

STATE OF CALIFORNIA  
ENVIRONMENTAL PROTECTION AGENCY  
DEPARTMENT OF TOXIC SUBSTANCES CONTROL

In the Matter of:

Former Calsol Incorporated Site  
822 West Commercial Street  
Pomona, California 91768

Proponent:

City of Pomona  
Public Works Department  
505 South Garey Avenue  
Pomona, California 91767  
Attn: Ms. Linda Lowry

Docket No. HSA VCA 12/13-049

Third Amendment to Voluntary Cleanup  
Agreement

Health and Safety Code  
Section 25355.5(a)(1)(C)

## I. INTRODUCTION

1.1 Purpose. The purpose of this Amendment to the Voluntary Cleanup Agreement (VCA), Docket Number HSA VCA 12/13-049, is to amend the Scope of Work (Exhibit C) and Cost Estimate (Exhibit D) for the property located at 822 West Commercial Street, in the City of Pomona (Los Angeles County Assessor's Parcel Number 8348-011-900) (Site) to include the following: DTSC oversight for the activities relating to the Removal Action Workplan (RAW), indoor air sampling and mitigation of neighboring properties, preparation of a RAW for groundwater, monitoring of groundwater remediation activities, and preparation of site certification and land use covenant.

1.2 Amendment. This third amendment is in accordance with Paragraph 14 of the Voluntary Cleanup Agreement executed on February 22, 2013.

1.3 Effective Date. The effective date of this Agreement is the date when this Agreement is fully executed.

1.4 Representative Authority. Each undersigned representative of the parties to this Agreement certifies that she or he is fully authorized to enter into the terms and conditions of this Agreement and to execute and legally bind the parties to this Agreement.

1.5 Counterparts. This Amendment may be executed and delivered in any number of counterparts, each of which when executed and delivered shall be deemed

to be an original, but such counterparts shall together constitute one and the same document.

\_\_\_\_\_ Date: \_\_\_\_\_  
Juli Propes, Acting Branch Chief  
Brownfields and Environmental Restoration Program  
Department of Toxic Substances Control

\_\_\_\_\_ Date: \_\_\_\_\_  
Linda Lowry  
City of Pomona, City Manager

## EXHIBITS

C – SCOPE OF WORK

D – COST ESTIMATE

## EXHIBIT C - SCOPE OF WORK

TASK 1. Implementation of Final RAW. Proponent shall implement the final RAW as approved in accordance with the approved RAW and schedule. During implementation of the final RAW, DTSC may specify such additions, modifications and revisions to the RAW as deemed necessary to protect human health and safety or the environment or to implement the RAW.

TASK 2. Indoor Air (IA) Sampling & Mitigation of Residences within Calsol Plume area

2.1 IA Sampling & Mitigation Workplan. The Proponent will submit a workplan that describes IA sampling and mitigation design and measures at neighboring properties around the Site. DTSC may specify such additions, modifications and revisions to the workplan as deemed necessary to protect human health.

2.2 The Proponent will begin implementation of the approved Workplan in accordance with the DTSC approved schedule. DTSC may provide oversight during implementation of the workplan.

2.3 Mitigation Report.

The Proponent will submit a Mitigation Report within four (4) weeks from implementation, which, at a minimum, presents the data, summarizes the findings, validates the data, and includes recommendations and conclusions. Raw laboratory data should also be provided.

TASK 3. Remediation Monitoring.

3.1 SVE/In Situ Chemical Oxidation (ISCO) Monitoring Workplan. The Proponent will submit a workplan that describes the activities proposed to monitor SVE and/or ISCO progress at the Site.

3.2 The Proponent will begin implementation of the approved SVE/ISCO Monitoring Workplan in accordance with the approved implementation schedule. DTSC may provide oversight of workplan implementation.

3.3 SVE/ISCO Monitoring Report.

The Proponent will submit a SVE/ISCO Monitoring Report that, at a minimum, presents the data, summarizes the findings, validates the data, and includes recommendations and conclusions. Monitoring shall be conducted on a quarterly basis for the first two years then semi-annually afterwards.

TASK 4. Completion Report – SVE/ISCO. Following completion of field activities, the Proponent shall submit a Completion Report documenting the implementation of the final RAW, including a post-remediation risk assessment, and noting any deviations from the approved plan. If appropriate, DTSC will issue a “Certification” for the Site.

TASK 5. Remedy Selection Document (Groundwater).

5.1 Removal Action Workplan. If DTSC determines a removal action is

appropriate, the Proponent will prepare a Removal Action Workplan (RAW) in accordance with Health and Safety Code sections 25323.1 and 25356.1.

TASK 6. California Environmental Quality Act (CEQA). In order to meet its CEQA obligation, DTSC will prepare the necessary CEQA documents. If required, the Proponent shall submit the information necessary for DTSC to prepare these documents.

TASK 7. Remedy Implementation - Groundwater. Proponent shall implement the final RAW as approved in accordance with the approved RAW and schedule. During implementation of the final RAW, DTSC may specify such additions, modifications and revisions to the RAW as deemed necessary to protect human health and safety or the environment or to implement the RAW.

TASK 8. Groundwater Monitoring.

8.1 Groundwater Monitoring Workplan. The Proponent will submit a workplan that describes the activities proposed to monitor groundwater remediation at the Site.

8.2 The Proponent will begin implementation of the approved Groundwater Monitoring workplan in accordance with the approved implementation schedule. DTSC may provide oversight of workplan implementation.

8.3 Groundwater Monitoring Report. The Proponent will submit a Groundwater Monitoring Report that, at a minimum, presents the data, summarizes the findings, validates the data, and includes recommendations and conclusions. Groundwater Monitoring shall be conducted on a quarterly basis for the first two years then semi-annually afterwards until cleanup goals are achieved.

TASK 9. Completion Report - Groundwater. Following completion of field activities, the Proponent shall submit a Completion Report documenting the implementation of the final RAW for groundwater and noting any deviations from the approved plan. If appropriate, DTSC will issue a "Certification" for groundwater.

# EXHIBIT D

## COST ESTIMATE WORKSHEET

3RD VOLUNTARY CLEANUP AGREEMENT AMENDMENT: City of Pomona

Project Name: Calsol, 822 West Commercial Street, Pomona, California  
CalStars Site Code: 301274

Title	VCP Coord.	Project Manager	Eng.	Supervisor		Toxicology	Geology	Industrial Hygiene	Legal	Public Particip	CEQA	Clerical
Classification	Sr. SE	Sr. ES	HSE	S-HSEI	S-HSEII	Staff Toxicologist	Eng Geol.	Sr. IH	Attorney	PPS	AEP	WPT
<b>TASK:</b>												
Agreement Prep./Negotiation	1	5		1								1
General Project Oversight (mtgs & communications)		10	5	5	1	10	10	5	5	10		
Mitigation - Workplan		20		1		20	10	10		10		
Mitigation - Implementation		10		1			10			10		
Mitigation - Report		20	10	1		15	10			5		
Public Participation		20		2		5	5			15		
Removal Action Workplan - SVE/ISCO												
RAW Implementation - SVE/ISCO		20					20			10		
Post-Remediation Risk Assessment		20				30						1
Monitoring Reports (Qly: 2 yrs; Semi-Annual: 1 yr)		40	40	2		30	40					
Completion Report - Soil		25	20	1	1	20	20					1
Certification - Soil		10		1	1		5					1
RAW - Groundwater		20	20	1	1		20			10		1
RAW - CEQA - (assume NOE)		20		1							15	1
RAW - Implementation		10					20			10		
Completion Report - Groundwater		20	20	1	1	15	20					1
Certification - Groundwater		10		1	1		5					1
Deed Restriction		20		1	1				10			2
Operation & Maintenance Agreement		20		1	1				10			1
Operation & Maintenance Plan		20	10	1			10					
Total No. Hours/Class	1	340	125	22	8	145	205	15	25	80	15	11
Hourly Rate/Class	\$ 190	\$ 190	\$ 224	\$ 277	\$ 291	\$ 223	\$ 225	\$ 262	\$ 229	\$ 146	\$ 189	\$ 89
Cost/Class	\$ 190	\$ 64,600	\$ 28,000	\$ 6,094	\$ 2,328	\$ 32,335	\$ 46,125	\$ 3,930	\$ 5,725	\$ 11,680	\$ 2,835	\$ 979
<b>Grand Total Cost</b>	<b>\$ 204,821</b>											