

Building Code Sections 106A.3.2.4.1, 106A.3.2.4.2, and 106A.3.2.4.4 and Health Code Article 22A



Are you applying for a Building or Grading Permit which involves the disturbance of at least 50 cubic yards (38.23 m³) of soil within the designated Article 22A area or meets other Maher criteria?*

YES

NO

Does the site history indicate that hazardous substances may be present in the soil or groundwater at concentrations exceeding either the Department of Toxic Substances Control's or Regional Water Quality Control Board's health risk levels, or other applicable standards, given the intended use?***

NO

**1. Has the property been continuously zoned as residential under the City Planning Code since 1921?
2. Has it been in residential use since that time? AND
3. No evidence has been presented to create a reasonable belief that the soil and/or groundwater may contain hazardous substances?**

Not Subject to Article 22A of the Health Code

YES

NO

YES

Submit:
1) Work Plan for Analysis of Sampled Soil and/or Groundwater.
2) Subsurface Analyses Report for DPH review and approval.

The Director shall provide the applicant and the Director of Building Inspection with written notification that the applicant has complied with the requirements of this Article or a waiver from further Maher requirements.

Were there hazardous substances present?

NO

YES

**1) Submit Site Mitigation Plan for DPH review and approval.
2) Implement approved Site Mitigation Plan.**

* Completing a deed restriction may be needed

** Prior industrial use, sensitive receptor use, within 100 feet of a current or former underground tank, within 150 feet of a current or former elevated roadway.

*** A Phase I ESA may not provide enough information to make this decision.

Submit Final Report and Certification Statement for DPH review and approval.

Are the Final Report and Certification approved?*

YES