figure 5  
New Placements

Due

**From:** [David Richter](#)  
**To:** [Gregg Gipe](#)  
**Cc:** [pthimmappa@ninyoandmoore.com](mailto:pthimmappa@ninyoandmoore.com); [nanglin@ninyoandmoore.com](mailto:nanglin@ninyoandmoore.com)  
**Subject:** RE: Discovery of Soil Contamination, West Corner Irvine Blvd and Marine Way  
**Date:** Wednesday, November 19, 2014 8:52:28 AM

---

Our expectation would be that FPC or the school district would direct that the appropriate measures be taken by the appropriate member of their respective teams. We don't know what agreements are in place, but the DTSC relationship is probably with the school district as the proponent of the school development. I would guess that the actual DTSC contact would be made by Placeworks. Who Placeworks is working for I couldn't guess.

BTW: I understand you spoke with Craig this morning and you asked that somebody from our office go to the site to observe the site activities. Craig talked to Prasad and he will be stopping by to evaluate the conditions, people/firms represented, planned work, etc. Full time observation may not be needed.

David L. Richter  
Principal Environmental Scientist  
Ninyo & Moore  
Geotechnical & Environmental Sciences Consultants  
475 Goddard, Suite 200  
Irvine, California 92618  
(949) 753-7070 (x12204)  
(949) 753-7071 (Fax)  
(858) 472-0536 (Cell)  
[drichter@ninyoandmoore.com](mailto:drichter@ninyoandmoore.com)

Experience \* Quality \* Commitment

CONFIDENTIALITY NOTICE: This email message, including any attachments, is intended for the official and confidential use of the recipients to whom it is addressed. It contains information that may be confidential, privileged, attorney work product, or otherwise exempted from disclosure under applicable law. If you have received this message in error, be advised that any review, disclosure, use, dissemination, distribution, or reproduction of this message or its contents is strictly prohibited. Please notify the sender of this email immediately by reply email that you have received this message in error, and immediately destroy this message, including any attachments.

-----Original Message-----

From: Gregg Gipe [<mailto:GGipe@ci.irvine.ca.us>]  
Sent: Wednesday, November 19, 2014 6:59 AM  
To: David Richter  
Subject: Re: Discovery of Soil Contamination, West Corner Irvine Blvd and Marine Way

Thank you David. I will call you today to follow up. Is it logical to think that FPC will contact the DTSC on their own or will we need to make that formal request. Just for my FYI!!

Thanks  
Gregg

Gregg Gipe