

Preventing environmental damage from hazardous waste, and restoring contaminated sites for all Californians.



State of California



Department of Toxic Substances Control

Public Involvement

FACT SHEET, September 2005

Sutter Creek approves special building and land use controls at and around Mesa De Oro

Introduction

In June 2005, the City Council of Sutter Creek approved an ordinance that establishes special building and land use requirements for properties at Mesa De Oro and surrounding areas. This ordinance is part of the controls to keep residents from being exposed to arsenic contaminated soils found at Mesa De Oro in 1994. DTSC and United States Environmental Protection Agency (U.S. EPA) found arsenic in soil on residential properties in and around the Mesa De Oro Subdivision of Sutter Creek, California. In 1996, U.S. EPA installed a protective cap as described on page three of this fact sheet. Soil beneath this protective cap has levels of arsenic which may pose a risk to public health and are above state residential land use standards. These contaminated soils were the result of historic mining operations associated with the Central Eureka Mine. Mesa De Oro is a residential subdivision located east of Highway 49 and north of Bryson Drive in Sutter Creek, California. For the general area that the ordinance applies to, please see the map on page two. Mesa De Oro is about 13 acres and has 43 residential lots. Mesa De Oro sits about thirty feet above the surrounding terrain.

This fact sheet summarizes the health effects of arsenic exposure, the cleanup history, the Sutter Creek Ordinance governing affected properties, and the plans to maintain the current cap over the arsenic contaminated soil.

What are the health effects of arsenic?

Breathing elevated levels of arsenic may give you a sore throat or irritated lungs. Eating elevated levels of arsenic can result in death. Exposure to elevated levels of arsenic may cause nausea and vomiting, decreased blood cell production, abnormal heart rhythm, damage to blood vessels, and a sensation of pins and needles in hands and feet. Eating or breathing elevated levels of arsenic for a long time may cause skin darkening and the appearance of small corns or warts on the palms, soles, and torso.

Contacts for Mesa De Oro Information

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City of Sutter Creek

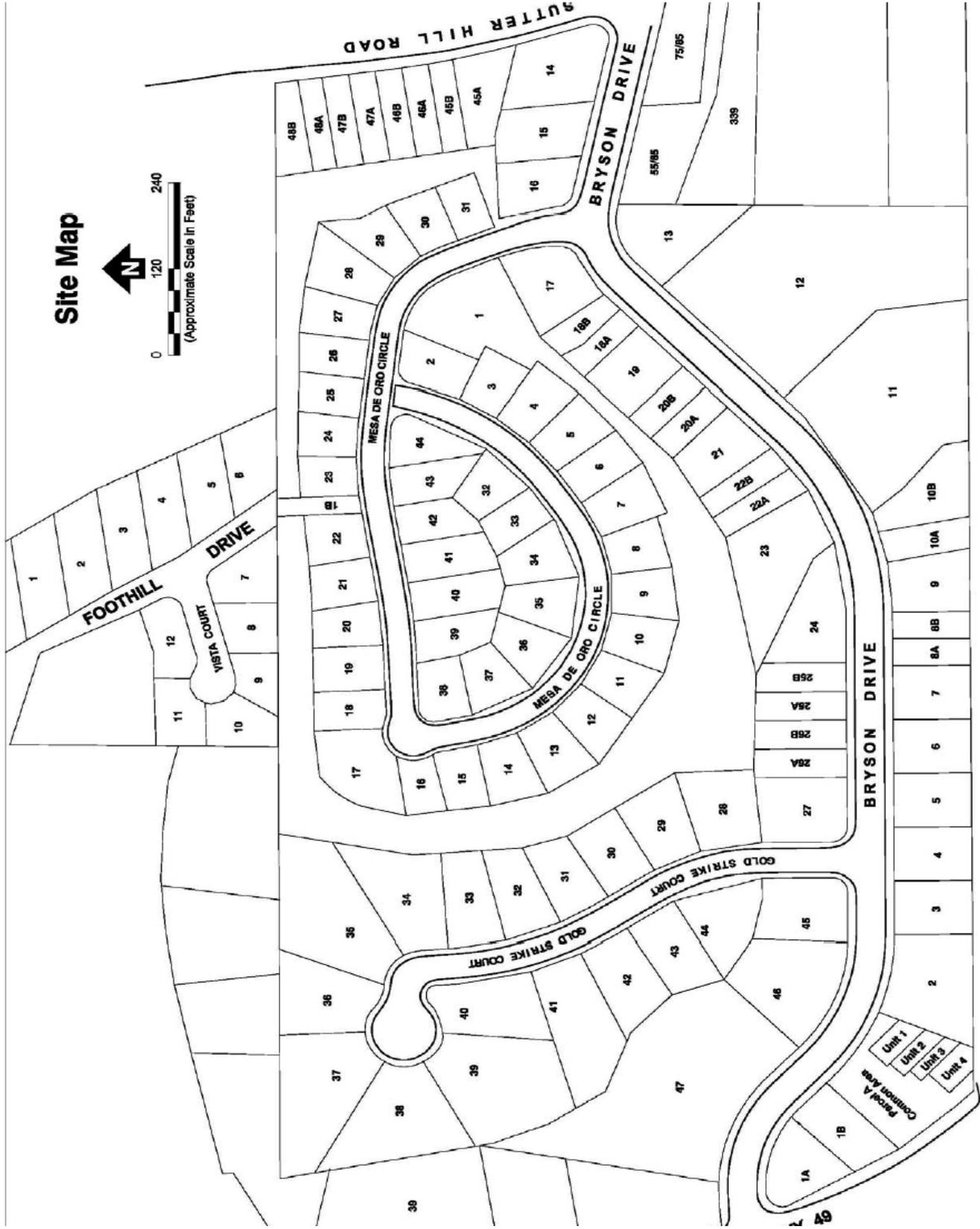
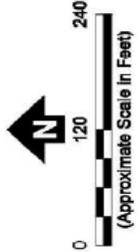
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Site Map



Several studies have shown that arsenic can increase the risk of lung cancer, skin cancer, bladder cancer, liver cancer, kidney cancer, and prostate cancer. The World Health Organization, the United States Department of Health and Human Services, and the US EPA have determined that arsenic is a human carcinogen.

What has been done to limit my exposure to the contaminated mine tailings?

In 1996, the U.S. EPA completed cleanup of the Mesa De Oro Subdivision and surrounding residential properties including Gold Strike Court, Bryson Drive, Foothill Drive and Vista Court in Sutter Creek, California. U.S. EPA completed this work to remove the threat of human exposure to arsenic contaminated soil (affected soil) for these properties.

Protective measures at the Mesa De Oro Subdivision included placing a one foot clean soil cap over a plastic liner or a two foot clean soil cap placed on properties overlying mine tailings. Some properties at Mesa De Oro, having existing homes and existing landscaping, did not have any soil removed from their lots. The existing landscaping and existing fill cover on these eleven lots were considered to be an adequate protective measure. The slopes of the mesa were capped with eight inches of clean soil contained within an eight inch thick honey-comb textile material. Existing barriers such as roadways, driveways, sidewalks, and building foundations were left in place in all cases. As noted, arsenic affected soils were not entirely removed from these properties.

The long-term success of the cleanup efforts will depend upon the preservation of these barriers and improvements by the implementation of Sutter Creek City Ordinance and the Operation and Maintenance measures.

What does the Sutter Creek ordinance do?

The Sutter Creek City Council adopted City Ordinance 15.37 (part of the Sutter Creek City Code) that establishes special building and land use requirements for Mesa De Oro and surrounding areas at the June 20, 2005 City Council meeting. This Ordinance is designed to keep the protective barrier maintained, and to keep residents from being exposed to arsenic contaminated soil. Residents need to apply for a Sutter Creek City permit before disturbing soil that has

arsenic in it. Soil disturbance would include:

- Digging to a depth that will expose affected soils or the honeycomb textile barrier.
- Building demolition
- Construction of new buildings, swimming pools, construction of decks, and room additions
- Re-grading or contouring of lot or yard
- Landscaping excavation
- Work with underground utilities
- Road maintenance and construction

What should you do before you dig?

The ordinance requires you to contact the Sutter Creek City Building Department to obtain an excavation permit. The City will check if your property is listed as one of the affected properties. If your property is affected:

- 1) The City Building Department will review your property history to find out where and to what depth your property has clean fill and possibly a plastic liner.
- 2) The City will not allow any construction of new below ground swimming pools or spas on the mesa portion of the affected properties.
- 3) The City will ask you to prepare excavation plans that avoid going below the clean fill depth in your yard.
- 4) The City will ask you not to dig through the plastic liner.

Honeywell would do the following:

- 5) If penetrated, repair any plastic liner before re-filling.
- 6) If you are removing soils below the clean fill depth, you will need to have a city approved soil management plan.

7) The City Building Department will review your soil management plan to see if it meets the following:

- Puts the affected soil back in the excavation, if possible.
- Requires clean fill for underground utilities.
- Separates affected soil from clean soil, places it on plastic liner and securely covers the affected soil.
- Follows all appropriate health and safety regulations (Code of Federal Regulations --29 CFR Part 1910) for handling arsenic-contaminated soils or hires a qualified contractor (City Building Department has a list of qualified contractors).
- Replaces top 2 feet of excavation with clean soil.
- Uses a trained contractor to sample, test and dispose of any remaining contaminated soil (City Building Department has a list of qualified contractors).
- The City will arrange for the pick up and disposal of affected soils and maintain records of all transportation and disposal activities.
- The land owner will pay for the soil disposal services.

What are Operation and Maintenance Measures?

DTSC continues to negotiate an Operations and Maintenance Agreement between Honeywell International Inc.(Honeywell) and DTSC. This Agreement will cover the operation and maintenance for the protective cap at the Mesa De Oro Subdivision and slopes as well as the Bryson Drive and Gold Strike Court culvert.

The agreement's objective is to:

prevent human exposure by maintaining the cap over the arsenic contaminated soil.

- Annually inspect the soil cap to see that it and underlying liner on the slope are intact.
- Perform maintenance activities that may include soil erosion prevention, vegetation clearance for fire control, and trash/sediment removal in drainage collection channels at the toe of the mesa.
- Report regularly including annual summary reports, five-year reviews and an Emergency Response Action/ Notification in the event of any occurrence that leads to human exposure to the arsenic.
- Provide financial assurance to make sure that future funds are available for operation and maintenance of the cap materials.

DTSC will oversee all of these activities.

Contacts For Information

For more information, please contact:

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If you are from the media, please contact:

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Anuncio

Si prefiere hablar con alguien en español acerca de ésta información, favor de llamar a Fernando Amador, Departamento de Control de Substancias Tóxicas. El número de teléfono es (916) 255-3737.

Notice to Hearing Impaired

You can obtain additional information by using the California State Relay Service at:

1-888-877-5378 (TDD).

Please ask them to contact Nathan Schumacher, DTSC, at (916) 255-3650 regarding Mesa De Oro

Cut out and mail

ARE YOU ON DTSC's MAILING LIST?

If you would like to be on the mailing list, fill out the information below and mail back to:

Please print name and address clearly.

Name: _____

Address: _____

City/State/Zip: _____

Phone: _____ Fax: _____ E-mail: _____

Comment:

Please take me off the mailing list.

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