



Agenda Date: 4/19/2005
Agenda Placement: 6G

NAPA COUNTY BOARD OF SUPERVISORS Board Agenda Letter

TO: Board of Supervisors
FROM: Kim Henderson for Robert Peterson - Director
Public Works
REPORT BY: Jane Slattery, Senior Engineering Aide , 259-8372
SUBJECT: Syar Gun Range Lead and Arsenic Cleanup - Notice of Completion

RECOMMENDATION

Director of Public Works requests acceptance of the work as complete and authorization for the Chair to sign and Clerk of the Board to file a Notice of Completion with the Clerk/Recorder for Contract No. PW 04-18, "Syar Gun Range Lead and Arsenic Cleanup Project."

EXECUTIVE SUMMARY

On September 28, 2004, the Board awarded the contract "Syar Gun Range Lead and Arsenic Cleanup Project," PW 04-18 to Nielson Construction in the amount of \$80,729. Work is complete and staff requests approval to file a Notice of Completion.

FISCAL IMPACT

Is there a Fiscal Impact?	Yes
Is it currently budgeted?	Yes
Where is it budgeted?	Capital Improvement Program
Is it Mandatory or Discretionary?	Discretionary
Discretionary Justification:	The County has been leasing the Syar Gun Range from Syar Industries since 1987. Syar Industries requested the County clean up the site to State Standards. The County, in good faith with lease negotiations, cleaned the site of lead and arsenic contamination to the required standards and levels.
Is the general fund affected?	Yes
Future fiscal impact:	State of California Health and Safety Code Sections 25205.5, 25205.22 and

25174.7 require that every entity which produces five tons or more of hazardous waste shall pay the State of California Board of Equalization (BOE) a fee. For the amount of hazardous waste generated per this project the fee is \$17,180. One half of this fee is due by August 31, 2005 with the second half being due February 28, 2006. This fee is budgeted in Capital Improvement Program for Fiscal Year 2005-06.

\$40,000 in the project budget was utilized by the Sheriff's Department to purchase and install bullet traps in the cleaned areas. No other future fiscal impact is anticipated.

Consequences if not approved: Notice of Completion will not be filed.

Additional Information: None

ENVIRONMENTAL IMPACT

ENVIRONMENTAL DETERMINATION: The proposed action is not a project as defined by 14 California Code of Regulations 15378 (State CEQA Guidelines) and therefore CEQA is not applicable.

BACKGROUND AND DISCUSSION

The County has been leasing property from Syar Industries since 1987, to use as a gun range for the Sheriff's Department. Syar Industries, during lease negotiations, requested that the County clean the site of lead and arsenic contamination to the required State standards and levels. On September 28, 2004, the Board of Supervisors awarded the contract "Syar Gun Range Lead and Arsenic Cleanup Project," PW 04-18 to Nielson Construction in the amount of \$80,729 for the cleanup requested by Syar Industries and overseen by the California Department of Toxic Substances Control (DTSC).

The lead and arsenic contamination at the Syar gun range site was cleaned up to a level of 348 mg/kg for lead and 5mg/kg for arsenic as described in the Removal Action Work Plan (RAW), the base document for the cleanup effort, and was done within the contract amount awarded by the Board of Supervisors to Nielson Construction. DTSC will be issuing a "Site Remediation Certification" which will then be given to Syar Industries as proof that the site has been cleaned up to State mandated lead and arsenic levels.

The Sheriff's Department has converted to lead-free ammunition for all duty firearms except rifles. Bullet traps have been installed by the Sheriff's Department, independent of this construction contract, to avoid further lead and arsenic contamination from lead still being used in rifles.

SUPPORTING DOCUMENTS

None

CEO Recommendation: Approve

Reviewed By: Michael Stoltz