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November 5, 2009

TO: Each Supervisor

FROM: Jonathan E. Fielding M.D., M.P.H. *JE Fielding*
Director and Health Officer

Fire Chief P. Michael Freeman *DMF*
Fire Department

SUBJECT: **MOTION BY ANTONOVICH - MORRIS DAM CONTAMINATION**

This is in response to the October 6, 2009 Motion by Supervisor Michael D. Antonovich regarding the Morris Dam Contamination. The motion directed our two Departments to meet with representatives from the US Navy and the State Department of Toxic Substances Control (DTSC) and report back to your Board on the status of the site investigation.

On October 22, 2009, representatives from our two Departments, the Department of Public Works and the State Department of Fish and Game met with the US Navy and DTSC officials to discuss the extent of the contamination at the site and the proposed clean-up plan. Staff from the US Fish and Wildlife Services and Metropolitan Water District were also present.

DTSC has been the lead agency, overseeing site mitigation work, since the mid 1990s. Characterization of the extent of contamination has been completed and remediation is expected to start in the fall of 2010 and completed by January, 2011. The primary contaminants of concern are arsenic and perchlorate in soil and ground water. Cleanup levels for this site were approved by DTSC toxicologists based on the risk posed to the public, environment and wildlife. The proposed clean-up plan involves excavation and removal of the contaminated soil. The excavated areas would then be backfilled with clean soil, and the contaminated soils transported to an off-site facility for disposal.

Although a certain level of contaminants will remain, DTSC believes the residual does not present a significant public health or environmental threat. The US Navy will continue to monitor perchlorate levels in the groundwater for three years.

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Because the ownership of the dam and its operations may be transferred to the County, future County financial liability is still possible despite a thorough and effective remedial investigation and clean-up of the site. However, the US Navy will retain responsibility to address any future unanticipated events, including leaching of contaminants to the reservoir water. It is recommended that County Counsel address future liability concerns prior to the transfer to minimize liability. Our Departments will request updates from DTSC as work progresses and advise you of any changes.

In the meantime, if you have any questions or need additional information, please let us know.

JEF:jd
PH: 910:003

c: Chief Executive Officer
Acting County Counsel
Executive Officer, Board of Supervisor
Director of Public Works