

**COUNTY OF SAN LUIS OBISPO BOARD OF SUPERVISORS
AGENDA ITEM TRANSMITTAL**

(1) DEPARTMENT Public Health	(2) MEETING DATE 6/21/2016	(3) CONTACT/PHONE Aaron LaBarre 781-5595	
(4) SUBJECT Request to approve a one-year contract (July 1, 2016 – June 30, 2017) with The Fehling Group LLC to provide human health risk assessment (HHRA) review services to the County in an amount not to exceed \$100,000 annually, and authorize the Health Agency Director to approve up to four additional one year renewals of this contract subject to the same contract provisions. All Districts			
(5) RECOMMENDED ACTION It is recommended that the Board: 1. Approve the one-year contract (July 1, 2016 – June 30, 2017) with The Fehling Group LLC to provide human health risk assessment (HHRA) review services in a total amount not to exceed \$100,000; and 2. Authorize the Health Agency Director to approve up to four additional one year renewals of this contract subject to the same contract provisions.			
(6) FUNDING SOURCE(S) Property Owner Offset	(7) CURRENT YEAR FINANCIAL IMPACT \$100,000.00	(8) ANNUAL FINANCIAL IMPACT \$0.00	(9) BUDGETED? Yes
(10) AGENDA PLACEMENT <input checked="" type="checkbox"/> Consent <input type="checkbox"/> Presentation <input type="checkbox"/> Hearing (Time Est. ___) <input type="checkbox"/> Board Business (Time Est. ___)			
(11) EXECUTED DOCUMENTS <input type="checkbox"/> Resolutions <input checked="" type="checkbox"/> Contracts <input type="checkbox"/> Ordinances <input type="checkbox"/> N/A			
(12) OUTLINE AGREEMENT REQUISITION NUMBER (OAR) 0019001666		(13) BUDGET ADJUSTMENT REQUIRED? BAR ID Number: <input type="checkbox"/> 4/5 Vote Required <input checked="" type="checkbox"/> N/A	
(14) LOCATION MAP N/A	(15) BUSINESS IMPACT STATEMENT? N/A	(16) AGENDA ITEM HISTORY <input checked="" type="checkbox"/> N/A Date: _____	
(17) ADMINISTRATIVE OFFICE REVIEW Geoff O'Quest, Administrative Office			
(18) SUPERVISOR DISTRICT(S) All Districts			

County of San Luis Obispo



TO: Board of Supervisors

FROM: Public Health / Aaron LaBarre
781-5595

DATE: 6/21/2016

SUBJECT: Request to approve a one-year contract (July 1, 2016 – June 30, 2017) with The Fehling Group LLC to provide human health risk assessment (HHRA) review services to the County in an amount not to exceed \$100,000 annually, and authorize the Health Agency Director to approve up to four additional one year renewals of this contract subject to the same contract provisions. All Districts

RECOMMENDATION

It is recommended that the Board:

1. Approve the one-year contract (July 1, 2016 – June 30, 2017) with The Fehling Group LLC to provide human health risk assessment (HHRA) review services in a total amount not to exceed \$100,000; and
2. Authorize the Health Agency Director to approve up to four additional one year renewals of this contract subject to the same contract provisions.

DISCUSSION

Property owners who want to develop or sell their properties are typically required by lenders to ensure the property is not contaminated with hazardous waste/materials. Assessment and mitigation of contaminated properties are required if a risk to public health exists. Most properties do not have a history of activities that could result in contamination. However, some properties with current or past industrial uses, such as gasoline stations, have the potential for contamination from hazardous materials/waste such as gasoline, waste oil, solvents and other chemicals.

Most property owners prefer to remove contamination, when established action levels are exceeded, as this can be a more efficient option. If clean-up is not possible or practical, an enhanced assessment is prepared by the property owner/responsible party, in accordance with federal and state Environmental Protection Agency (EPA) guidelines to determine if contamination poses a public health risk. These enhanced assessments are titled Human Health Risk Assessments (HHRA). The purpose of the HHRA is to determine the level of health risk posed by the contamination and what can be done to mitigate the risk.

In order to protect public health, Environmental Health Services oversees clean-up of contaminated properties and is responsible for determining the completeness of HHRAs. Environmental Health Services has utilized the services of qualified contractors to provide HHRA review services for the past nineteen years because staff do not have the expertise or the time to handle this function in-house.

In August 2015, the Health Agency issued a Request for Proposal for services to perform HHRA review and technical support related to risk assessment, risk management, and risk-based remedial actions on various projects. The Fehling Group's proposal was selected. The Fehling Group, LLC provides services that are conducted in accordance with current U.S. EPA and California EPA risk assessment guidance. The Fehling Group, LLC has

reviewed health risk assessments for large redevelopment projects (industrial to mixed use) including the former Avila and San Luis Obispo Tank Farms as well as smaller redevelopment projects such as a former crude oil pump stations. The Fehling Group, LLC also provides guidance to other governmental agencies including the San Francisco Regional Water Quality Control Board and Santa Cruz County Environmental Health Services.

The Fehling Group will evaluate the technical basis of each HHRA during reviews. Services include a review of the data employed in the HHRA, the conceptual site model, exposure assumptions, risk calculations, and conclusions reached by the responsible parties/author(s). Written comments are provided to the San Luis Obispo County Health Agency, Environmental Health Services Division for each document reviewed. Environmental Health Services is then responsible for ensuring that the property owners/responsible parties mitigate identified risks.

This is a pass through contract where the service is paid for by property owners/responsible parties. Revenue for this service comes from property owners or other responsible parties who reimburse the County for payments to the Human Health Risk Assessor for their services.

The scope of services provided by this contract includes:

1. Review of risk-based site characterization work plans and site characterization reports, review of health risk assessment work plans, review of health risk assessments and assistance with risk management decisions and risk communications.
2. Review of risk-based site characterization work plans and site characterization reports include review of the purpose and objective of the environmental sampling and analysis, identification of data quality and data usability criteria for health risk assessments and data adequacy/data gap analysis.
3. A technical review of each component of the health risk assessment work plan in accordance with the United States EPA's HHRA reviewer's checklist including, but not limited to, identification of chemicals of potential concern, toxicity assessment, and risk characterization.
4. Evaluation of chemical releases and exposure assessment to ensure the potential for exposure to the contamination is adequately addressed.
5. Assistance with risk management decisions and risk communications to the public that are based on the results of the HHRA.

In the event Environmental Health Services decides to continue contracting with The Fehling Group after the initial term, we recommend that the Board delegate authority to the Health Agency Director to renew the contract on the same terms and conditions of the original contract for four successive one-year terms.

OTHER AGENCY INVOLVEMENT/IMPACT

County Counsel has reviewed the agreement as to form and legal effect.

FINANCIAL CONSIDERATIONS

The FY 2015-16 budget includes both expense and revenue in the amount of \$100,000 for HHRA functions. Expenditures for FY 2015-16 are projected to be approximately \$25,000. Historically, the amounts spent on HHRAs fluctuate significantly from year to year. The not to exceed total of the agreement is \$100,000 per fiscal year, to allow for these fluctuations. The FY 2016-17 adopted budget includes both expense and revenue in the amount of \$100,000 for this contract and will only be used to the extent that is necessary and will be offset by property owners as the responsible party. The contract is considered a pass through contract. There is no General Fund associated with the contract.

RESULTS

Approval of this contract will help protect public health and the environment and ensure that human health risks associated with properties contaminated with hazardous materials/waste are properly identified and mitigated. The Fehling Group LLC has reviewed health risk assessments for large redevelopment projects (industrial to mixed use). Staff employed with The Fehling Group LLC has reviewed health risk assessments for the former Avila and San Luis Obispo Tank Farms and smaller redevelopment projects such as a former crude oil pump stations. This result

supports the County's vision of a Safe, Healthy and Livable Communities.

ATTACHMENTS

1. Contract with The Fehling Group LLC