

INFORMATION HANDOUT

For Contract No. 01-493704

At 01-Hum-96-11.0/R13.2

Identified by

Project ID 0100000478

AGREEMENTS

HOOPA VALLEY TRIBE

TRIBAL EMPLOYMENT RIGHTS ORDINANCE (TERO) REQUIREMENTS

MEMORANDUM OF UNDERSTANDING (MOU)

HOOPA VALLEY TERO

TERO HIGHWAY CONSTRUCTION PERMIT (THCP) APPLICATION

MATERIALS INFORMATION

Aerially Deposited Lead Site Investigation Report

Dated June 2014

Nonpotable Water Sources

Dated November 2014

AGREEMENTS

HOOPA VALLEY TRIBE

TRIBAL EMPLOYMENT RIGHTS ORDINANCE (TERO) REQUIREMENTS

MEMORANDUM OF UNDERSTANDING (MOU)

HOOPA VALLEY TERO

TERO HIGHWAY CONSTRUCTION PERMIT (THCP) APPLICATION

Hoopa Valley Tribal Council
INSURANCE DEPARTMENT
Insurance Administration/Risk Management

71 Willow St. ~ PO Box 218 ~ Hoopa, CA 95546
Phone (530) 625-9200 ~ Fax (530) 625-4269



November 24, 2014

Caltrans District 1
Attn: Brad Mettam
1656 Union Street
Eureka, CA 95501

RE: SIGNED MOU
CONTRACTS: 01-0B030, 01-0B390, 01-49370

Please find attached a copy of the signed MOU between the Hoopa Valley Tribe and California Department of Transportation.

Once review and signed, please mail one original back to Penny Cordova, Tero Director, Hoopa Valley Tribal Employment Rights, P.O. Box 1467, Hoopa, CA 95546.

Any questions, may be directed to Ms. Cordova at the above telephone number, ext 14.

Sincerely

Elizabeth Turner for
Penny Cordova, TERO Director
Hoopa Tribal Employment Rights Office

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The Hoopa Valley Tribe (**Tribe**) and the State of California Department of Transportation (**Caltrans**), in order to coordinate and carry out their respective functions and duties regarding Indian Employment Preference on State highway construction projects on lands within the Hoopa Valley Indian Reservation (**Tribal Lands**), do hereby enter into this Memorandum of Understanding (**MOU**).

This **MOU** constitutes a guide to the respective intentions, obligations, and policies of the **Tribe** and **Caltrans** in entering into this agreement. It is not intended to be used as a sole basis for authorizing funding, nor is it a legally binding contract upon either party.

Contract No. Project ID	Project County- Route- Postmile	Work Description	Hoopa Tribal Lands	Hoopa IRR Inventory
01-0B030 0112000002	Hum-96- 8.30/8.90	Curve Improvement	Hum-96- 7.80/22.75	Hum-96- 0.00/22.75
01-0B390 0112000123	Hum-96- 8.50/8.70	Stabilize Roadway		
01-49370 0100000478	Hum-96- 11.05/13.20	Shoulder Widening/Light Guard Crosswalk		

I. INDIAN EMPLOYMENT PREFERENCE AND TERO FEE

A. Recitals

1. Section 122 of the Surface Transportation and Uniform Relocation Assistance Act of 1987, Pub. L. 100-17, 23 USC ss. 140(d), recognizes the

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establishment of Indian Employment Preferences in the Federal Aid Highway Program.

2. The **Tribe** has enacted certain tribal employment rights policies included within the Hoopa Valley Tribe **Tribal Employment Rights Ordinance** establishing a tribal employment rights function and mandating Indian Employment Preferences on State construction projects and in other forms of employment within the Reservation.
3. The parties hereto recognize that Caltrans shall employ the services of one or more independent contractors in order to accomplish all or some of the activities necessary for State highway construction on **Tribal Lands**.
4. **Caltrans** and the **Tribe** desire to promote Indian employment by
 - a) applying Indian Employment Preferences to the State's contractors for highway work conducted on **Tribal Lands** or on any State highway included in the **Tribe's** Indian Reservation Road (IRR) Inventory when a portion of the project is on Tribal Lands, and
 - b) establishing a mechanism to ensure that the **Tribe** receives TERO Fee, of 3% of the contract award amount, for the portion of the project that is on **Tribal Lands**.
5. The parties desire to clarify the rights and obligations of the **Tribe**, **Caltrans**, and prospective bidders and contractors who may perform work on **Tribal Lands** for State highway construction contracts.

B. Statement Of Intent

1. **Caltrans** shall inform prospective bidders of the Tribal, State, and Federal laws with respect to Indian Employment Preferences by inserting provisions (Attachment A) in its information to prospective bidders. These provisions shall become part of the State highway construction contract. The provisions shall require

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- a) submittal of TERO Highway Contract Permit (THCP) to Tribe within 5 days after Contract Approval. The prime contractor and each sub-contractor shall submit an individual TCHP to the Tribe.
 - b) a 45-day delayed start to allow for Contractor submittals to and from Tribe and Contractor submittal of completed THCP to Engineer
2. **Caltrans** shall not allow the contractor to begin work until the contractor has obtained, from the **Tribe**, a TERO Highway Contract Permit (Attachment B) from The TERO officer of the **Tribe**.
 3. The TERO Officer of the **Tribe** shall work with Caltrans and Caltrans' contractor to process the TCHP in a timely manner and ensure that there is no delay in either beginning work or in providing qualified candidates to meet the contractor's personnel needs. The Tribe shall return the completed THCP to the contractor within 30 days of receiving the application.
 4. Immediately after Contract Approval, **Caltrans** shall provide the TERO officer of the Tribe with all documentation necessary for the Tribe to properly invoice Caltrans for the TERO Fee. The **Tribe** shall invoice **Caltrans** for the TERO Fee, 3% of the contract award amount within 15 days after issuing the THCP. Upon receipt of an invoice for the TERO Fee, Caltrans shall forward the invoice to Accounting within 7 days and make prompt payment of the TERO Fee to the Tribe.
 5. **Caltrans** shall notify the **Tribe** of each change order.
 6. **Caltrans** and the **Tribe** shall make a reasonable effort to conduct joint investigations and share information. Nothing in this **MOU** shall be construed to restrict the authority of the **Tribe**, either to initiate enforcement actions in the Tribal Court or to amend Tribal laws.

II. TERO PROVISIONS – Pertaining to Contracted State Highway Work

Listed below are the provisions from the Hoopa Valley Tribe TERO that pertain to State Highway work.

**Hoopa Valley Tribe
Tribal Employment Rights Ordinance**

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Title 13

Approved: May 17, 2012

13.0 SHORT TITLE

The Short title of this ordinance shall be the Tribal Employment Rights Ordinance, or TERO.

13.1 EFFECT ON PRIOR ENACTMENTS

13.1.1 Repeal. Resolution 91-71 A, as amended March 6, 1995, Ordinance No. 2-80, as amended April, 27, 1995, the Rules for Hearings Before the TERO Commission, as amended June 10, 1998, are hereby repealed and shall be of no further force and effect as stated in Section 13.13.1 of this ordinance; provided, however, that any existing agreements or contracts authorized under these now repealed enactments shall remain in effect until such agreements or contracts expire or are terminated; and provided, further, that the TERO Commission established by this Ordinance may terminate any existing Indian preference agreement and issue a permit in conformance with this Ordinance upon notice to the affected party and opportunity for a hearing.

13.1.2 N/A

13.1.3 N/A

13.2 DEFINITIONS

13.2.1 "Indian" means any member of any federally recognized tribe, or any person who furnishes documentary proof that he or she is recognized as an Indian by the United States, pursuant to its trust responsibility to American Indians.

13.2.2 "Hoopa Reservation" or "Reservation" means the Hoopa Valley Indian Reservation as defined under Article III of the Constitution and Bylaws of the Hoopa Valley Tribe.

13.2.3 "Employer" means any person, company, contractor, subcontractor or entity located or engaging in commercial or employment activity within the exterior boundaries of the Hoopa Valley Indian Reservation, and which employs two or more persons.

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13.2.4 N/A

13.2.5 "**Commission**" and "**Office**" mean the Tribal Employment Rights Commission and its Office and the Tribal Office of Employment Relations.

13.2.6 "**Council**" means the Hoopa Valley Tribal Council.

13.2.7 "**Minimum Threshold**" means a minimum level that any job applicant shall be required to meet prior to Indian Preference being applied to that job applicant. Criteria to establish a minimum threshold may be established by but are not limited to the following:

1. Job Descriptions;
2. Interview Committees;
3. Skills Tests;
4. RFP's and License Requirements;
5. Other Job Requirements.

13.3 ESTABLISHMENT OF TERO COMMISSION AND OFFICE

13.3.1 Establishment and Purpose of Commission

(A) The Hoopa Valley Tribal Council does hereby establish the Tribal Employment Rights Commission (TERO Commission) for the purposes of implementing and enforcing the Indian Preference provisions of this Ordinance, and disseminating information regarding unlawful employment discrimination by State and private employers subject to Title VII of the Civil Rights Act of 1964 who are operating on or near the Hoopa Valley Indian Reservation.

(B) TANF; Training by TERO Commission. The TERO Commission is hereby authorized to provide basic life/work skills training consistent with the needs of the community and implementation of the Tribal, state or federal TANF program; to establish a Tribal Employment Rights training center; to enter into agreements with labor unions and other persons or entities to provide work skills training and education opportunities; and to generally provide employment training to members of the Tribe and residents of the Hoopa Valley Indian Reservation through means deemed appropriate by the Tribal Council.

(C) TERO Tax. The TERO Commission shall be allocated sufficient funds as

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determined by the Hoopa Valley Tribal Council derived from the TERO Tax as described in Section 13.5 of this Ordinance for implementation, conduct, and fulfillment of the TERO Commission's purposes.

13.3.2 General Powers of the Commission

(A) Organizational Authority. The Commission may hire immediate TERO staff, obligate funds appropriated by the Council, and secure and obligate funding from Federal, State or other sources to carry out its duties and functions under this Ordinance. The Commission is further authorized and directed to adopt such organizational bylaws as are necessary to enable it to carry out its duties and functions under this Ordinance. The Commission shall report directly to the Council. The TERO Commission shall be subject to the Conflict-of-Interest and Nepotism Ordinance of the Hoopa Valley Tribe.

(B) Regulatory Authority.

(1) The Commission shall promulgate rules, regulations, interpretations of law, and guidelines for Indian preference that are necessary to implement this Ordinance. Such rules shall become effective upon Council approval of a resolution adopting said rules. Council approved rules shall be codified in the Revised Code of the Hoopa Valley Tribe, and the Commission shall take other reasonable steps to insure that the general Reservation community is on notice of all Indian preference and applicable employment related laws.

(2) The Commission shall maintain an Indian Skills Bank as a means of providing qualified Indian employees to employers, contractors, and subcontractors. The Commission shall actively recruit Indians for listing in the Skills Bank. The Commission shall also actively recruit and certify Indian firms as eligible for Indian Preference in contracting and sub-contacting.

(3) N/A

(4) The Commission may (. . . N/A . . .) issue permits to such contractors according to rules and procedures to be developed, which shall include procedures for revocation of such permits.

(5) The Commission is further authorized and directed to investigate

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complaints regarding any violation of the provisions of this Ordinance or any other tribal the Commission is authorized to enforce. The Commission may also investigate possible violations of this Ordinance if there is reasonable cause to believe a violation of this Ordinance has occurred or is occurring. Neither the Commission or any of its employees shall have the authority to investigate or assist any Hoopa Tribal employee in pursuing any employment related claim not within its authority under this Ordinance

(C) Adjudicatory Authority

The Commission may hold hearings on and determine any matter under its authority, including but not limited to hearings necessary to the issuance, modification, and revocation of any permit, license, certification, or assessment authorized hereunder, as well as any adjudicatory hearing regarding violations of the provisions of this Ordinance. The Commission shall have no authority or jurisdiction to hear or adjudicate complaints brought by Hoopa Valley Tribal employees that are not specifically authorized under this Ordinance. The Commission shall promulgate simple and fair rules to govern its adjudications, and is authorized to issue compliance orders and impose civil penalties in the form of fines.

(D) Cooperative Agreements with Other Governments

The Commission may negotiate, and upon Council approval, enter into cooperative agreements with agencies of state and federal government in order to implement the intent of this Ordinance and eliminate unlawful discrimination against Indians.

13.3.3 Composition of the Commission

(A) The Commission shall be composed of five (5) members in good standing in the community. Three (3) members of the Commission shall be appointed by the Council in October of even numbered years, each for a term of two (2) years; and two (2) members shall be appointed in odd numbered years, each initially for a term of one (1) year, thereafter being appointed in October of odd-numbered years each for a term of two (2) years. Any member may be removed by the Council at any time for cause, subject to notice and opportunity for a hearing before Council. The Council's decision shall be final. All terms of office shall commence on October 1 of the year position

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becomes vacant.

(B) Decisions of the TERO Commission shall be made by a majority vote. A quorum shall consist of any two of the three Commission members.

(C) Any Commission member shall be disqualified from any involvement in decisions affecting the tribal department or entity with which he or she is employed or volunteers their time to that department.

13.3.4 Powers of the TERO Director

The TERO Director shall have those powers delegated by the Commission as it deems necessary to carry out this Ordinance. The Director shall be the investigating agent for the Commission responsible for investigating, researching, reporting and documenting any relevant information required by the Commission. The Director shall report directly to the Commission.

13.4 INDIAN EMPLOYMENT PREFERENCE POLICY AND PROCEDURES

All employers shall extend a preference to qualified Indians, as provided herein, in all aspects of employment, including but not limited to recruitment, hiring, promotion, lateral transfers, retentions, training, contracting, and subcontracting. No employer may recruit, hire, or otherwise employ any non-Indian for any employment position covered by this Ordinance; unless and until the TERO Commission has furnished written notice to such employer that no qualified Indians are available for such position.

13.4.1 Applicability

Unless clearly and expressly prohibited by federal and other tribal laws or Council action, this Ordinance shall apply to all employers, including but not limited to: The Council and all its programs, departments, and chartered entities or enterprises; private employers and independent contractors and subcontractors~ including those performing work for the Council, the State of California, or the United States.

13.4.2 Covered Positions

The Indian Employment Preference Policy of this section shall apply to each and every job classification, skill area, or craft recognized or utilized by an

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employer, including administrative, supervisory, and professional classifications.

13.4.3 Qualified Indians; Employment Criteria

An Indian shall be qualified for employment in a position if he or she meets the minimum threshold requirements for such position, and such Indian shall be accorded the preferences to which he or she is entitled under this Ordinance. No employer may utilize any employment criterion that is not legitimately related to the performance of the position.

13.4.4 Eligible Indians

(A) If this section conflicts with any applicable federal laws or regulations, the Hoopa Valley Tribe and its programs, departments and chartered entities and enterprises, and private employers contracting with the Tribe shall extend Indian preferences according to the requirements of said federal laws and regulations.

(B) Private Employers Not Contracting with the Hoopa Valley Tribe: Private employers not contracting with the Hoopa Valley Tribe and doing business within the exterior boundaries of the Hoopa Valley Indian reservation shall not be subject to the priority requirements of Section 13.4.4(A), but shall extend a preference to qualified Indians residing on or near the exterior boundaries of the Hoopa Valley Indian Reservation. (. . . N/A . . .)

13.4.5 Notice of Employee Rights. All employers subject to this Ordinance shall prominently display a notice to all employees and applicants for employment of their rights under this Ordinance.

13.4.6 Employer Retaliation Prohibited. It shall be violation of this Ordinance for any employer to take any adverse personnel or hiring action, or to retaliate in any way, against any person who attempts to enforce the requirements under this Ordinance. Employers found by the Commission, pursuant to an adjudicatory hearing, to have engaged in retaliation shall be subject to appropriate sanctions to be imposed by the Commission. The Commission may in its discretion either hold a hearing or file action in Tribal Court to review an allegation of unlawful retaliation. The Tribal Court is authorized to issue temporary injunctions for enforcement of this provision to prevent unlawful conduct.

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13.5 ESTABLISHMENT OF TERO TAX AND FEES

There is hereby established a TERO Tax to be paid to the Hoopa Valley Tribal Council . . . The tax shall be equivalent to three percent (3%) . . . The proceeds of the tax shall be used in implementing this Ordinance. The Hoopa Valley Tribal Council shall authorize the appropriate amounts of the TERO Tax to be utilized by the TERO Commission according to proof of budgetary needs provided by each department. The TERO tax shall be governed under guidelines approved by the Tribal Fiscal Department. (. . . N/A . . .) The Hoopa Valley Tribal Council when it is determined to be in the interests of the Hoopa Valley Tribe reserves the right to waive TERO Taxes and Fees for any contract or contracts, and further, may approve a waiver schedule consistent with the objectives of this Ordinance, that is implemented directly by the TERO Office and that establishes tax adjustments to not less than one percent (1%).

13.6 SPECIAL REQUIREMENTS FOR CONTRACTORS AND SUBCONTRACTORS

The requirements of this Section apply to all employers engaging in commercial or employment activities within the Reservation pursuant to public or private contract. If this section's contracting requirements conflict with applicable federal law or regulations, the applicable federal laws or regulations shall supersede this section.

13.6.1 N/A

13.6.2 N/A

13.6.3 N/A

13.6.4 N/A . . . the contractor may not deviate from the plan or add or delete any existing new subcontracts or subcontractors without the written consent of the Contracting Officer or his designee and notice to the Commission. Any amendments to the Indian Preference Plan must be in writing and approved prior to the date of implementation.

13.6.5 N/A

13.7 N/A

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13.7.1 Identification of Regular, Permanent Employees

- (A) Contractors/employers shall be required to hire and maintain as many TERO Native American preference employees as apply for and are qualified for each craft or skill.
- (B) Notwithstanding subsection A, above, Contractors/employers may hire key employees to fill not more than 25% of the workforce.

(1) Prior to commencing work on the Hoopa Valley Indian Reservation the prospective employer, contractor and sub-contractors shall identify key regular and permanent employees. The TERO Office and contractor/employer in possession of past employment records documenting employment of past supervisors or foreman shall coordinate on certifying eligibility for treatment of employees as key employee.

(2) A key employee is one who is in a top supervisory position or performs a critical function such that an employer would risk likely financial damage or loss if that task were assigned to a person unknown to the employer. A key employee has been on the employers' or contractors' annual payroll for a period of one year continuously in a supervisory capacity, or is an owner of the firm. An employee who is hired on a project-by-project basis shall not be considered a key employee.

13.7.2 Lay-Offs

No Indian Worker shall be laid off as long as a non-Indian worker in the same craft is still employed, not as long as the Indian meets threshold qualifications for the job, unless such non-Indian has been employed for more than 90 days longer than such Indian. If the contractor lays off by crews, qualified Indians shall be transferred to any crew that will be retained, as long as there are non-Indians in the same craft employed elsewhere on the Reservation under the same contract.

13.7.3 Existing Contracts, Employers

Any existing contracts or other work presently operating under an agreement with the Tribal Employment Rights Office will continue under the same written guidelines and rules. Each employer shall provide to the Commission a list of employees and their Indian affiliation, if any, as part of the implementation of this Ordinance.

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313.7.4 Reporting Requirements

Each employer shall submit monthly reports to the Commission on a form provided indicating the number of employees, including a separate tally of Indians, it has on its work force, monthly hires and fires, and other information as may be identified on the form. An employer who fails to submit monthly reports shall be subject to sanctions provided under this Ordinance.

13.8 IMPLEMENTATION

In implementing the requirements of this Ordinance, the Commission may:

13.8.1 Numerical Hiring Goal

Impose numerical hiring goals and timetables that specify the minimum number of Indians an employer must hire.

13.8.2 N/A

13.8.3 Attend and monitor all job interviews as a non-voting participant.

13.8.4 Prohibit an employer from establishing extraneous qualification criteria or other requirements that serve as barriers to Indian employment.

13.8.5 Enter into agreements, subject to approval by the Hoopa Tribal Council, with unions and other employers to insure compliance with this Ordinance.

13.8.6 N/A

13.8.7 Establish programs to provide counseling and support to Indian Workers to assist them to retain employment. Employers may be required to participate in and/or cooperate with such support and counseling programs.

13.8.8 Issue Permits

Issue permits for implementation and provisions of this Ordinance and other agreements entered into under the authority of this Ordinance.

13.9 ENFORCEMENT BY TERO COMMISSION

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In implementing this Ordinance the Commission shall have the following powers of enforcement;

13.9.1 Investigation, Monitoring

To investigate and monitor complaints, concern, and inquiries regarding Indian preference.

13.9.2 Issue Notices of Non-Compliance and Compliance Orders

To issue notices of non-compliance and compliance orders with the Indian preference provisions of this Ordinance and other applicable provisions of this Ordinance.

13.9.3 Citations, Subpoenas and Penalties

To issue citations and subpoenas to employers regarding violations of the Indian preference provisions of this Ordinance, and to impose such civil penalties, including fines, as may be reasonably necessary to remedy the consequences of a violation of the Indian preference provisions this Ordinance or to deter future violations.

13.9.4 Hearings

To hold such hearings as may be necessary to resolve complaints, enforce the provisions of this Ordinance, and hear concerns regarding issues pursuant to the Commission's authority under this Ordinance.

13.9.5 File and Defend Cases in Tribal Court

To bring or defend a complaint or other pleading in Tribal Court for enforcement of the Indian preference provisions of this Ordinance, against any employer within the exterior boundaries of the Hoopa Reservation.

13.10 TRIBAL COURT

Appeals of decisions of the TERO Commission may be filed under the rules of the Tribal Court. The Tribal Court is hereby authorized to hear and dispose of appeals from final decisions from TERO Commission hearings. Any appeal from a final

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decision of the TERO Commission must be filed within twenty (20) calendar days after the date of receipt of the TERO Commission's decision. Any decision not appealed within the required time frame shall become final and the Tribal Court shall have no jurisdiction to hear the appeal.

13.11 LEGAL REPRESENTATION

In carrying out its responsibilities under this Title, the Commission shall consult a legal counsel its choosing subject to the approval of the Council. Any legal counsel chosen must be admitted in good standing to practice law in the state of California and the Hoopa Valley Tribal Court bar.

13.12 PRINCIPLES OF CONSTRUCTION; SEVERABILITY; SOVEREIGN IMMUNITY PRESERVED

13.12.1 This Ordinance is remedial legislation intended to rectify the long-standing problem of severe under-employment of Hoopa tribal members and other Indians living in the Reservation community. Accordingly, it is to be construed liberally to achieve its purposes. Doubtful issues are to be resolved in favor of a right of any party to obtain administrative review.

13.12.2 If any part of this Ordinance is found to be invalid for any reason, it is the intent of the Council that the remaining provisions remain in force to the maximum extent possible, and that they continue to be construed according to the provisions of this Section.

13.12.3 Nothing in this Ordinance is to be construed as a waiver of the Tribe's sovereign immunity from unconsented lawsuit, nor as consent by the Tribe to bring an action against the Tribe, its officers, or any of its departments or entities.

13.13 EFFECT OF AMENDMENTS ON PRIOR TERO LEGISLATION AND PENDING CASES

13.13.1 Prior TERO Enactments or Rules: Resolution 91-71A, as amended March 6, 1995, Ordinance No. 2-80, as amended April 27, 1995 are repealed and shall have no further force and effect. The Rules for Hearings before the TERO Commission, as amended June 10, 1998 shall be permitted to be used where they are consistent with the language of this statute by providing uniform rules for hearings when they are

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authorized under this ordinance. Under no circumstances shall those present rules be considered authority for the TERO Commission to hear employment related grievances other than which is authorized under this statute. The TERO Commission under the authority granted by §13.3 .2(C) shall draft new Rules Before Hearings to effect the most recent amendments to this Ordinance.

13.13.2 All current employee grievances that are not related to termination where the TERO Commission has not issued a final decision shall be dismissed. An employee termination case that has been appealed to tile TERO Commission prior to the date of the Tribal Council transferring employee termination grievances to the Tribal Court shall be heard by the TERO Commission. However, all employee termination cases regardless of whether they are pending before the TERO Commission or before the Tribal Court shall be subject to the requirements of 1 H.V.T.C § 1.1.04(f) as it relates to the Hoopa Valley Tribe's limited waiver of sovereign immunity.

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This **MOU** may be amended by written agreement of the parties, or terminated by either party upon reasonable written notice. In the event of termination, unless otherwise mutually agreed by the parties, the provisions of this **MOU** will remain in force with respect to any contract covered hereunder which has already been awarded or for which contractor performance has already commenced.

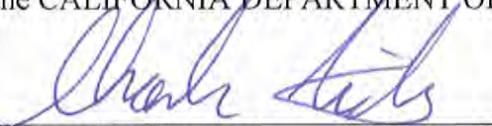
The parties hereto have agreed to the objectives, principles, and recitations cited in this document and have further approved this **MOU** for signature by their duly authorized representatives.

for the Hoopa Valley Tribe

By: 
DANIELLE VIGIL-MASTEN
Chairperson

Date: 11-20-14

for the CALIFORNIA DEPARTMENT OF TRANSPORTATION

By: 
CHARLES C. FIELDER
District Director, District 1

Date: December 2, 2014

ATTACHMENT A

Project-Specific Special Provisions For Hoopa Valley Tribe TERO MOU 2014-04

SPECIAL NOTICE:

- This project includes Tribal Employment Rights Ordinance (TERO) requirements. See section 5-1.20E and 8-1.04C for TERO submittal requirements.

SSP 2-1.06B SUPPLEMENTAL PROJECT INFORMATION

The Department makes the following supplemental project information available:

Supplemental Project Information

Means	Description
Included in <i>Information Handout</i>	Hoopa Valley Tribe TERO Memorandum of Understanding (MOU) with TERO Highway Construction Permit (THCP) Application

INFORMATION HANDOUT:

Hoopa Valley Tribe TERO Requirements Information Handout contains:

1. Signed one-time MOU between the Hoopa Valley Tribe and the Department.
2. Attachment A project-specific TERO special provisions.
3. Attachment B TERO Highway Construction Permit Application (THCP).

SSP 5-1.20E Tribal Employment Rights Ordinance Requirements:

Complete the Hoopa Valley Tribe TERO Highway Construction Permit (THCP) Application included in the *Information Handout*. Within 5 days after Contract approval, submit the completed application to the Tribe and a copy of the submitted application to the Engineer.

Submit the executed THCP to the Engineer within 10 days after you receive it from the Tribe.

SSP 8-1.04C:

Use a minimum 45-day delayed start after contract approval.

Do not start job site activities until the Department authorizes or accepts your submittal for:

Executed Hoopa Valley Tribe TERO Highway Construction Permit (THCP)

Do not start other job site activities until all the submittals from the above list are authorized or accepted and the following information is received by the Engineer:

Copy of the Hoopa Valley Tribe TERO Highway Construction Permit (THCP) Application submitted to the Tribe.

Hoopa Valley Tribal Council
TRIBAL EMPLOYMENT RIGHTS OFFICE/H.R.

103 Willow St. ~ PO Box 1467 ~ Hoopa, CA 95546
Phone (530) 625-9200 Ext. 14 ~ Fax (530) 625-4269



State Contract 01-0C880
0113000071

ATTACHMENT B

TERO Highway Construction Permit (THCP)

February 21, 2014

TO: ALL EMPLOYERS, CONTRACTORS AND/OR SUB-CONTRACTORS

FROM: Penny L. Cordova, TERO Director

RE: TERO HIGHWAY CONSTRUCTION PERMIT (THCP) COMPLYING WITH TRIBAL AND FEDERAL EMPLOYMENT LAWS

The Tribal Employment Rights Office (hereafter "TERO"), on the Hoopa Valley Indian Reservation, has been implemented to assist employers, contractors and/or sub-contractors (hereinafter called "**Employer**") towards meeting the required rules and regulations of the Hoopa Valley Tribal Council, also the employment laws of the U.S. Government.

TERO Highway Construction Permit (THCP): This form is an agreement between the State of California's Contractor (and its Sub-Contractors) / Employer and the Hoopa Valley Tribal Council allowing you and your company to conduct employment activity on the Hoopa Valley Indian Reservation and for providing equal employment opportunity. A TERO Highway Construction Permit (THCP) must be completed for each contract your company is awarded within five (5) days after state of California contract approval.

SKILLS BANK: The TERO Office maintains a Indian Skills Bank to assist **Employer** to meet the Indian Preference requirements as identified under the of the TITLE 13 TERO Ordinance, As Amended May 17, 2012 of the Hoopa Valley Tribal Council. Please note: Under Section 13.7.1 Identification of Key Employees; Hiring Requirements (A) Contractors/employers shall be required to hire and maintain as many TERO / Native Americans preference employees as apply for and are qualified for each craft or skill. (B) Notwithstanding subsection A, above, Contractors/employers may hire key employees to fill not more than 25% of the workforce (2) "KEY EMPLOYEES" A key employee is one who is in a top supervisory position or performs a critical function such as that an employer would risk likely financial damage or loss if that task were assigned to a person unknown to the employer. A key employee has been on the employer's or contractors' annual payroll for a period of one year continuously in a supervisory capacity, or is an owner of the firm. An employee who is hired on a project by project basis shall not be considered a key employee. (Possessing records of past employment as proof as a supervisor or foreman).

Recruitment of non-Indians shall not take place until the firm receives a written waiver notifying your company that TERO has no "qualified" Native Americans to perform that position or task. A waiver will only be issued for that position/task and the employee cannot be transferred to another position once, that job is done.

By following the above procedures, you and your company can expect an uninterrupted trouble-free contract conclusion. **PLEASE RETURN COMPLETED TERO HIGHWAY CONSTRUCTION PERMIT BEFORE COMMENCING WORK ON THE HOOPA VALLEY INDIAN RESERVATION TO:**

Penny L. Cordova, Director
Tribal Employment Rights Office
Post Office Box 1467
Hoopa, California 95546

Phone: (530) 625-9200 ext. 14
Fax: (530) 625-4269
Email: hvtero@gmail.com

TERO HIGHWAY CONSTRUCTION PERMIT (TCHP)

Employer/Contractor's Name: _____
Mailing Address: _____
City, State and Zip Code: _____
Contact Person: _____ Phone Number: _____
EMAIL: _____ FAX #: _____
Contracting with Entity/Department: _____
Contract Number # _____ Amount of Contract \$ _____

THIS IS AN AGREEMENT BETWEEN TERO AND EMPLOYER FOR CONDUCTING COMMERCE AND EMPLOYMENT ACTIVITY WITHIN THE EXTERIOR BOUNDARIES OF THE HOOPA VALLEY INDIAN RESERVATION AND HOOPA TRIBAL "LANDS." BETWEEN THE HOOPA VALLEY TRIBAL COUNCIL AND _____ (EMPLOYER/CONTRACTOR. (Hereafter "EMPLOYER").

Whereas, this agreement is entered into on this ____ day of _____, 2014; Between TERO and _____ (Employer).

1. **EMPLOYER:** We hereby agree to comply with the requirements and procedures for the selection of contractors, sub-contractors and recruitment of viable Indian applicants, through TERO.

TERO shall receive notice, in the form of copies of bid forms by awarded prime **Employer** seeking bids of all sub-contract work to be conducted on the Hoopa Valley Indian Reservation. Notice shall be made reasonably in advance of any award, but not later than five (5) days in advance of an award.

The above-named **Employer** understands that they are required to comply with the Hoopa Valley Tribal Council's Title 13 TERO Ordinance, As Amended May 17, 2012. **(All of the parameters regarding "Indian Preference." as per Section 13.4.4(B).**

2. **EMPLOYMENT PRIORITY:** Hiring preferences shall be as follows per Section 13.4.4 (B) Private Employers Not Contracting with the Hoopa Valley Tribe: Private employers not contracting with the Hoopa Valley Tribe and doing business within the exterior boundaries of the Hoopa Valley Indian Reservation shall not be subject to the priority requirements of Section 13.4.4 (a), but shall extend preference to qualified Indians residing on or near the exterior boundaries of the Hoopa Valley Indian Reservation. Private employers operating under contracts with the Hoopa Valley Tribe shall be required to provide Indian Preference according to the requirements of § 13.4 (A)

For those claiming "Indian Preference" that are not Hoopa Tribal Members, the burden of proof to show verification of their enrollment in a Federally Recognized Tribe is upon them.

A "non-Indian" will not be allowed to be recruited, until the TERO Skills Bank has been totally exhausted, or a job description presented to TERO by the **Employer** cannot be met through the Skills Bank. **(See Section 13.4 of the TERO Ordinance.)** A "non-Indian" shall not be hired until that **Employer** has been issued a written waiver from TERO stating that there are no qualified Native Americans available, therefore authorizing them to hire a "non-Indian" for that specific position. (Note: The waiver does not authorize the "non-Indian" to be transferred to other positions that become available unless a new "waiver" has been obtained by the Employer from TERO.) An **Employer** failing to abide with the TERO Ordinance could be charged with alleged discrimination.

For purposes of this agreement, pre-employment standards are those directly job related, standards toward fairness and ability which express with a reasonable amount of job training an individual would be capable of satisfactorily performing an entry level job; moreover, could progress with reasonable further guidance and training. This provision would apply to those persons who at the time of application for employment, are not fully experienced for the available position, but does possess those threshold requirements and general potential for becoming qualified through reasonable training.

3. **PRE-EMPLOYMENT STANDARDS:** Employer may not use qualification criterion or other personnel requirements which serve as barriers to local Indians or Indian employment, except only where such criteria is a requirement by business necessity. However, employer and/or contractor/sub-contractor shall have the responsibility and burden to show proof that such a criterion or requirement is truly a business necessity. (B.F.O.Q., must be a Bonafide Occupational Qualification).

4. **TRAINING: Employer** agrees that all local Indians and Indian employees will be adequately trained for the position for which they were hired. All Indian employees shall be evaluated and receive identical treatment as company/firm compensates other hires. **(See Section 13.8. of the TERO Ordinance)**
5. **DISCRIMINATION:** There shall be no discrimination in any aspect of employment related activity, equitability shall prevail; discrimination in the workplace on the basis of race, creed, color, age, sex, national origin or religion is totally unlawful.
6. **EMPLOYMENT GOALS:** (Entire issue depends on TERO Skills Bank)
 - A. **Employer** agrees that 75 % of all employees in its workforce shall be filled by local Indians as per Section 13.4.4 (B) of the Title 13 TERO Ordinance. At the end of one (1) year from the date of this agreement; this provision shall be reviewed and renegotiated and/or a new THCP has been obtained for a new contract.
 - B. If **Employer** is unable to reach the 75% employment goal as set forth above (A), it shall have the burden of justifying the rejection of every Indian applicant for any positions which became available to substantiate that criterion utilized in the recruitment process toward validity and being relevant to tasks performed, specifically the precise good faith efforts which the **Employer** had taken for pursuing the required goal.
 - C. **Monthly reports** are required for monitoring purposes; the data is not only a TERO compliance issue but coincides with federal employment statutes (EEOC-OFCCP). (Monthly Report Forms available at TERO Office.)
7. **TERO TAX FEE:** Caltrans will pay the required TERO tax to the TERO Commission for each **Prime Contractor**, and/or by each **Employer** operating within the exterior boundaries of the Hoopa Valley Indian Reservation whose total contract and/or annual gross revenues is \$1,000.00 or more. The tax shall be equivalent to three percent (3%) of the total contract award amount of any contract performed within the Reservation.. **(See Caltrans TERO Policy and Section 13.5 of the Title 13 TERO Ordinance, as Amended May 17, 2012.)**
8. **COMPLIANCE INSPECTIONS:** The Director of TERO or staff shall make periodic or site visitations for assurance to all involved parties that employment rules are adhered to. **(See Section 13.9 of the TERO Ordinance)**
9. **MAINTAINING EMPLOYMENT RECORDS:** **Employer** shall maintain accurate employment records on all employees and all applicants for employment; regardless of length and category of employment, hired, fired, or laid-off. The files shall reflect: name, address and employment category for which applicant performed or applied to perform. If applicant was contacted but not hired, hired and fired, all data should reflect action taken by that firm. Such informational records shall be made available to the Director of TERO, upon reasonable notice.
10. **ASSISTANCE:** If an **Employer** deems that an Indian employee's performance is such that he or she is jeopardizing and endangering job loss, suspension, termination. **Employer** may contact TERO to provide assistance toward resolving of that issue.
11. **UNIONS:**
 - A. Pursuant to congressional intent of the Indian Self-Determination and Education Assistance Act [P.L. (93-638) at Section 7(b)] Indian preference in employment and training shall prevail in all employment activity, within the boundaries of the Hoopa Valley Indian Reservation.
 - B. Therefore **Employer** hereby agree to request all involved affiliated firms, mirror Indian preference priority, in all aspects of employment.
12. **EMPLOYMENT POLICIES AND PROCEDURES:** It is further understood that **Employer** recognizes that its operations are taking place within a unique cultural setting on the Hoopa Valley Indian Reservation. Accordingly, all firms in conjunction with the Director of TERO, consider seriously Tribal Holidays, and ceremonial customs; and to accommodate those Indian employees requesting certain leave of absences for religious purposes.
13. **CURTAILMENT:** Curtailment regarding Indian preference, local Indians and Indians shall be the last employees to be laid-off. This reference is made outside of core crew positions, this is to say where Indians meet threshold requirements for a given position.

14. PRE-AWARD LABOR FORCE PROJECTION

Contractor and/or Sub-Contractor (Firm Name)
 Name of Project: _____

Telephone Number _____

Contract Number _____

Briefly describe the basic tasks and type of work to be performed:

Please list types of skills and categories which will be required towards performing said contract.

- | | |
|----------|-----------|
| 1. _____ | 7. _____ |
| 2. _____ | 8. _____ |
| 3. _____ | 9. _____ |
| 4. _____ | 10. _____ |
| 5. _____ | 11. _____ |
| 6. _____ | 12. _____ |

Indian preference shall be accorded at every Tier Level. Please list the names and positions of your Key Staff per Section 13.7.1 of Title 13 TERO Ordinance, As Amended May 17, 2013. The key employee is one who is in a top supervisory position or performs a critical function such that an employer would risk likely financial damage or loss if that task were assigned to one person unknown to the employer.

NAME	JOB TITLE
1. _____	_____
2. _____	_____
3. _____	_____
4. _____	_____
5. _____	_____
6. _____	_____
7. _____	_____
8. _____	_____
9. _____	_____
10. _____	_____
11. _____	_____
12. _____	_____
13. _____	_____
14. _____	_____
15. _____	_____

(Please utilize as many sheets necessary for expressing your on-site employment related projection.)

15. DURATION: This agreement shall remain in effect for a period of one year from the date signed by TERO Director below:

 Date

 Owner/Representative's Signature

 EFFECTIVE DATE

 Signature of TERO Director

MATERIALS INFORMATION

Aerially Deposited Lead Site Investigation Report

Dated June 2014

AERIALY DEPOSITED LEAD SITE INVESTIGATION REPORT

Hoopa Safety Project Humboldt County, California

PREPARED FOR:

**CALIFORNIA DEPARTMENT OF TRANSPORTATION – DISTRICT 1
ENVIRONMENTAL ENGINEERING OFFICE
1656 UNION STREET
EUREKA, CALIFORNIA 95501**



PREPARED BY:

**GEOCON CONSULTANTS, INC.
3160 GOLD VALLEY DRIVE, SUITE 800
RANCHO CORDOVA, CALIFORNIA 95742**



**GEOCON PROJECT NO. S9805-01-25
TASK ORDER NO. 25, EA 01-493700**

JUNE 2014



Project No. S9805-01-25
June 25, 2014

Steve Werner, PG, Task Order Manager
California Department of Transportation – District 1
Environmental Engineering Office
1656 Union Street
Eureka, California 95501

Subject: AERIALY DEPOSITED LEAD SITE INVESTIGATION REPORT
HOOPA SAFETY PROJECT
HUMBOLDT COUNTY, CALIFORNIA
CONTRACT NO. 03A2132, TASK ORDER NO. 25, EA 01-493700

Dear Mr. Werner:

In accordance with California Department of Transportation (Caltrans) Contract No. 03A2132, Task Order No. 25, and Expense Authorization 01-493700, we have performed environmental engineering services at the project site. The Site consists of State Route 96 from approximate Post Mile 11.0 to 13.2 in Humboldt County, California. The accompanying report summarizes the services performed including the advancement of 26 direct-push and 6 hand-auger borings for the collection of soil samples for aerially deposited lead analysis.

The contents of this report reflect the views of the author, who is responsible for the facts and accuracy of the data presented herein. The contents do not necessarily reflect the official views or policies of the State of California or the Federal Highway Administration. This report does not constitute a standard, specification, or regulation.

Please contact us if you have any questions concerning the contents of this report or if we may be of further service.

Sincerely,

GEOCON CONSULTANTS, INC.

Gemma G. Reblando
Project Geologist

John E. Janrend, PE, CEG
Principal/Senior Engineer



(2 + 2 CD) Addressee

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AERIALY DEPOSITED LEAD SITE INVESTIGATION REPORT

1.0 INTRODUCTION

This Aerially Deposited Lead (ADL) Site Investigation Report for State Route 96 (SR-96) Post Mile (PM) 11.0 to 13.2 was prepared under California Department of Transportation (Caltrans) Contract No. 03A2132, Task Order (TO) No. 25, and Expense Authorization (EA) 01-493700.

1.1 Project Description and Proposed Improvements

The project area consists of Caltrans right-of-way (ROW) along the northbound (NB) and southbound (SB) shoulders of SR-96 between PM 11.0 and 13.2 (the Site) near Hoopa, Humboldt County, California. The approximate project location is depicted on the attached Vicinity Map, Figure 1, and Site Plans, Figures 2-1 through 2-4. Caltrans proposes highway improvements along SR-96.

1.2 General Objectives

Construction of planned roadway improvements along SR-96 will require the disturbance of soil at the Site and will generate excess soil. The purpose of the scope of services outlined in TO No. 25 was to evaluate the Site for potential impacts due to ADL from motor vehicle exhaust in the surface and near-surface soils. The investigative results will be used by Caltrans to inform the construction contractor if ADL-impacted soil is present within the project boundaries for construction worker health and safety, and soil management and disposal purposes.

2.0 BACKGROUND

Caltrans requested the site investigation to provide data regarding the potential presence of ADL within the proposed roadway improvement areas.

Regulatory criteria to classify a waste as “California hazardous” for handling and disposal purposes are contained in the California Code of Regulations (CCR), Title 22, Division 4.5, Chapter 11, Article 3, § 66261.24. Criteria to classify a waste as “Resource, Conservation, and Recovery Act (RCRA) hazardous” are contained in Chapter 40 of the Code of Federal Regulations (40 CFR), § 261.

2.1 Potential Lead Soil Impacts

Ongoing testing by Caltrans has indicated that ADL exists along major freeway routes due to emissions from vehicles powered by leaded gasoline.

2.2 Hazardous Waste Determination Criteria

For waste containing metals, the waste is classified as California hazardous when: 1) the representative total metal content equals or exceeds the respective Total Threshold Limit Concentration (TTLC); or 2) the representative soluble metal content equals or exceeds the respective Soluble Threshold Limit Concentration (STLC) based on the standard Waste Extraction Test (WET). A waste may have the potential of exceeding the STLC when the waste's total metal content is greater than or equal to ten times the respective STLC value, since the WET uses a 1:10 dilution ratio. Hence, when a total metal is detected at a concentration greater than or equal to ten times the respective STLC, and assuming that 100 percent of the total metals are soluble, soluble metal analysis is required. A material is classified as RCRA hazardous, or Federal hazardous, when the representative soluble metal content equals or exceeds the Federal regulatory level based on the Toxicity Characteristic Leaching Procedure (TCLP).

The above regulatory criteria are based on chemical concentrations. Wastes may also be classified as hazardous based on other criteria such as ignitability and corrosivity; however, for the purposes of this investigation, toxicity (i.e., representative lead concentrations) is the primary factor considered for waste classification since waste generated during the construction activities would not likely warrant testing for ignitability or corrosivity. Waste that is classified as either California-hazardous or RCRA-hazardous requires management as a hazardous waste.

The Department of Toxic Substances Control (DTSC) regulates and interprets hazardous waste laws in California. DTSC generally considers excavated or transported materials that exhibit "hazardous waste" characteristics to be a 'waste' requiring proper management, treatment and disposal. Soil that contains lead above hazardous waste thresholds and is left in-place would not be necessarily classified by DTSC as a 'waste.' The DTSC has provided site-specific determinations that "movement of wastes within an area of contamination does not constitute 'land disposal' and, thus, does not trigger hazardous waste disposal requirements." Therefore, lead-impacted soil that is scarified in-place, moisture-conditioned, and recompacted during roadway improvement activities might not be considered a 'waste.' DTSC should be consulted to confirm waste classification. It is noted that in addition to DTSC regulations, health and safety requirements and other local agency requirements may also apply to the handling and disposal of lead-impacted soil.

3.0 SCOPE OF SERVICES

The scope of services requested by Caltrans in TO No. 25 included the collection of soil samples for laboratory analysis to determine lead content and the preparation of this report.

3.1 Pre-field Activities

- Caltrans outlined the project limits with white paint for subsequent utility clearance.
- Prepared a *Health and Safety Plan* dated April 2014 to provide guidelines on the use of personal protective equipment and the health and safety procedures implemented during the field activities.

- Provided 48-hour notification to Underground Service Alert (USA) prior to job site mobilization (USA Ticket No. 154503).
- Retained the services of Advanced Technology Laboratories (ATL), a Caltrans-approved and California-certified analytical laboratory, to perform the chemical analyses of soil samples.

3.2 Field Activities

On April 28, 2014, 26 soil samples were collected from 26 direct-push borings located along the unpaved shoulder areas of NB and SB SR-96. Six hand-auger borings were advanced on June 9, 2014, and six samples were collected along the unpaved shoulder areas of SB SR-96. The soil borings were advanced to a maximum sampling depth of 1.1 feet. Soil samples were collected from a depth interval of 0 to 1.1 feet.

The sample locations were selected in the field by Geocon's Field Supervisor and Caltrans' TO Manager. Details of the field activities are presented in the following sections.

4.0 INVESTIGATIVE METHODS

4.1 Soil Sampling Procedures

A total of 32 soil samples were collected from 32 direct-push borings advanced within 5.0 feet from the edge of pavement. Borings NB1 through NB13 were advanced along the NB shoulder of SR-96. Borings SB14 through SB32 were advanced along the SB shoulder of SR-96. The approximate boring locations are depicted on Figures 2-1 through 2-4.

Soil samples were collected in cellulose thermoplastic (acetate) liners driven by the direct-push rig. The acetate liners were cut to separate the samples at the predetermined depth interval. Soil samples were transferred to Ziploc[®] re-sealable plastic bags for field homogenization. The sample bags were subsequently labeled and placed in a cooler and transported to ATL for chemical analyses under chain-of-custody (COC) procedures. Following sample collection, the borings were backfilled with excess soil cuttings. Soil types were noted on the daily field log.

The coordinates of the boring locations were determined using a global positioning system (GPS). The GPS was utilized during the field activities to locate the horizontal position of the boring locations with an error of no more than 3.3 feet. The latitude and longitude of the boring locations are summarized on Table 1.

4.2 Quality Assurance/Quality Control (QA/QC) Procedures

QA/QC procedures were performed during the field exploration activities. These procedures included the decontamination of sampling equipment before each sample was collected and providing COC documentation for each sample submitted to the laboratories. The soil sampling equipment was cleansed between borings by washing the equipment with an Alconox[®] solution followed by a double

rinse with deionized water. The decontamination water was discharged to the ground surface within the Caltrans right-of-way, away from the roadway and storm drain inlets.

4.3 Laboratory Analyses

The soil samples collected on April 28, 2014, were analyzed under standard turnaround time (TAT). The soil samples collected on June 9, 2014, were analyzed under expedited TAT. The soil samples were analyzed for the following analyses. The laboratory was instructed to homogenize the soil samples prior to analysis in accordance with Contract 03A2132 requirements.

- Each soil sample was analyzed for total lead following Environmental Protection Agency (EPA) Test Method 6010B.
- Ten soil samples with total lead concentrations greater than or equal to 50 milligrams per kilogram (mg/kg) (i.e., ten times the lead STLC) were further analyzed for WET soluble lead using EPA Test Method 6010B.
- Four soil samples with total lead concentrations greater than 100 mg/kg were analyzed for TCLP soluble lead using EPA Test Method 6010B.

QA/QC procedures were performed by ATL as applicable for the method of analysis with specificity for each analyte listed in the test method's QA/QC. QA/QC measures for the lead analysis included the following:

- One method blank for every ten samples, batch of samples or type of matrix, whichever was more frequent.
- One sample analyzed in duplicate for every ten samples, batch of samples or type of matrix, whichever was more frequent.
- One spiked sample for every ten samples, batch of samples or type of matrix, whichever was more frequent, with the spike made at ten times the detection limit or at the analyte level.

Prior to submitting the samples to the laboratories, the COC documentation was reviewed for accuracy and completeness. Copies of the laboratory reports and COC documentation are presented in Appendix A.

4.4 Traffic Control

Geocon provided shoulder closure traffic control, including the use of signs and cones, as necessary during the field sampling activities.

5.0 FIELD OBSERVATIONS AND INVESTIGATIVE RESULTS

5.1 Soil Description

Soil encountered during the excavation of borings generally consisted of gravelly silty sand to the maximum sampling depth of approximately 1.1 feet. Groundwater was not encountered in the soil borings.

5.2 Soil Analytical Results

Total lead was detected in each of the 32 soil samples at concentrations ranging from 6.1 to 410 mg/kg. Ten of the 32 soil samples had reported total lead concentrations greater than 50 mg/kg (ten times the STLC value for lead of 5.0 milligrams per liter [mg/l]) and were further analyzed for WET soluble lead. Four of the 32 soil samples with a total lead concentration greater than 100 mg/kg (20 times the federal RCRA hazardous waste threshold of 5.0 mg/l) were further analyzed for TCLP soluble lead.

WET soluble lead was reported for nine of the ten soil samples analyzed at concentrations ranging from 1.5 to 7.5 mg/l. Two of the samples (SB18-1.1 and SB19-1.1) had WET lead concentrations greater than the STLC value for lead of 5.0 mg/l.

TCLP soluble lead was reported for two of the four soil samples analyzed at concentrations of 0.058 and 0.12 mg/l, less than the federal RCRA hazardous waste threshold of 5.0 mg/l.

Four soil samples (SB15-1.1, SB18-1.1, SB19-1.1, and SB22-1.1) were re-analyzed for total lead and WET soluble lead simultaneously for regression analysis (Section 5.4.2). The results of the re-analysis are presented on Table 2.

A summary of the ADL analytical results is presented on Table 2. Copies of the ATL laboratory reports and COC documentation are in Appendix A.

5.3 Laboratory QA/QC

We reviewed the QA/QC provided with the ATL analytical reports. The relative percent differences for some sample duplicates were outside acceptance criteria. Calculation is based on raw values as noted in the laboratory report. The analytical batch was validated by the laboratory. Based on the laboratory QA/QC data, no qualification of the data presented herein is necessary, and the data are of sufficient quality for the purposes of this report.

5.4 Statistical Evaluation for Lead Detected in Soil Samples

Statistical methods were applied to the total lead data for samples collected from the **SB SR-96 Shoulder** to evaluate: 1) the upper confidence limits (UCLs) of the arithmetic means of the total lead concentrations for the sampling depth; and 2) if an acceptable correlation between total and WET lead concentrations exists that would allow the prediction of WET lead concentrations based on calculated UCLs.

Statistical analysis was not performed for the total lead data for samples collected from the **NB SR-96 Shoulder** since the total lead concentrations are less than 50 mg/kg or the WET soluble lead concentrations are less than the STLC value for lead of 5.0 mg/l.

5.4.1 Calculating the UCLs for the True Mean

Non-parametric bootstrap techniques were used to calculate the UCLs. The upper one-sided 90% and 95% UCLs of the arithmetic mean are defined as the values that, when calculated repeatedly for randomly drawn subsets of site data, equal or exceed the true mean 90% and 95% of the time, respectively. Statistical confidence limits are the classical tool for addressing uncertainties of a distribution mean. The UCLs of the arithmetic mean concentration are used as mean concentrations because it is not possible to know the true mean due to the essentially infinite number of soil samples that could be collected from a site. The UCLs therefore account for uncertainties due to limited sampling data. As data become less limited at a site, uncertainties decrease, and the UCLs move closer to the true mean.

The bootstrap results are in Appendix B. The calculated UCLs and statistical results are summarized in the table below:

SB SR-96 Shoulder (Borings SB14 through SB32)

SAMPLE INTERVAL (feet)	90% TOTAL LEAD UCL (mg/kg)	95% TOTAL LEAD UCL (mg/kg)	TOTAL LEAD MEAN (mg/kg)	MINIMUM VALUE (mg/kg)	MAXIMUM VALUE (mg/kg)
0 to 1.1	96.7	104.7	69.8	6.2	410

5.4.2 Correlation of Total and Soluble Lead

Total and corresponding WET lead concentrations are bivariate data with a linear structure. This linear structure should allow for the prediction of WET lead concentrations based on the maximum total lead concentrations presented in the table above.

To estimate the degree of interrelation between total and corresponding WET lead values (x and y , respectively), the *correlation coefficient* [r] is used. The correlation coefficient is a ratio that ranges from +1 to -1. A *correlation coefficient* of +1 indicates a perfect direct relationship between two variables; a *correlation coefficient* of -1 indicates that one variable changes inversely with relation to the other. Between the two extremes is a spectrum of less-than-perfect relationships, including zero, which indicates the lack of any sort of linear relationship at all.

The *correlation coefficient* was calculated for the seven (x , y) data points (i.e., soil samples analyzed for both total lead [x] and WET lead [y]) for the Site and yielded a poor correlation. An acceptable *correlation coefficient* could not be obtained for the data points. A *correlation coefficient* greater than or equal to 0.8 is an acceptable indicator that a correlation exists. Consequently, an acceptable correlation between total and soluble lead concentrations could not be established for the data points since the *correlation coefficient* is less than 0.8.

To achieve an acceptable correlation, we requested the laboratory to re-analyze samples collected from borings SB15, SB18, SB19, and SB22 for total lead and WET soluble lead simultaneously in order to obtain a better ratio of WET soluble lead to total lead concentrations. The total lead and WET soluble lead concentrations from the re-analysis were used in the regression analysis (presented in Appendix B). Consequently, using these data points from the re-analysis in the regression yields an acceptable *correlation coefficient* of 0.8968.

For the *correlation coefficient* that indicates a linear relationship between total and WET lead concentrations, it is possible to compute the line of dependence or a best-fit line between the two variables. A least squares method was used to find the equation of a best-fit line (regression line) by forcing the y-intercept equal to zero since that is a known point. The equation of the regression line was determined to be $y = 0.0378(x)$, where x represents total lead concentrations and y represents predicted WET lead concentrations.

This equation was used to estimate the expected WET lead concentrations for the total lead UCLs for the data set (see Section 5.4.1). Regression analysis results and a scatter plot depicting the (x, y) data points for the **SB SR-96 Shoulder** along with the regression line are included in Appendix B. The 90% and 95% UCL-predicted WET soluble lead concentrations are presented in Section 6.0.

6.0 CONCLUSIONS AND RECOMMENDATIONS

Waste classifications based on the 90% UCL of the lead content for the relevant excavation depths have historically been considered sufficient to satisfy a good faith effort by the EPA as discussed in SW-846. Risk assessment characterization is typically based on the 95% UCL of the lead content in the waste for the relevant depths; this is in accordance with the Risk Assessment Guidance for Superfund (RAGS) Volume 1 Documentation for Exposure Assessment. Per Caltrans, the 90% UCLs are to be used to evaluate onsite reuse, and the 95% UCLs are to be used to evaluate offsite disposal.

Based on the TCLP soluble lead results of less than 5.0 mg/l, soil generated at the Site will not be classified as RCRA hazardous waste. If soil within the project limits is scarified in-place, moisture-conditioned, and recompacted during roadway improvement activities, it may not be considered a ‘waste.’

6.1 NB SR-96 Shoulder

Total lead concentrations ranged from 6.1 to 160 mg/kg with an average total lead concentration of 35.2 mg/kg. WET soluble lead concentrations ranged from 1.5 to 2.8 mg/l. Soil excavated from the surface to a depth of 1.1 feet within this area as represented by borings NB1 through NB13 will not require special soil handling and disposal procedures based on lead content and can be reused or disposed of as non-hazardous soil since the total lead concentrations are less than 50 mg/kg (i.e., ten times the STLC value for lead of 5.0 mg/l) or the WET soluble lead concentrations are less than the STLC value for lead of 5.0 mg/l.

6.2 SB SR-96 Shoulder

Total lead concentrations ranged from 6.2 to 410 mg/kg, with an average total lead concentration of 69.8 mg/kg. The table below summarizes the calculated total lead UCLs, the predicted WET soluble lead concentrations and the waste classification for excavated soil within the project limits as represented by borings SB14 through SB32 based on the calculated total lead UCLs and the relationship between total and WET soluble lead.

Excavation Depth	90% UCL Total Lead (mg/kg)	90% UCL Predicted WET Lead (mg/l)	95% UCL Total Lead (mg/kg)	95% UCL Predicted WET Lead (mg/l)	Waste Classification
0 to 1.1 feet	96.7	3.7	104.7	4.0	Non-hazardous

90% UCL applicable for waste classification and onsite reuse; 95% UCL applicable for risk assessment and offsite disposal. Predicted WET lead concentrations were calculated using the equation of the regression line: $y = 0.0378x$.

Based on the above table, soil excavated from the surface to a depth of 1.1 feet would not be classified as a California-hazardous waste since the 90% and 95% UCL-predicted WET soluble lead concentrations are less than the STLC value for lead of 5.0 mg/l. Consequently, the top 1.1 feet of excavated soil could be reused or disposed of as non-hazardous soil with respect to lead content.

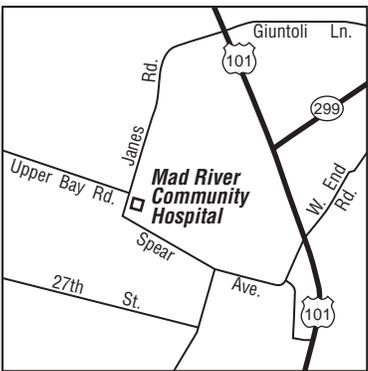
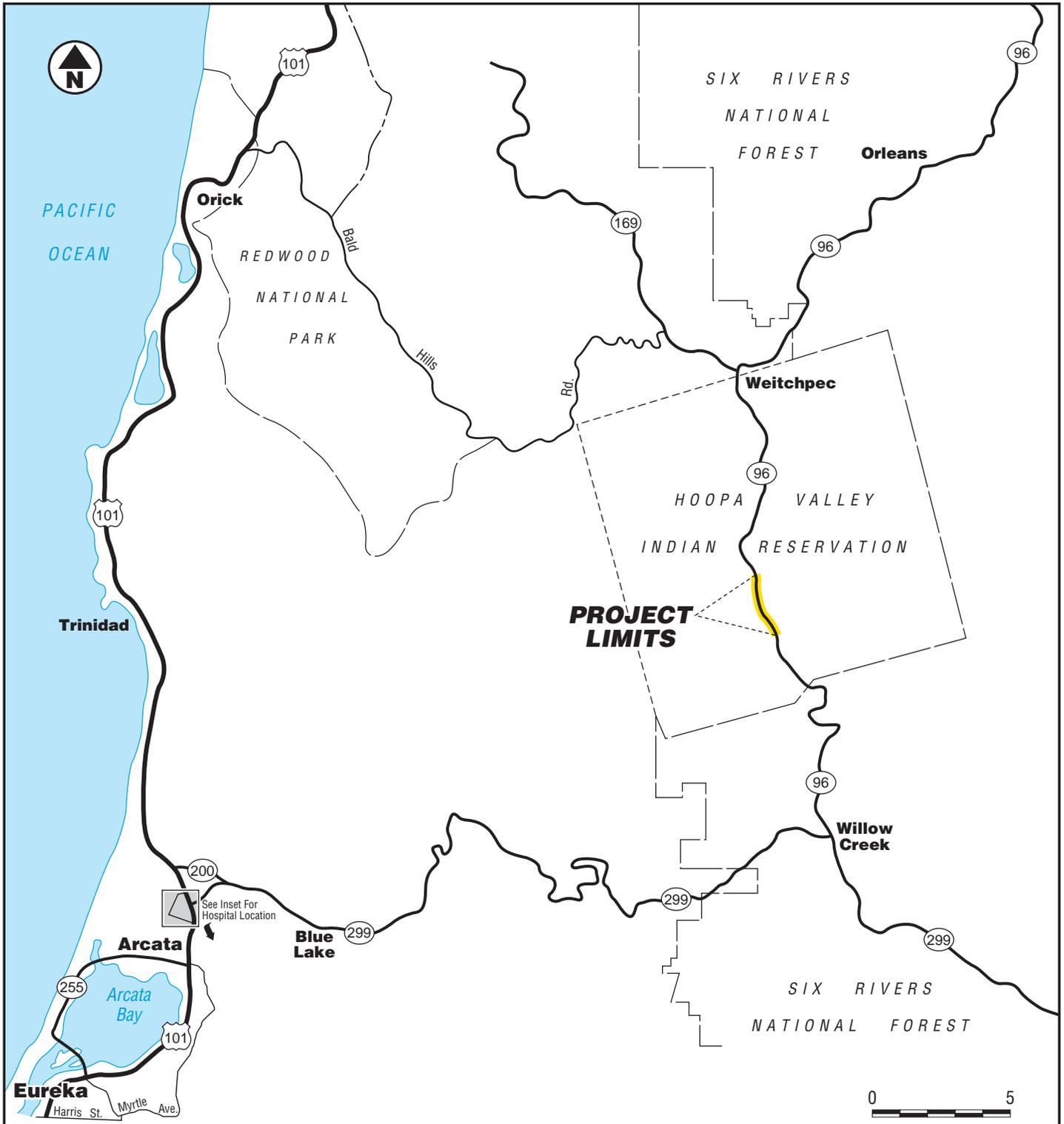
6.3 Worker Protection

Per Caltrans' requirements, the contractor(s) should prepare a project-specific Lead Compliance Plan (CCR Title 8, § 1532.1, the "Lead in Construction" standard) to minimize worker exposure to lead-impacted soil. The plan should include protocols for environmental and personnel monitoring, requirements for personal protective equipment, and other health and safety protocols and procedures for the handling of lead-impacted soil.

7.0 REPORT LIMITATIONS

This report has been prepared exclusively for Caltrans. The information contained herein is only valid as of the date of the report and will require an update to reflect additional information obtained.

This report is not a comprehensive site characterization and should not be construed as such. The findings as presented in this report are predicated on the results of the limited sampling and laboratory testing performed. In addition, the information obtained is not intended to address potential impacts related to sources other than those specified herein. Therefore, the report should be deemed conclusive with respect to only the information obtained. We make no warranty, express or implied, with respect to the content of this report or any subsequent reports, correspondence or consultation. We strived to perform the services summarized herein in accordance with the local standard of care in the geographic region at the time the services were rendered.



GEOCON
CONSULTANTS, INC.

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Hoopaa Safety

SR-96 PM 11.0 to 13.2
Humboldt County, California

VICINITY MAP

GEOCON Proj. No. S9805-01-25

Task Order No. 25, EA 01-493700

June 2014

Figure 1



Match Line (See Figure 2-2)

STATE ROUTE 96

LOOP ROAD

NB5

NB4

NB3

NB2

NB1

SB25

SB26

LEGEND:

NB1 Approximate Boring Location



0 100
Scale in Feet

 **GEOCON**
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Hoopa Safety		
SR-96 PM 11.0 to 13.2 Humboldt County, California		SITE PLAN
GEOCON Proj. No. S9805-01-25		
Task Order No. 25, EA 01-493700	June 2014	Figure 2-1



Match Line (See Figure 2-1)

LEGEND:

NB6 ⊗ Approximate Boring Location



0 100
Scale in Feet

GEOCON
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Hoopla Safety

SR-96 PM 11.0 to 13.2
Humboldt County, California

SITE PLAN

GEOCON Proj. No. S9805-01-25

Task Order No. 25, EA 01-493700

June 2014

Figure 2-2



LEGEND:

NB9  Approximate Boring Location



0  100
Scale in Feet

 **GEOCON**
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SR-96 PM 11.0 to 13.2
Humboldt County, California

SITE PLAN

GEOCON Proj. No. S9805-01-25

Task Order No. 25, EA 01-493700

June 2014

Figure 2-3



LEGEND:

SB14 ⊗ Approximate Boring Location



0 120
Scale in Feet

GEOCON
CONSULTANTS, INC.
3160 GOLD VALLEY DR - SUITE 800 - RANCHO CORDOVA, CA 95742
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Hoopla Safety

SR-96 PM 11.0 to 13.2
Humboldt County, California

SITE PLAN

GEOCON Proj. No. S9805-01-25

Task Order No. 25, EA 01-493700

June 2014

Figure 2-4

TABLE 1
 SUMMARY OF SOIL BORING COORDINATES
 EA 01-493700
 STATE ROUTE 96 POST MILE 11.0 TO 13.2
 HOOPA, HUMBOLDT COUNTY, CALIFORNIA

BORING ID	SAMPLE DATE	LATITUDE	LONGITUDE
STATE ROUTE 96 - NORTHBOUND			
NB1	04/28/14	41.0456075	-123.6727680
NB2	04/28/14	41.0460966	-123.6729360
NB3	04/28/14	41.0468350	-123.6731911
NB4	04/28/14	41.0481054	-123.6736637
NB5	04/28/14	41.0488296	-123.6739178
NB6	04/28/14	41.0496706	-123.6742302
NB7	04/28/14	41.0503492	-123.6744746
NB8	04/28/14	41.0510399	-123.6747711
NB9	04/28/14	41.0542022	-123.6782287
NB10	04/28/14	41.0550149	-123.6794250
NB11	04/28/14	41.0559673	-123.6808185
NB12	04/28/14	41.0564534	-123.6815257
NB13	04/28/14	41.0568595	-123.6821492
STATE ROUTE 96 - SOUTHBOUND			
SB14	04/28/14	41.0708254	-123.6874377
SB15	04/28/14	41.0698477	-123.6872163
SB16	04/28/14	41.0694131	-123.6871233
SB17	04/28/14	41.0684002	-123.6869095
SB18	04/28/14	41.0676797	-123.6867167
SB19	04/28/14	41.0664945	-123.6864113
SB20	04/28/14	41.0521670	-123.6757459
SB21	04/28/14	41.0519141	-123.6755845
SB22	04/28/14	41.0515141	-123.6752108
SB23	04/28/14	41.0508624	-123.6748449
SB24	04/28/14	41.0496045	-123.6743852
SB25	04/28/14	41.0486081	-123.6739991
SB26	04/28/14	41.0474617	-123.6735931
SB27	06/09/14	41.0704734	-123.6873406
SB28	06/09/14	41.0701796	-123.6872788
SB29	06/09/14	41.0690381	-123.6870236
SB30	06/09/14	41.0686839	-123.6869379
SB31	06/09/14	41.0680437	-123.6867918
SB32	06/09/14	41.0673062	-123.6866279

TABLE 2
 SUMMARY OF SOIL ANALYTICAL RESULTS - LEAD
 EA 01-493700
 STATE ROUTE 96 POST MILE 11.0 TO 13.2
 HOOPA, HUMBOLDT COUNTY, CALIFORNIA

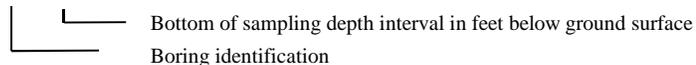
BORING ID	SAMPLE DEPTH INTERVAL (feet)	TOTAL LEAD (mg/kg)	WET LEAD (mg/l)	TCLP LEAD (mg/l)
STATE ROUTE 96 - NORTHBOUND				
NB1-1.1	0-1.1	8.9	---	---
NB2-1.1	0-1.1	11	---	---
NB3-1.1	0-1.1	12	---	---
NB4-1.1	0-1.1	8.4	---	---
NB5-1.1	0-1.1	6.1	---	---
NB6-1.1	0-1.1	160	2.2	<0.05
NB7-1.1	0-1.1	92	1.5	---
NB8-1.1	0-1.1	76	2.8	---
NB9-1.1	0-1.1	7.6	---	---
NB10-1.1	0-1.1	16	---	---
NB11-1.1	0-1.1	30	---	---
NB12-1.1	0-1.1	12	---	---
NB13-1.1	0-1.1	18	---	---
STATE ROUTE 96 - SOUTHBOUND				
SB14-1.1	0-1.1	9.9	---	---
SB15-1.1	0-1.1	98 (22)	<1.0 (<1.0)	---
SB16-1.1	0-1.1	35	---	---
SB17-1.1	0-1.1	46	---	---
SB18-1.1	0-1.1	110 (110)	7.5 (5.5)	0.12
SB19-1.1	0-1.1	210 (130)	6.5 (4.6)	0.058
SB20-1.1	0-1.1	17	---	---
SB21-1.1	0-1.1	8.4	---	---
SB22-1.1	0-1.1	410 (120)	4.5 (3.7)	<0.05
SB23-1.1	0-1.1	88	3.8	---
SB24-1.1	0-1.1	75	2.6	---
SB25-1.1	0-1.1	26	---	---
SB26-1.1	0-1.1	37	---	---
SB27-1.1	0-1.1	21	---	---
SB28-1.1	0-1.1	25	---	---
SB29-1.1	0-1.1	77	2.6	---
SB30-1.1	0-1.1	12	---	---
SB31-1.1	0-1.1	14	---	---
SB32-1.1	0-1.1	6.2	---	---

TABLE 2
 SUMMARY OF SOIL ANALYTICAL RESULTS - LEAD
 EA 01-493700
 STATE ROUTE 96 POST MILE 11.0 TO 13.2
 HOOPA, HUMBOLDT COUNTY, CALIFORNIA

BORING ID	SAMPLE DEPTH INTERVAL (feet)	TOTAL LEAD (mg/kg)	WET LEAD (mg/l)	TCLP LEAD (mg/l)
-----------	---------------------------------	-----------------------	--------------------	---------------------

Notes:

SB26-1.1



WET = Waste Extraction Test

TCLP = Toxicity Characteristic Leaching Procedure

mg/kg = Milligrams per kilogram

mg/l = Milligrams per liter

--- = Not analyzed

< = Less than the laboratory reporting limit

Value in parenthesis is total lead or WET soluble lead re-analysis result

APPENDIX

A

May 08, 2014

Rebecca Silva
Geocon Consultants, Inc.
3160 Gold Valley Drive, Suite 800
Rancho Cordova, CA 95742
Tel: (916) 852-9118
Fax: (916) 852-9132

ELAP No.: 1838
CSDLAC No.: 10196
ORELAP No.: CA300003
TCEQ No. : T104704502

Re: ATL Work Order Number : 1401297
Client Reference : Hoopa Safety, S9805-01-25

Enclosed are the results for sample(s) received on May 01, 2014 by Advanced Technology Laboratories. The sample(s) are tested for the parameters as indicated on the enclosed chain of custody in accordance with applicable laboratory certifications. The laboratory results contained in this report specifically pertains to the sample(s) submitted.

Thank you for the opportunity to serve the needs of your company. If you have any questions, please feel free to contact me or your Project Manager.

Sincerely,



Eddie Rodriguez
Laboratory Director

The cover letter and the case narrative are an integral part of this analytical report and its absence renders the report invalid. Test results contained within this data package meet the requirements of applicable state-specific certification programs. The report cannot be reproduced without written permission from the client and Advanced Technology Laboratories.



Certificate of Analysis

Geocon Consultants, Inc.
3160 Gold Valley Drive, Suite 800
Rancho Cordova, CA 95742

Project Number : Hoopa Safety, S9805-01-25
Report To : Rebecca Silva
Reported : 05/08/2014

SUMMARY OF SAMPLES

Sample ID	Laboratory ID	Matrix	Date Sampled	Date Received
NB1-1.1	1401297-01	Soil	4/28/14 12:45	5/01/14 8:40
NB2-1.1	1401297-02	Soil	4/28/14 12:50	5/01/14 8:40
NB3-1.1	1401297-03	Soil	4/28/14 12:55	5/01/14 8:40
NB4-1.1	1401297-04	Soil	4/28/14 13:00	5/01/14 8:40
NB5-1.1	1401297-05	Soil	4/28/14 13:05	5/01/14 8:40
NB6-1.1	1401297-06	Soil	4/28/14 13:10	5/01/14 8:40
NB7-1.1	1401297-07	Soil	4/28/14 13:15	5/01/14 8:40
NB8-1.1	1401297-08	Soil	4/28/14 13:20	5/01/14 8:40
NB9-1.1	1401297-09	Soil	4/28/14 13:25	5/01/14 8:40
NB10-1.1	1401297-10	Soil	4/28/14 13:30	5/01/14 8:40
NB11-1.1	1401297-11	Soil	4/28/14 13:35	5/01/14 8:40
NB12-1.1	1401297-12	Soil	4/28/14 13:40	5/01/14 8:40
NB13-1.1	1401297-13	Soil	4/28/14 13:45	5/01/14 8:40
SB14-1.1	1401297-14	Soil	4/28/14 14:15	5/01/14 8:40
SB15-1.1	1401297-15	Soil	4/28/14 14:30	5/01/14 8:40
SB16-1.1	1401297-16	Soil	4/28/14 14:35	5/01/14 8:40
SB17-1.1	1401297-17	Soil	4/28/14 14:40	5/01/14 8:40
SB18-1.1	1401297-18	Soil	4/28/14 14:45	5/01/14 8:40
SB19-1.1	1401297-19	Soil	4/28/14 14:50	5/01/14 8:40
SB20-1.1	1401297-20	Soil	4/28/14 15:00	5/01/14 8:40
SB21-1.1	1401297-21	Soil	4/28/14 15:05	5/01/14 8:40
SB22-1.1	1401297-22	Soil	4/28/14 15:10	5/01/14 8:40
SB23-1.1	1401297-23	Soil	4/28/14 15:15	5/01/14 8:40
SB24-1.1	1401297-24	Soil	4/28/14 15:20	5/01/14 8:40
SB25-1.1	1401297-25	Soil	4/28/14 15:25	5/01/14 8:40
SB26-1.1	1401297-26	Soil	4/28/14 15:30	5/01/14 8:40



Certificate of Analysis

Geocon Consultants, Inc.

3160 Gold Valley Drive, Suite 800

Rancho Cordova, CA 95742

Project Number : Hoopa Safety, S9805-01-25

Report To : Rebecca Silva

Reported : 05/08/2014

Lead by ICP-AES EPA 6010B

Analyte: Lead

Analyst: CB

Laboratory ID	Client Sample ID	Result	Units	PQL	MDL	Dilution	Batch	Prepared	Date/Time	
									Analyzed	Notes
1401297-01	NB1-1.1	8.9	mg/kg	1.0	NA	1	B4E0075	05/05/2014	05/06/14 12:29	
1401297-02	NB2-1.1	11	mg/kg	1.0	NA	1	B4E0075	05/05/2014	05/06/14 12:30	
1401297-03	NB3-1.1	12	mg/kg	1.0	NA	1	B4E0075	05/05/2014	05/06/14 12:30	
1401297-04	NB4-1.1	8.4	mg/kg	1.0	NA	1	B4E0075	05/05/2014	05/06/14 12:31	
1401297-05	NB5-1.1	6.1	mg/kg	1.0	NA	1	B4E0075	05/05/2014	05/06/14 12:34	
1401297-06	NB6-1.1	160	mg/kg	1.0	NA	1	B4E0075	05/05/2014	05/06/14 12:35	
1401297-07	NB7-1.1	92	mg/kg	1.0	NA	1	B4E0075	05/05/2014	05/06/14 12:36	
1401297-08	NB8-1.1	76	mg/kg	1.0	NA	1	B4E0075	05/05/2014	05/06/14 12:37	
1401297-09	NB9-1.1	7.6	mg/kg	1.0	NA	1	B4E0075	05/05/2014	05/06/14 12:37	
1401297-10	NB10-1.1	16	mg/kg	0.99	NA	1	B4E0076	05/05/2014	05/06/14 12:46	
1401297-11	NB11-1.1	30	mg/kg	0.99	NA	1	B4E0076	05/05/2014	05/06/14 12:47	
1401297-12	NB12-1.1	12	mg/kg	1.0	NA	1	B4E0076	05/05/2014	05/06/14 12:48	
1401297-13	NB13-1.1	18	mg/kg	1.0	NA	1	B4E0076	05/05/2014	05/06/14 12:49	
1401297-14	SB14-1.1	9.9	mg/kg	1.0	NA	1	B4E0076	05/05/2014	05/06/14 12:49	
1401297-15	SB15-1.1	98	mg/kg	1.0	NA	1	B4E0076	05/05/2014	05/06/14 12:50	
1401297-16	SB16-1.1	35	mg/kg	1.0	NA	1	B4E0076	05/05/2014	05/06/14 12:51	
1401297-17	SB17-1.1	46	mg/kg	1.0	NA	1	B4E0076	05/05/2014	05/06/14 12:52	
1401297-18	SB18-1.1	110	mg/kg	1.0	NA	1	B4E0076	05/05/2014	05/06/14 12:52	
1401297-19	SB19-1.1	210	mg/kg	1.0	NA	1	B4E0076	05/05/2014	05/06/14 12:56	
1401297-20	SB20-1.1	17	mg/kg	1.0	NA	1	B4E0076	05/05/2014	05/06/14 12:58	
1401297-21	SB21-1.1	8.4	mg/kg	1.0	NA	1	B4E0076	05/05/2014	05/06/14 12:59	
1401297-22	SB22-1.1	410	mg/kg	1.0	NA	1	B4E0076	05/05/2014	05/06/14 12:59	
1401297-23	SB23-1.1	88	mg/kg	1.0	NA	1	B4E0076	05/05/2014	05/06/14 13:00	
1401297-24	SB24-1.1	75	mg/kg	1.0	NA	1	B4E0076	05/05/2014	05/06/14 13:01	
1401297-25	SB25-1.1	26	mg/kg	1.0	NA	1	B4E0076	05/05/2014	05/06/14 13:02	
1401297-26	SB26-1.1	37	mg/kg	1.0	NA	1	B4E0076	05/05/2014	05/06/14 13:02	



Certificate of Analysis

Geocon Consultants, Inc.
 3160 Gold Valley Drive, Suite 800
 Rancho Cordova , CA 95742

Project Number : Hoopa Safety, S9805-01-25
 Report To : Rebecca Silva
 Reported : 05/08/2014

QUALITY CONTROL SECTION

Lead by ICP-AES EPA 6010B - Quality Control

Analyte	Result (mg/kg)	PQL (mg/kg)	Spike Level	Source Result	% Rec	% Rec Limits	RPD	RPD Limit	Notes
Batch B4E0075 - EPA 3050 Modified									
Blank (B4E0075-BLK1)					Prepared: 5/5/2014 Analyzed: 5/6/2014				
Lead	ND	1.0			NR				
Blank (B4E0075-BLK2)					Prepared: 5/5/2014 Analyzed: 5/6/2014				
Lead	ND	1.0			NR				
LCS (B4E0075-BS1)					Prepared: 5/5/2014 Analyzed: 5/6/2014				
Lead	50.8766	1.0	50.0000		102	80 - 120			
Duplicate (B4E0075-DUP1)					Prepared: 5/5/2014 Analyzed: 5/6/2014				
Lead	6.60559	1.0		7.56064	NR		13.5	20	
Duplicate (B4E0075-DUP2)					Prepared: 5/5/2014 Analyzed: 5/6/2014				
Lead	49.5441	1.0		43.3576	NR		13.3	20	
Matrix Spike (B4E0075-MS1)					Prepared: 5/5/2014 Analyzed: 5/6/2014				
Lead	231.646	1.0	250.000	7.56064	89.6	51 - 106			
Matrix Spike (B4E0075-MS2)					Prepared: 5/5/2014 Analyzed: 5/6/2014				
Lead	284.859	1.0	250.000	43.3576	96.6	51 - 106			
Matrix Spike Dup (B4E0075-MSD1)					Prepared: 5/5/2014 Analyzed: 5/6/2014				
Lead	229.680	1.0	250.000	7.56064	88.8	51 - 106	0.852	20	
Batch B4E0076 - EPA 3050 Modified									
Blank (B4E0076-BLK1)					Prepared: 5/5/2014 Analyzed: 5/6/2014				
Lead	ND	1.0			NR				
Blank (B4E0076-BLK2)					Prepared: 5/5/2014 Analyzed: 5/6/2014				
Lead	ND	1.0			NR				
LCS (B4E0076-BS1)					Prepared: 5/5/2014 Analyzed: 5/6/2014				
Lead	51.2418	1.0	50.0000		102	80 - 120			
Duplicate (B4E0076-DUP1)					Prepared: 5/5/2014 Analyzed: 5/6/2014				
Lead	3.92548	1.0		4.15330	NR		5.64	20	
Duplicate (B4E0076-DUP2)					Prepared: 5/5/2014 Analyzed: 5/6/2014				
Lead	224.760	1.0		213.535	NR		5.12	20	
Matrix Spike (B4E0076-MS1)					Prepared: 5/5/2014 Analyzed: 5/6/2014				
Lead	223.748	1.0	250.000	4.15330	87.8	51 - 106			
Matrix Spike (B4E0076-MS2)					Prepared: 5/5/2014 Analyzed: 5/6/2014				
Lead	430.083	1.0	250.000	213.535	86.6	51 - 106			



Certificate of Analysis

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Rancho Cordova , CA 95742

Project Number : Hoopa Safety, S9805-01-25
Report To : Rebecca Silva
Reported : 05/08/2014

Lead by ICP-AES EPA 6010B - Quality Control (cont'd)

Analyte	Result (mg/kg)	PQL (mg/kg)	Spike Level	Source Result	% Rec % Rec	% Rec Limits	RPD	RPD Limit	Notes
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Batch B4E0076 - EPA 3050 Modified (continued)

Matrix Spike Dup (B4E0076-MSD1)

Source: 1401302-03

Prepared: 5/5/2014 Analyzed: 5/6/2014

Lead	225.623	1.0	250.000	4.15330	88.6	51 - 106	0.834	20	
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Batch S4E0051 - B4E0075

Instrument Blank (S4E0051-IBL1)

Prepared: 5/6/2014 Analyzed: 5/6/2014

Lead	ND	1.0			NR				
------	----	-----	--	--	----	--	--	--	--



Certificate of Analysis

Geocon Consultants, Inc.

3160 Gold Valley Drive, Suite 800

Rancho Cordova , CA 95742

Project Number : Hoopa Safety, S9805-01-25

Report To : Rebecca Silva

Reported : 05/08/2014

Notes and Definitions

ND	Analyte is not detected at or above the Practical Quantitation Limit (PQL). When client requests quantitation against MDL, analyte is not detected at or above the Method Detection Limit (MDL)
PQL	Practical Quantitation Limit
MDL	Method Detection Limit
NR	Not Reported
RPD	Relative Percent Difference
CA2	CA-ELAP (CDPH)
OR1	OR-NELAP (OSPHL)
TX1	TX-NELAP (TCEQ)

Notes:

- (1) The reported MDL and PQL are based on prep ratio variation and analytical dilution.
- (2) The suffix [2C] of specific analytes signifies that the reported result is taken from the instrument's second column.
- (3) Results are wet unless otherwise specified.



May 15, 2014

Rebecca Silva
Geocon Consultants, Inc.
3160 Gold Valley Drive, Suite 800
Rancho Cordova, CA 95742
Tel: (916) 852-9118
Fax:(916) 852-9132

ELAP No.: 1838
CSDLAC No.: 10196
ORELAP No.: CA300003
TCEQ No. : T104704502

Re: ATL Work Order Number : 1401297
Client Reference : Hoopa Safety, S9805-01-25

Enclosed are the results for sample(s) received on May 01, 2014 by Advanced Technology Laboratories. The sample(s) are tested for the parameters as indicated on the enclosed chain of custody in accordance with applicable laboratory certifications. The laboratory results contained in this report specifically pertains to the sample(s) submitted.

Thank you for the opportunity to serve the needs of your company. If you have any questions, please feel free to contact me or your Project Manager.

Sincerely,

A handwritten signature in black ink, appearing to read 'E. Rodriguez'.

Eddie Rodriguez
Laboratory Director

The cover letter and the case narrative are an integral part of this analytical report and its absence renders the report invalid. Test results contained within this data package meet the requirements of applicable state-specific certification programs. The report cannot be reproduced without written permission from the client and Advanced Technology Laboratories.



Certificate of Analysis

Geocon Consultants, Inc.

3160 Gold Valley Drive, Suite 800

Rancho Cordova, CA 95742

Project Number : Hoopa Safety, S9805-01-25

Report To : Rebecca Silva

Reported : 05/15/2014

SUMMARY OF SAMPLES

Sample ID	Laboratory ID	Matrix	Date Sampled	Date Received
NB6-1.1	1401297-06	Soil	4/28/14 13:10	5/01/14 8:40
NB7-1.1	1401297-07	Soil	4/28/14 13:15	5/01/14 8:40
NB8-1.1	1401297-08	Soil	4/28/14 13:20	5/01/14 8:40
SB15-1.1	1401297-15	Soil	4/28/14 14:30	5/01/14 8:40
SB18-1.1	1401297-18	Soil	4/28/14 14:45	5/01/14 8:40
SB19-1.1	1401297-19	Soil	4/28/14 14:50	5/01/14 8:40
SB22-1.1	1401297-22	Soil	4/28/14 15:10	5/01/14 8:40
SB23-1.1	1401297-23	Soil	4/28/14 15:15	5/01/14 8:40
SB24-1.1	1401297-24	Soil	4/28/14 15:20	5/01/14 8:40



Certificate of Analysis

Geocon Consultants, Inc.
 3160 Gold Valley Drive, Suite 800
 Rancho Cordova , CA 95742

Project Number : Hoopa Safety, S9805-01-25
 Report To : Rebecca Silva
 Reported : 05/15/2014

TCLP Metals by ICP-AES EPA 6010B

Analyte: Lead

Analyst: CB

Laboratory ID	Client Sample ID	Result	Units	PQL	MDL	Dilution	Batch	Prepared	Date/Time	Notes
									Analyzed	
1401297-06	NB6-1.1	ND	mg/L	0.050	NA	1	B4E0191	05/09/2014	05/12/14 12:13	
1401297-18	SB18-1.1	0.12	mg/L	0.050	NA	1	B4E0191	05/09/2014	05/12/14 12:22	
1401297-19	SB19-1.1	0.058	mg/L	0.050	NA	1	B4E0191	05/09/2014	05/12/14 12:25	
1401297-22	SB22-1.1	ND	mg/L	0.050	NA	1	B4E0191	05/09/2014	05/12/14 12:27	

STLC Metals by ICP-AES by EPA 6010B

Analyte: Lead

Analyst: CB

Laboratory ID	Client Sample ID	Result	Units	PQL	MDL	Dilution	Batch	Prepared	Date/Time	Notes
									Analyzed	
1401297-06	NB6-1.1	2.2	mg/L	1.0	NA	20	B4E0284	05/14/2014	05/15/14 11:20	
1401297-07	NB7-1.1	1.5	mg/L	1.0	NA	20	B4E0284	05/14/2014	05/15/14 11:29	
1401297-08	NB8-1.1	2.8	mg/L	1.0	NA	20	B4E0284	05/14/2014	05/15/14 11:31	
1401297-15	SB15-1.1	ND	mg/L	1.0	NA	20	B4E0284	05/14/2014	05/15/14 11:33	
1401297-18	SB18-1.1	7.5	mg/L	1.0	NA	20	B4E0284	05/14/2014	05/15/14 11:35	
1401297-19	SB19-1.1	6.5	mg/L	1.0	NA	20	B4E0284	05/14/2014	05/15/14 11:41	
1401297-22	SB22-1.1	4.5	mg/L	1.0	NA	20	B4E0284	05/14/2014	05/15/14 11:44	
1401297-23	SB23-1.1	3.8	mg/L	1.0	NA	20	B4E0284	05/14/2014	05/15/14 11:46	
1401297-24	SB24-1.1	2.6	mg/L	1.0	NA	20	B4E0284	05/14/2014	05/15/14 11:48	



Certificate of Analysis

Geocon Consultants, Inc.
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 Rancho Cordova , CA 95742

Project Number : Hoopa Safety, S9805-01-25
 Report To : Rebecca Silva
 Reported : 05/15/2014

QUALITY CONTROL SECTION

TCLP Metals by ICP-AES EPA 6010B - Quality Control

Analyte	Result (mg/L)	PQL (mg/L)	Spike Level	Source Result	% Rec	% Rec Limits	RPD	RPD Limit	Notes
Batch B4E0191 - EPA 3010A_SOIL									
Blank (B4E0191-BLK1)					Prepared: 5/9/2014 Analyzed: 5/12/2014				
Lead	ND	0.050					NR		
Blank (B4E0191-BLK2)					Prepared: 5/9/2014 Analyzed: 5/12/2014				
Lead	ND	0.050					NR		
LCS (B4E0191-BS1)					Prepared: 5/9/2014 Analyzed: 5/12/2014				
Lead	1.08644	0.050	1.00000		109	80 - 120			
Duplicate (B4E0191-DUP1)					Prepared: 5/9/2014 Analyzed: 5/12/2014				
Lead	0.022005	0.050		0.014548	NR		40.8	20	R
Matrix Spike (B4E0191-MS1)					Prepared: 5/9/2014 Analyzed: 5/12/2014				
Lead	2.55790	0.050	2.50000	0.014548	102	81 - 105			
Matrix Spike Dup (B4E0191-MSD1)					Prepared: 5/9/2014 Analyzed: 5/12/2014				
Lead	2.55450	0.050	2.50000	0.014548	102	81 - 105	0.133	20	



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Geocon Consultants, Inc.
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 Rancho Cordova , CA 95742

Project Number : Hoopa Safety, S9805-01-25
 Report To : Rebecca Silva
 Reported : 05/15/2014

STLC Metals by ICP-AES by EPA 6010B - Quality Control

Analyte	Result (mg/L)	PQL (mg/L)	Spike Level	Source Result	% Rec Limits	RPD	RPD Limit	Notes
Batch B4E0284 - STLC Extraction								
Blank (B4E0284-BLK1)				Prepared: 5/14/2014 Analyzed: 5/15/2014				
Lead	ND	1.0			NR			
LCS (B4E0284-BS1)				Prepared: 5/14/2014 Analyzed: 5/15/2014				
Lead	2.09405	1.0	2.00000		105	80 - 120		
Duplicate (B4E0284-DUP1)				Prepared: 5/14/2014 Analyzed: 5/15/2014				
Lead	3.03894	1.0		2.16756	NR	33.5	20	R
Matrix Spike (B4E0284-MS1)				Prepared: 5/14/2014 Analyzed: 5/15/2014				
Lead	4.38600	1.0	2.50000	2.16756	88.7	41 - 136		
Matrix Spike Dup (B4E0284-MSD1)				Prepared: 5/14/2014 Analyzed: 5/15/2014				
Lead	4.43449	1.0	2.50000	2.16756	90.7	41 - 136	1.10	20



Certificate of Analysis

Geocon Consultants, Inc.

3160 Gold Valley Drive, Suite 800

Rancho Cordova, CA 95742

Project Number : Hoopa Safety, S9805-01-25

Report To : Rebecca Silva

Reported : 05/15/2014

Notes and Definitions

R	RPD value outside acceptance criteria. Calculation is based on raw values.
ND	Analyte is not detected at or above the Practical Quantitation Limit (PQL). When client requests quantitation against MDL, analyte is not detected at or above the Method Detection Limit (MDL)
PQL	Practical Quantitation Limit
MDL	Method Detection Limit
NR	Not Reported
RPD	Relative Percent Difference
CA2	CA-ELAP (CDPH)
OR1	OR-NELAP (OSPHL)
TX1	TX-NELAP (TCEQ)

Notes:

- (1) The reported MDL and PQL are based on prep ratio variation and analytical dilution.
- (2) The suffix [2C] of specific analytes signifies that the reported result is taken from the instrument's second column.
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Rachelle Arada

From: Rebecca Silva [silva@geoconinc.com]
Sent: Thursday, May 08, 2014 2:29 PM
To: Rachelle Arada
Subject: RE: Results - Hoopa Safety, S9805-01-25 (ATL# 1401297)

Hi Rachelle - Please analyze the 9 samples with total lead > 50 mg/kg for WET lead and the 4 samples with total lead >100 mg/kg for TCLP lead. Standard TAT.

Thanks,
Rebecca



May 28, 2014

Rebecca Silva
Geocon Consultants, Inc.
3160 Gold Valley Drive, Suite 800
Rancho Cordova, CA 95742
Tel: (916) 852-9118
Fax:(916) 852-9132

ELAP No.: 1838
CSDLAC No.: 10196
ORELAP No.: CA300003
TCEQ No. : T104704502

Re: ATL Work Order Number : 1401297
Client Reference : Hoopa Safety, S9805-01-25

Enclosed are the results for sample(s) received on May 01, 2014 by Advanced Technology Laboratories. The sample(s) are tested for the parameters as indicated on the enclosed chain of custody in accordance with applicable laboratory certifications. The laboratory results contained in this report specifically pertains to the sample(s) submitted.

Thank you for the opportunity to serve the needs of your company. If you have any questions, please feel free to contact me or your Project Manager.

Sincerely,

A handwritten signature in black ink, appearing to read 'E. Rodriguez', is positioned above the typed name.

Eddie Rodriguez
Laboratory Director

The cover letter and the case narrative are an integral part of this analytical report and its absence renders the report invalid. Test results contained within this data package meet the requirements of applicable state-specific certification programs. The report cannot be reproduced without written permission from the client and Advanced Technology Laboratories.



Certificate of Analysis

Geocon Consultants, Inc.

3160 Gold Valley Drive, Suite 800

Rancho Cordova, CA 95742

Project Number : Hoopa Safety, S9805-01-25

Report To : Rebecca Silva

Reported : 05/28/2014

SUMMARY OF SAMPLES

Sample ID	Laboratory ID	Matrix	Date Sampled	Date Received
SB18-1.1	1401297-18	Soil	4/28/14 14:45	5/01/14 8:40
SB19-1.1	1401297-19	Soil	4/28/14 14:50	5/01/14 8:40
SB22-1.1	1401297-22	Soil	4/28/14 15:10	5/01/14 8:40



Certificate of Analysis

Geocon Consultants, Inc.
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Rancho Cordova , CA 95742

Project Number : Hoopa Safety, S9805-01-25
Report To : Rebecca Silva
Reported : 05/28/2014

Lead by ICP-AES EPA 6010B

Analyte: Lead

Analyst: CB

Laboratory ID	Client Sample ID	Result	Units	PQL	MDL	Dilution	Batch	Prepared	Date/Time		Notes
									Analyzed		
1401297-18	SB18-1.1	110	mg/kg	1.0	NA	1	B4E0522	05/23/2014	05/23/14	16:09	
1401297-19	SB19-1.1	130	mg/kg	1.0	NA	1	B4E0522	05/23/2014	05/23/14	16:15	
1401297-22	SB22-1.1	120	mg/kg	1.0	NA	1	B4E0522	05/23/2014	05/23/14	16:17	

STLC Metals by ICP-AES by EPA 6010B

Analyte: Lead

Analyst: CB

Laboratory ID	Client Sample ID	Result	Units	PQL	MDL	Dilution	Batch	Prepared	Date/Time		Notes
									Analyzed		
1401297-18	SB18-1.1	5.5	mg/L	1.0	NA	20	B4E0494	05/22/2014	05/22/14	15:11	
1401297-19	SB19-1.1	4.6	mg/L	1.0	NA	20	B4E0494	05/22/2014	05/22/14	15:14	
1401297-22	SB22-1.1	3.7	mg/L	1.0	NA	20	B4E0494	05/22/2014	05/22/14	15:16	



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Geocon Consultants, Inc.
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 Rancho Cordova, CA 95742

Project Number : Hoopa Safety, S9805-01-25
 Report To : Rebecca Silva
 Reported : 05/28/2014

QUALITY CONTROL SECTION

Lead by ICP-AES EPA 6010B - Quality Control

Analyte	Result (mg/kg)	PQL (mg/kg)	Spike Level	Source Result	% Rec	% Rec Limits	RPD	RPD Limit	Notes
Batch B4E0522 - EPA 3050 Modified									
Blank (B4E0522-BLK1)					Prepared: 5/23/2014 Analyzed: 5/23/2014				
Lead	ND	1.0					NR		
LCS (B4E0522-BS1)					Prepared: 5/23/2014 Analyzed: 5/23/2014				
Lead	56.0717	1.0	50.0000		112	80 - 120			
Duplicate (B4E0522-DUP1)					Prepared: 5/23/2014 Analyzed: 5/23/2014				
Lead	110.671	1.0		114.054	NR		3.01	20	
Matrix Spike (B4E0522-MS1)					Prepared: 5/23/2014 Analyzed: 5/23/2014				
Lead	342.452	1.0	250.000	114.054	91.4	51 - 106			
Matrix Spike Dup (B4E0522-MSD1)					Prepared: 5/23/2014 Analyzed: 5/23/2014				
Lead	395.524	1.0	250.000	114.054	113	51 - 106	14.4	20	M1



Certificate of Analysis

Geocon Consultants, Inc.
 3160 Gold Valley Drive, Suite 800
 Rancho Cordova , CA 95742

Project Number : Hoopa Safety, S9805-01-25
 Report To : Rebecca Silva
 Reported : 05/28/2014

STLC Metals by ICP-AES by EPA 6010B - Quality Control

Analyte	Result (mg/L)	PQL (mg/L)	Spike Level	Source Result	% Rec Limits	RPD	RPD Limit	Notes
Batch B4E0494 - STLC Extraction								
Blank (B4E0494-BLK1)				Prepared: 5/22/2014 Analyzed: 5/22/2014				
Lead	ND	1.0			NR			
LCS (B4E0494-BS1)				Prepared: 5/22/2014 Analyzed: 5/22/2014				
Lead	1.97457	1.0	2.00000		98.7 80 - 120			
Duplicate (B4E0494-DUP1)		Source: 1401370-68			Prepared: 5/22/2014 Analyzed: 5/22/2014			
Lead	4.41021	1.0		4.40098	NR	0.209	20	
Matrix Spike (B4E0494-MS1)		Source: 1401370-68			Prepared: 5/22/2014 Analyzed: 5/22/2014			
Lead	6.53624	1.0	2.50000	4.40098	85.4	41 - 136		
Matrix Spike Dup (B4E0494-MSD1)		Source: 1401370-68			Prepared: 5/22/2014 Analyzed: 5/22/2014			
Lead	6.45915	1.0	2.50000	4.40098	82.3	41 - 136	1.19	20



Certificate of Analysis

Geocon Consultants, Inc.

3160 Gold Valley Drive, Suite 800

Rancho Cordova, CA 95742

Project Number : Hoopa Safety, S9805-01-25

Report To : Rebecca Silva

Reported : 05/28/2014

Notes and Definitions

M1	Matrix spike recovery outside of acceptance limit. The analytical batch was validated by the laboratory control sample.
ND	Analyte is not detected at or above the Practical Quantitation Limit (PQL). When client requests quantitation against MDL, analyte is not detected at or above the Method Detection Limit (MDL)
PQL	Practical Quantitation Limit
MDL	Method Detection Limit
NR	Not Reported
RPD	Relative Percent Difference
CA2	CA-ELAP (CDPH)
OR1	OR-NELAP (OSPHL)
TX1	TX-NELAP (TCEQ)

Notes:

- (1) The reported MDL and PQL are based on prep ratio variation and analytical dilution.
- (2) The suffix [2C] of specific analytes signifies that the reported result is taken from the instrument's second column.
- (3) Results are wet unless otherwise specified.

Diane Galvan

From: Rebecca Silva [silva@geoconinc.com]
Sent: Tuesday, May 20, 2014 8:37 AM
To: Diane Galvan
Subject: RE: Results - Hoopa Safety, S9805-01-25 (ATL# 1401297)

Hi Diane – Please re-run SB18-1.1, SB19-1.1 and SB22-1.1 for total and WET lead on 5-day TAT.

Thanks,
Rebecca

June 13, 2014

Rebecca Silva
Geocon Consultants, Inc.
3160 Gold Valley Drive, Suite 800
Rancho Cordova, CA 95742
Tel: (916) 852-9118
Fax:(916) 852-9132

ELAP No.: 1838
CSDLAC No.: 10196
ORELAP No.: CA300003
TCEQ No. : T104704502

Re: ATL Work Order Number : 1401726
Client Reference : Hoopa Safety, S9805-01-25

Enclosed are the results for sample(s) received on June 11, 2014 by Advanced Technology Laboratories. The sample(s) are tested for the parameters as indicated on the enclosed chain of custody in accordance with applicable laboratory certifications. The laboratory results contained in this report specifically pertains to the sample(s) submitted.

Thank you for the opportunity to serve the needs of your company. If you have any questions, please feel free to contact me or your Project Manager.

Sincerely,



Eddie Rodriguez
Laboratory Director

The cover letter and the case narrative are an integral part of this analytical report and its absence renders the report invalid. Test results contained within this data package meet the requirements of applicable state-specific certification programs. The report cannot be reproduced without written permission from the client and Advanced Technology Laboratories.



Certificate of Analysis

Geocon Consultants, Inc.

3160 Gold Valley Drive, Suite 800

Rancho Cordova, CA 95742

Project Number : Hoopa Safety, S9805-01-25

Report To : Rebecca Silva

Reported : 06/13/2014

SUMMARY OF SAMPLES

Sample ID	Laboratory ID	Matrix	Date Sampled	Date Received
SB27-1.1	1401726-01	Soil	6/09/14 13:00	6/11/14 8:30
SB28-1.1	1401726-02	Soil	6/09/14 13:10	6/11/14 8:30
SB29-1.1	1401726-03	Soil	6/09/14 13:25	6/11/14 8:30
SB30-1.1	1401726-04	Soil	6/09/14 13:40	6/11/14 8:30
SB31-1.1	1401726-05	Soil	6/09/14 14:00	6/11/14 8:30
SB32-1.1	1401726-06	Soil	6/09/14 14:05	6/11/14 8:30



Certificate of Analysis

Geocon Consultants, Inc.

3160 Gold Valley Drive, Suite 800

Rancho Cordova, CA 95742

Project Number : Hoopa Safety, S9805-01-25

Report To : Rebecca Silva

Reported : 06/13/2014

Lead by ICP-AES EPA 6010B

Analyte: Lead

Analyst: CB

Laboratory ID	Client Sample ID	Result	Units	PQL	MDL	Dilution	Batch	Prepared	Date/Time	Notes
									Analyzed	
1401726-01	SB27-1.1	21	mg/kg	1.0	NA	1	B4F0204	06/12/2014	06/13/14 09:46	
1401726-02	SB28-1.1	25	mg/kg	1.0	NA	1	B4F0204	06/12/2014	06/13/14 09:48	
1401726-03	SB29-1.1	77	mg/kg	1.0	NA	1	B4F0204	06/12/2014	06/13/14 09:51	
1401726-04	SB30-1.1	12	mg/kg	1.0	NA	1	B4F0204	06/12/2014	06/13/14 09:57	
1401726-05	SB31-1.1	14	mg/kg	1.0	NA	1	B4F0204	06/12/2014	06/13/14 09:59	
1401726-06	SB32-1.1	6.2	mg/kg	1.0	NA	1	B4F0204	06/12/2014	06/13/14 10:01	



Certificate of Analysis

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 3160 Gold Valley Drive, Suite 800
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Project Number : Hoopa Safety, S9805-01-25
 Report To : Rebecca Silva
 Reported : 06/13/2014

QUALITY CONTROL SECTION

Lead by ICP-AES EPA 6010B - Quality Control

Analyte	Result (mg/kg)	PQL (mg/kg)	Spike Level	Source Result	% Rec	% Rec Limits	RPD	RPD Limit	Notes
Batch B4F0204 - EPA 3050 Modified									
Blank (B4F0204-BLK1)									
Lead	ND	1.0							
					Prepared: 6/12/2014 Analyzed: 6/13/2014				
					NR				
LCS (B4F0204-BS1)									
Lead	51.8742	1.0	50.0000		104	80 - 120			
					Prepared: 6/12/2014 Analyzed: 6/13/2014				
Duplicate (B4F0204-DUP1)									
Lead	15.0628	1.0		23.1761	NR		42.4	20	R
					Prepared: 6/12/2014 Analyzed: 6/13/2014				
Matrix Spike (B4F0204-MS1)									
Lead	215.804	1.0	252.525	23.1761	76.3	51 - 106			
					Prepared: 6/12/2014 Analyzed: 6/13/2014				
Matrix Spike Dup (B4F0204-MSD1)									
Lead	223.545	1.0	250.000	23.1761	80.1	51 - 106	3.52	20	



Certificate of Analysis

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3160 Gold Valley Drive, Suite 800

Rancho Cordova, CA 95742

Project Number : Hoopa Safety, S9805-01-25

Report To : Rebecca Silva

Reported : 06/13/2014

Notes and Definitions

R	RPD value outside acceptance criteria. Calculation is based on raw values.
ND	Analyte is not detected at or above the Practical Quantitation Limit (PQL). When client requests quantitation against MDL, analyte is not detected at or above the Method Detection Limit (MDL)
PQL	Practical Quantitation Limit
MDL	Method Detection Limit
NR	Not Reported
RPD	Relative Percent Difference
CA2	CA-ELAP (CDPH)
OR1	OR-NELAP (OSPHL)
TX1	TX-NELAP (TCEQ)

- Notes:
- (1) The reported MDL and PQL are based on prep ratio variation and analytical dilution.
 - (2) The suffix [2C] of specific analytes signifies that the reported result is taken from the instrument's second column.
 - (3) Results are wet unless otherwise specified.

CHAIN OF CUSTODY RECORD

10f/1



**Advanced Technology
Laboratories**

3275 Walnut Avenue
Signal Hill, CA 90755
Tel: (562) 989-4045 • Fax: (562) 989-4040

FOR LABORATORY USE ONLY

P.O. #: _____
Logged By: _____ Date: _____

Method of Transport

Client
ATL
CA OverN
FedEx
Other: Antara

Sample Condition Upon Receipt

1. CHILLED Y N 4. SEALED Y N
2. HEADSPACE (VOA) Y N 5. # OF SPLS MATCH COC Y N
3. CONTAINER INTACT Y N 6. PRESERVED Y N

Client: GEOCON Consultants, Inc
Attention: R. Silva
Address: 3160 Gold Valley Drive, Suite 800
City: Rancho Cordova State: CA Zip Code: 95742
Tel: 916.852.9118 Fax: 916.852.9132

Project Name: Hoopla Safety Project #: S9805-01-25 Sampler: (Printed Name) Julio Esquivel (Signature) [Signature]

Relinquished by: (Signature and Printed Name) [Signature] J. Esquivel Date: 6/10/14 Time: 0630 Received by: (Signature and Printed Name) Geocon Storage Date: 6/10/14 Time: 0630

Relinquished by: (Signature and Printed Name) [Signature] Geocon Storage Date: 6/10/14 Time: 1400 Received by: (Signature and Printed Name) [Signature] Antara Date: 6/10/14 Time: 0630

Relinquished by: (Signature and Printed Name) [Signature] Date: _____ Time: _____ Received by: (Signature and Printed Name) [Signature] Date: 6/11/14 Time: 830

I hereby authorize ATL to perform the work indicated below:
Project Mgr /Submitter:
Print Name _____ Date _____
Signature _____

Send Report To:
Attn: _____
Co: SAME AS ABOVE
Addr: _____
City: _____ State: _____ Zip: _____

Bill To:
Attn: _____
Co: SAME AS ABOVE
Addr: _____
City: _____ State: _____ Zip: _____

Special Instructions/Comments:
Please copy Kari Cook on the results and include an excel file. Thank you. (cook@geoconinc.com)
48-hr TAT

Sample/Records - Archival & Disposal
Unless otherwise requested by client, all samples will be disposed 45 days after receipt and records will be disposed 1 year after submittal of final report.
Storage Fees (applies when storage is requested):
■ Sample: \$2.00 / sample /mo (after 45 days)
■ Records: \$1 /ATL workorder /mo (after 1 year)

Circle or Add Analysis(es) Requested	SPECIFY APPROPRIATE MATRIX										PRESERVATION	QA/QC							
	8021A (Pesticides)	8022 (PCB)	8280B (Volatiles)	8270C (BVA)	6010B (Total Metal)	8015B (GRO) / 8020 (BTEX)	8015B (DRO)	8021 (BTEX)	6010 / 7000 (Total Lead)	SOIL			WATER	GROUND WATER	WASTEWATER	CARBON	RTNE <input type="checkbox"/>	CT <input checked="" type="checkbox"/>	SWRCB Logcode _____
									X	X									

ITEM	LAB USE ONLY:		Sample Description		
	Lab No.	Sample ID / Location	Date	Time	Container(s)
	<u>1401714 - 1</u>	<u>SB27-1.1</u>	<u>6/9/14</u>	<u>1300</u>	<u>E 1 Bag</u>
	<u>2</u>	<u>SB28-1.1</u>		<u>1310</u>	
	<u>3</u>	<u>SB29-1.1</u>		<u>1325</u>	
	<u>4</u>	<u>SB30-1.1</u>		<u>1340</u>	
	<u>5</u>	<u>SB31-1.1</u>		<u>1400</u>	
	<u>6</u>	<u>SB32-1.1</u>		<u>1405</u>	

■ TAT starts 8AM the following day if samples received after 3 PM
TAT: A = Overnight ≤ 24 hrs B = Emergency Next Workday C = Critical 2 Workdays D = Urgent 3 Workdays E = Routine 7 Workdays
Preservatives: H=HCl N=HNO₃ S=H₂SO₄ C=4°C
Z=Zn(AC)₂ O=NaOH T=Na₂S₂O₃
Container Types: T=Tube V=VOA L=Liter P=Pint J=Jar B=Tedlar G=Glass P=Plastic M=Metal

June 19, 2014

Rebecca Silva
Geocon Consultants, Inc.
3160 Gold Valley Drive, Suite 800
Rancho Cordova, CA 95742
Tel: (916) 852-9118
Fax: (916) 852-9132

ELAP No.: 1838
CSDLAC No.: 10196
ORELAP No.: CA300003
TCEQ No. : T104704502

Re: ATL Work Order Number : 1401726
Client Reference : Hoopa Safety, S9805-01-25

Enclosed are the results for sample(s) received on June 11, 2014 by Advanced Technology Laboratories. The sample(s) are tested for the parameters as indicated on the enclosed chain of custody in accordance with applicable laboratory certifications. The laboratory results contained in this report specifically pertains to the sample(s) submitted.

Thank you for the opportunity to serve the needs of your company. If you have any questions, please feel free to contact me or your Project Manager.

Sincerely,



Eddie Rodriguez
Laboratory Director

The cover letter and the case narrative are an integral part of this analytical report and its absence renders the report invalid. Test results contained within this data package meet the requirements of applicable state-specific certification programs. The report cannot be reproduced without written permission from the client and Advanced Technology Laboratories.



Certificate of Analysis

Geocon Consultants, Inc.

3160 Gold Valley Drive, Suite 800

Rancho Cordova, CA 95742

Project Number : Hoopa Safety, S9805-01-25

Report To : Rebecca Silva

Reported : 06/19/2014

SUMMARY OF SAMPLES

Sample ID	Laboratory ID	Matrix	Date Sampled	Date Received
SB29-1.1	1401726-03	Soil	6/09/14 13:25	6/11/14 8:30



Certificate of Analysis

Geocon Consultants, Inc.
 3160 Gold Valley Drive, Suite 800
 Rancho Cordova, CA 95742

Project Number : Hoopa Safety, S9805-01-25
 Report To : Rebecca Silva
 Reported : 06/19/2014

Client Sample ID SB29-1.1

Lab ID: 1401726-03

STLC Metals by ICP-AES by EPA 6010B

Analyst: CB

Analyte	Result (mg/L)	PQL (mg/L)	MDL (mg/L)	Dilution	Batch	Prepared	Date/Time Analyzed	Notes
Lead	2.6	1.0	NA	20	B4F0344	06/18/2014	06/18/14 17:55	

QUALITY CONTROL SECTION

STLC Metals by ICP-AES by EPA 6010B - Quality Control

Analyte	Result (mg/L)	PQL (mg/L)	Spike Level	Source Result	% Rec	% Rec Limits	RPD	RPD Limit	Notes
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Batch B4F0344 - STLC Extraction

Blank (B4F0344-BLK1)				Prepared: 6/18/2014 Analyzed: 6/18/2014					
Lead	ND	1.0			NR				
LCS (B4F0344-BS1)				Prepared: 6/18/2014 Analyzed: 6/18/2014					
Lead	1.95120	1.0	2.00000		97.6	80 - 120			
Duplicate (B4F0344-DUP1)				Source: 1401763-01 Prepared: 6/18/2014 Analyzed: 6/18/2014					
Lead	ND	1.0		ND	NR			20	
Matrix Spike (B4F0344-MS1)				Source: 1401763-01 Prepared: 6/18/2014 Analyzed: 6/18/2014					
Lead	2.44656	1.0	2.50000	ND	97.9	41 - 136			
Matrix Spike Dup (B4F0344-MSD1)				Source: 1401763-01 Prepared: 6/18/2014 Analyzed: 6/18/2014					
Lead	2.44812	1.0	2.50000	ND	97.9	41 - 136	0.0637	20	



Certificate of Analysis

Geocon Consultants, Inc.

3160 Gold Valley Drive, Suite 800

Rancho Cordova, CA 95742

Project Number : Hoopa Safety, S9805-01-25

Report To : Rebecca Silva

Reported : 06/19/2014

Notes and Definitions

ND	Analyte is not detected at or above the Practical Quantitation Limit (PQL). When client requests quantitation against MDL, analyte is not detected at or above the Method Detection Limit (MDL)
PQL	Practical Quantitation Limit
MDL	Method Detection Limit
NR	Not Reported
RPD	Relative Percent Difference
CA2	CA-ELAP (CDPH)
OR1	OR-NELAP (OSPHL)
TX1	TX-NELAP (TCEQ)

Notes:

- (1) The reported MDL and PQL are based on prep ratio variation and analytical dilution.
- (2) The suffix [2C] of specific analytes signifies that the reported result is taken from the instrument's second column.
- (3) Results are wet unless otherwise specified.

Diane Galvan

From: Rebecca Silva [silva@geoconinc.com]
Sent: Monday, June 16, 2014 8:32 AM
To: Diane Galvan
Subject: RE: Results/EDD/Invoice - Hoopa Safety (1401726)

Hi Diane – Please analyze SB29-1.1 for Wet Lead and sample SB15-1.1 (previous ATL lab report #1401297) for total and WET Lead on 72-hr TAT. Thanks!

Rebecca

June 19, 2014

Rebecca Silva
Geocon Consultants, Inc.
3160 Gold Valley Drive, Suite 800
Rancho Cordova, CA 95742
Tel: (916) 852-9118
Fax:(916) 852-9132

ELAP No.: 1838
CSDLAC No.: 10196
ORELAP No.: CA300003
TCEQ No. : T104704502

Re: ATL Work Order Number : 1401297
Client Reference : Hoopa Safety, S9805-01-25

Enclosed are the results for sample(s) received on May 01, 2014 by Advanced Technology Laboratories. The sample(s) are tested for the parameters as indicated on the enclosed chain of custody in accordance with applicable laboratory certifications. The laboratory results contained in this report specifically pertains to the sample(s) submitted.

Thank you for the opportunity to serve the needs of your company. If you have any questions, please feel free to contact me or your Project Manager.

Sincerely,



Eddie Rodriguez
Laboratory Director

The cover letter and the case narrative are an integral part of this analytical report and its absence renders the report invalid. Test results contained within this data package meet the requirements of applicable state-specific certification programs. The report cannot be reproduced without written permission from the client and Advanced Technology Laboratories.



Certificate of Analysis

Geocon Consultants, Inc.

3160 Gold Valley Drive, Suite 800

Rancho Cordova, CA 95742

Project Number : Hoopa Safety, S9805-01-25

Report To : Rebecca Silva

Reported : 06/19/2014

SUMMARY OF SAMPLES

Sample ID	Laboratory ID	Matrix	Date Sampled	Date Received
SB15-1.1	1401297-15	Soil	4/28/14 14:30	5/01/14 8:40



Certificate of Analysis

Geocon Consultants, Inc.
3160 Gold Valley Drive, Suite 800
Rancho Cordova , CA 95742

Project Number : Hoopa Safety, S9805-01-25
Report To : Rebecca Silva
Reported : 06/19/2014

Client Sample ID SB15-1.1
Lab ID: 1401297-15

Lead by ICP-AES EPA 6010B

Analyst: CB

Analyte	Result (mg/kg)	PQL (mg/kg)	MDL (mg/kg)	Dilution	Batch	Prepared	Date/Time Analyzed	Notes
Lead	22	1.0	NA	1	B4F0307	06/17/2014	06/17/14 16:56	

STLC Metals by ICP-AES by EPA 6010B

Analyst: CB

Analyte	Result (mg/L)	PQL (mg/L)	MDL (mg/L)	Dilution	Batch	Prepared	Date/Time Analyzed	Notes
Lead	ND	1.0	NA	20	B4F0344	06/18/2014	06/18/14 17:53	



Certificate of Analysis

Geocon Consultants, Inc.
 3160 Gold Valley Drive, Suite 800
 Rancho Cordova, CA 95742

Project Number : Hoopa Safety, S9805-01-25
 Report To : Rebecca Silva
 Reported : 06/19/2014

QUALITY CONTROL SECTION

Lead by ICP-AES EPA 6010B - Quality Control

Analyte	Result (mg/kg)	PQL (mg/kg)	Spike Level	Source Result	% Rec	% Rec Limits	RPD	RPD Limit	Notes
Batch B4F0307 - EPA 3050 Modified									
Blank (B4F0307-BLK1)				Prepared: 6/17/2014 Analyzed: 6/17/2014					
Lead	ND	1.0			NR				
LCS (B4F0307-BS1)				Prepared: 6/17/2014 Analyzed: 6/17/2014					
Lead	51.4524	1.0	50.0000		103	80 - 120			
Duplicate (B4F0307-DUP1)				Source: 1401297-15RE1 Prepared: 6/17/2014 Analyzed: 6/17/2014					
Lead	21.3148	1.0		22.2034	NR		4.08	20	
Matrix Spike (B4F0307-MS1)				Source: 1401297-15RE1 Prepared: 6/17/2014 Analyzed: 6/17/2014					
Lead	446.756	1.0	250.000	22.2034	170	51 - 106			M1
Matrix Spike Dup (B4F0307-MSD1)				Source: 1401297-15RE1 Prepared: 6/17/2014 Analyzed: 6/17/2014					
Lead	437.267	1.0	250.000	22.2034	166	51 - 106	2.15	20	M1



Certificate of Analysis

Geocon Consultants, Inc.
 3160 Gold Valley Drive, Suite 800
 Rancho Cordova , CA 95742

Project Number : Hoopa Safety, S9805-01-25
 Report To : Rebecca Silva
 Reported : 06/19/2014

STLC Metals by ICP-AES by EPA 6010B - Quality Control

Analyte	Result (mg/L)	PQL (mg/L)	Spike Level	Source Result	% Rec	% Rec Limits	RPD	RPD Limit	Notes
Batch B4F0344 - STLC Extraction									
Blank (B4F0344-BLK1)				Prepared: 6/18/2014 Analyzed: 6/18/2014					
Lead	ND	1.0			NR				
LCS (B4F0344-BS1)				Prepared: 6/18/2014 Analyzed: 6/18/2014					
Lead	1.95120	1.0	2.00000		97.6	80 - 120			
Duplicate (B4F0344-DUP1)				Source: 1401763-01 Prepared: 6/18/2014 Analyzed: 6/18/2014					
Lead	ND	1.0		ND	NR			20	
Matrix Spike (B4F0344-MS1)				Source: 1401763-01 Prepared: 6/18/2014 Analyzed: 6/18/2014					
Lead	2.44656	1.0	2.50000	ND	97.9	41 - 136			
Matrix Spike Dup (B4F0344-MSD1)				Source: 1401763-01 Prepared: 6/18/2014 Analyzed: 6/18/2014					
Lead	2.44812	1.0	2.50000	ND	97.9	41 - 136	0.0637	20	



Certificate of Analysis

Geocon Consultants, Inc.

3160 Gold Valley Drive, Suite 800

Rancho Cordova, CA 95742

Project Number : Hoopa Safety, S9805-01-25

Report To : Rebecca Silva

Reported : 06/19/2014

Notes and Definitions

M1	Matrix spike recovery outside of acceptance limit. The analytical batch was validated by the laboratory control sample.
ND	Analyte is not detected at or above the Practical Quantitation Limit (PQL). When client requests quantitation against MDL, analyte is not detected at or above the Method Detection Limit (MDL)
PQL	Practical Quantitation Limit
MDL	Method Detection Limit
NR	Not Reported
RPD	Relative Percent Difference
CA2	CA-ELAP (CDPH)
OR1	OR-NELAP (OSPHL)
TX1	TX-NELAP (TCEQ)

Notes:

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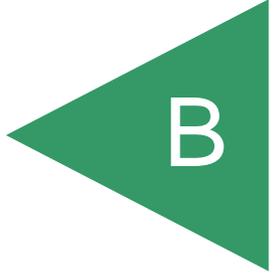
Diane Galvan

From: Rebecca Silva [silva@geoconinc.com]
Sent: Monday, June 16, 2014 8:32 AM
To: Diane Galvan
Subject: RE: Results/EDD/Invoice - Hoopa Safety (1401726)

Hi Diane – Please analyze SB29-1.1 for Wet Lead and sample SB15-1.1 (previous ATL lab report #1401297) for total and WET Lead on 72-hr TAT. Thanks!

Rebecca

APPENDIX



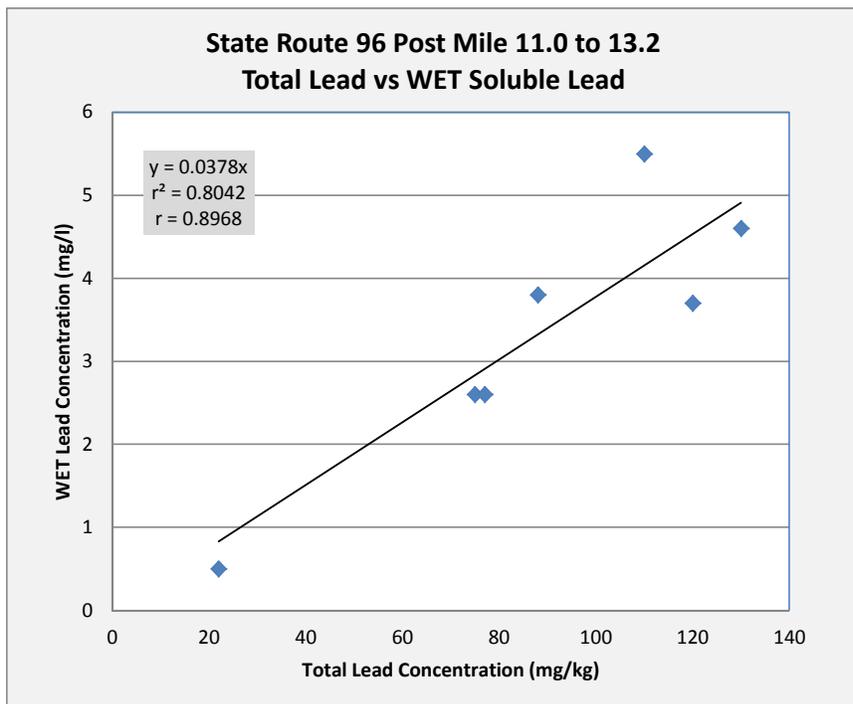
Project Name: State Route 96 Post Mile 11.0 to 13.2
Geocon Project No.: S9805-01-25
Sample Location: Southbound SR-96 Shoulder
Sample Population: Borings SB14 through SB32

Lead - 0.0 to 1.1 ft

Total Number of Observations	19	Number of Distinct Observations	19
		Number of Missing Observations	0
Minimum	6.2	Mean	69.8
Maximum	410	Median	35
SD	96.61	Std. Error of Mean	22.16
Coefficient of Variation	1.385	Skewness	2.798
Mean of logged data	3.606	SD of logged data	1.138
		90% Standard Bootstrap UCL	96.7
		95% Standard Bootstrap UCL	104.7

Project Name: State Route 96 Post Mile 11.0 to 13.2
Geocon Project No: S9805-01-25
Sample Population: Southbound SR-96 Shoulder

Sample ID	Total Lead	WET Lead
SB24-1.1	75	2.6
SB15-1.1	22	0.5
SB22-1.1	120	3.7
SB23-1.1	88	3.8
SB19-1.1	130	4.6
SB18-1.1	110	5.5
SB29-1.1	77	2.6



MATERIALS INFORMATION

NONPOTABLE WATER SOURCES

DATED November 2014

NONPOTABLE WATER SOURCES

November 2014

Hoopa Valley Aggregates and Ready Mix Enterprises

Cal Pack Road, Hoopa, California, 95546

530-625-4017