

CALIFORNIA ENVIRONMENTAL QUALITY ACT

Addendum to Previously Adopted Environmental Impact Report

PROJECT TITLE: DeMenno/Kerdoon Hazardous Waste Recycling Facility Resource Conservation and Recovery Act (RCRA)-equivalent Hazardous Waste Facility Permit Renewal		STATE CLEARINGHOUSE NUMBER: 95031067
PROJECT ADDRESS: 2000 North Alameda Street	CITY: Compton	COUNTY: Los Angeles
<p>PROJECT DESCRIPTION:</p> <p>The project consists of the Department of Toxic Substances Control's (DTSC's) consideration to issue a new Resource Conservation and Recovery Act (RCRA)-equivalent Hazardous Waste Facility Permit pursuant to California Health and Safety Code section 25200 to DeMenno-Kerdoon (the Permittee) for its facility at 2000 North Alameda Street, Compton, California. If approved as proposed, the Permit would be in effect for 10 years and would subject the Hazardous Waste Facility to the terms and conditions set forth in the Permit and in the Part "B" Application (Operation Plan) dated February 12, 2016, and supplemental submittals, which would be incorporated by reference into the Permit.</p>		
<p>BACKGROUND</p> <p>The Permittee submitted a permit application (Part A) and received an Interim Status Document in August 1983. The Permittee later submitted a Part B application in 1985. A revised Part B application was submitted to DTSC in August 2000, and was determined to be technically complete September 8, 2000. On May 31, 2001, DTSC approved a Health Risk Assessment Report (HRA) and certified an Environmental Impact Report (EIR) pursuant to the California Environmental Quality Act (CEQA) for the issuance of a Hazardous Waste Facility Permit. On May 31, 2001, DTSC approved the Hazardous Waste Facility Permit for the Facility, which authorized the Permittee to store, treat, and transfer hazardous wastes (2001 Hazardous Waste Permit). The 2001 Hazardous Waste Permit was effective on July 6, 2001 and contained an expiration date of July 6, 2011.</p> <p>On January 14, 2011, the Permittee submitted a permit application for permit renewal before the expiration of the 2001 Hazardous Waste Permit. Pursuant to Health and Safety Code section 25200 and California Code of Regulations, title 22, section 66270.51, the Permittee is authorized to continue operating pursuant to the existing permit conditions until DTSC makes a final decision on the renewal application. DTSC determined the permit application was administratively complete on April 11, 2011. In response to DTSC's requests for additional information, the Permittee submitted revised permit applications dated July 30, 2012, April 7, 2014 and February 12, 2016.</p> <p>In this case, because a previous Environmental Impact Report was approved by DTSC for the initial permit decision, DTSC is required by the California Environmental Quality Act (CEQA)¹ and the CEQA Guidelines² to conduct an analysis of that previous document to determine if it provides an</p>		

¹ Pub. Resources Code, div. 13, § 21000 et seq.

² Cal. Code Regs., tit. 14, § 15000 et seq.

accurate description of proposed permit activities, current environmental and regulatory conditions, and an analyses of potential impacts and mitigation measures associated with the project. The information and analysis is then used to support a final determination of the type of environmental document required to be prepared for the project as provided by sections 15162, 15163 and 15164 of the CEQA Guidelines. These alternatives include an Addendum, a supplement to the previous EIR, or a subsequent environmental document to the original EIR.

DETERMINATION TO SUPPORT AN ADDENDUM:

On the basis of the information and analysis provided in the attached INFORMATION AND ANALYSIS IN SUPPORT OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) ADDENDUM TO THE FINAL ENVIRONMENTAL IMPACT REPORT (EIR) FOR THE DEMENNO-KERDOON HAZARDOUS WASTE FACILITY, which is incorporated herein by reference, DTSC has prepared this Addendum to the adopted Environmental Impact Report for the proposed project pursuant to CEQA Guidelines section 15164(b) based on the determination that none of the conditions described in CEQA Guidelines section 15162 calling for the preparation of a subsequent EIR or Negative Declaration have occurred.

\\Original Signed by Steve Lavinger

Department of Toxic Substances Control

INFORMATION AND ANALYSIS IN SUPPORT OF THE
CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)
ADDENDUM
TO THE FINAL ENVIRONMENTAL IMPACT REPORT (EIR)
FOR THE
DEMENNO-KERDOON HAZARDOUS WASTE FACILITY

PREPARED FOR
RENEWAL OF THE HAZARDOUS WASTE FACILITY PERMIT
(EPA ID NO. CAT080013352)

State Clearinghouse No. #95031067
EIR Certified May 31, 2001

May 24, 2016

I. THE PROJECT/PREVIOUS ENVIRONMENTAL REVIEW

This Addendum, including the attached supporting technical documents, were prepared pursuant to the California Environmental Quality Act (CEQA) (Pub. Resources Code, Section 21000 et seq.) for purposes of the Department of Toxic Substances Control's (DTSC's) consideration to issue a new Resource Conservation and Recovery Act (RCRA) equivalent Hazardous Waste Permit pursuant to California Health and Safety Code section 25200 to DeMenno-Kerdoon. On January 14, 2011, DeMenno-Kerdoon submitted an application to DTSC to renew the hazardous waste facility permit for its existing hazardous waste facility at 2000 North Alameda Street, Compton, California 90222 (the Facility). DeMenno-Kerdoon subsequently submitted revised applications on July 30, 2012, April 7, 2014, and February 12, 2016, in response to DTSC requests for additional information.

This document is prepared to comply with the requirements of CEQA for the renewal of the hazardous waste facility permit and as an addendum to the Environmental Impact Report (EIR) prepared and certified by DTSC for the DeMenno-Kerdoon Hazardous Waste Facility in 2001. On May 31, 2001, DTSC certified an environmental impact report (EIR) for the existing DeMenno-Kerdoon hazardous waste facility located at 2000 N. Alameda Street, Compton, CA 90222 (State Clearinghouse No. #95031067). Also on May 31, 2001, DTSC approved a hazardous waste facility permit for the DeMenno-Kerdoon hazardous waste facility located at 2000 North Alameda Street, Compton, California.

II. CEQA REQUIREMENTS

Public Resources Code, Section 21166 provides that when an environmental impact report has been prepared and certified for a project, no subsequent or supplemental environmental impact report shall be required by the lead agency, unless one or more of the following events occurs:

- a. Substantial changes are proposed in the project, which will require major revisions of the environmental impact report.
- b. Substantial changes occur with respect to the circumstances under which the project is being undertaken which will require major revisions in the environmental impact report.
- c. New information, which was not known and could not have been known at the time the environmental impact report was certified as complete, becomes available.

Pub. Resources Code, Section 21068 defines "Significant effect on the environment" as a substantial, or potentially substantial, adverse change in the environment. CEQA Guidelines, section 15382 further defines, in relevant part, a "Significant effect on the environment" as meaning a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project, including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance.

Additionally, according to CEQA Guidelines Section 15162, once an EIR has been certified, a lead agency shall not prepare a subsequent EIR unless it determines, "on the basis of substantial evidence in the light of the whole record," that one or more of the following conditions has occurred:

- (1) Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
- (2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
- (3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the negative declaration was adopted, shows any of the following:
 - (A) The project will have one or more significant effects not discussed in the previous EIR or negative declaration;
 - (B) Significant effects previously examined will be substantially more severe than shown in the previous EIR;
 - (C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
 - (D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

CEQA Guidelines Section 15164 provides that if none of the conditions requiring a subsequent EIR has occurred, the agency shall prepare an addendum:

- (a) The lead agency or a responsible agency shall prepare an addendum to a previously certified EIR if some changes or additions are necessary but none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred.

III. USE OF AN ADDENDUM FOR THE PERMIT RENEWAL

DTSC has determined that none of the conditions triggering the need for a subsequent or supplemental EIR has been triggered and that an addendum is appropriate. The information supporting this decision is documented further in the attached "Applicant's Supplemental Environmental Information to Support an Addendum of the Previously Certified Environmental Impact Report for DeMenno-Kerdoon's RCRA Part B Permit Renewal," (ENVIRON, October 28, 2014) ("Applicant's Environmental Information"). The Applicant's Environmental Information is incorporated fully herein by this reference.

DTSC staff has independently verified the information and the conclusions in the Applicant's Environmental Information. DTSC also commissioned environmental planners and scientists with URS Corporation (Now AECOM) to independently review and verify the Applicant's Environmental Information. URS Corporation worked under DTSC's direct supervision in performing this review and verification, and the document Previously Certified Or Approved Environmental Document(s) Suitability Assessment, DeMenno/Kerdoon Hazardous Waste Recycling Facility Resource Conservation and Recovery Act (RCRA)-equivalent Hazardous Waste Facility Permit, URS, November 18, 2014 (the Suitability Assessment), is incorporated fully herein by this reference.

As described further in the Applicant's Environmental Information, the Suitability Assessment, and in the information in the administrative record before DTSC:

- No substantial changes are proposed to the project. The Facility would continue to operate within the maximum capacity described in the 2001 EIR. The Facility has undergone only minor changes since the 2001 EIR, most of which have been to improve its environmental performance and efficiency.
- There have been no substantial changes with respect to the circumstances under which the project is being undertaken since the 2001 EIR. The most material change has been the ongoing site cleanup, which has improved environmental conditions.
- There is no new information of substantial importance that would require the preparation of a subsequent EIR.

DTSC has relied on the following sources of information in determining that an addendum is appropriate for the permit renewal:

- California Department of Toxic Substances Control, 2001. Final Environmental Impact Report for the DeMenno/Kerdoon Hazardous Waste Recycling Facility, State Clearinghouse No. 95031067. Approved on May 31, 2001;
- The 2001 DeMenno-Kerdoon hazardous waste facility permit;
- DTSC's files on the 2001 EIR and the 2001 hazardous waste facility permit;

Information and Analysis in Support of the Addendum to the EIR for DeMenno-Kerdoon

- DeMenno/Kerdoon, 2014. Hazardous Waste Facility Permit Application, EPA ID No. CAT 080 013 352. Submitted to the California Department of Toxic Substances Control April 7, 2014, and subsequent revisions including February 12, 2016;
- DTSC's files on the permit renewal application;
- DTSC staff's knowledge of the site and of the DeMenno-Kerdoon facility through its ongoing regulation and oversight of the facility;
- DTSC's correspondence and communications with other agencies;
- DTSC's entire file for the DeMenno-Kerdoon facility;
- California Hazardous Waste Control Law, Division 20, Chapter 6.5;
- California Environmental Quality Act, Public Resources Code sections 21000-21177 et seq.;
- California Code of Regulations, title 14, section 15000 et seq. (the CEQA Guidelines);
- California Code of Regulations, title 22, division 4.5, Environmental Health Standards for Management of Hazardous Waste;
- Test Methods for Evaluating Solid Waste, Third Edition, SW-846, Office of Solid Waste;
- Waste Analysis Plans Guidance Manual, Office of Solid Waste, Document No. OSW-0000846;
- California Environmental Quality Act Initial Study Workbook, July 2011;
- Permit Applicant's Guidance Manual for the General Facility Standards of 40 CFR 264;
- DTSC Permit Writer Instructions for Storage and Treatment Facilities, June 14, 1993;
- Previously Certified Or Approved Environmental Document(s) Suitability Assessment, DeMenno/Kerdoon Hazardous Waste Recycling Facility Resource Conservation and Recovery Act (RCRA)-equivalent Hazardous Waste Facility Permit, URS, November 18, 2014; and
- Applicant's Supplemental Environmental Information to Support an Addendum of the Previously Certified Environmental Impact Report for DeMenno-Kerdoon's RCRA Part B Permit Renewal, ENVIRON, October 28, 2014.