



Department of  
Toxic Substances  
Control

*The Mission of the  
Department of  
Toxic Substances  
Control is to  
provide the highest  
level of safety, and  
to protect public  
health and the  
environment from  
toxic harm.*



State of California

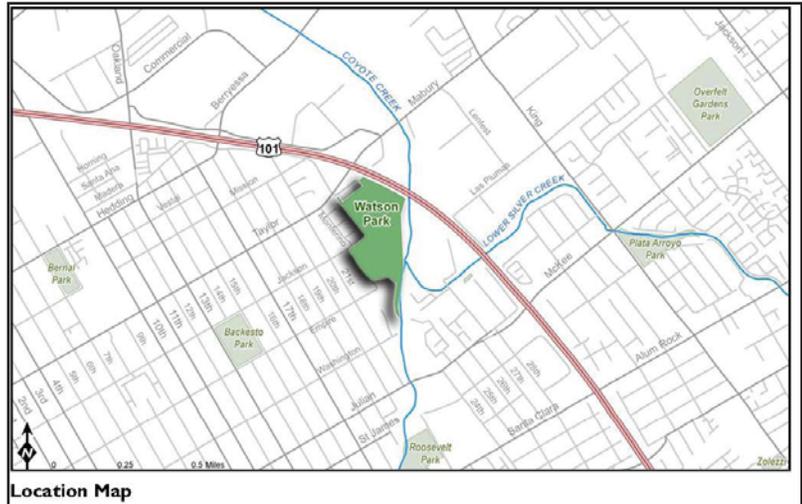


California  
Environmental  
Protection Agency

Public Involvement, September 2008

## Draft Remedial Action Plan Proposed for the Watson Park Site

Clean up of soil contaminated with burn ash/dump debris is proposed for the Watson Park site (site). Watson Park is located in the north-central area of the city, approximately two miles northeast of downtown San José. It is bounded by old East Taylor Street on the north, Highway 101 on the northeast, Coyote Creek on the east, Empire Gardens Elementary School on the south, and residential properties along Terrace Drive, North 22nd Street, and East Empire Street on the west.



Location Map

In June 2004, the City discovered soil containing burn ash/dump debris during excavation for a new skate park. Construction was halted and the City sampled the soil to determine the type of contaminants present and the extent of the affected area. Test results showed primarily elevated levels of lead. The Department of Toxic Substances Control (DTSC) is overseeing the cleanup activities under a Voluntary Cleanup Agreement.

A proposed cleanup plan has been developed for the Watson Park site. The cleanup plan, called a Draft Remedial Action Plan (RAP), describes in detail the investigation and alternatives to cleanup the site.

### Public Comment Period and Meeting

We encourage you to review and comment on the Draft RAP. A 30-day public comment period for the Draft RAP begins on **September 23** and ends on **October 22, 2008**. Copies of the Draft RAP and supporting documents can be viewed at the information repositories listed on page 4 of this fact sheet. Written comments must be postmarked by **October 23, 2008** and e-mailed comments must be received by on the same date. Please send your comments to:

Katharine Hilf, DTSC Project Manager  
700 Heinz Avenue, Berkeley, California 94710  
Call (510) 540-3817 or e-mail [Khilf@dtsc.ca.gov](mailto:Khilf@dtsc.ca.gov)

### Public Meeting – October 8, 2008 at 6:30 p.m.

You are invited to attend a public meeting on the proposed Draft RAP. This meeting will allow you to ask questions and submit comments. The meeting will be held at the following location:

**Empire Gardens Elementary School**  
1060 East Empire Street  
San Jose, California

For information on accessibility or to request reasonable accommodations, please contact Ms. Kim Rhodes toll-free at 1-866- 495-5651 or 916- 255-3651 or by e-mail to [Krhodes1@dtsc.ca.gov](mailto:Krhodes1@dtsc.ca.gov) no later than **September 24, 2008**.



## **This Fact Sheet Will Provide You With:**

- Site History and Background
- Investigation Findings
- Summary of the Draft Remedial Action Workplan
- Cleanup Alternatives
- California Environmental Quality Act
- Next Steps

## **Site History and Background**

The 35-acre site is where an municipal waste incinerator operated from 1914 until it was demolished in 1934. Prior to its dedication as a park in 1961, named for former Mayor Fred Watson, parts of the land were used as a garbage dump, agricultural fields, orchards, and a strawberry farm. The land was bought by the City of San José in two parts: the 21-acre southern section (from Empire to Jackson Streets) in 1913 and the 14-acre northern section (from Jackson to Taylor) in 1959. The park site had two community center buildings, two community gardens, three soccer fields, a basketball court, a playground area, a tree bank, and the City's largest dog park. The southern parcel of the site is leased by the City to the San Jose Unified School District. Empire Gardens Elementary School was built in 1959 and was completely renovated during 2000-2003 and reopened in 2004. Most of the park is currently fenced off and not open to the public with the exception of the dog park. Recently, in the summer of 2008, a park master plan was circulated for public comment to incorporate site improvements once the site is remediated.

## **Investigation Findings**

In 2006, URS Corporation, the contractor for the City of San Jose, conducted a Preliminary Waste Characterization Study (PWCS) to evaluate and characterize the Site. The PWCS included extensive sampling of soil, groundwater and storm water. Lead is typically the primary contaminant in burn ash/dump debris, however, other contaminants collocated with the lead included other metals and organic compounds such as polynuclear aromatic compounds (PNAs), organochlorine pesticides (due to past agricultural use; OCPs), polychlorinated biphenyls (PCBs) and dioxins and furans. The results indicate that these contaminants have not affected groundwater or storm water quality at the Site.

Based on this investigation, the lateral and vertical extent of soil containing burn ash/dump debris has been identified. The footprint (lateral extent) of the Watson Park Burn Site includes the southern two-thirds of Watson Park including the Children's Playground, the city-owned portion of the Empire Gardens Elementary School and portions of eight properties along the eastern side of Terrace Drive. No burn ash/dump debris was found on the School-owned portion of the Empire Gardens Elementary School and the privately owned and SCVWD properties along Coyote Creek. No burn ash/dump debris was found on the northern third of Watson Park with the exception of two limited areas of surface soil that contained lead and/or arsenic at concentrations above screening levels.

Based on the review of analytical data, DTSC requested that the City take immediate action on some of the Terrace Drive properties due to the presence of lead in soil at elevated levels and burn ash/dump debris-like materials observed in shallow soil. A Soil Removal Action Work Plan was prepared by URS, approved by DTSC and implemented in the summer of 2006. The action involved the removal of 3 to 5 feet of soil in the back yards (eastern portion) of eight properties. The excavated burn ash/dump debris-containing materials were stockpiled on Watson Park. Following excavation, clean fill was hauled to the backyards and used as backfill. The clean soil and existing hardscape (asphalt, concrete and/or building slabs) serve as a cap to the residual burn ash/dump debris that remains on these properties. The final Removal Action Completion Report was submitted and was approved by DTSC on March 28, 2007. Approximately 5,000 cubic yards of soil were loaded into trucks and transported across City property into Watson Park where it was stockpiled. The stockpile is addressed in the draft RAP.

A Final Removal Action Workplan was approved for the Terrace Drive Properties in March 2008. The final remedy for the eight properties is a cap of 3-5 feet of clean soil, or other hardscape (asphalt, concrete and/or building slabs) and institutional controls (deed restrictions or land use covenants (LUCs)), yearly inspections and soil management plans.

## Draft Remedial Action Plan

The Draft RAP evaluates cleanup alternatives and identifies a preferred alternative which prevents or reduces potential risks to public health and the environment. A Draft RAP summarizes previous studies and identifies the possible removal alternatives. Remedial alternatives are screened and evaluated on the basis of their effectiveness, ability to implement and cost. The Draft RAP then identifies the alternative DTSC recommends and believes is the most appropriate for the site.

Before DTSC makes a final decision to approve or deny a draft RAP, the Draft RAP is made available for public comment during a 30-day public comment period. All comments received from the public during the comment period are reviewed and considered before the draft RAP is approved by DTSC.

## What Are The Cleanup Alternatives?

Three cleanup alternatives were evaluated for the Watson Park site:

**Alternative 1** - No Action

**Alternative 2** - Capping and Institutional Controls.

This alternative would consist of placing an engineered soil cover, buildings and/or concrete over the contaminated soils to minimize the potential for human exposure.

**Alternative 3** - Excavation with off-site disposal.

This alternative would consist of excavation and removal of 145,000 cubic yards of burn ash/dump debris and lead contaminated soil from the site.

## DTSC Recommendation

DTSC proposes alternative two as the best choice. It places the contaminated soil under a cap of three feet or other hardscape and is easily implemented with less disruption to the community.

## Summary of Proposed Draft Remedial Action Workplan

If the plan is approved, you can expect to see the following activities:

- Approximately 110,000 cubic yards of soil moved from the northern portion of the park to cover the contaminated soil in the south. This will change the floodplain area from the southern to the northern area and will prevent possible floodwaters from coming into contact with the contaminated soil.
- Soil sprayed with water to prevent dust from becoming airborne; and
- Airborne dust monitoring being conducted.

The consolidation and capping activities are anticipated to last approximately four (4) months.

## Truck Route

Heavy equipment may be used to move the soil into trucks or other equipment within the park boundaries. The work will be restricted according to San Jose City Policy between 7 a.m. and 6 p.m. Monday through Friday. Weekend work will be limited. No truck route is provided, because all work will be within the park boundaries and no soil will be removed from the site. Soil from another section of the park will be used as the capping material.

## California Environmental Quality Act

The City of Santa Jose prepared a Mitigated Negative Declaration for the proposed park reconfiguration project and site cleanup. DTSC will use this document to address the requirements for the California Environmental Quality Act. A copy of the Mitigated Negative Declaration is available for review in the information repositories.

## Next Steps

After the close of the comment period, DTSC will prepare a "Response to Comments" (RTC) document. This document includes all of the comments received by DTSC about the Draft RAP during the 30-day public comment period. It will also provide DTSC's response to those comments. Anyone who submits comments regarding the Draft RAP will receive a copy of the RTC document. A copy of the RTC will be placed in the Information Repositories.

### Information Repositories

DTSC encourages public participation in the decision-making process and invites the public to review and comment on the Draft RAP.

#### **Dr. Martin Luther King, Jr. Library**

Reference Desk  
150 San Fernando St.  
San Jose, California 95112  
Please call (408) 808-2100 for hours of operation.

#### **Northside Community Center**

488 North 6th Street  
San Jose, California 95112  
Hours: Mon - Fri: 8 a.m. - 4:30 p.m.

#### **Empire Gardens Elementary School**

1060 East Empire Street  
San Jose, California 95112  
Hours: Mon - Fri: 8 a.m. - 5 p.m.

#### **Department of Toxic Substances Control**

700 Heinz Avenue  
Berkeley, California 94710  
By appointment only (510) 540-3800

To view **electronic versions** of the Draft RAP and Mitigated Negative Declaration, and other related documents, you may enter the report directly by entering in the following information:

[http://www.envirostor.dtsc.ca.gov/public/profile\\_report.asp?global\\_id=70000112&cmd=community\\_involvement](http://www.envirostor.dtsc.ca.gov/public/profile_report.asp?global_id=70000112&cmd=community_involvement). You may also view the electronic documents by entering:

<http://www.envirostor.dtsc.ca.gov/public/>. Enter "**San Jose**" as the City and select "**Watson Park**." Click on the link "**Report**" to view electronic documents

### For More Information

If you would like more information about this Site or have questions about the Draft RAP and CEQA documents please contact:

Katharine Hilf  
DTSC Project Manager  
(510) 540-3817  
or e-mail at [Khilf@dtsc.ca.gov](mailto:Khilf@dtsc.ca.gov)

For information about public participation, public meeting and community involvement, please contact:

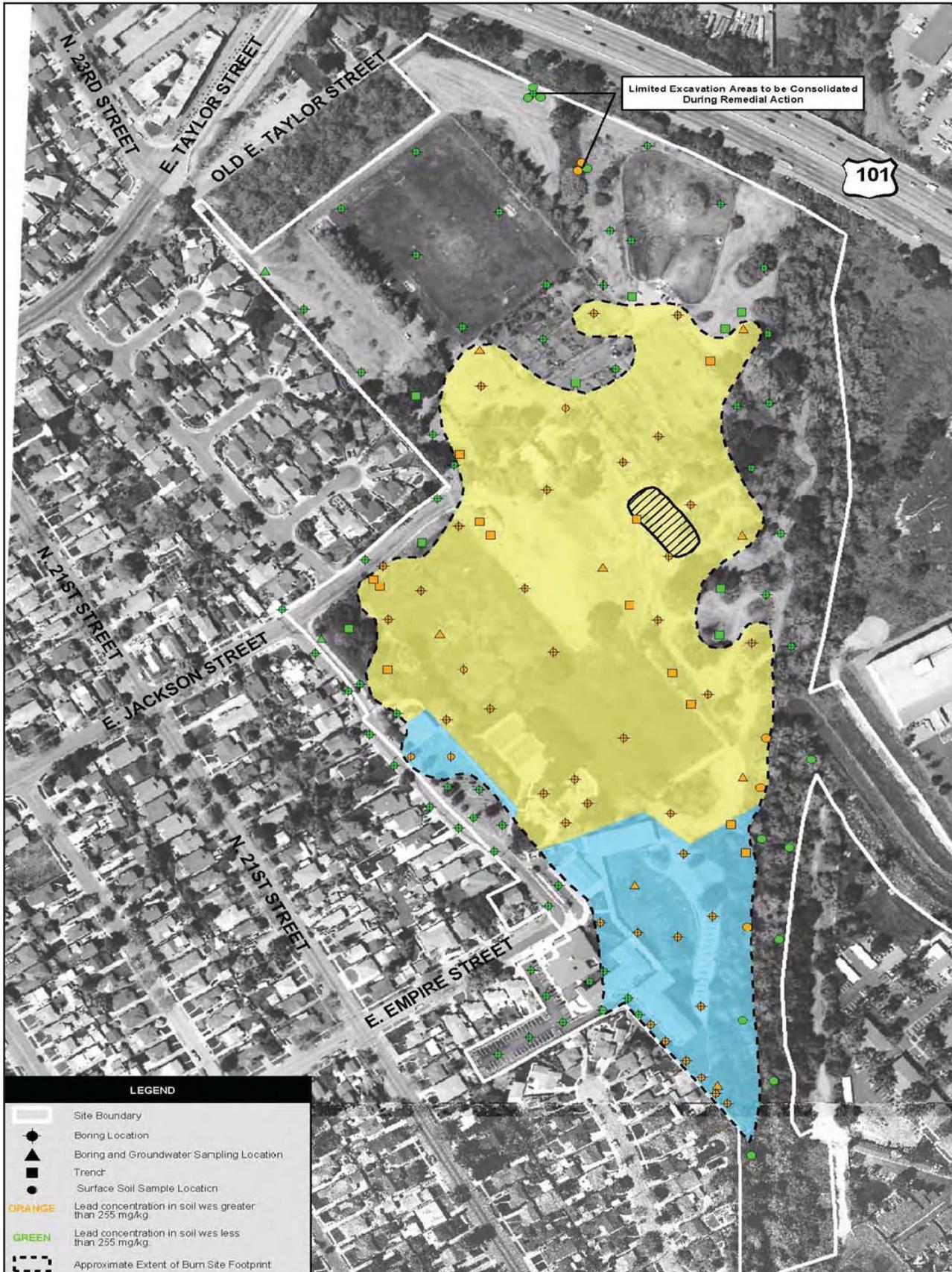
Kim Rhodes  
DTSC Public Participation  
Toll-free (866) 495-5651 or  
(916) 255-3651  
or e-mail at [Krhodes1@dtsc.ca.gov](mailto:Krhodes1@dtsc.ca.gov)

For media questions, please contact:

Claudia Loomis  
DTSC Public Information Officer  
(916) 255-6578  
or e-mail at [Cloomis@dtsc.ca.gov](mailto:Cloomis@dtsc.ca.gov)

### Notice to Hearing Impaired Individuals

TDD users can obtain information about the site by using the California State Relay Service at (888) 877-5378. Please ask to speak with Kim Rhodes, DTSC Public Participation Specialist at (916) 255-3651.



**LEGEND**

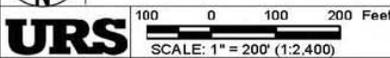
- Site Boundary
- Boring Location
- Boring and Groundwater Sampling Location
- Trench
- Surface Soil Sample Location
- ORANGE** Lead concentration in soil was greater than 255 mg/kg
- GREEN** Lead concentration in soil was less than 255 mg/kg
- Approximate Extent of Burn Site Footprint
- Proposed 3-foot Soil Cap
- Existing Hardscape or Cap Greater Than 3 Feet
- Terrace Drive Stockpile (to be Placed Beneath Soil Cap)

Note: Areas with residual burn ash/dump debris will include Institutional Controls.



SOURCE:  
Pacific Aerial Surveys (aerial, March 2005).

**REMEDIAL ACTION AREAS  
FORMER WATSON PARK BURN SITE**



CREATED BY: CL	DATE: 2-11-08	FIG NO: 5
PM: RS	PROJ. NO: 28649780.00001	

### Comment Form for Watson Park Site, Draft Remedial Action Plan

If you use this form to send us your comments, please include your name and address. All written comments must be postmarked no later than **October 22, 2008**. Please send this form to:

Katharine Hilf, DTSC Project Manager  
700 Heinz Avenue  
Berkeley, California 94710

You may also email this same information to: [Khilf@dtsc.ca.gov](mailto:Khilf@dtsc.ca.gov)

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Affiliation (if any): \_\_\_\_\_

Phone number (optional): \_\_\_\_\_

Comments: (If you need more space, please feel free to use another sheet of paper)

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### Would you like to be added or removed from the Watson Park Site Mailing list?

If you would like to be added or removed from the mailing list for the Watson Park Site, please complete the information below and return to Ms. Kim Rhodes, 8800 Cal Center Drive, Sacramento, CA 95826.

You can e-mail your request to be added or removed from the mailing list to [Krhodes1@dtsc.ca.gov](mailto:Krhodes1@dtsc.ca.gov).

Please **remove** my name from the mailing list

Please **add** my name to the mailing list

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City/State/Zip: \_\_\_\_\_

**Note:** While this mailing list is solely for DTSC use, the list is considered a public record.