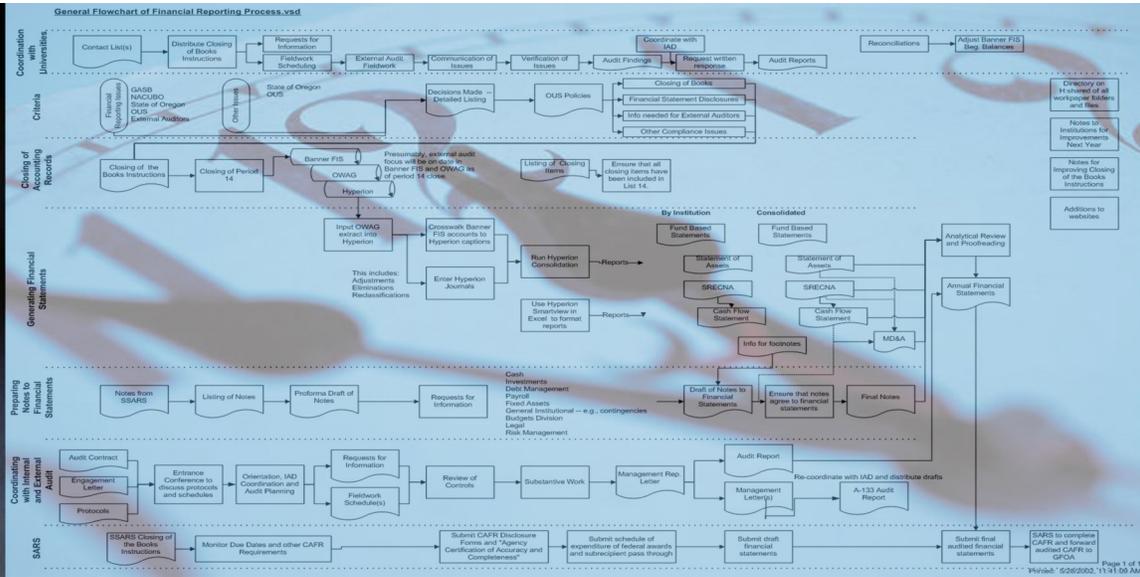
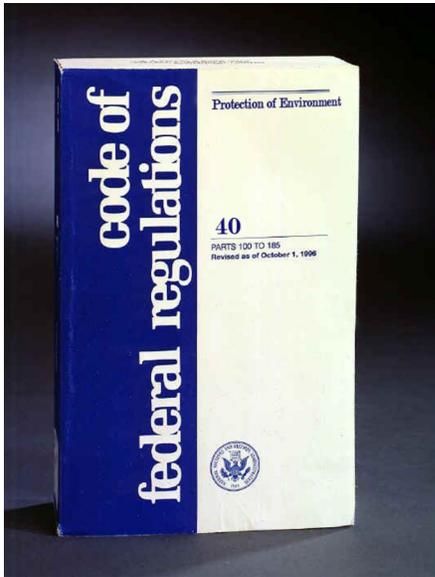


# Regulatory Response & Negotiation



## Regulatory Response and Negotiation

Regulatory interaction is necessary in most environmental cases and the outcomes of these interactions are significantly influenced by the approach and strategy employed. Over the past 20 years, **The Reynolds Group's** (TRG) extensive case experience with real and "perceived" contamination has earned the trust and respect of the regulatory community. The firm's vast assessment and remediation experience provides the foundation of knowledge necessary to successfully engage a regulatory agency on clients' behalves.

TRG accounts for several factors when engaging in regulatory interactions. All agency interactions are handled by experienced professionals who concentrate on clear communications with regulators. Regulatory meetings are arranged with definite agendas and TRG's professionals manage the meetings to clear conclusions that advance projects toward closure.

TRG provides services of *Real Estate Due Diligence and Transaction Support, Brownfield's and Redevelopment Support, Litigation Support, Soil and Groundwater Investigations and Remediation, Risk Assessments, and Project Management*. Throughout all these services, our targeted regulatory interactions are key to delivering projects on time and on budget while keeping focused on our client's goals and expectations.

## REPRESENTATIVE CLIENT LIST (All Services)

### Banks/Insurance Co.

Stancorp Financial Group  
World Trade Bank  
Union Bank of California

### Industrial

Unilever  
McMullen Oil Company  
Brea Cañon Oil Company

### Law Firms

Allen, Matkins, Leck, Gamble, Mallory, Natsis  
Manatt, Phelps & Phillips  
Weston, Benshoof, Rochefort, Rubalcava  
Howard, Rice, Nemerovski

### Property Owners

CB Commercial Real Estate  
Koll Management Services  
Morgan Stanley Real Estate  
Primestor Development, Inc.

### School Districts

Los Angeles  
Long Beach  
Santa Ana  
San Bernardino

### Government

California Regional Water Quality Control Board  
County of Riverside Real Estate Services  
County of Orange General Services  
County of San Bernardino Engineering Services  
City of San Diego  
Los Angeles County Dept. of Public Works  
Orange County Water District

## SUCCESS STORIES

### Leading Global Supplier – Los Angeles, CA

The Reynolds Group (TRG) is working for a leading global supplier of ketone peroxides and specialty chemicals that is eventually relocating operations. The client also produces Active Pharmaceutical Ingredients (API's) and specializes in complex multi-stage organic synthesis and separation.

The site is located in the San Gabriel Valley Superfund area within the Baldwin Park Operable Unit. Groundwater in the site vicinity is known to be contaminated. Depth to groundwater is more than 200 feet below ground surface. Drilling conditions at the site are extremely difficult due to the presence of subsurface cobbles and boulders.

In 2004, TRG was hired to perform additional consulting services. The client was in the process of obtaining closure for an area of concern identified by the California Department of Toxic Substances Control (DTSC). During the DTSC visit to the site, the DTSC observed conditions requiring further investigation.

TRG prepared and implemented the RCRA Facility Investigation Work Plan, DTSC Corrective Action, Current Conditions Reports, and assisted with the Public Participation requirements of the DTSC. TRG participated in meetings with DTSC staff to negotiate realistic assessment work scopes. Investigation methods included soil gas sampling, soil gas probe installation and sampling, soil boring advancement with sonic drilling techniques, and direct push (probing) methods.

### Superfund Area – “De Minimus” Status

This site lies in an area that is being considered for Superfund status and the client is a Potential Responsible Party (PRP). It lies near a major stream tributary where soil conditions are very rocky. TRG was able to bring the client back into regulatory agency compliance by negotiating a reasonable scope of work for the investigation. The investigation included installing "semi-permanent" soil probes and sampling them to a depth greater than 160 feet below ground surface. Based on the results of the sampling, TRG prepared an expert's consulting report that detailed reasons for considering the client at a “de minimus” contributor to any regional groundwater issue. TRG's investigations pointed to an adjacent property as a large contributor to the contamination. TRG is currently working to minimize the client's PRP liability and is working closely with legal counsel to craft strategies coordinating work with the adjacent PRP.

### Brownfield Redevelopment Owner Representation – Southern California

Through a United States Department of Housing and Urban Development (HUD) Brownfield Economic Development Initiative Grant (BEDI) Grant, TRG is helping a private developer, as owner's representative, oversee and advise the remediation of a site in an economically distressed area of Los Angeles. In addition, TRG has helped the same developer handle the cleanup and site closure of a spill of PCB's into the environment at another under developed property in the Inland Empire of Southern California.

Following the release of a significant quantity of PCB containing oils from a former electrical switching building, TRG assisted the Brownfield property developer with spill cleanup, documentation, and closure activities. TRG followed protocols specified in TOSCA 40CFR 761 to decontaminate and wipe test the building from which the PCBs were released. In addition, TRG oversaw the excavation and disposal of PCB impacted soils and solid wastes.

Timing was critical at this Brownfield site because the release occurred at an abandoned building slated for immediate demolition. Without a release from spill response obligations, the grading and building at the site would have stopped, causing costly delays in the redevelopment. To expedite cleanup and closure, TRG informed the oversight agency (Los Angeles County Fire Department Hazardous Materials Division) of the on-going cleanup progress and confirmation testing results. Once it was decontaminated to TOSCA standards, TRG negotiated with the LACFD to obtain an expeditious release of the building so that it could be demolished. Closure was granted within a week of TRG's report submittal.



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