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Secretary for
Environmental Protection



Department of Toxic Substances Control

Maureen F. Gorsen, Director
9211 Oakdale Avenue
Chatsworth, California CA 91311



Arnold Schwarzenegger
Governor

February 11, 2009

Thomas L. Glick
City Planner
City of Los Angeles, Department of City Planning
6262 Van Nuys Boulevard, Room 351
Van Nuys, CA 91401

CORPORATE POINTE AT WEST HILLS, WEST HILLS, CA ("PROPERTY"), CAD0411692124; STATUS OF DTSC INVESTIGATION AND REMEDIATION

Dear Mr. Glick:

DTSC understands that the City of Los Angeles ("City") is in the process of completing its environmental review and other permitting associated with the application of the owner, MEPT West Hills LLC ("MEPT"), for a general plan amendment, zone change, conditional use for commercial corner development, and site plan review. This letter updates the City on DTSC's continuing oversight of assessment and, as needed, remediation and monitoring at the Property.

A. Site History and Location

The subject property ("Property") encompasses approximately fifty (50) acres of the approximately eighty-five (85) acre former Hughes Missile Systems site ("Site"), now known as Corporate Pointe at West Hills. The Site, including the Property, has been under DTSC's jurisdiction to address environmental contamination in soil as a result of historic operations. The Regional Water Quality Control Board ("RWQCB") also has jurisdiction for contamination associated with groundwater at the site. MEPT proposes to build an additional 360,000 square feet of office space and a new parking structure at the Property. Trammell Crow Company will develop the structures.

The entire Site is located at the northwest corner of Fallbrook Avenue and Roscoe Boulevard in West Hills, California. From 1959 until 1966, Bunker-Ramo, an electrical component design and testing company, developed and used the Site as an industrial park. From approximately 1966 to 1976, Hughes Missiles Systems shared occupancy of the Site with Rocketdyne and Bunker-Ramo. Hughes later purchased the Site and occupied the entire facility as an aerospace research and development facility. Following a merger with Hughes in 1997, Raytheon assumed management of all environmental investigation and remediation activities at

the 85-acre facility, including the Property.

In May 1995, Hughes sold the Site and the land use changed to commercial office space. In 1997, the northern portion of the Site was sold to Regent Properties. Certain parcels within the southern portion of the site were subsequently purchased by DeVry Incorporated, the City of Los Angeles (Police Department), and MEPT. MEPT acquired the remaining portions of the Site, excluding the 5-acre City portion, in 2002.

While the Site was used as a design and testing facility prior to 1995, the DTSC permitted the use of two hazardous waste units on site: a hazardous waste storage area and an underground waste oil/solvent tank. Both of these units were located along the northern Site boundary and are not located within the Property. In or about 1997, Raytheon removed all on-site hazardous waste units and certain affected soil with DTSC oversight. Since then, Raytheon, DTSC and the RWQCB have been working to finalize Site closure.

B. DTSC's Continuing Role and Site Specific Remediation Goals

1. DTSC Role

For sites where a historic release or threatened release of hazardous substances into the environment has occurred, California law requires DTSC approval of a "remedial action plan" or similar decision document to certify that the remedy selection process was completed in accordance with all applicable laws and regulations. This process also provides a public source of information about the history, characteristics, and risks posed by a particular site, as well as a summary of the cleanup alternatives considered, their evaluation, and the rationale supporting the selected remedy. DTSC must determine whether the selected cleanup levels and remedies meet all legal requirements and protect public health and the environment. Upon the completion of the environmental cleanup process, DTSC has the statutory responsibility for certifying that the necessary remediation has been completed and that no further remedial action is necessary. See, Cal. Health & Safety Code, Chapter 6.5, 6.8 and DTSC's Land Use Covenant Agreements Fact Sheet, Oct. 2000.

2. Development and Implementation of Site Specific Remediation Goals

DTSC's remedy selection requirements mandate the evaluation of reasonably anticipated future land uses which affect exposure pathways. For the Property, the City serves as the source of information and permitting authority for land uses. Selection of cleanup levels must be based on consideration of public health and environmental risks, technical and costs limitations, and the performance and risk uncertainties inherent in all waste remediation efforts. Cleanup levels at industrial or recreational sites are generally less stringent than more intensive uses because of shorter human exposure duration and limited exposure pathways.

When selecting a remedy for a site, California law requires, and DTSC insists that:

- a. The chosen remedy must protect public health and the environment for the reasonably anticipated future land use;
- b. Engineering controls must be used for low-level threats;
- c. Institutional controls must be used to supplement engineering controls;
- d. The use of innovative technology must be considered with preference given to permanent remedies;
- e. Usable groundwater must be returned to beneficial use; and
- f. The selected remedy must comply with the California Environmental Quality Act ("CEQA").

Here, the City has assumed the role of lead agency for CEQA purposes for MEPT's proposed project. To the extent that any future unanticipated environmental contamination at the site triggers CEQA, a separate CEQA process will be initiated.

DTSC considers the current and future use of a site when establishing site-specific remediation levels and does not rely upon zoning when determining remediation standards. RWQCB utilizes published maximum contaminant levels ("MCLs") to measure remediation levels in groundwater, which are also independent of zoning.

Here, the Property is currently zoned for agricultural uses, but has been used for commercial industrial purposes for more than 50 years. The current and future use of the site will remain commercial industrial. Therefore, DTSC will establish remediation levels based upon health risk analysis that reflects commercial industrial uses, while the RWQCB will utilize published MCLs. This process follows standard practice throughout California.

Any zone change for the Property will have no effect on the remediation standards utilized by either DTSC or RWQCB for the Property.

C. Environmental Investigation and Remediation

From 1988 through 2000, Hughes and Raytheon conducted numerous environmental investigations aimed at identifying the extent of soil and groundwater impact associated with the permitted units and identified Areas of Concern ("AOC") and Solid Waste Management Units ("SWMU's"). Environmental remediation has continued at the Site since approximately 1995. The DTSC and RWQCB's primary common objective remains remediation of soil and groundwater to facilitate Site closure.

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In May 2008, Raytheon submitted to DTSC a Resource Conservation & Recovery Act Facility Assessment ("RFA") questionnaire response. The document outlines all historical data and completed remediation efforts to date. The DTSC is presently finalizing the RFA, which will evaluate if additional investigation and/or remediation is necessary.

D. Next Steps

The RFA will determine the future site assessment and remediation that will be necessary. There are no restrictions on development in those areas of the Property not identified as AOCs or SWMUs as previously noted in DTSC's August 5, 2008 letter to Mr. Hadar Plafkin of the City Planning Department. The January 30, 2008 Draft RCRA Facility Assessment, Hughes Missiles Systems Company, Canoga Park facility (Raytheon) EPA ID-CAD041162124 identifies all AOCs and SWMUs for the entire site, including the Property.

Pending closure of an AOC or a SWMU area where development is to occur, DTSC requires the use of a Soil Management Plan ("SMP") detailing the required sampling and monitoring to be implemented. DTSC has approved an SMP for the Property and MEPT has implemented same. Specific appendices to the SMP are required to be created for any AOC or SMU where ground disturbance activities are to occur, until such time as those AOCs/SWMUs receive final closure.

E. Specific Documentation for the Site

Additional documentation relating to the entire site, including the Property is available at www.envirostor.dtsc.ca.gov/public.

Please contact the undersigned or Susan Callery, DTSC's Public Participation Specialist for this project (818/ 717-6567) with questions or comments.

Sincerely,



Rodney Collins
Project Manager
Brownfields and Environmental Restoration Program

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