

NOTICE OF EXEMPTION

To: Office of Planning and Research
State Clearinghouse
P.O. Box 3044, 1400 Tenth Street, Room 212
Sacramento, CA 95812-3044

From: Department of Toxic Substances Control
Northern California Permitting and Corrective
Action Branch

8800 Cal Center Drive

Sacramento, CA 95826

Project Title: Renewed Post-closure Permit for Chemical Waste Management Bakersfield

Project Location – Specific: 27001 Round Mountain Road; 13 miles approximately northeast of Bakersfield.
(35 32' N, 118 55' W)
(Lot 2 of the northern 1/2 of Section 2, T28S, R28E, Mount Diablo Base and Meridian)

Project Location – City: Unincorporated **Project Location – County:** Kern

Description of Project:

This project is the issuance of the second post-closure permit for the Chemical Waste Management Bakersfield Facility.

Background

The Chemical Waste Management Bakersfield Facility is a closed 150 acre site which was used for the disposal of Class II-1 designated wastes. These wastes consisted of liquid, semi-solids, and solid wastes which were predominantly generated from local oil field exploration and production. Commonly accepted wastes included oily wastes, oil field drilling muds, and oil field scrubber wastes. Constituents in these wastes generally contained elevated levels of metals, as well as hydrocarbons, biocides, and some organic solvents.

The Chemical Waste Management Bakersfield Facility was opened in 1973 by the MP Oil Company. In 1981 Chemical Waste Management purchased the Facility and continued waste disposal operations until October 1985. After closure of the Facility, disposed wastes were left in place, and in 1987, closure construction work designed to contain these wastes was completed. Closure construction work included stabilization of liquids and sludges in all surface impoundments, consolidation of contaminated material from unmanaged areas into designated waste management units, grading for placement of a closure cover, placement of the closure cover, construction of drainage and erosion control features, and vegetation of the closure cover. The closure cover was installed on approximately 91 acres of the Facility and included 18 inches of compacted clay and 15 inches of top soil. In March 1989, the closure plan was certified complete. In April 1991, the California Department of Health Services issued a 10-year post-closure permit to conduct regular oversight, environmental monitoring, maintenance, and to provide for financial assurance to fund these activities for the closed Facility. The April 1991 post-closure permit expired in 2001.

Project Activities

Issuance of the second 10-year post-closure permit will provide for improvement to and maintenance of the Facility's closure system. This closure system is designed to isolate wastes left in place in the disposal areas identified in the following table. These disposal areas include nine surface impoundments, two landfills, and a land spreading area.

Disposal unit type	Unit name	Capacity
Surface impoundment	P-1	3,400,000 gallons
Surface impoundment	P-2	5,300,000 gallons
Surface impoundment	P-3	5,100,000 gallons
Surface impoundment	P-5	5,000,000 gallons
Surface impoundment	P-6	3,000,000 gallons
Surface impoundment	P-7	3,500,000 gallons
Surface impoundment	P-1W	3,700,000 gallons
Surface impoundment	P-2W	3,800,000 gallons
Surface impoundment	P-3W	400,000 gallons
Landfill	B-1	500,000 cu yards
Landfill	B-1W	100,000 cu yards
Spreading area	S-1	--

The new post-closure permit provides for the following maintenance and operations: (1) annual site inspections, and repair if needed, of the closure cover vegetation, holes in closure cover, subsidence, fencing and gates, groundwater monitoring wells, and leachate collection risers, surface drainage structures; (2) monthly leachate measurement and removal if necessary; (3) annual site inspections and reporting completed by an independent professional engineer; (4) semi-annual groundwater monitoring and reporting and semi-annual leachate monitoring and reporting; (5) post-closure financial assurance to complete all components of post-closure operations and maintenance.

The new post-closure permit will additionally include conditions to address a 30-year post-closure care period starting in 2006, and conditions which address deficiencies identified with the Facility's closure system during the term of the site's first post-closure permit. These permit conditions will require the Facility to provide:

- Revised financial assurance equal to a 30-year cost estimate approved by DTSC for all elements of post-closure care. The CWM Bakersfield post-closure permit will include a DTSC derived 30-year cost estimate. Should CWM not provide an alternate cost estimate which is deemed adequate by DTSC, CWM shall use the cost estimate provided by DTSC. Revised financial assurance based on a DTSC approved 30-year cost estimate for all elements of post-closure care shall be submitted within 60 days from the effective date of the permit.
2. Engineering plans and specifications to reconstruct the closure cover to original design specifications that meet regulatory requirements. These plans and specifications should specify a cover that includes the following components or their equivalent: a low hydraulic conductivity layer consisting of 24 inches of compacted clay and a geomembrane of a minimum thickness of 60 mil, a drainage layer, a biotic barrier layer, and a top soil layer of at least 24 inches. Plans and specifications must be submitted within 90 days from the effective date of the permit. Construction shall begin within 30 days of plan approval and must be complete within 180 days of initiation.
3. A cost estimate and financial assurance for cover reconstruction. This cost estimate will be included in the approved 30-year cost estimate which addresses all elements of post-closure care. The revised cost estimate and financial assurance for cover reconstruction shall be submitted within 60 days from the effective date of the permit.
4. Monthly leachate measurements and quarterly leachate production reports that document monthly rainfall.
5. A survey plat which shows the exact boundaries of the current closure cover and all disposal areas superimposed on a parcel map. The survey plat shall be submitted within 90 days from the effective date of the permit.

Fencing around the Facility should be maintained at all times, however, there are instances where cattle have been found inside the Facility perimeter. Therefore, the following condition will also be included in the CWM Bakersfield post-closure permit. The Facility shall provide:

6. Plans and specifications to repair and upgrade fencing to effectively prevent cattle from entering the premises. Plans and specifications shall be submitted within 60 days from the effective date of the permit. Construction shall begin within 30 days of plan approval and should be complete within 180 days of initiation.

Failure to implement these permit conditions will result in revocation of the post-closure permit under Health and Safety Code section 25186 and/or an enforcement action under Health and Safety Code section 25189.

Name of Public Agency Approving Project: Department of Toxic Substances Control

Name of Person or Agency Carrying Out Project: Chemical Waste Management, Inc.

Exempt Status: *(check one)*

Ministerial (Sec. 21080(b)(1); 15268);

Declared Emergency (Sec. 21080(b)(3); 15269(A));

Emergency Project (Sec. 21080(b)(4); 15269(b)(c));

Categorical Exemption. State type and section number: Title 14, Cal. Code Regs., section 15301

Statutory Exemptions. State code number: _____

General Rule (Sec. 15061(b)(3))

Exemption Title: Minor Modifications to an Existing Facility

Reasons Why Project is Exempt:

- The Facility is not listed on the Hazardous Wastes and Substances Sites List pursuant to Government Code 65962.5.
- Closure cover renovation work initiated through approved plans will be addressed under a separate CEQA process and will require a permit modification in accordance with the California Code of Regulations, title 22, chapter 20, article 4. Until such time, the second post-closure permit activities will be limited to normal post-closure care.
- Upon completion of potential renovation work initiated through approved closure cover renovation plans, project activity will return to normal post-closure care.
- The post-closure permit ensures no significant environmental impact through:
 - The permit conditions listed above which require CWM to address all deficiencies identified with the Facility's closure system during its first post-closure permit.
 - Established environmental monitoring will provide early evidence of any releases of hazardous wastes and requires notification of the State if this should occur. The continued environmental monitoring and reporting will also ensure established water quality standards are achieved. Post-closure groundwater monitoring data to date do not provide evidence of significant impact to local groundwater.
 - Minimization of biological resource interaction with the Facility through:
 - site inspections
 - maintenance of security fencing
 - placement of biological barriers in preferential burrowing areas when identified

- maintenance of the closure cover
- Post-closure maintenance limits the possibility of future soil erosion and loss of topsoil through revegetation as necessary.
- Existing drainage structures ensure proper runoff control without adversely increasing drainage to downstream locations. The post-closure permit provides for maintenance of drainage and runoff controls.

Scott Ward

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Lead Agency Contact Person

Phone #

//original signed by//

✓ DTSC Branch Chief Signature

6/18/07
Date

James M. Pappas, PE,
DTSC Branch Chief Name

Chief, Northern California Permitting and
Corrective Action Branch
DTSC Branch Chief Title

TO BE COMPLETED BY OPR ONLY

Date Received For Filing and Posting at OPR: _____