

Environmental Management  
Department  
Val F. Siebal, Director



May 13, 2016

CITY OF SACRAMENTO  
PARKS AND RECREATION  
ATTN: CHRISTOPHER C. CONLIN  
915 I STREET, 3RD FLOOR  
SACRAMENTO, CA 95814

CITY OF SACRAMENTO  
OFFICE OF THE CITY ATTORNEY  
ATTN: SHERYL PATTERSON  
915 I STREET, ROOM 4010  
SACRAMENTO, CA 95814

CERTIFIED MAIL: 7015 0920 0001 8161 8267

CERTIFIED MAIL: 7015 0920 0001 8161 9110

## NOTICE OF ADDENDUM TO CORRECTIVE ACTION

RE: **JAMES MANGAN PARK RIFLE AND PISTOL RANGE**  
**2140 34TH AVENUE, SACRAMENTO, CA 95822**

The Sacramento County Environmental Management Department, Environmental Compliance Division (EMD), the Certified Unified Program Agency (CUPA) in the County of Sacramento, has delegation authority from the California Department of Toxic Substances Control (DTSC) for oversight of environmental assessments and corrective action.

As was discussed in our meeting on May 3, 2016, the attached Addendum (Addendum) to the April 22, 2016, Corrective Action Order (Order) is directing specific work to be conducted for the abatement and remediation of lead contamination and releases at the James Mangan Park Rifle and Pistol Range.

Our process allows for an appeal of the Order which may be requested by completing a written request for a hearing postmarked within 15 days after receipt of the attached Order (Attachment 1). This must be done by completing the attached **Notice of Defense** (Attachment 2) including a statement of the reason(s) why the City believes it should not be subject to the Order.

H&SC section 25187 authorizes EMD to assess administrative penalties for contamination caused by the release of a hazardous waste/constituents or failure to comply with this Order. EMD does not waive any further enforcement action, including penalties, by issuance of this Order.

We have been working with you cooperatively and you are encouraged to meet with us to discuss this Order if you have questions. Please contact me directly at (916) 875-8527 or [woodinm@saccounty.net](mailto:woodinm@saccounty.net) to set our next meeting.

Sincerely,

Marie Woodin, Chief  
Environmental Compliance Division

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**County of Sacramento  
Environmental Management Department  
Environmental Compliance Division  
10590 Armstrong Ave., Suite A  
Mather, CA 95655  
Telephone: (916) 875-8550  
Facsimile: (916) 875-8513**

**In Re: CITY OF SACRAMENTO ) ADDENDUM TO  
PARKS AND RECREATION ) CORRECTIVE ACTION ORDER  
ATTN: CHRISTOPHER C. CONLIN )  
915 I STREET, 3RD FLOOR ) [California Health and Safety  
SACRAMENTO, CA 95814 ) Code section 25187]  
) Case File No. 16-RO0001707**

1.1. The Sacramento County Environmental Management Department, Environmental Compliance Division ("EMD"), the Certified Unified Program Agency in the County of Sacramento, hereby issues this Addendum ("Addendum") to Corrective Action Order ("Order") dated April 22, 2016, to the **CITY OF SACRAMENTO** ("Respondent") as follows:

1.2. All provisions of the Order for lead contamination at the **JAMES MANGAN PARK RIFLE AND PISTOL RANGE** ("Facility") located at 2140 34th Avenue, Sacramento, CA 95822 are maintained. This Addendum is in addition to the provisions of the Order.

**DIRECTIVES**

2.1 Provide additional soil sampling from the area south of the building as directed in the May 3, 2016 meeting. The results will be used to determine fence placement.

2.2 The required site characterization plan shall include:

# ATTACHMENT 1

1 2.2.1. Atmospheric modeling that will help evaluate the fate and  
2 transport of lead.

3 2.2.2. Analytical Suite. The analytical suite for all samples shall  
4 include lead, arsenic, and antimony. Any proposal to eliminate lead, arsenic, or  
5 antimony from a sample must have a statistically sound justification.  
6

7 2.2.3. Investigation of the stormwater grate located in the south  
8 parking area. The investigation shall include the entire drain pipe connected from  
9 this grate to the outfall of the stormwater drain.  
10

11 2.3 Post signs on the fencing, one on each side north, south, east, and,  
12 west. The signs shall be large enough to be easily seen and readable.  
13

## PARTIES BOUND

14 3. This Addendum shall apply to and be binding upon Respondent, its  
15 officers, directors, agents, employees, contractors, and assignees.  
16

## SEVERABILITY

17 4. The Directives of this Addendum are severable, and Respondent  
18 shall comply with each and every provision hereof, notwithstanding the  
19 effectiveness of any other provision.  
20

## FURTHER ENFORCEMENT ACTION

21 5. H&SC section 25187 authorizes EMD to assess administrative  
22 penalties for contamination caused by the release of a hazardous waste or failure  
23 to comply with a Corrective Action Order. EMD does not waive any further  
24 enforcement action by issuance of this Addendum to the Order.  
25

## RIGHT TO A HEARING

26 6.1. Respondent may, within 15 days after service of this Addendum to  
27 the Corrective Action Order, request a hearing pursuant to H&SC section  
28

**ATTACHMENT 1**

1 25187(d) by completing and filing with EMD the enclosed Notice of Defense. A  
2 Notice of Defense shall be deemed filed within the 15 day period if it is  
3 postmarked within that period.

4 6.2. If Respondent requests a hearing, Respondent may select as a  
5 hearing officer either an Administrative Law Judge of the Office of Administrative  
6 Hearings, Department of General Services, State of California, or a hearing  
7 officer designated by EMD. If a Notice of Defense is filed, but no hearing officer  
8 is selected, EMD may select the hearing officer.

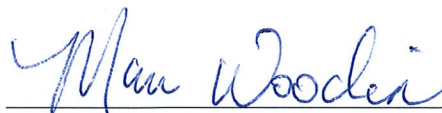
9 6.3. If Respondent requests a hearing, a hearing decision will be issued  
10 by an Administrative Law Judge or by the hearing officer designated by EMD.  
11 Pursuant to Government Code section 11440.10, H&SC 25187(g), and section  
12 6.60.030 of the Sacramento County Code, the decision of the Administrative Law  
13 Judge or hearing officer will be accepted as final by EMD following the hearing.

14 6.4. If the Notice of Defense is not filed within the specified time limit, this  
15 Corrective Action Order shall become final.

16 6.5 As used in this Addendum, the date of issuance shall be the date of  
17 this Addendum and the date of service, whether by personal service or by  
18 certified mail, shall be the date the Addendum is served on the City of  
19 Sacramento.

20 Dated: 5/13/16

County of Sacramento  
Environmental Management Department



Marie Woodin, Chief  
Environmental Compliance Division

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Action Order rev 5-12-16.docx

**NOTICE OF DEFENSE**

COUNTY OF SACRAMENTO  
 ENVIRONMENTAL MANAGEMENT DEPARTMENT  
 ENVIRONMENTAL COMPLIANCE DIVISION

In Re: CITY OF SACRAMENTO ) NOTICE OF DEFENSE  
 PARKS AND RECREATION ) ADDENDUM  
 ATTN: CHRISTOPHER C. CONLIN )  
 915 I STREET, 3RD FLOOR ) [California Health and Safety Code  
 SACRAMENTO, CA 95814 ) section 25187]  
 ) Case File No. 16-RO0001707

I, the undersigned, on behalf of Respondent, acknowledge receipt of the Addendum ("Addendum") dated **May 13, 2016**, to the Corrective Action Order dated April 22, 2016, issued by the County of Sacramento Environmental Management Department, Environmental Compliance Division ("EMD"). I request a hearing to permit Respondent to present its defense to the Order. I select the following as a Hearing Officer (check one):

- A Hearing Officer designated by the County.
- An Administrative Law Judge of the State Office of Administrative Hearings.

**I have attached a written statement** to this Notice of Defense providing the reason(s) why I believe Respondent should not be subject to the Order.

I understand that I will be notified of the hearing date by EMD once the case has been scheduled for review before the Hearing Officer selected above.

\_\_\_\_\_  
 Signature of Respondent's Representative

\_\_\_\_\_  
 Print Name

\_\_\_\_\_  
 Date

\_\_\_\_\_  
 Street Address

\_\_\_\_\_  
 City, State, Zip

\_\_\_\_\_  
 Phone #