



Legislation Text

File #: 15-0413, **Version:** 1

Recommendation to authorize City Manager to execute all documents necessary to issue a Right-of-Entry Permit to AECOM, a Delaware Corporation, and/or its agents, for the drilling of soil vapor sampling wells and the installation of temporary vapor testing equipment in the Baker Street Mini Park and the Wrigley Heights Dog Park, consistent with the Cleanup Abatement Order, for a term of one year, with four, one-year renewal options at the discretion of the City Manager, or his designee. (District 7)

The Los Angeles Regional Water Quality Control Board (LARWQCB) is the public agency with the primary responsibility for the protection of ground and surface water quality for all beneficial uses within major portions of Los Angeles County. BP Pipelines (North America), Inc., Atlantic Richfield Company, and ARCO Terminal Services Corporation (collectively BP) owned property located in the City of Long Beach (City) between Baker Street and West Wardlow Road (Attachment). BP has since sold that property to Tesoro Logistics Operations, LLC (Tesoro). LARWQCB issued a Cleanup Abatement Order to BP for the investigation of soil and groundwater impacts on the property and surrounding properties, which includes City-owned land utilized for park purposes. Tesoro is now responsible for carrying out the investigation activities and potential cleanup and abatement related to impacts from Tesoro-owned petroleum pipelines. LARWQCB has approved Master Work Plan and Human Health Risk Assessment Work Plan R4-2013-0064 (Work Plan) to complete the required work. AECOM, a Delaware Corporation headquartered in Los Angeles, with an office in Long Beach, conducts environmental health and safety projects, and will execute the Work Plan on behalf of Tesoro.

The Work Plan requires the drilling of soil vapor sampling wells and the installation of temporary vapor testing equipment in two parks maintained by the Department of Parks, Recreation and Marine. The first park is the Baker Street Mini Park, located between Baker Street and the 405 Freeway; the second park is the Wrigley Heights Dog Park, located at 3401 Golden Avenue. The petroleum pipelines being investigated are sufficiently below ground surface so as to have no effect on the surface users of the property.

In order for AECOM to implement the Work Plan, a Right-of-Entry Permit (Permit) is required, with the following parameters:

41 Permittor: City of Long Beach.

41 Permittee: AECOM, a Delaware Corporation.

41 Term: One year, beginning May 1, 2015, and terminating on April 30, 2016. The Permit

may be terminated before that date if the LARWQCB approves the abandonment of the sampling wells.

41 Renewal Options: Should the LARWQCB not approve the abandonment of the sampling wells on or before April 30, 2016, four, one-year renewal options may be implemented at the discretion of the City Manager or his designee.

- Permitted Areas: Baker Street Mini Park and Wrigley Heights Dog Park.

41 Authorized Use: To drill soil vapor sampling wells and install temporary vapor testing equipment.

- Permit Fee: There will be a one-time permit fee of \$350 to cover the cost of issuing the Permit.

- Other Regulatory Compliances: The Permit only allows access to the permitted areas; compliance with other federal, state, and local laws will be the responsibility of AECOM.

- Equipment Removal: Upon termination of the Permit, all wells and testing equipment will be abandoned consistent with current regulations.

- Insurance: AECOM and its agents shall indemnify the City and provide evidence of insurance as required by the City's Risk Manager.

This matter was reviewed by Deputy City Attorney Kendra L. Carney and Budget Management Officer Victoria Bell on April 28, 2015.

City Council action is requested on May 12, 2015, in order to allow AECOM to implement the Work Plan in a timely manner.

The Permit fee of \$350 will accrue to the General Fund (GF) in the Parks, Recreation and Marine Department (PR). There is no impact to jobs associated with the recommended action.

Approve recommendation.

GEORGE CHAPJIAN
DIRECTOR OF PARKS, RECREATION AND MARINE

APPROVED:

PATRICK H. WEST

CITY MANAGER