

**CALIFORNIA ENVIRONMENTAL QUALITY ACT
NOTICE OF EXEMPTION**

To: Office of Planning and Research
State Clearinghouse
P.O. Box 3044, 1400 Tenth Street, Room 212
Sacramento, CA 95812-3044

From: Department of Toxic Substances Control
Brownfields and Environmental Restoration Program
Site Evaluation and Remediation Unit
San Joaquin Branch
8800 Cal Center Drive
Sacramento, California 95826-3200

Project Title: Spring Hill Mine Property Removal Action Workplan

Project Location: South of Dorsey Drive and Southeast of Hwy 20/49, Grass Valley, California 95949

County: Nevada County

Project Description:

The California Department of Toxic Substances Control, pursuant to regulatory authority granted under Chapter 6.8 of the Health & Safety Code (H&SC), is considering approving a revised draft Removal Action Workplan (RAW) that was submitted on June 15, 2012 by Holdrege & Kull Consulting Engineers and Geologists (H&K) on the former Spring Hill Mine (SHM) Property (the Site). The purpose of the proposed project is to minimize human exposure to arsenic-, lead-, mercury-, copper-, and vanadium-impacted mine waste rocks, tailings, and soils by excavation and removal to an off-site permitted facility(ies) as well as on-site burial and land use restrictions. The estimated volume of impacted mine wastes and soils planned for removal from the Area of Concern 1 (AOC 1) on the site is approximately 1,700 cubic yards (yds³) or approximately 150 truckloads. Approximately 64,000 yds³ of impacted materials are planned for burial under future site development in AOC 2 with land use covenant (LUC) and operation and maintenance agreement (OMA) to prevent future disturbance of COCs impacted soils.

The maximum concentration levels of contaminants of concern (COCs), cleanup goals, and background levels for each COC are listed in the chart below.

Constituent of Concern	Maximum Detected Soil Conc. (mg/kg)		UCL Soil Conc. (mg/kg)		UCL Background Soil Conc. (mg/kg)	BTW Soil Conc. (mg/kg)	CHHSL for Residential Soil (mg/kg)	CHHSL for Commercial Soil (mg/kg)	Proposed Cleanup Goals for Unrestricted Land Use		Proposed Cleanup Goals for Placement Beneath Commercial Development		Basis for Proposed Cleanup Goals	
	AOC 1	AOC 2	AOC 1	AOC 2					Total Conc. (mg/kg)	Soluble Conc. (µg/L)	Total Conc. (mg/kg)	Soluble Conc. (µg/L)	Protection of Human Health	Protection of Water Quality
Arsenic	579	94.6	348	21.9	Na	17	0.07	0.24	17	2	22	20	BTW/RBCL	SDL
Copper	467	94.2	na	na	46.4	62	3,000	38,000	2,800	na	10,000	na	RBCL	na
Lead	810	341	408	36.1	13.7	na	80	320	80	2	260	20	RBCL	SDL
Mercury	19.5	1.29	10.1	0.22	na	na	18	180	18	na	82	na	RBCL	na
Vanadium	948	54.6	na	na	93.1	117	530	6,700	117	Na	260	na	BTW/RBCL	na

BTW = Background threshold value (95th percentile value for arsenic, 95% Upper Percentile Limit for other metals)
 DI-WET = Title 22 Waste Extraction Test using deionized water as the extractant solution
 mg/kg = milligrams per kilogram of soil
 na = not applicable or not available
 ND< = constituent not detected at concentration greater than the listed laboratory reporting limit
 RBCL = risk-based cleanup level
 SDL = soluble designated level based on Designated Level Methodology (see PEA report)
 UCL = upper confidence limit (95%) on the arithmetic mean
 µg/L = micrograms per liter of water

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Project activities associated with the RAW are expected to commence sometime during the 2013 calendar year and are expected to take approximately 3 weeks to complete.

Background:

The Site is approximately 26 acres of undeveloped land comprised of Assessor's Parcel Numbers (APNs) 35-260-62, 35-260-63, and 35-260-64 in the Grass Valley Mining District. Future commercial development is proposed for the Site.

According to the research conducted by H&K the site was mined intermittently from the late 1800s to the early 1940s for gold and maybe the cause for the elevated concentrations of metals or COCs. There are no records of mining activities after the early 1940s and most operations in the area closed during World War II and never reopened. The site is still closed.

In 2008 a Preliminary Endangerment Assessment (PEA) was completed by H&K which identified that the primary COC responsible for the Site's current risk is arsenic. The cleanup levels are based on local background concentrations for the protection of human health and water quality. Mitigation of the arsenic will also serve to remediate the other COCs which include lead, mercury, copper, and vanadium.

Project Activities:

In both AOC 1 and AOC 2 the impacted mine wastes and soils with arsenic concentrations above 22 milligrams per kilogram (mg/kg) are slated to be excavated and removed to an appropriate landfill(s). Facilities identified for Class I waste will be transported to Chem Waste Management in Kettleman Hills, California and Class II (non-hazardous) waste transported to Norcal Waste Systems' Ostrom Road Landfill, Inc., in Wheatland, California. Mine wastes and soils with arsenic concentrations between background and 22 mg/kg will be buried beneath a cap consisting of a parking lot and building foundation which will be part of the Site's future development project. Arsenic concentration levels in soils tested that are at or below 17 mg/kg will not be removed since the concentrations are equal to or within the background range.

Specific environmental safeguards and monitoring procedures that are enforceable and made a condition of project approval to ensure that impacts to the environment will be less than significant are included in the approved RAW which includes an Engineering Evaluation/Cost Analysis, Health and Safety Plan, Soil Management Plan, Verification Sampling and Analysis Plan, Transportation Plan, and Dust Control Plan and Erosion Control Plan.

In the event that biological, cultural, or historical resources are found in the course of project activities, work will be suspended while a qualified biological, archaeologist, cultural, or historical resources specialist makes an assessment of the area and arrangements are made to protect or preserve any resources that are located. In the event of the accidental discovery or recognition of any human remains during ground disturbance activities, excavation or disturbance of the site or any nearby area shall stop immediately and the County Coroner notified to determine its origin. Procedures prescribed under CEQA Guidelines, CCR section 15064.5(e) and H&SC section 7050.5 will be implemented to ensure compliance with the appropriate California laws and regulations in protecting cultural resources.

Name of Public Agency Approving Project: California Environmental Protection Agency, Department of Toxic Substances Control

Name of Person or Agency Carrying Out Project: R. Jeter Family Trust is the project proponent and Holdrege & Kull is the consultant.

Exemption Status: (check one)

- Ministerial [PRC, Sec. 21080(b)(1); CCR, Sec. 15268]
 Declared Emergency [PRC, Sec. 21080(b)(3); CCR, Sec.15269(a)]
 Emergency Project [PRC, Sec. 21080(b)(4); CCR, Sec.15269(b)(c)]
 Categorical Exemption: Class 30 Categorical Exemption: Cal. Code Regs., tit. 14, §15330
 Statutory Exemptions: [State code section number]
 General Rule [CCR, Sec. 15061(b)(3)]

Exemption Title: Minor Actions to Prevent, Minimize, Stabilize, Mitigate or Eliminate the Release of Hazardous Waste or Hazardous Substances

Reasons Why Project is Exempt:

DTSC has determined that the project is a Class 30 categorical exemption project (as provided in California Code of Regulations, title 14, sections 15300.2 and 15330) and is, therefore, exempt from the provisions of California Environmental Quality Act (CEQA) and the Guidelines for the following reasons:

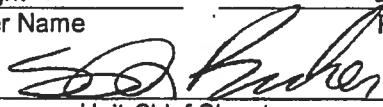
1. The project is a cleanup action to be taken to prevent, minimize, stabilize, mitigate, or eliminate the release or threat of release of a hazardous waste or substance.
2. The project is a removal action costing \$1 million or less.
3. The project will not be located on a site which is included on any Cortese list compiled pursuant to Cal. Gov. Code § 65962.5 (<http://calepa.ca.gov/sitecleanup/corteselist/default.htm>)
4. The project involves air emissions from construction activities that include excavating and hauling soils, which DTSC has determined are below the Northern Sierra Air Quality Management District threshold levels. On April 5, 2013 an analysis of project activities upon existing environmental conditions indicates that implementation of environmental safeguards and monitoring procedures are enforceable and made a condition of project approval and will ensure that impacts to the environment will be less than significant. As a result, DTSC finds that the project is exempt from further environmental review under CEQA.

- 5. The project will not have a significant effect on the environment due to unusual circumstances.
- 6. The project will not result in damage to scenic resources, including but not limited to, trees, historic buildings, rock outcroppings, or similar resources, within a highway officially designated as a state scenic highway.
- 7. The project will not cause a substantial adverse change in the significance of a historical resource.
- 8. The project will not require onsite use of a hazardous waste incinerator or thermal treatment unit.
- 9. The project will not require the relocation of residences or businesses.
- 10. The project will not involve the potential release into the air of volatile organic compounds as defined in Health and safety Code section 25123.6
- 11. The cumulative impact of successive projects of the same type on the same place, over time, if there are any, will not be significant.
- 12. The project will be consistent with applicable State and local environmental permitting requirements including, but not limited to: (a) offsite disposal (b) air quality rules such as those governing dust emissions.

Evidence to support the above reasons is documented in the project file record, available for inspection at:

Department of Toxic Substances Control
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 8800 Cal Center Drive
 Sacramento, California 95826-3200

CONTACT: Dean Wright
 Project Manager
 (916) 255-6528

Dean Wright Project Manager Name	Engineering Geologist Project Manager Title	(916) 255-6528 Phone #
 Unit Chief Signature		11/12/2013 Date
Steve Becker Unit Chief Name	Senior Engineering Geologist Unit Chief Title	(916) 255-3586 Phone #

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