

**DATE: SEPTEMBER 30, 2025**

**FROM: ENVIRONMENTAL MANAGEMENT**

**SUBJECT: RESOLUTION NO. \_\_\_\_\_ - REIMBURSEMENT AGREEMENT BETWEEN THE CITY OF LOS ANGELES HARBOR DEPARTMENT AND THE DEPARTMENT OF TOXIC SUBSTANCES CONTROL FOR THE WILMINGTON MARINE SERVICES SITE**

**SUMMARY:**

Staff requests approval of a proposed Reimbursement Agreement (Agreement) between the City of Los Angeles Harbor Department (Harbor Department) and the Department of Toxic Substances Control (DTSC) to reimburse one hundred percent of DTSC staff costs associated with the Wilmington Marine Services Site (Site). DTSC will provide review, consultation, and/or processing for site documents, including the review of a Facility Approval Streamlining Toolbox (FAST) Application and a future Remedial Action Completion Report for the Site, for which the United States Environmental Protection Agency (U.S. EPA) is the lead regulatory agency. The proposed Agreement is for a term of three years with an estimated time and materials cost not to exceed \$30,000. The Harbor Department will be financially responsible for reimbursement payments under the proposed Agreement.

**RECOMMENDATION:**

It is recommended that the Board of Harbor Commissioners (Board):

1. Find that the Director of Environmental Management has determined that the proposed action is administratively exempt from the requirements of the California Environmental Quality Act (CEQA) under Article II Section 2(f) of the Los Angeles City CEQA Guidelines;
2. Approve the proposed Reimbursement Agreement with DTSC to reimburse DTSC for review, consultation, and/or processing for site documents associated with the Wilmington Marine Services site for a contract term of three years and for an estimated time and materials amount not to exceed \$30,000;
3. Authorize the Executive Director to execute and the Board Secretary to attest to, said Reimbursement Agreement for and on behalf of the Board; and
4. Adopt Resolution No. \_\_\_\_\_.

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**SUBJECT: DTSC REIMBURSEMENT AGREEMENT FOR WILMINGTON MARINE SERVICES SITE**

**DISCUSSION:**

Project Background/Context – The Site is located at 801 South Fries Avenue in Wilmington (Berth 162) and is under regulatory oversight of the U.S. EPA to address polychlorinated biphenyls (PCB) regulated under the Toxic Substances Control Act. DTSC is an authorized regulatory agency that oversees enforcement, environmental regulation, and pollution prevention for the State of California. The Harbor Department has submitted a FAST Application to U.S. EPA for remediation of PCBs. However, the Site is contaminated with other constituents including metals and total petroleum hydrocarbons (TPH), remediation of which is included in the FAST Application, but not regulated by U.S. EPA. As such, the Harbor Department is requesting a review of the FAST Application by DTSC.

Project Description – DTSC will review the FAST Application for the Site, for which U.S. EPA is the lead agency. The FAST application includes Site assessment data for PCBs, TPH, and metals, as well as the remedial plan for the Site. DTSC will also provide a review of a future Remedial Action Completion Report. DTSC work products will include a technical review memoranda with comments and recommendations from relevant technical specialists such as an ecological risk assessor, human health risk assessor, geologist, and engineer, along with Site Mitigation Restoration Program technical comments. Also included in the DTSC services to be provided are attendance in meetings on-site or via video teleconferencing to discuss comments and responses to comments, assistance with technical issues, and Site visits as needed.

**ENVIRONMENTAL ASSESSMENT:**

The proposed action is approval of the proposed Agreement with DTSC for reimbursement of costs associated with the Site, which is an administrative activity. Therefore, the Director of Environmental Management has determined that the proposed action is administratively exempt from the requirements of CEQA in accordance with Article II Section 2(f) of the Los Angeles City CEQA Guidelines.

**FINANCIAL IMPACT:**

Approval of the proposed Agreement will authorize the Harbor Department to reimburse DTSC one hundred percent of staff costs and fees for the review, consultation, and/or processing for Site documents, for a total time and materials cost not to exceed \$30,000. Spending under the proposed Agreement is anticipated as follows:

FY 2025-26	\$11,250
FY 2026-27	\$12,500
FY 2027-28	<u>\$ 6,250</u>
<b>TOTAL</b>	<b>\$30,000</b>

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FY 2025/26 funding in the amount of \$11,250 is available within Account 212310 (Allowance for Environmental Litigation/Claims GASB49), Division 00000 (Harbor Global). Funding for future years will be requested as part of the annual budget process upon Board approval.

The Harbor Department's financial obligations after the current fiscal year are contingent upon the Board appropriation of funds. If funds are not appropriated by the Board for the work required by the Agreement in subsequent years, then the Agreement shall be terminated. However, such a termination would not relieve the parties of liability for any obligations previously incurred.

**CITY ATTORNEY:**

The Office of the City Attorney has reviewed and approved the Agreement as to form and legality.

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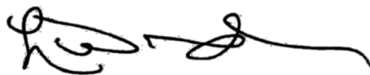
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SUBJECT: DTSC REIMBURSEMENT AGREEMENT FOR WILMINGTON MARINE SERVICES SITE

**TRANSMITTAL:**

1. Reimbursement Agreement with DTSC

FIS Approval: JS  
CA Approval: SO



LISA WUNDER  
Director of Environmental Management

*Michael DiBernardo*

MICHAEL DiBERNARDO  
Deputy Executive Director

APPROVED:

*Erica M. Calhoun* for

EUGENE D. SEROKA  
Executive Director

LW/MRX  
AUTHOR: L. KOHLER  
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