



NOTICE OF PUBLIC COMMENT PERIOD

Land Use Control Proposed for Terrace Drive Properties San Jose, California



PUBLIC COMMENT PERIOD: November 13, through December 12, 2007

The Department of Toxic Substances Control (DTSC) and the City of San Jose invite you to review and comment on the draft Removal Action Workplan (draft RAW) for the Terrace Drive Properties. This cleanup action is part of the ongoing cleanup of Watson Park in San Jose, California.

In July 2006, DTSC mailed a fact sheet informing the surrounding community that a cleanup of soil containing lead and burn ash was being conducted on 9 properties under a Time Critical Removal Action (TCRA) workplan. The lead and burn ash contaminated soil exists to a depth of 15 feet below the ground surface. The TCRA activities for the Terrace Drive Properties included removing 3 to 5 feet of contaminated soil from the residential yards. Clean soil was imported to serve as a cap for the residual lead and burn ash/dump debris remaining on the individual residential properties. Structures, asphalt, concrete, or other solid surfaces also serve as a part of the cap.

DTSC recommends Capping with Institutional Controls, as the recommended alternative for the properties. Because burn ash/dump debris remains on portions of the properties to a depth of 15 feet, a Land Use Covenant to limit the potential for future exposure through controlling and limiting future excavation on the properties is proposed. The proposed Land Use Covenant for Terrace Drive Properties restricts the digging in limited access areas and below three feet in the restricted soil cap area without prior approval by DTSC. To view all proposed alternatives in the draft RAW, please visit the information repositories listed below.

The TCRA removal activities on the properties were completed in August 2006. However, lead and burn ash/dump debris remain beneath the cap. The draft RAW describes the prior cleanup actions, alternatives considered and the proposed remedy for the Terrace Drive Properties. The draft RAW is available for public review and comment. Before DTSC approves, modifies, or denies the draft RAW, DTSC will review and consider all comments received during the public comment period.

WHY THIS NOTICE?

The purpose of this notice is to provide you with the opportunity to learn more about the project and to submit comments to DTSC, concerning the proposed activities in the draft RAW, within thirty (30) days of this notice.

HOW DO I PARTICIPATE?

Your participation is encouraged. Comments concerning the draft RAW may be submitted in writing to Ms. Katharine Hilf, DTSC Project Manager, 700 Heinz Avenue, Berkeley 94710, or e-mail: Khilf@dtsc.ca.gov. All mail must be postmarked by 5 PM on December 12, 2007. E-mailed comments must be received by DTSC no later than 5 PM on the same date.

WHERE DO I GET MORE INFORMATION?

A copy of the draft RAW and other related documents are available in the Information Repositories located at the Northside Community Center, 488 North 6th Street, San Jose, or Empire Gardens Elementary School, 1060 E. Empire St., San Jose, or Dr. Martin Luther King, Jr. Library, 2nd Floor Reference Desk, 150 East San Fernando Street, San Jose, and the Department of Toxic Substances Control, 700 Heinz Avenue, Oakland, California.

The draft RAW other related documents are also available on the DTSC website at:

http://www.envirostor.dtsc.ca.gov/public/profile_report.asp?global_id=70000112

CONTACT:

If you have any questions or wish to discuss the project, please contact Ms. Katharine Hilf, DTSC Project Manager, at (510) 540-3817 or by e-mail to Khilf@dtsc.ca.gov. For public participation activities, please contact Ms. Kim Rhodes, DTSC Public Participation Specialist, toll-free at (866) 495-5651 or (916) 255-3651 or by e-mail to Krhodes1@dtsc.ca.gov. Members of the media should contact Ms. Angela Blanchette, DTSC Public Information Officer, at (510) 540-3732 or by e-mail to Ablanche@dtsc.ca.gov.