DRAFT MOTION

Superfund sites are designated by the United States Environmental Protection Agency (U.S. EPA) under the Comprehensive Environmental Response, Compensation, and Liability Act which was enacted by the United States Congress in 1980. The Superfund law was created to protect people, families, communities and others at sites where past land uses have left potentially harmful waste byproducts in soil or groundwater.

One such site, designated by the U.S. EPA as the Del Amo Superfund site, is a 280-acre area located in the Harbor Gateway area of Los Angeles, near the intersection of the San Diego and Harbor Freeways. The 280-acre area has been very successfully redeveloped over the past 35 years as a modern industrial park and commercial business center. The U.S. EPA, U.S. General Services Administration, The Dow Chemical Company, and Shell Oil have been working in partnership to investigate and clean up the site since 1992. As a part of that clean up process, all entities have been working to establish a series of "institutional controls" to assist property owners and regulators in dealing with future development protocols for the site.

One such "institutional control" being contemplated is a request for notification of the U.S. EPA and its partners by the City of Los Angeles Department of Building and Safety (LADBS) any time a building, grading or excavation permit is requested for properties within certain designated areas on the Del Amo site. This notification will allow the U.S. EPA and its partners the opportunity to inform work with property owners and their contractors to properly address any Superfund-related contamination present during their construction project of the special processes and protocols that should be followed when performing construction activities that have the potential to expose workers to contamination.

A second "institutional control" being contemplated is a request for notification of the U.S. EPA and its partners by the City of Los Angeles Planning Department any time a land-use change is requested for properties within certain designated areas on the Del Amo site. This notification will allow the U.S. EPA and its partners the opportunity to assess the safety of the use change with respect to any environmental contamination related to the Superfund site.

While the City has agreed to already flagged these properties in ZIMAS and is participating cooperatively with U.S. EPA in a pilot program, currently there is no mechanism for the City to notify the U.S. EPA that an application for a building, grading or excavation permit has been filed, or a land-use change has been requested. This sort of cooperation and partnership is critical to maximizing the protection of the health and safety of property owners, leaseholders and contractors.

I THEREFORE MOVE that the LADBS and the City Planning Department be directed to further participate in a pilot program with the U.S. EPA by creating a mechanism to notify U.S. EPA whenever applications are filed for building, grading or excavation
permits, or land-use changes on properties identified by the U.S. EPA as part of their institutional controls pilot program area.

I FURTHER MOVE that LADBS and the City Planning Department report back to the Public Safety Committee with a report on this program and its implementation within 30 days.

Presented By: ______________________  Date: ______________

Seconded By: ______________________  Date: ______________