



**Matthew Rodriguez**  
Secretary for  
Environmental Protection



## Department of Toxic Substances Control

Barbara A. Lee, Director  
9211 Oakdale Avenue  
Chatsworth, California 91311



**Edmund G. Brown Jr.**  
Governor

June 7, 2016.

Mr. David Thaete  
EHS Manager  
Phibro-Tech, Inc.  
8851 Dice Road  
Santa Fe Springs, California 90670

### APPROVAL OF DTSC-INITIATED PERMIT MODIFICATION FOR REVISED POND 1 CLOSURE PLAN, PHIBRO-TECH INC., SANTA FE SPRINGS FACILITY (CAD008488025)

Dear Mr. Thaete:

The Department of Toxic Substances Control (DTSC) initiated a Permit Modification concerning the revised Pond 1 closure plan titled: "Phibro-Tech, Inc., CAD 008 488 025, Santa Fe Springs, California, TSO Facility -- Pond 1 Closure Plan, September 2015, (With Updated Appendices B (figures) and G (November 30, 2015))" (herein referred to as the Revised Pond 1 Closure Plan), for Phibro-Tech, Inc. (PTI) Facility located at 8851 Dice Road, Santa Fe Springs, California. The DTSC-Initiated Permit Modification was conducted pursuant to California Code of Regulations, title 22, section 66270.41.

DTSC approves the DTSC-Initiated Permit Modification for the Revised Pond 1 Closure Plan, with conditions as stated below.

PTI submitted the Revised Pond 1 Closure Plan pursuant to the requirements set forth in California Health and Safety Code, Chapter 6.5, Section 25100 et seq. and regulations set forth in California Code of Regulations, title 22, Chapters 14 and 15. The Revised Pond 1 Closure Plan which provides new and revised information on how a former surface impoundment (known as Pond 1) will be closed; and includes revisions to the closure plans for four hazardous wastewater treatment tanks, designated as Tank W-1, W-2, W-3, and W-4, and ancillary equipment including filter press #2.

The Revised Pond 1 Closure Plan modifies the 1988 Modified [Pond 1] Closure/Post-Closure Plan, approved by DTSC and U.S. EPA in September 1988. In addition, the Revised Pond 1 Closure Plan modifies the closure plans for two wastewater treatment

Tanks W-1 and W-2 approved under a 1991 Hazardous Waste Facility Permit. In addition, the Revised Pond 1 Closure Plan provides closure plan information for two wastewater treatment tanks W-3 and W-4, which are authorized under a variance granted in 1988. In order to update the permit to include the changes that will occur due to the above described activities, DTSC conducted a Department-initiated modification of the Facility permit as set forth in the California Code of Regulations, title 22, section 66270.41 et seq.

DTSC provided a 60-day public comment period for both the Revised Pond 1 Closure Plan and DTSC-Initiated Permit Modification. The Revised Pond 1 Closure Plan and DTSC-Initiated Permit modification were available for public review and comment from December 15, 2015 to February 15, 2016. A Public Hearing was held January 28, 2016. DTSC prepared an Addendum to previously approved Negative Declarations, dated December 15, 2015, for compliance with the California Environmental Quality Act (CEQA). The Addendum was available during the public review period. DTSC received public comments and prepared a Response to Comments document, dated May 25, 2016 (copy enclosed).

DTSC hereby approves, with the following conditions, the Revised Pond 1 Closure Plan and DTSC-Initiated Permit Modification pursuant to the California Code of Regulations, title 22, section 66271.4. Implementation of the Revised Pond 1 Closure Plan is subject to the following conditions, as DTSC advised PTI in a letter dated December 4, 2015, and which was made available for public review during the comment period:

1. PTI must comply with the Closure Performance Standards set forth in California Code of Regulations, title 22 Section 66265.111 (c) for closure of tanks W-3 and W-4 authorized under a variance and for closure of the surface impoundment Pond 1 authorized under interim status, but which ceased operation as a surface impoundment in July 1985, including, but not limited to the closure requirements in sections:
  - a. 66265.197 Closure and Post-Closure Care of Tank Systems,
  - b. 66265.228 Closure and Post-Closure Care of Surface Impoundments, for Pond 1, and, if waste is left in place,
  - c. 66265.310 Closure and Post-Closure Care of Landfills.
2. PTI must comply with the standards in Section 66265.114 Disposal or Decontamination of Equipment, Structures, and Soil for closure of equipment authorized under variance such as the filter press.
3. PTI must comply with the standards in Section 66264.197 Closure and Post-Closure Care of Tank Systems, for Tanks W-1 and W-2.

4. Table 4-1 Target Cleanup Levels is modified as follows: If multiple values for a particular constituent are shown in the table, the lowest value will apply.
5. The Closure activities described in Section 5 apply to Tanks W-1 through W-4, the filter press, and ancillary equipment.
6. Any "additional in situ remediation design" as referenced in Section 5.11 Phase 2 Soil Excavation, will be subject to DTSC review, revision and approval prior to implementation.
7. Any design for a final closure cover as described in Section 15.1.1 must be submitted by PTI to DTSC for review, revision and approval prior to implementation.
8. Within 30 days of the date of this approval letter (June 7, 2016), PTI will submit design plans and specifications that include:
  - a. A legal survey with: one foot contour intervals, spot elevations, the existing Pond 1 layout, site features, and proposed excavation area. Include the coordinates for the existing Pond 1 and Tanks W1, W2, W3, and W4, filter presses and related equipment.
  - b. As built drawings for Pond 1, and Tank systems W1, W2, W3, and W4, including Piping and Instrument Diagrams showing all above and underground piping and conduits and pumps and miscellaneous equipment such as filter presses.
  - c. Demolition Plans and Specifications for disposal and decontamination of equipment, structures and soil in accordance with 22 CCR 66265.114.
  - d. Excavation Plans and Specifications with cross sections showing historical boring locations, the extent of contamination, excavation location and dimensions and a shoring and trenching plan based on site specific soil conditions and in accordance with 22 CCR 66265.114.
  - e. Backfill specifications and quality control testing requirements for the back fill activities described in Section 15.1.1, which must include the following: The pit will be backfilled in 8 inch lifts to within three feet of grade level using clean select fill material. The backfill soil will be selected to provide required bearing capacity and will be compacted to 95% relative compaction.
  - f. Project Implementation Schedule Gantt Chart in MS Project or similar.

9. PTI must demonstrate Financial Assurance for the cost estimate specified in the Closure Plan within 60 days of the date of this approval letter.
10. Referring to Pond 1 Closure Plan, Appendix F POND I AREA SUBSURFACE REMEDIATION WORK PLAN, Section 2.2 Injection: Thirty days prior to implementation of soil injections, PTI must submit to DTSC:
  - a. The soil injection work plan; and
  - b. The Waste Discharge Requirements (WDRs) approved by the RWQCB.

The decision made by DTSC to approve the permit modification is subject to an appeal pursuant to California Code of Regulations, title 22, section 66271.18. A 30-day appeal period begins with the service of notice of DTSC's final decision. Any person who filed comments or participated in the public hearing may petition the Department to review any condition of the permit decision. Any person may petition for administrative review to the extent of the changes from the draft to the final permit decision. The petition shall include a statement of the reasons supporting that review, including a demonstration that any issues being raised were raised during the public comment period (including the public hearing) and when appropriate, a showing that the condition in question is based on (1) a finding of fact or conclusion of law which is clearly erroneous, or (2) an exercise of discretion or an important policy consideration which the Department should, in its discretion, review. To qualify, DTSC must receive the petition by July 11, 2016.

The modified permit becomes effective on July 12, 2016 unless a petition for review is filed.

DTSC directs PTI to begin implementing the approved Revised Pond 1 Closure Plan within 6 months of the effective date of the DTSC-Initiated Permit Modification for the Revised Pond 1 Closure Plan.

If you have any questions or wish to discuss this matter further, please contact Stephen Baxter at (818) 717-6695.

Sincerely,



Mr. Phil Blum, P.E. Supervisor  
Permitting Division

cc: (on next page)

Mr. David Thaete

June 7, 2016

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cc: Steve Lavinger, Branch Chief  
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Stephen McArdle  
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