



Project

After first-of-its-kind county regulatory action, Haley & Aldrich helps property owner tackle unexpected lead contamination

Summary

- After 20 years of operation, an indoor shooting range left its rental space in a busy commercial area. As the property owner's contractor began preparing for a new tenant, the County of San Diego Department of Environmental Health (DEH) and the California Division of Occupational Safety and Health (Cal/OSHA) inspected the space. They found that the shooting range operator had improperly maintained the air filtration system – spreading lead dust and other heavy metals inside and outside the building – and that the contractor was not licensed for lead abatement.
- The owner entered into a Corrective Action Consent Agreement with DEH, the first of its kind for shooting ranges under the county's oversight, and Cal/OSHA fined the contractor. The previous tenant could not be found – leaving the owner, who had no environmental cleanup experience, responsible for decontaminating the building and remediating soil at surrounding properties.
- The owner's outside counsel recommended Haley & Aldrich because we had the technical capabilities and experience working with multiple regulatory agencies to quickly respond to notices of violation, help negotiate the consent agreement, and manage the multi-property job.
- We also brought emotional intelligence and active listening skills, critical to developing trust with adjacent property owners, and communication plans that resulted in timely regulatory reviews of work plans and closure reports.-
- -After responding to DEH and Cal/OSHA, we assessed contamination at the range and nearby properties. We then remediated soil and decontaminated roofs, HVAC systems, and interior surfaces, following an order of operations to avoid moving contaminants and ensuring that community safety protocols protected people's health.-
- Ultimately, the client complied with the consent agreement, remediated the owner's and surrounding properties, and

successfully readied its space for a new tenant.

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