



The Dow Chemical Company
Continental Operations
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September 28, 2006

Mr. Vu T. Nguyen
Department of Toxic Substances Control
Permitting Division/Southern California Permitting Branch
1011 North Grandview Avenue
Glendale, CA 91201

**RE: PROPOSED MODIFICATIONS TO CLOSURE PLAN AND REQUEST FOR
CLASS 2 PERMIT MODIFICATION FOR THE DOW CHEMICAL
COMPANY, TORRANCE FACILITY (CAD009547050)**

Dear Mr. Nguyen,

The purpose of this letter is to notify the Department of Toxic Substances Control (DTSC) of The Dow Chemical Company's (Dow's) plans to allow the RCRA Part B Permit (Permit) for the Dow Torrance Facility (CAD009547050) to expire without seeking renewal and to begin closure of each of the permitted units. In order to proceed with closure of the permitted units, Dow has also revised their Closure Plan and has created a project specific health and safety plan per DTSC's request and is enclosing them for DTSC's review and approval. As requested by DTSC, Dow hereby requests to proceed with the modifications to the Closure Plan as a Class 2 permit modification. Upon DTSC's approval of the revised Closure Plan, Dow will proceed with closure activities.

As previously noted, Dow received DTSC's Call-In Letter for the Hazardous Waste Facility Permit Renewal dated October 27, 2005. DTSC requested in this letter to hear from Dow regarding their plans to either renew or close the Permit by January 28, 2006. Dow responded to this request in a letter dated November 22, 2005 which indicated Dow's intent to allow the Permit to expire and begin closure activities. The November 22, 2005 letter from Dow also included a revised Closure Plan detailing the closure steps for each of the permitted units.

As you know, the permitted units consist of two boilers (process heaters), a storage tank, and a container storage area. Dow's plan is that the boilers will no longer treat hazardous waste and instead will be fired using natural gas, as they have since March 1992. Storage tank T-307 and the container storage area are now managed and will continue to be managed as less than 90 day hazardous waste generator units.

During a meeting with Dow on March 10, 2005 to discuss the permit closure process, DTSC recommended that Dow review their closure plan and modify it as needed to bring it up to date. The original closure plan was completed in 1992 as part of Dow's RCRA Part B Permit Application (Revision 3, dated December 10, 1992). Dow completed this review and modified the Closure Plan accordingly. In Dow's above referenced letter to DTSC dated November 22, 2005 Dow submitted the revised Closure Plan and requested permission from the DTSC to proceed with the revisions as a Class 1 Permit Modification. DTSC responded to this request in a letter to Dow dated April 27, 2006 and denied Dow's request for a Class 1 permit modification, indicating that the "significant changes" in the revised Closure Plan constitute a Class 2 permit modification.

DTSC sent Dow a Notice of Deficiency (NOD) letter dated July 17, 2006 for the revised Closure Plan. The NOD provided specific comments on the revised closure plan and requested that Dow make several corrections and re-submit the Closure Plan.

Dow has revised the closure plan a second time to address DTSC's comments as outlined in the Notice of Deficiency letter to Dow dated July 17, 2006. Dow has also completed a project specific health and safety plan to cover the closure activities. Two copies of the revised closure plan and the health and safety plan are included to facilitate DTSC's review. The major changes from the original Closure Plan from Section XI of Dow's RCRA Part B Permit Application can be summarized as follows:

1. Revision of the Closure Plan to follow the format presented and to add the details required in the *Permit Writer Instructions for Closure of Storage and Treatment Facilities* (DTSC October 2001).
2. Addition of text that Dow anticipates converting T-307 and the container storage area to <90-day generator units or to service where they will no longer manage hazardous wastes after closure.
3. Removal of hazardous waste storage tank T-41 from the text. Dow closed this tank in 1995. Dow notified DTSC of the planned closure of this tank in a letter to Ms. Christine Brown dated March 29, 1995. Dow completed closure activities for T-41 in September 1995 and submitted a closure report dated November 29, 1995 to DTSC in a follow-up letter to Ms. Brown dated December 13, 1995. DTSC approved closure of the tank in a letter to Dow dated September 17, 1996. Dow's remaining permitted units include hazardous waste storage tank T-307, the container storage area, and boilers U-304 and U-305.
4. Deletion of all language indicating that wastes will be burned in the boilers prior to closure activities. Dow plans to continue to send all waste to off-site TSDFs for treatment, including wastes generated prior to and during closure activities.

5. Adding two steam cleanings to the decontamination procedure for tank T-307 following the triple solvent rinse. This will help to ensure complete removal of hazardous waste constituents.
6. Defining the wipe testing locations for the boilers. These are two locations at each boiler just inside the firebox at the port where the waste fuel guns were inserted during hazardous waste burning. These are the most likely locations for waste residues to be present.
7. Defining wipe sample areas as 100 cm² with the wipes to include two perpendicular wipes at each location. This applies to the wipe testing at the boilers and for T-307.
8. Moving one soil/core sampling location at the T-307 and container storage area secondary containment slabs to the sump locations and scaling back on the number of sampling locations at each area. The rationale behind this is that significant spills would accumulate in the sumps and therefore impacts to the concrete or asphalt and soil beneath these units would most likely be found at the sump locations.
9. Scaling back the number of soil/core sampling locations on the boiler secondary containment area from 12 to 9. The three sampling locations identified in the original Closure Plan along the east side of the area are far from the boilers and waste handling locations and are thus unnecessary.
10. Moving the locations for background soil samples for the container storage area from the corners of the container storage area to the recreational portion of the facility (softball field and picnic area). Samples from this area should be more representative of background since process operations have not been historically conducted there.
11. Moving the soil sampling intervals from each unit area from the 0-6 inch and 6-12 inch intervals to the 12-18 inch and 18-24 inch intervals. This will help to avoid impacts from the oily materials found in asphalt coatings and will also help ensure that native soils are sampled instead of fill materials, which tend to be more porous and permeable.
12. Inclusion of soil sampling using EPA Method 5035 (Encore) for soil samples to be analyzed for volatile organic compounds (VOCs).
13. References to application of environmental and human health risk-based standards to clean closure rather than "non-detect" laboratory results.

As discussed in our meeting on March 10, 2005, Dow previously removed the hazardous waste piping from T-307 to the boilers in 1998 during a process control upgrade to the boilers. This upgrade was completed under the oversight of the DTSC as a Class 1 Permit Modification. Dow notified DTSC of this planned modification in a letter to Ms. Christine Brown dated October 17, 1997. Dow also communicated these planned modifications to U.S. EPA Region IX (EPA). EPA requested that the notification be re-submitted to them once the federal portion of Dow's hazardous waste permit was finalized. Dow re-submitted this notification to EPA in a letter to Ms. Jennifer Downey dated September 23, 1999. Dow proceeded with the permit modification process under oversight from DTSC and EPA, including the public notification requirements.

The notifications to DTSC and EPA included a description of the project, which included modifications to the boiler computer control system, some of the instrumentation, and minor piping modifications. The piping modifications included removal of the existing piping from T-307 to the boilers. The piping, which contained only solid waste residues, was removed and disposed of as a non-RCRA hazardous waste. A copy of the manifest under which this piping was shipped to the TSDf is attached. This piping has not been replaced since Dow has not burned hazardous waste in the boilers since 1992. Dow will also include details of the piping removal and disposal in the closure report after completion of the closure activities described in the attached modified Closure Plan.

Dow is proceeding with the public notification of their intent to close the Permit and revise the Closure Plan as requested by DTSC. Dow is also prepared to proceed with the public notification requirements and public review/comment on the revised Closure Plan once it is approved by DTSC. If you would like to further discuss Dow's proposed modifications to the closure plan or have comments on them, please contact me at the phone number below, or Mr. Jose Esquivel, EH&S manager at the Dow Torrance facility at (310) 224-5409.

Sincerely,

The Dow Chemical Company

Original Signed by Richard Bouton

Richard Bouton
Site Leader
Los Angeles Operations
(310) 224-5310

cc: Jose Esquivel, Dow
Tim King, Dow
Gregg Stiglic, URS