

Fact Sheet  
September  
2002

## Fact Sheet #5: Proposed Regulations on Preparation of Phase I Environmental Site Assessments



### SCHOOL PROPERTY EVALUATION AND CLEANUP DIVISION

*DTSC is one of six Boards and Departments within the California Environmental Protection Agency. DTSC's mission is to restore, protect and enhance the environment, to ensure public health, environmental quality and economic vitality, by regulating hazardous waste, conducting and overseeing cleanups, and developing and promoting pollution prevention.*

State of California



California  
Environmental  
Protection Agency



### Introduction

The Department of Toxic Substances Control (DTSC) has developed new regulations, pursuant to Education Code Section 17210(g), which streamline the environmental review process for proposed school sites. These regulations allow school districts to submit limited soil sampling data for specific contaminants during a Phase I Environmental Site Assessment (Phase I), and clarify the environmental assessment requirements in the Education Code. These regulations will be codified into California Code of Regulations, title 22, division 4.5, chapter 51.5.

### Emergency Regulations

In order to allow school districts to focus resources where they are most necessary and to help expedite the environmental review process, DTSC has adopted these proposed regulations as emergency regulations. The emergency regulations are valid for 120 days, starting September 3, 2002 and ending January 3, 2003, and may be extended if necessary. DTSC has initiated the formal adoption process for [the regulations](#).

The emergency regulations, which provide procedures for conducting a Phase I and/or Phase I Addendum for proposed school sites, allow inclusion of sampling results for lead in soil from lead-based paint and/or polychlorinated biphenyls (PCBs) in soil from electrical transformers during the Phase I process. If sampling results indicate the contaminants do not pose a risk to human health or the environment under unrestricted land use, DTSC will not require further investigation of the site for those contaminants.

### Preparation of a Phase I

The regulations require that a Phase I shall include a site map (showing site boundaries and figures), a description of land uses (past, current and future), and an evaluation of all sources for the potential release or presence of hazardous material (including naturally occurring hazardous material).

During the preparation of a Phase I, if lead-based paint and/or electrical transformers are identified as the only potential sources of contamination at a proposed school site, the school district may collect sampling data for lead in soil from lead-based paint and/or PCBs in soil from electrical transformers. The school district may then submit the results to DTSC, which will then make a determination of either "no action" or "further action required." Further action may include a Preliminary Endangerment Assessment (PEA) and possible removal action. Alternatively, the school district may choose to complete the Phase I without collecting sampling data. In this case, where needed, the Phase I will recommend that a post-

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site-acquisition investigation of impacts from lead-based paint or electrical transformers be conducted at a later date and submitted as a Phase I Addendum for DTSC review.

For sites where DTSC previously has determined the need for a focused PEA, based on potential impacts from lead-based paint or electrical transformers, the school district may choose to prepare a Phase I Addendum instead of a PEA.

The flow chart at right shows the Phase I process. DTSC has developed sample report formats (table of contents) and instructions for preparing a [Phase I Addendum](#). These materials are available on DTSC's web site at [www.dtsc.ca.gov](http://www.dtsc.ca.gov).

For more information, please refer to DTSC's "Phase I Environmental Site Assessment Advisory: School Property Evaluations" on DTSC's web site.

### Public Comment Period and Public Hearing

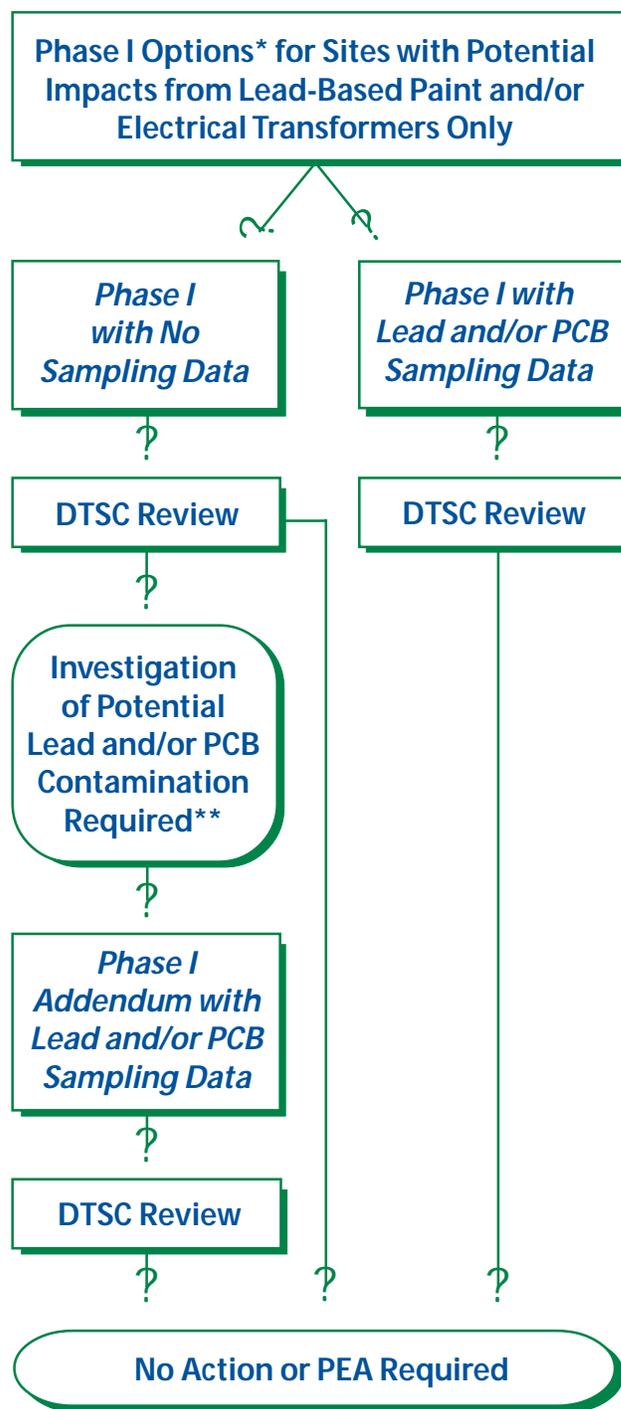
DTSC will hold a 45-day public comment period from September 21 to November 4, 2002 and a public hearing on November 4, 2002, to accept comments on the proposed regulations. The public hearing will take place at 10:00 A.M., in the Central Valley Hearing Room, 2<sup>nd</sup> floor, 1001 "I" Street, Sacramento, California. DTSC will consider any comments submitted.

DTSC will hand out information about these regulations at the California's Coalition for Adequate School Housing workshops and conferences scheduled as follows:

- September 24, 2002, Doubletree Hotel Sacramento, 2001 Point West Way, Sacramento, California 95815, (916) 929-8855
- September 27, Ontario Airport Marriott, 2200 East Holt Boulevard, Ontario, California 91761, (909) 975-5000
- October 11, Hilton Costa Mesa, 3050 Bristol Street, Costa Mesa, California, 92626, (714) 540-7000

**For more information, please contact the School Property Evaluation and Cleanup Division at:**  
**Mr. Bill Kilgore — (916) 255-3738**  
**Mr. Javier Hinojosa — (818) 551-2172**  
**Mr. Peter Garcia — (714) 484-5310**

**Call (800) 72TOXIC (1-800-728-6942) for the DTSC office nearest you or visit [www.dtsc.ca.gov](http://www.dtsc.ca.gov)**



\*A Supplemental Site Investigation (SSI) should be completed for sites with a previous PEA determination requiring investigation of impacts from lead-based paint and/or electrical transformers.

\*\*For sites with a previous Phase I determination requiring completion of a Preliminary Endangerment Assessment (PEA) in accordance with DTSC's "Interim Guidance for Evaluating Lead-Based Paint and Asbestos-Containing Materials at Proposed School Sites," the school district may choose to submit a Phase I Addendum instead of a PEA.