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Edmund G. Brown Jr.
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SENT VIA ELECTRONIC MAIL

September 20, 2016

Mr. Gideon Kracov, Chair
Mr. Mike Vizzier, Vice Chair
Dr. Arezoo Campbell, Member
Department of Toxic Substances Control
Independent Review Panel

RE: PEOPLE'S SENATE 2015 SITE-SPECIFIC BENCHMARKS

Dear Mr. Kracov, Mr. Vizzier, and Dr. Campbell:

I am pleased to provide the Independent Review Panel (Panel) with updated information on sites and facilities of interest to the People's Senate, and a brief description of the actions that the Department of Toxic Substances Control (DTSC or Department) has taken to enhance our ability to protect communities near these sites and across the state. The attached document, "Site-Specific Updates," was prepared in response to the Panel's April 21, 2016 report to the Governor and Legislature. In its report, the Panel requested that DTSC provide a written response to the People's Senate 2015 Site-Specific Benchmarks document with detailed information on what is being done to address sites requiring mitigation. DTSC appreciates the opportunity to provide an update on all sites of interest identified by the People's Senate in the attached document.

Site-Specific Updates

In addition to providing written updates on specific sites in various formats over the last year, DTSC is exploring new mechanisms to enhance communication between the Department and communities. In August 2015, DTSC's Assistant Director for Environmental Justice (EJ) and Tribal Affairs, Ana Mascareñas, first met with the People's Senate coalition to listen and understand their concerns. Since then, Ms. Mascareñas has co-facilitated two conference calls between DTSC staff and members of the People's Senate, one in October 2015 and another in March 2016. During these calls, DTSC staff provided updates and answered questions on specific sites and followed up with notes from the call. More than 30 participants joined the call in March. In addition, DTSC has conducted activities at each site or permitted facility that included

some combination of written community updates, public meetings, door-to-door outreach, or other community engagement mechanisms that have been implemented over the last year. These activities are summarized in the attached report.

During your January 2016 meeting, the Panel recommended that “DTSC continue its practice of bi-monthly EJ accountability calls or use an equivalent mechanism designed to increase communication between the Department and communities.” The Office of Environmental Justice and Tribal Affairs, and other DTSC program staff, will be meeting with members of the People’s Senate during the first week of November 2016 to continue discussing site-specific concerns and to share progress on many actions and reforms at the Department.

Leadership Actions to Enhance DTSC’s Ability to Better Protect Communities

When the People’s Senate submitted their 2015 Site-Specific Benchmarks document last year, it included additional recommendations on leadership, accountability, and program reforms. DTSC has made progress in all of these areas over the past year. Because many of the actions I have taken to address these issues may not be reflected in the attached site-specific report, I would like to highlight several key areas of progress to provide additional context as you review the document:

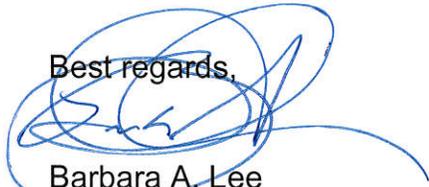
- **Seven new executive leaders selected over the last year:** These seven managers represent a diverse range of experiences, skills, and talents. DTSC has also taken steps to make the leadership team more accessible to communities in Southern California, including locating the new Deputy for the Hazardous Waste Management Program, Ms. Antonette Cordero, in the Chatsworth office, and the Deputy Director for the Brownfields and Environmental Restoration (Cleanup), Mr. Mohsen Nazemi, in the Cypress office.
- **Elevation of the Public Participation Office within the Department:** As recommended by a number of stakeholders, we recently separated Public Participation from the Office of Communications, with its own Deputy Director who will be appointed soon and who may also be based in Southern California. This change recognizes the importance of public engagement in all of DTSC’s activities.
- **Organizational Excellence Initiative begins with diversity and inclusion:** The goal of the Organizational Excellence Initiative is to ensure excellent employee performance and communication, transparency, and accountability. One important strategy in this initiative is ensuring that diversity and inclusion are incorporated into the fabric of DTSC’s culture and in the delivery of services to protect public health and the environment. The Department has secured experienced diversity and inclusion facilitators for a 17-member task group that represents all levels within DTSC, as well as all regional offices.

- **Completion of the Permit Enhancement Project and financial reviews:** DTSC completed its two-year, exhaustive permitting enhancement project, which included 86 action items to make the permitting process more protective, more enforceable, and more accessible to the public. Additionally, DTSC achieved its Fiscal Year 2015-16 goal of issuing 12 decisions on hazardous waste permit applications and is meeting its targets to eliminate the permit backlog. The permit decisions were issued utilizing many of the recent permit enhancements, resolving several long-term permit renewal applications. DTSC has also completed the review of financial assurances for its permitted facilities, and has voluntarily increased the frequency of these reviews going forward; financial assurance and post closure care reviews will take place every five years, instead of only being performed during the permit renewal application process.
- **Creation of the Office of Environmental Justice and Tribal Affairs:** A new Office of Environmental Justice and Tribal Affairs, with a total of eight permanent positions, has been established at DTSC. Two key accomplishments related to the office's work thus far include a landmark civil rights settlement agreement to benefit environmental justice communities surrounding the Kettleman community and across the State, and the creation of a workforce training program to support residents impacted by the former Exide Technologies facility in Vernon.
- **Hazardous Waste Reduction Initiative Nine-Member Advisory Committee:** With the six limited-term positions and budget allocation received last year, DTSC has been implementing the Community Protection and Hazardous Waste Reduction Initiative. The nine-member Advisory Committee to the initiative represents diverse stakeholder groups across the State and has held six public meetings over the last year, providing critical guidance on selecting four pilot project proposals to address lead-acid batteries, contaminated soil, petroleum refineries waste, and organic solvent waste.
- **Significant Enforcement Actions in Environmental Justice Communities:** Over the past year, the Department has taken significant enforcement actions and supported investigations in communities burdened by multiple sources of pollution. In FY 2015-16, the Office of Criminal Investigation (OCI) initiated 112 new investigations, referred 12 cases for prosecution, and settled 3 cases. OCI also began a new initiative investigating metal recyclers, and conducted 12 investigations as part of that initiative. A summary report on the enforcement programs was provided to the IRP on July 12, 2016. The report compares overall program performance to goals in the enforcement programs.
- **Comprehensive statutory review of DTSC's mandates underway:** The executive leadership at DTSC is completing a comprehensive statutory review of DTSC's mandates and the programs that implement those mandates, to better align mission and resources, and to ensure each program area tracks and reports performance metrics.

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The Department continues to make improvements so that we can better serve environmental justice communities across the State. We look forward to further collaboration and partnership with communities in these efforts.

Best regards,



Barbara A. Lee
Director
Department of Toxic Substances Control

Attachment:
Report, Site-Specific Updates, September 2016

California Department of Toxic Substances Control

Site-Specific Updates

September 2016

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Agricultural Park, Riverside

Soil contamination at the Agricultural Park (Ag Park) resulted from the operation of a former sewage treatment plant built by the U.S. Army on the Ag Park in 1942 as part of the 1,247-acre Camp Anza. After Camp Anza closed in 1946, the sewage treatment plant was run by a private utility company from 1947 to 1963, and then acquired by the City of Riverside in 1963. The City operated the plant until 1965. In July and August of 2003, the above-ground concrete structures associated with the former sewage treatment plant were demolished, and there was a spill of sludge; this incident started the process of environmental evaluation, leading to the City's request for DTSC oversight in 2005.

During the investigations that took place under DTSC's oversight, soil, soil gas, groundwater and sediment samples were collected and analyzed for various contaminants including polychlorinated biphenyls (PCBs), volatile organic compounds (VOCs), semi-volatile organic compounds (SVOCs), polynuclear aromatic hydrocarbons (PAHs), chlorinated pesticides, organophosphorous pesticides, herbicides, total petroleum hydrocarbons, explosive analytes (perchlorate, NDMA, nitroaromatics and nitramines), California Title 22 metals including arsenic, and dioxins and furans. After DTSC analyzed the data, it was determined that the only chemicals of concern in need of remediation were PCBs, and a cleanup plan was developed. The cleanup was completed in two phases; spanning between April 2009 and January 2014. Within that period, approximately 175,000 tons of PCB-contaminated soil was removed. The Ag Park was certified for unrestricted land use in April 2014.

Additional Sampling and Cleanup

The Center for Community Action and Environmental Justice (CCA EJ) requested confirmation of the April 2014 Ag Park closure results. Initial confirmatory soil sampling was conducted in September 2015, and the results indicated higher than expected concentrations of PCBs in some soil samples. Based on the results, DTSC required the developer, Friends of Riverside Airport (FRA) to conduct additional soil sampling in November 2015.

Results of the November 2015 sampling indicated that PCB levels at the Ag Park do not pose a significant health risk to surrounding communities. Additional cleanup is needed in certain areas of the Ag Park prior to residential use. DTSC is providing oversight on further cleanup. Since March 22, 2016, approximately 1,100 discrete soil samples have been collected in accordance with the February 10, 2016 sampling plan. This plan provided additional detail to the approved CLRRRA (California Land Reuse and Revitalization Act) Response Plan from 2006. DTSC provided full-time oversight of the sample collection.

On July 26, 2016, FRA submitted an updated work plan, which included the pre-excavation sampling results and an Air Monitoring Plan Addendum. U.S. EPA reviewed the updated plan and had no comments. The South Coast Air Quality Management District (SCAQMD) reviewed the Air Monitoring Plan Addendum and had no comments. DTSC had minor comments based on its review of the plan, and also considered comments shared by community members. All appropriate comments and provisions were incorporated into a final plan, which DTSC approved on August 5, 2016. The cleanup will include excavation of PCB-impacted soil from a large area of the Ag Park, which will be verified by confirmation sampling. After the Ag Park excavation is complete, each home lot in the current development plan will be sampled as an additional measure of safety for future homeowners.

Work Group for Surrounding Neighborhood Evaluation Established

In addition to the required public participation activities and in an effort to improve community engagement, DTSC established a Work Group to provide feedback on the process to determine if PCBs may have dispersed from the Ag Park via windblown dust and deposited in the neighborhood. Community Work Group members were selected via an application process, and they voluntarily serve to listen and engage technical experts, review/comment on technical documents, provide feedback to DTSC (and support agencies) and evaluate and provide feedback on potential solutions. To ensure that a diversity of voices are represented in the Work Group, DTSC increased Work Group membership. DTSC secured an experienced and neutral facilitator to increase community trust and improve strategic collaboration with the Work Group. In response to community health concerns, DTSC is also contacting local and federal health agencies who may be able to respond to questions and concerns related to health.

In addition to the [DTSC EnviroStor webpage for Ag Park](#), community updates and more information are available on [DTSC's project webpage for Ag Park](#).

Autumnwood Development, Wildomar

From 2012 to 2014, DTSC conducted an investigation in the Autumnwood Development residential housing tract in Wildomar. The development was constructed between 2004 and 2006, and consists of 61 single-family homes constructed with foundation slabs directly on surface grade. Additionally, there is a small neighborhood park on the southeast corner of Front and Penrose Streets. The purpose of the investigation was to determine whether hazardous waste constituents are present in soil and groundwater under the Study Area and whether the contaminants, if present, are of sufficient concentrations to pose a human health risk. Risk to human health from industrial contaminants are primarily driven by exposure through the inhalation, dermal and ingestion exposure pathways. Of specific concern to DTSC is whether volatile organic compounds (VOCs) exist in the subsurface which could migrate into residential homes,

causing an inhalation exposure. This type of exposure pathway is called vapor intrusion. Residences in the Study Area use municipal water, hence ingestion of groundwater is not considered to be an exposure pathway.

DTSC's [October 2014 final investigation report](#) summarizes the environmental testing conducted at Autumnwood Development. Previous sampling events at the Study Area were conducted by the South Coast Air Quality Management District, Ami Adini and Associates and Nancy Carraway. AMEC Environment and Infrastructure, Inc. (AMEC) implemented field sampling.

Based on multiple lines of evidence, and as described in the October 2014 report, DTSC reached the following conclusions regarding the potential for vapor intrusion at the Autumnwood Development:

- Low levels of fuel related hydrocarbons and chlorinated compounds were detected in a diffuse pattern throughout the Study Area. No data reviewed, either historical or current, were indicative of a significant hazardous substance release or a significant source of contamination in soil, groundwater or soil gas;
- Groundwater is not a source of VOCs in the subsurface;
- VOCs detected in soil gas do not pose a significant indoor air risk or hazard;
- Based on multiple lines of evidence, including groundwater data, soil gas data, subslab soil gas data and previous indoor and outdoor air data, VOCs in the subsurface are not a significant source of contamination and would not be a significant contribution to indoor air at the Autumnwood Development.

External Review Completed in December 2015

Community members requested an external peer review of the investigation, which DTSC supported. The external regulatory organizations that participated in this review were U.S. EPA Region 9, the California Office of Environmental Health Hazard Assessment (OEHHA), and the California Department of Public Health (CDPH).

The Office of Environmental Health Hazard Assessment (OEHHA) provided comments on the results of the Autumnwood Development investigation in an OEHHA memorandum dated November 2013. OEHHA concluded, in summary, that:

“Sub-surface soil gas sampling does not suggest that the soil is contaminated with volatile chemicals. Even sub-slab sampling in two homes did not indicate high levels of contamination. One home did have high levels of three chemicals in the sub-slab sample, but the other sample at the same house did not and samples from the second home did not confirm a problem with any chemical measured except for possibly benzene.

While the investigation into the environmental cause of residents' symptoms and illnesses did not find a chemical contaminant basis, except for possible exposure

to formaldehyde, other environmental chemicals and causes are still possible. However, the sources and agents are not obvious from the current standard testing that has been done.”

CDPH's Site Assessment Section provided comments on the results of the Autumnwood Development investigation in a CDPH memorandum to DTSC dated May 30, 2014 and concluded, in summary, that:

“Based on the data presented in the DTSC report, CDPH agrees with DTSC’s conclusions regarding the investigation of the environmental media underneath the Autumnwood development.”

U.S. EPA Region 9 Superfund Division provided comments to DTSC in a [report](#) and [cover letter dated December 23, 2015](#). EPA Region 9 Superfund Division concluded, in summary, that:

“Our evaluation generally supports the findings of the DTSC, the CalEPA Office of Environmental Health Hazard Evaluation (OEHHA), and other State agencies.”

The review by three external regulatory organizations support the DTSC conclusions. More information is available at [DTSC's project webpage for the Autumnwood Development](#).

Brown and Bryant, Arvin

Brown and Bryant, Arvin is a National Priorities List (NPL) Superfund site, with U.S. EPA currently serving as the lead regulatory agency. DTSC and U.S.EPA cost share and coordinate the cleanup of the Site until the remedy is “operational and functional” for a period of up to one year after the completion of construction. DTSC is responsible for Operation and Maintenance Obligations at the Site. Remedial action of the Brown and Bryant Arvin Site is being conducted under two separate Operable Units (OUs): OU-1 and OU-2. OU-1 was implemented in 1999 and it consists of a Resource Conservation and Recovery Act (RCRA) cap in the southern portion to contain the contaminated soil and a non-RCRA cap in the Site’s northern portion. DTSC took over Operation and Maintenance (O&M) of OU-1 in 2012 and conducts Annual Cap Inspections and Maintenance.

Updates Provided at Community Meetings

DTSC has supported the People’s Senate requests to provide more information and updates for the community. The Committee for a Better Arvin has held regular open meetings on Friday evenings to provide progress updates on the ongoing activities at

the site. The Center on Race, Poverty & the Environment (CRPE) has been an active participant in these meetings. At the April 24, 2015 and January 29, 2016 meetings, U.S. EPA provided comprehensive updates to the community, which included the following discussion topics:

April 2015 meeting

- Introduction of Jorge Matos (Technical Advisor) and Ana Vargas from the U.S. EPA Technical Assistance Services for Communities (TASC) Program;
- Update on the CW-1 drinking water well relocation;
- Update on the progress of the on-Site extraction wells;
- Update on the annual groundwater monitoring report; and
- Preview of upcoming work

January 2016

- Update on the CW-1 drinking water well relocation;
- Update on progress of the on-site extraction wells;
- Brief preview of the results of the annual groundwater monitoring report;
- Introduction to the upcoming Five Year Review report; and
- Preview of upcoming work

U.S. EPA has been sending at least a monthly update via e-mail to Arvin Community Services District (ACSD) and CRPE, and updating the Community Water Center regarding the status of the CW-1 drinking water well relocation. Public meetings are held once or twice a year with the community to provide updates on the ongoing activities at the site.

Ongoing Site Inspections and Groundwater Monitoring

Site inspections were performed in June and September 2015, repairs to the cap and fence were completed in September 2015. The [annual cap inspection and repair summary report](#) is available for public review. The next site inspection will be performed in the fourth quarter of 2016. U.S. EPA is currently leading the remedial action of OU-2. Groundwater is routinely monitored at OU-2. The most recent groundwater monitoring was conducted in May 2016 and the report is being finalized. Previous monitoring reports are available on [DTSC's EnviroStor webpage](#).

Active city wells have been sampled annually since 2011 and results are shared with the City's technical advisor. Results of the most recent city well sampling indicate that CW-1 (1500 feet downgradient of the Site) was not impacted by the contamination from the Site. Levels of contaminants of concern in CW-1 have been below either regulatory level or background level.

The OU-2 A-zone groundwater extraction system was initiated in April 2013. Since October 2015 it has been running continuously. As of February 2016, approximately 48,000 gallons of A-zone groundwater has been extracted and disposed of.

Continued Remediation and Application for Well Replacement

In March 2015, U.S. EPA reinitiated engagement with the Arvin Community Services District (ACSD) regarding the CW-1 city drinking water well. In June 2016, U.S. EPA received a grant application for the replacement well from the ACSD. DTSC, U.S. EPA and ACSD are working towards a final version of the application for approval.

In October 2015, U.S. EPA initiated the fourth Five-Year Review (FYR) process for Brown and Bryant, which addresses both Operable Units. DTSC is currently reviewing the FYR report draft. It is expected to be finalized and released in September 2016.

DTSC is currently negotiating a State Superfund Contract Amendment with U.S. EPA in order to share costs associated with the Cooperative Agreement between U.S. EPA and ACSD. More information is available on [DTSC's EnviroStor webpage for Brown and Bryant, Arvin.](#)

Brown and Bryant, Shafter

The Brown and Bryant facility in Shafter was operated by Brown and Bryant, Inc. from approximately 1955 to 1989. Brown and Bryant operations included manufacturing, blending, packaging and re-packaging of pesticides, insecticides, herbicides, fumigants, defoliants and fertilizers for the agricultural community. DTSC has been overseeing the investigation and cleanup of the Brown and Bryant site in Shafter since the mid-1980s.

Community Update and Briefing

The most recent public participation activities include a May 18, 2016 briefing to CRPE on the current status and progress on the clean-up at the Brown and Bryant site. The Project Manager and the assigned public participation specialist travelled to Delano for this special presentation to about 5 staff members of CRPE. After DTSC provided this briefing to members of the People's Senate, DTSC communicated with CRPE staff on several occasions to coordinate an in-person visit at the CRPE offices, but have not been successful yet in securing a time that works for attendees. An updated fact sheet was also developed for the community in [English](#) and [Spanish](#) in August 2015.

Soil Vapor Extraction System Operating

DTSC has provided environmental oversight for numerous site-wide activities, including soil excavation from October 2010 through August 2013. Soil removal was completed in twenty-seven areas at the site.

DTSC finalized a Resource Conservation Recovery Act (RCRA) Remedy Construction Complete package for U.S. EPA on February 25, 2015. All remedial actions have been implemented or constructed and are operating properly. The site is currently in the operation and maintenance phase. A soil vapor extraction (SVE) treatment system is operating and is planned to continue operating for approximately 4 years.

Due to the recent drought, the five remaining 300 foot groundwater monitoring wells are currently dry. DTSC requires that an effective groundwater monitoring system be restored and maintained. AECOM is evaluating regional groundwater conditions in order to make recommendations for the future continued groundwater monitoring activities. AECOM will continue operation and maintenance of the SVE treatment system under DTSC oversight until DTSC makes the decision that the health based remediation goals have been met. More information is available on [DTSC's EnviroStor webpage for Brown and Bryant, Shafter](#).

Carlton Forge Works, Paramount

The Carlton Forge Works (CFW) facility is located at 7743 East Adams Street in the City of Paramount and is surrounded by a commercial area, residential areas, and an elementary school. CFW manufactures forged alloy rings for aerospace, gas turbines, and other industries using principal alloy metals such as nickel, titanium, aluminum, chromium, cobalt, and iron, as well as other metals.

CFW is a permitted facility under the South Coast Air Quality Management District (SCAQMD). SCAQMD has been conducting air monitoring at the facility. CFW is not a permitted facility under DTSC. The facility is a generator of hazardous waste and it is regulated under the County of Los Angeles CUPA. Nearby community residents expressed concern about potential exposure to heavy metals reported burning metallic odors, and have expressed concern about because of soil contamination in the area adjacent to the facility.

DTSC entered into a Voluntary Agreement with CFW on May 1, 2014, to conduct off-site soil and dust investigation in the area downwind from the facility (east of the site) near homes and an elementary school.

Community Input and Sampling for Rare Earth Metals

During development of the [Community Profile](#) in 2014, DTSC staff met with representatives from local government and state legislative offices, the school district, businesses, environmental justice (EJ) organizations, and residents. DTSC shared the draft sampling plan and sought community input, and also conducted door-to-door visits

to residential properties to notify tenants that sampling was underway and to answer any potential questions they might have related to the project.

DTSC conducted a public workshop in the City of Paramount on November 7, 2014, where participants requested that sampling activities be expedited and that DTSC require testing for rare earth metals. DTSC performed the rare earth metals sampling and analysis for five metals using the Department's Environmental Chemistry Laboratory (ECL). The following metals were selected for analysis based on their use in their metal alloys and community input): yttrium, gadolinium, lanthanum, cerium, and samarium. This was the first time that DTSC has performed rare earth metals analysis. The metals sampling work plan was approved on December 15, 2014 and the sampling work was completed by the end of December. DTSC took 30% split samples and sent them to ECL.

Results of the investigation indicate that there have been elevated levels (above screening levels) of cobalt and nickel from the CFW facility mainly in the dust samples within several blocks of the facility. The higher concentrations were near the truck entrance and across the street to the east of the facility. DTSC requested access to Lincoln Elementary School in a [July 20, 2015 letter](#), but the Paramount School District denied the request. Soil and dust samples taken adjacent to Lincoln Elementary School and Village Skate Park are within background levels.

Health Risk Assessment Being Prepared

DTSC has directed CFW to prepare a risk assessment to better evaluate risk associated with the elevated concentrations. A Human Health Risk Assessment (HHRA) work plan was approved by DTSC on July 19, 2016. The draft HHRA should be submitted to DTSC in October 2016. More information is available on [DTSC's EnviroStor webpage for Carlton Forge Works](#).

Site Discovery Study in Paramount to Receive Additional Funding

DTSC was funded by U.S. EPA to conduct a site discovery study in the Paramount area. Based on the results of the study, eleven sites were recommended for further detailed evaluation. When additional funding is approved by U.S. EPA, DTSC will conduct this evaluation study. More information is available on [DTSC's EnviroStor webpage for the Paramount Site Discovery](#).

Clean Harbors, Buttonwillow

Background

The Clean Harbors Buttonwillow (CHB) is a hazardous waste facility which stores, treats, and provides disposal of hazardous waste, and is located approximately 8 miles west of Buttonwillow and 36 miles west of Bakersfield. Hazardous waste management and disposal activities at the facility are regulated under conditions of a Resource Conservation and Recovery Act (RCRA) Hazardous Waste Facility Permit (HWF) permit issued by DTSC in 1996. The facility accepts solid, semi-solid, and liquid, hazardous and non-hazardous wastes for treatment, storage, or disposal. The facility does not accept class A explosives, compressed gases, biological agents, PCBs greater than 50 parts per million, infectious wastes, municipal garbage or refuse, or radioactive materials that exceed 2,000 picocuries per gram or are defined as Nuclear Regulatory Commission regulated source materials.

Clean Harbors Buttonwillow was initially authorized at the County level in 1982, and later authorized by the California Department of Health Services and the United States Environmental Protection Agency in 1983. Early operations included the use of surface impoundments for liquid waste storage and disposal. By the mid-1990s, all surface impoundments had been closed and the facility altered operations to utilize landfills.

The Hazardous Waste Management Units at the facility include: a stabilization and treatment unit; a drum storage area; operational landfills WMU-34, and WMU-35 (cell 4 & cell 5); and post-closure landfills WMU-28, WMU-33, and WMU-35 (cell 1, cell 2, and cell 3). DTSC provided oversight for approval of construction quality assurance program implementation of WMU-35 cell 5; oversight for construction quality assurance program implementation of WMU-35 cell 3 closure. Closure approval is currently pending.

Ongoing Monitoring and Inspections

The review of drought effects in lowering groundwater depth beneath facility and assessment of how lowered groundwater depth could affect the existing monitoring program are described in the [February 2016 annual environmental monitoring report](#). DTSC also completed compliance inspections in November 2015 ([see January 2016 Inspection Report](#)) and May 2016. All related documentation is available on [DTSC's EnviroStor webpage for CHB](#).

Community Briefings and Information on Transporters

During several briefings provided to members of the People's Senate, DTSC has provided information on the following topics:

- Rules that are implemented through the facility's Conditional Use Permit controlling traffic routing to the Facility.

- Specific instructions that CHB requires transporters to follow for traffic routes which bypass the town of Buttonwillow.
- Instructions on what to do if someone observes a hazardous waste transporter in violation of traffic routes to the facility.
- Instructions on how to report a violation of inappropriate traffic route use, and/or observation of other violations or potential violations.
- Information on how drought conditions have resulted in decreasing groundwater depths in the upper perched groundwater zone beneath the facility.

DTSC last conducted door-to-door outreach in the town of Buttonwillow in 2013. More information is available on [DTSC's EnviroStor webpage for Clean Harbors Buttonwillow](#).

Delano PCE Plume Investigation, Delano

DTSC continues to investigate groundwater, soil gas and indoor air contamination in downtown Delano, California. The Department has identified tetrachloroethylene (PCE) and trichloroethylene (TCE) in groundwater, soil gas and indoor air there. PCE and TCE are chemicals used for dry cleaning. All the buildings in the investigation area are near current or former dry cleaning businesses.

Indoor Sampling and Mitigation Actions

DTSC has collected approximately 117 indoor air samples from 56 different businesses and residences. The daycare facility in the area was also sampled and there were no detections of PCE or TCE. Mitigation actions have been taken to bring down the amount of PCE and/or TCE found in the indoor air of 13 businesses.

On September 14, 2016 two stand-alone air purifier units were installed in residences, and DTSC has started the process of designing sub-slab depressurization systems for five building locations, which are designed to prevent contamination from entering the indoor air breathing space. In the past week, DTSC also issued a start work order to begin the installation of about four permanent groundwater monitoring wells for assessing groundwater contamination.

Updates in the Community and Communicating Sampling Results

Between July 2015 and July 2016, the Public Participation Program carried out various outreach efforts. To present indoor air sampling results on four different days, DTSC staff had in-person conversations (in English and Spanish) with building owners, shop owners, and residents in downtown Delano. DTSC hosted two public meetings (English with Spanish interpretation available) in Delano discussing these same results. Other outreach efforts included:

- August 27, 2015 – DTSC hosted a public meeting at Delano High School. 24 Delano residents attended.
- March 2, 2016 – DTSC met individually with 42 people to discuss indoor air sampling results for each business and residence sampled earlier in the year.
- April 14, 2016 -- DTSC met individually with five people to discuss indoor air sampling results for each business and residence sampled earlier in the year.
- April 18, 2016 -- DTSC hosted a public meeting at Delano Technology Center. 16 Delano residents attended the gathering.
- June 30, 2016 – DTSC met individually with 31 people to discuss indoor air sampling results for each business and residence sampled earlier in the year.

More information is available on [DTSC's EnviroStor webpage for the Delano PCE Plume](#).

Exide Technologies, Vernon

Overview

DTSC issued a suspension of the facility's operation in 2013 and the facility has not operated since then. In February 2015, DTSC informed company officials that the Department would not grant Exide an operating permit. The facility then went into a formal closure process, and DTSC required the then-bankrupt company to fund sampling and cleanup activities in the community and set aside funding for the closure of on-site hazardous waste units.

On April 2016, the Legislature approved the Governor's \$176.6M plan for expediting and expanding testing and cleanup of residential properties, schools, day care centers, and parks; expanded community engagement; creating a workforce development and job training program for community residents; and promoting the use of local businesses and labor. The funding will allow us to sample approximately 10,000 residential properties within a 1.7-mile radius and clean up approximately 2,500 properties with the highest levels of lead and the highest risk of exposure. This area is known as the Preliminary Investigation Area (PIA), which includes areas of Boyle Heights, East Los Angeles, Commerce, Huntington Park, Bell, Vernon, and Maywood.

Corrective Action Studies Being Conducted

Exide is a Resource Conservation and Recovery Act (RCRA) site, with DTSC serving as the lead regulatory agency. Corrective action of the Exide facility is performed under a 2002 Corrective Action Consent Order. The Exide Facility was a battery recycling facility. From 1922 to 2014, lead smelting and metals processing operations occurred at the Facility. The facility is now closed and will be undergoing closure. Contaminants-of-concern at the Facility include: volatile organic compounds (VOCs), primarily

trichloroethene (TCE); and inorganics, primarily antimony, lead, arsenic, cadmium, and zinc. Elevated sulfate, inorganics, VOCs, and low pH (acidic) conditions also impact groundwater quality beneath the Facility.

On-site RCRA Facility Investigation (RFI) continues under the 2002 Corrective Action Consent Order. To date, over 250 shallow and deep soil borings, and 29 groundwater wells have been drilled on and adjacent to the Exide facility. DTSC received Exide's Soil Resource Conservation and Recovery Act Facility Investigation Report (Soil RFI Report) on February 19, 2016, DTSC completed an initial review of the Soil RFI Report and found it to be insufficient. DTSC is requiring data gap investigations before a Corrective Measures Study (CMS) can be completed. Under a Corrective Action Plan (CAP) Exide is required to clean streets and sidewalk on a regular basis. On August 12, 2016, DTSC received the Non-Residential Dust and Dirt (NRDD) Report from Exide. The NRDD sampling was performed in accordance with a DTSC directive in December 1, 2014 letter directing Exide to test dust and soils on commercial/industrial properties near the Exide Vernon facility. DTSC's is reviewing the NRDD Report.

In November 2013, soil sampling was conducted at residential properties in the general vicinity of the Exide facility in an area referred to as the Northern and Southern Assessment Areas. DTSC directed Exide to sample and clean all residential properties within the Assessment Areas. The residential soil sampling and removal work was completed in November 2015. Out of a total of 214 properties, a total of 195 residential properties were sampled at the property owner's request, and 186 properties were cleaned up.

Draft Closure Plan and Draft Environmental Impact Report (DEIR) Public Comments Under Review

In December 2015, DTSC issued a public notice opening the public comment period on Exide's proposed Draft Closure Plan and DTSC's DEIR for the Preliminary Investigation Area. DTSC held a public hearing during the 105-day public comment period which ended on March 28, 2016.

DTSC staff is currently reviewing all of the comments received during the public comment period, and is preparing a written Response to Comments, the Final Closure Plan, and the Final Environmental Impact Report. DTSC plans to submit the final documents in late October or early November 2016. Exide is required to implement the approved Final Closure Plan within 30 days of receiving notice from DTSC that the plan has been approved.

More information regarding closure and corrective action is available on [DTSC's EnviroStor webpage for Exide Permitting and Enforcement](#).

Residential Cleanup Compliance with the California Environmental Quality Act

DTSC published a Notice of Preparation for developing a Draft Environmental Impact Report (DEIR) in early June 2016. Notices of this action were mailed to property owners in the PIA and an additional buffer area outside of the PIA. DTSC held three Scoping Meetings to begin the California Environmental Quality Act (CEQA) process: June 25, 2016 in Huntington Park; June 30, 2016 in Commerce; and July 11, 2016 in Boyle Heights. At the meetings, DTSC explained the CEQA process and the proposed project to clean up residential properties, including schools, daycare centers, and parks with the highest concentration of lead in the soil and the greatest potential for exposure. DTSC heard many ideas from the public about the scope of this project.

A draft cleanup plan will be developed by DTSC and it will be subject to public comment for the properties identified for cleanup. It is anticipated that remediation of impacted soils would consist of soil excavation of approximately 18 inches in accessible areas using small construction equipment. DTSC intends to explore the feasibility of clustering the remediation and having multiple remediation crews operating simultaneously in order to expedite the cleanup. Therefore, the EIR will evaluate clustering of activities in a way that would minimize impacts to the community. DTSC's goal is to remediate approximately 2,500 properties within a year with available funds, resulting in an average of 50 properties per week.

The period to comment on any specific issues that may be of concern, including possible alternatives and mitigation measures, for consideration in the DEIR ended on July 18, 2016. DTSC is developing the DEIR and anticipates releasing the plan for public comment in December 2016.

More information regarding the residential sampling work the State is performing is available at [DTSC's EnviroStor webpage for Cleanup](#).

Nearly 3,000 Residential Properties Sampled as of September 2016

DTSC exceeded a department goal to sample 1,500 properties by June 30, 2016. Los Angeles County Department of Public Health also contributed to sampling efforts by testing 500 residential properties. DTSC has set a new goal of sampling the remaining properties by June 2017 and completing a final sampling report by September 2017.

This objective requires significant outreach with community members in order to gain permission to sample properties. As of September 17, 2016, over 50 DTSC employees have participated in 42 canvassing events throughout the PIA. DTSC's outreach efforts have also been supported by local youth, community groups, local governments, and state and federal elected officials.

As of September 15, 2016, the Department has sampled 2,936 properties and has 6,279 signed access agreements. In August 2016, DTSC selected two new contractors, Arcadis and EFI Global, to conduct for sampling of the remaining properties within the PIA.

Local Workforce Requirements and Training Program

DTSC recently announced partnerships with two academic and workforce training providers, Los Angeles Trade Technical College (LATTC) and the University of California Los Angeles Labor Occupational Safety and Health Program (UCLA-LOSH) for the first phase of its Workforce for Environmental Restoration in Communities (WERC). As part of the new contracts with the lead assessment contractors, DTSC included a 40% local hire requirement for trained residents from communities near the former Exide facility to perform sampling and assessment fieldwork.

Beginning in July 2016, LATTC started coordinating orientations and trainings with UCLA-LOSH, Thermo Fischer Scientific and NATEC International, Inc. for a limited number of students. Participants in the program completed the required trainings and graduated from the program on August 15, 2016. As of September 2016, 28 students have received job offers from the contractors working on the residential sampling. The next steps in the WERC program include expanding training on soil remediation, lead hazard control, interior home cleaning, landscaping, and health education.

Information about all activities is available at [DTSC's project webpage for Exide](#).

Industrial Zone, Pomona

The area referred to as the "Industrial Zone" in Pomona is an area that is zoned for industrial and commercial activities. Businesses such as metal and wood recycling, plastics, fiberglass and wood products manufacturing are typically regulated by the local Certified Unified Program Agency (CUPA), in this case the Los Angeles County CUPA. DTSC retains oversight authority over violations of the Hazardous Waste Control Law by facilities that are not otherwise subject to DTSC permitting, however, and can take enforcement action.

In response to concerns from communities and compliance issues discovered through statewide multi-media inspections in disproportionately impacted communities, DTSC developed an enforcement initiative in environmental justice communities focused on metal recycling and the transport of hazardous wastes. The Initiative was approved in the Budget Act of 2015-16. Concerns and complaints from community members led DTSC to prioritize Pomona for inspections as part of the Initiative. Over the past year, DTSC's Office of Criminal Investigations (OCI) has completed a series of inspections in the City of Pomona.

On January 21, 2016, DTSC inspected Pomona Scrap Metal, Inc. located at 1432 E. 1st Street, Pomona, in response to a complaint. OCI staff issued a Summary of Violations to Pomona Scrap Metal Inc. on January 21 for failure to obtain authorization from DTSC as a Certified Appliance Recycler and for failure to minimize the release of hazardous constituents into the environment. DTSC staff observed soil mixed with debris and metals on the ground generated from scrap metal recycling activities. A follow-up inspection was conducted on February 18, 2016 to collect additional information. This case has been referred to DTSC's Office of Legal Counsel for enforcement on violations identified during inspections conducted on January 21, February 18, and April 8, 2016.

On January 27, 2016, OCI staff inspected Mission Recycling located at 1341 E. Mission Blvd, Pomona, in response to a complaint. A follow-up inspection to obtain additional information was conducted on February 18, 2016. OCI is in the process of reviewing records and other information collected during the inspection. Violations were identified during inspections conducted on January 27 and February 8, 2016 and the case has been referred to OLC for enforcement. Mission Recycling has since closed and filed for bankruptcy.

On February 29, 2016, OCI staff inspected Recycled Wood Products located at 1313 E. Philips Blvd., Pomona. OCI staff are waiting for the receipt of ECL analytical laboratory results for samples collected at the site during the inspection. No violations were identified at this facility and the case is now closed.

On February 29, 2016, OCI staff inspected SA Recycling located at 1475 E. Franklin Ave, Pomona, in response to a complaint. OCI is in the process of reviewing records, sample results, and other information. This case has been referred to OLC for enforcement on violations identified during inspections conducted on February 29, April 8, and May 10, 2016.

On February 24, 2016, OCI staff inspected U Pick U Save located at 1560 E. Mission Blvd., Pomona, in response to a complaint. This case has been referred to OLC for enforcement on violations identified during inspections conducted on February 24 and April 4, 2016.

On April 5, 2016, OCI staff inspected In & Out Removal located at 1335 S. East End Ave, Pomona, in response to a complaint. This case is currently undergoing review by management.

Cal Spas, located at 1462 E. 9th Street, Pomona was inspected by the Los Angeles County CUPA on January 20, 2016. The CUPA identified minor violations which were subsequently corrected by Cal Spas. OCI staff reviewed the inspections and found no further violations.

Jordan Downs Redevelopment Project, Watts

The Housing Authority of the City of Los Angeles (HACLA) plans to rebuild the Jordan Downs public housing complex in the Watts neighborhood of Los Angeles and transform the area into a mixed-use, transit-oriented development with new homes, schools, parks, and other social facilities. HACLA purchased the 21-acre property at 9901 South Alameda Street for this project, known as the Jordan Downs Redevelopment Project, and entered into a voluntary agreement with DTSC in July 2010. As part of the project, the old buildings will be demolished for the new development. The first phase of demolition started on Friday August 12, 2016, which included four buildings.

Contaminated Soil Removal, Air Monitoring, and Ground Water Monitoring

Based on the investigation, the contaminants of concern found to exceed regulatory screening levels included metals (arsenic and lead), petroleum hydrocarbons, polychlorinated biphenyls (PCBs), naphthalene and trichloroethylene (TCE).

The approved Interim Remedial Action Plan (IRAP) calls for excavation and disposal of contaminated soil with confirmation samples to be collected from the excavation bottoms and sidewalls. The excavation and disposal of contaminated soil at the project is in its final stages.

Approximately 95% of contaminated soil was excavated and disposed of at various disposal sites, including a facility in south Yuma, Arizona, and the ChemWaste hazardous waste landfill in Buttonwillow. Air monitoring for dust will continue on-site even after the removal action and grading is complete. Air monitoring results for contaminants of concern have been below the Action Levels and mostly non-detect. The South Coast Air Quality Management District (SCAQMD) has installed two air monitoring stations in the surrounding residential community, one north of the property and the other west of the property. SCAQMD has been monitoring for dust and for contaminants of concern. Additionally, DTSC requested that HACLA conduct soil sampling during demolition of the existing housing buildings.

The Los Angeles Regional Water Quality Control Board (LARWQB) Water Board is remediating a fuel spill from broken pipelines in the area and DTSC is coordinating its further investigation with the board. As part of DTSC's efforts to discover other sources of contamination offsite, DTSC asked the LARWQB to add additional ground water monitoring wells to address contamination in accordance with an LARWQB agreement with Exxon. The wells were added and remediation of this petroleum contamination from a broken pipeline in the area north of the HACLA site is ongoing under the supervision of LARWQB.

Communication with the Community and HACLA

DTSC staff regularly attends community meetings in the Watts area and communicates with EJ groups and community members. In June 2015, DTSC staff attended the Jordan Downs Community Advisory Committee meeting to discuss the status of the excavation and the extended schedule and respond to community questions. In the fall of 2015, DTSC staff met with various community groups to discuss the progress of the excavation and the employment opportunities associated with the redevelopment work, and participated in a conference call with the People's Senate representatives. Additional public outreach activities include:

- On November 12, 2015, DTSC attended a meeting HACLA hosted with the Jordan Downs EJ Coalition, where DTSC committed to coordinate a monthly call with members of the coalition and DTSC staff. These conference calls occurred only in December and January 2015, and March 2016, as requested by the Jordan Downs EJ Coalition.
- On December 1, 2015, DTSC mailed a Work Notice announcing the extension of the excavation activities until spring 2016
- On March 8, 2016, DTSC staff attended the Watts Neighborhood Council meeting and provided a briefing on off-site sampling results.
- In May 2016, DTSC made a presentation to the HACLA board about the investigation of the site and off-site no further action determination regarding residential area sampling. DTSC staff also attended the Jordan Downs Community Advisory Committee meeting and provided briefings on the status of the excavation.
- On July 8, 2016, DTSC met with members of the Jordan Downs EJ Coalition regarding their coalition's x-ray fluorescence (XRF) soil testing of Jordan Downs yards and their results. DTSC is committed to work on providing training on the XRF equipment and conducting regular briefing conference calls.
- On August 19, 2016, advocates for the Jordan Downs community met with the DTSC Director in conjunction with Physicians for Social Responsibility Los Angeles and discussed questions and concerns about the site.

Requiring HACLA to Perform Further Sampling during Demolition

In response to community concerns from the Jordan Downs EJ Coalition about potential lead contamination near the Jordan Downs residential area, DTSC submitted a letter to HACLA on August 5, 2016, stating, "The Department of Toxic Substances Control is aware that there are additional data that suggest elevated concentrations of metals may be present at the Jordan Downs Housing site that could pose a risk to human health, particularly vulnerable populations such as children. Therefore, we are advising you to conduct sampling for metals, including lead and arsenic, during the housing demolition phase of the Jordan Downs development project. This sampling can be conducted by XRF instruments with confirmation laboratory sampling and analysis. Results of the

sampling will indicate the appropriate response action that needs to occur.” HACLA has agreed to perform this sampling work and will submit the results to DTSC for review.

More information is available on [DTSC’s EnviroStor webpage for Jordan Downs Redevelopment Cleanup](#).

Kettleman Hills Hazardous Waste Landfill, Kettleman City

DTSC continues the permit renewal application review process for the Kettleman Hills Landfill, in addition to oversight of the Landfill Unit B-18 expansion construction. DTSC staff conducted regular field site visits to oversee construction activities associated with the landfill expansion. DTSC has reviewed and approved the Construction Quality Assurance reports for the landfill expansion.

The permit conditions for the Class 3 permit modification for the expansion include implementing a design for a spill isolation and containment system for sampling platforms and to add a fourth air monitoring station. DTSC reviewed and approved the design for the spill isolation and containment system for sampling platforms as well as the design and location of the 4th air monitoring station as part of the new Air Monitoring Plan. Since then, DTSC has conducted field site visits to oversee construction activities to meet those two permit conditions. DTSC staff continues to review all environmental monitoring reports.

The current permitting maintenance-sampling analysis was approved in October 2015. DTSC is currently reviewing the Part B Permit Renewal Application and is in the technical review phase. Enforcement conducted an inspection at Chemical Waste Management (CWM) on February 9-10, 2016 and issued a summary of violations for the following minor violation: Code Section: CCR, T22, 66262.20 (a) Violation: Failed to enter a California waste code in Box 13 of manifest 005581119JJK
CWM Corrective Action Response: Corrected the violation on February 2016.

Continued Annual Public Meetings

DTSC staff has taken steps to maintain public engagement including, but not limited to, requiring the facility to hold annual meetings to explain to community members the sampling results of the monitoring programs. The first annual meeting was held in April 2016. Since July 2014, DTSC has been reviewing the facility’s application to renew the Hazardous Waste Facility Permit.

Settlement Agreement Reached on Civil Rights Complaint

As described in the first section of this update letter (page 18), a landmark civil rights agreement was reached on August 10, 2016 between the State (DTSC and CalEPA)

and Greenaction for Health and Environmental Justice (Greenaction) and El Pueblo/People for Clean Air & Water of Kettleman City (El Pueblo) to resolve a civil rights complaint regarding DTSC's 2014 decision to approve a permit to expand the Kettleman Hills hazardous waste landfill. The agreement is the first voluntary resolution jointly developed by state agencies and community groups under Title VI of the federal Civil Rights Act, which prohibits discrimination on the basis of race, color or national origin in any programs or activities receiving federal financial assistance. The agreement contains provisions designed to improve public health and environmental quality for people in Kettleman City. DTSC has agreed to help facilitate Greenaction and El Pueblo's efforts to conduct a community-based public health assessment, improve third-party and community-based environmental monitoring, and establish an asthma intervention program for residents of Kettleman City.

In addition, the agreement aims to enhance the transparency and rigor of DTSC's compliance with civil rights laws. The agreement describes factors related to environmental justice that DTSC will consider when reviewing Chemical Waste Management Inc.'s pending application to renew its operating permit for the Kettleman Hills landfill and any expansion application, if submitted within 3 years. The Department will comply with applicable state and federal civil rights requirements during its permitting process for hazardous waste disposal facilities and during regulatory oversight of facilities under its jurisdiction. The Department will also adopt policies to create a framework for more fully incorporating civil rights considerations, meaningful public participation and language access in its decision-making processes.

In addition to [DTSC's EnviroStor webpage](#), more information is available on [DTSC's project webpage for the Kettleman Hills Facility](#).

Occidental of Elk Hills, Tupman

The 47,000-acre site is also known as the former Naval Petroleum Reserve No. 1 (NPR-1) site. The bulk of the site was owned by Department of Energy (DOE) until 1998 when it was sold due to Congressional mandates. The buyer was Occidental Petroleum. California Resources Corporation, as a successor to Occidental Petroleum, became the owner of this active oil and gas field in 2015. DOE entered into a Corrective Action Consent Agreement with DTSC in 2008. Since late 2008, work at the site has focused on completing assessment work at the 131 Areas of Concern (AOCs) at the site. The AOCs include surface scatters, landfills, above- and below-ground storage tanks, gas plants, well pads, surface spills, catch basins, and sumps.

Public Outreach

On October 20, 2015, DOE, in conjunction with DTSC, held a public meeting. DOE representatives provided an update to the public on the status of the cleanup activities

at the former NPR-1. Additional outreach activities have been scheduled for the fall of 2016, which are the public-noticing of three Removal Action Work Plans and the associated public review and comment process. The related fact sheets for these Work Plans will be sent to over 1,000 people on the site mailing list. A Public Notice will also be placed in local newspapers. These Work Plans are scheduled for implementation at the beginning of 2017.

Ensuring Tribal Concerns Are Addressed

In 2015, DTSC approved three cleanup plans and ensured that public participation and tribal concerns were addressed. One of the approved cleanup plans was for a burn dump adjacent to an elementary school and DTSC staff were able to expedite the cleanup plan approval so that the cleanup could be implemented at a time when children were not present (August 2015). The other two cleanup plans were implemented during early 2016. DTSC staff reviewed and approved over 14 RCRA Facility Investigation and Technical Work Plans for needed assessment work. DTSC staff reviewed and approved over 11 RCRA Facility Investigation Reports and other Site Characterization Reports. DTSC staff issued No Further Action determinations for 15 AOCs. On October 20, 2015, DTSC staff attended a public meeting organized by the DOE and briefed stakeholders. At DTSC's request, DOE representatives have complied and are complying with the requirements of Section 106 of the National Historic Preservation Act of 1966. DOE's tasks associated with these requirements included the following: consultations with several interested tribal representatives; providing the 40-hour Health and Safety training to nine members of the Tejon Indian Tribe; and the hiring of project monitors from the Tejon Indian Tribe to observe soil disturbance activities.

More information is available on [DTSC's EnviroStor webpage for Occidental of Elk Hills](#).

Phibro-Tech, Inc., Santa Fe Springs

The Phibro-Tech, Inc. (PTI) hazardous waste facility is located at 8851 Dice Road in Santa Fe Springs, Los Angeles County (Facility). PTI operates an inorganic chemical manufacturing facility that also treats/recycles inorganic hazardous waste. PTI receives wastes such as etchants, metal slurries, and corrosive wastes, from off-site generators and treats them at the Facility by reclaiming metals and inorganic chemicals, which PTI then sells. PTI also produces etchants from non-waste (virgin) materials in a separate portion of the Facility. PTI was issued a permit to operate a hazardous waste facility in 1991, which was scheduled to expire in 1996. PTI applied to DTSC for a hazardous waste permit renewal and by operation of law is allowed to continue operating under the terms of the expired permit. The existing permit will remain in effect until DTSC reaches a final decision on the permit renewal application.

Actions to Address Contamination

In 2012, DTSC requested PTI to submit a revised plan to formally close a hazardous waste area referred to as Pond 1. PTI submitted a revised closure plan in 2012 and was required to revise its closure plan several times to address DTSC's comments. On June 7, 2016, DTSC approved a revised closure plan for Pond 1 and modified PTI's permit, requiring that PTI begin closing Pond 1 within six months of the effective day of July 12, 2016. PTI appealed that decision, and DTSC's Permit Appeal Officer stayed DTSC's permit decision. That permit appeal is currently pending with DTSC's Permit Appeal Officer.

In response to DTSC's Corrective Action Consent Order, PTI prepared and submitted two health risk assessments. One evaluated potential adverse health impacts resulting from the day-to-day operations at PTI. The other evaluated potential impacts from past releases of hazardous waste or hazardous constituents at PTI. DTSC approved the Current Operations Health Risk Assessment on January 15, 2015 and the Human Health Risk Assessment for Historic Releases to Soil and Groundwater on February 4, 2015. These health risk assessments determined that the chemicals, processes and cleanup of contaminated soils do not pose a significant health risk to the surrounding residential population. Risks to future onsite commercial workers of exposure to contaminants in soil may exceed the acceptable risk range if the site were to be redeveloped for commercial use such as offices, without further remediation. Accordingly, some remediation of contaminants in soil at the site or other form of risk management would be required to reduce the risk to future commercial workers prior to such redevelopment. The Current Operations Health Risk Assessment also identified a small risk to current offsite commercial workers due to diesel particulate emissions exhaust from trucks going to and from the facility.

DTSC also took action to address onsite contamination at PTI. In May 2015, DTSC required the company to, among other things, submit a work plan to remediate hexavalent chromium in the vadose zone (the area below the ground surface but above ground water). On December 15, 2015, DTSC launched a public comment period for PTI's Proposed Interim Measure Work Plan for public review and comment. The Interim Measure work plan addressed cleanup of hexavalent chromium in soil near a former underground chromic acid tank at the facility. The proposed cleanup would involve injection of chemicals into the ground to convert the hexavalent chromium to non-toxic trivalent chromium.

DTSC held a public hearing in Santa Fe Springs in January 2016 to accept public comments on the proposed work plan to implement the Interim Measures to address the contamination, as well as on the DTSC-initiated permit modification and closure plan for Pond 1. The public comment period was open for 60 days: from December 15, 2015 to February 15, 2016. DTSC published the notices in Spanish and English in local

newspapers and on radio stations. DTSC also mailed out community updates in Spanish and English. Spanish translators were on hand at the meeting to assist residents needing a translator. DTSC approved the Interim Measure Work Plan, and the Revised Pond 1 Closure Plan, and modified PTI's permit on June 7, 2016.

Status of PTI's Permit Renewal Application

PTI submitted its initial permit renewal application in January 1996 and a revised application in 2006 that sought to add authorization to treat oily water. In March 2010, DTSC issued a draft permit for public review and comment, and received more than 300 comments from the public and other stakeholders, many of which cited concerns about the facility's enforcement history, health risks, and groundwater contamination. Since then, DTSC has been working to resolve those concerns.

In August 2014 DTSC directed PTI to submit a revised permit renewal application, with additional information, and informed PTI that if the submission was substantially incomplete or substantially unsatisfactory, DTSC would initiate permit denial proceedings under California law. PTI has submitted revised permit renewal applications in response to DTSC comments.

Also, on December 18, 2015, PTI submitted a Class-2 permit modification request, requesting authorization to construct and install four hazardous wastewater tanks and a filter press to replace similar equipment (in different locations) at the Facility and to increase the storage area (but not the amount of waste stored) at two existing hazardous waste container storage units. PTI noticed a public comment and review period from December 22, 2015 to February 22, 2016, and held a public meeting on February 3, 2016. On April 29, 2016, DTSC requested additional information and clarification from PTI on various issues in the Class 2 permit modification application. DTSC is reviewing both PTI's permit renewal and Class 2 permit modification applications.

Recent Inspections

DTSC inspects the Facility on a regular basis for compliance with California laws, regulations and its hazardous waste facility permit. DTSC conducted a compliance evaluation inspection (CEI) and follow-up inspection of PTI in 2015 and found numerous violations, including making false representations in their operating record, storing hazardous waste in unauthorized areas, and operating unpermitted treatment and storage units. DTSC currently has an enforcement action pending against PTI for prior violations, and is actively working to ensure that PTI operates in full compliance with all applicable laws, regulations and requirements.

The compliance evaluation inspection CEI included several site visits from June 2015 through November 2015. The follow-up inspection was conducted in December 2015.

These inspections resulted in the issuance of two Summaries of Violation and an Addendum Summary of Violations, and identified ten Class I violations and four Class II violations.

The report was provided to PTI in July 2016, and will become a public document unless PTI successfully asserts that all or portions of it are trade secret. The two Summaries of Violation and the Addendum are public documents and are available for review on [DTSC's EnviroStor webpage for Phibro-Tech, Inc.](#)

Quemetco, Inc., City of Industry

Quemetco, Inc. is an active, off-site Hazardous Waste Storage Treatment and Disposal Facility (secondary lead smelter) and Hazardous Waste Transporter located at 720 South Seventh Avenue in the City of Industry. The facility has operated at this location since 1959. Quemetco operates under a Hazardous Waste Facility Permit, issued by the Department in 2005. Hazardous waste facilities like Quemetco must renew their permits every 10 years. By law, they must apply for a renewal no later than six months before the permit expires. Quemetco filed a timely renewal application in March 2015 and it is under review. Under state and federal law, all permit requirements remain in effect while the review is underway. Quemetco also has a permit from South Coast Air Quality Management District.

Residential Sampling and Public Engagement

In March 2016, DTSC approved Quemetco's [Revised RCRA Facility Investigation Workplan](#), which outlines the company's plan to determine the extent of lead contamination in the soil in the immediate perimeter of the facility, and in the surrounding community. This [soil testing](#) is underway and individual results will be shared privately with property owners on a rolling basis. Summary test results will be publicly available when there are sufficient numbers of data points to ensure that the information can be provided in aggregate without compromising the privacy of any individual property owners. In addition, all locations that were sampled as part of previous investigations, [such as the 2013 study](#), will be resampled and the results compared.

Since 2015, DTSC has engaged with the communities of La Puente – Avocado Heights regarding the investigation (through the Clean Air Coalition (CAC) of North Whittier/Avocado Heights), and the Hacienda Heights Improvement Association (HHIA). DTSC staff has attended and provided updates to the communities at meetings held by these organizations. In addition, DTSC has attended City of Industry City Council meetings and Hacienda La Puente Unified School District meetings to provide updates about the ongoing investigation, answer questions, and listen to feedback. On April 27, 2016, DTSC hosted an Open House/Informational meeting with approximately 200

people in attendance—this meeting allowed residents to ask questions and get answers regarding the soil investigation.

DTSC holds regular monthly update meetings with representatives of elected officials and participates in monthly conference calls with interagency staff including the SCAQMD and the Regional Water Quality Control Board. In addition, DTSC conducts weekly calls with Los Angeles County Department of Public Health. On August 31, 2016, DTSC held a follow-up informational meeting with about 200 people in attendance. At this meeting, attendees heard from DTSC's Cleanup team, Permitting team, and Enforcement team. The next informational meeting is slated for late Fall 2016.

As of September 9, 2016, 132 residential properties have been sampled and approximately 6,100 soil samples have been analyzed in the field with an X-ray fluorescence analyzer (XRF) and more than 600 soil samples have been taken to an accredited laboratory for analysis of metals. There are 368 homes within a quarter mile of the facility. Of those:

- 155 access agreements from residential properties have been obtained
- 132 have been sampled or are being scheduled for sampling
- 15 refused sampling
- 8 are pending a response

More than 230 soil samples were collected and analyzed from the public right of ways, creeks, catch basins, drainages and from the Quemetco property. Eleven samples located within the Quemetco property or in the immediate vicinity of the facility had concentrations of lead above 1,000 ppm.

Sampling of the commercial properties will be conducted upon completion of the residential properties sampling. DTSC has provided oversight for the soil sampling activities and field personnel are the key contacts for the public to address any questions they may have. The tenant and/or owner of the property are encouraged to ask questions of the sampling team and get preliminary verbal results from the XRF.

Background Sampling Work Plan and Plan for Source of Lead Study (Fingerprinting)

Quemetco's contractors are revising a background sampling work plan and plan to study and identify the source of lead found in the sampling. Both documents require DTSC approval before Quemetco can proceed with implementation.

Permit Renewal Application Under Technical Review

In June of 2015, the Permitting Division issued a public notice to the 4,168 individuals on the mailing list established for Quemetco. The purpose of the notice was to

announce that Quemetco's permit renewal application was received and is currently under review by DTSC. The notice also stated that the public may view the application at the LaPuente Library located at 15920 Central Avenue in La Puente, California. The notice identified who at DTSC to contact with any questions.

On June 23, 2016, members of the Permitting Division attended a highly publicized public meeting hosted by the SCAQMD regarding Quemetco and made themselves available after the meeting to answer any questions regarding the permit renewal. Since then, we have done additional public outreach. In particular, a joint informational meeting with the Cleanup and Enforcement Programs was held on August 31, 2016 at the Hacienda Heights Community Center located at 1234 Valencia Avenue in Hacienda Heights, California. The permit renewal application is still under technical review.

Update on Enforcement Actions

Quemetco operates the following hazardous waste management units: a Hazardous Waste Storage Area, a Wastewater Treatment Plant; two smelting units: a Reverberatory Furnace and an Electric Arc Furnace. The facility recycles used lead acid batteries, lead bearing materials and hazardous waste into elemental lead blocks. Approximately 10 million batteries are recycled at the facility annually. In 2008, the facility installed a Wet Electrostatic Precipitator (WESP), where all process point sources are exhausted.

Since 1999, DTSC has completed 22 physical inspections of the facility and 14 financial assurance reviews. Excluding the most recent inspections, five "Class 1" violations, 15 "Class 2" violations, and eight "Minor" violations were noted. The most recent Compliance Evaluation Inspection (CEI) commenced on May 26, 2016 and concluded on July 15, 2016. During the course of inspection three Summary of Violations were issued dated: June 20, 2016, July 12, 2016 and July 15, 2016 respectively. One "Class 1" violation, six "Class 2" violations and one "Minor" violation were noted.

The Department issued an Enforcement Order to the facility on July 25, 2016 requiring the facility to cease depositing additional hazardous waste or other lead-bearing material in its Containment Building until the noted issue is resolved. Quemetco filed an appeal of the Order, and its implementation was stayed pending a hearing. In addition, the facility was ordered to completely enclose the Containment Building to prevent any releases of hazardous waste.

More information is available on [DTSC's EnviroStor webpage](#) and on [DTSC's Project webpage for Quemetco, Inc.](#)

Santa Susana Field Laboratory, Simi Valley

The Santa Susana Field Laboratory (SSFL) is 30 miles northwest of downtown Los Angeles in southeastern Ventura County, near the crest of the Simi Hills at the western border of the San Fernando Valley. A former rocket engine test and nuclear research facility, the 2,849-acre field laboratory is currently the focus of a comprehensive environmental investigation and cleanup program overseen by DTSC. Soil at various areas on the site is impacted by cleaning solvents, metals, combustion by-products and radionuclides.

The parties responsible for cleanup are the National Aeronautics and Space Administration (NASA), the United States Department of Energy (DOE) and The Boeing Company (Boeing). DTSC works with other State regulatory agencies (e.g., Los Angeles Regional Water Quality Control Board, California Department of Public Health, California Fish & Wildlife), and external consultants and academic subject matter experts to ensure the best recommendations and decisions are made. This project has a high level of interest from various community groups and organizations and DTSC has made education and community engagement high priorities.

Update on Soil and Groundwater Investigations

The three Responsible Parties have completed gathering data from soil investigations. Boeing has been submitting reports on an ongoing basis. DOE anticipates submittal of their last soil-related report in late 2016/early 2017. NASA's revised Final Soil Data Summary Report is due in late 2016. Soil data is being used for soil remediation planning. NASA also completed pre-remediation demolition on NASA property.

Cleaning solvents have impacted groundwater and for the last several years, the three Responsible Parties characterized the groundwater. The work is mostly complete and the data is being evaluated. Results will be presented in a Site-wide groundwater Resource Conservation and Recovery Act Facility Investigation (RFI) Report drafted by the responsible parties. When approved by DTSC, the groundwater RFI Report will be used for remediation planning. Site-wide groundwater treatability studies are ongoing.

California Environmental Quality Act (CEQA) and Community Outreach

DTSC's draft Programmatic Environmental Impact Report is in preparation, and anticipated to be available for public review in late 2016. DTSC produces monthly updates, holds biannual update meetings, and responds to community inquiries.

Enforcement Update

In 2016, DTSC conducted a compliance inspection. No violations of hazardous waste laws, regulations, or requirements were found. However, DTSC is still reviewing compliance information with respect to manifests generated onsite.

In addition to the [DTSC EnviroStor webpage](#), community updates and more information are available on [DTSC's project webpage for the Santa Susana Field Laboratory](#).