

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
Hazardous Waste Permitting Teams
9211 Oakdale Avenue
Chatsworth, California 91311

Project Title:

Permit Renewal for Chevron Environmental Management Company

Project Location:

Chevron Environmental Management Company
940 Hensley Street
Richmond, California 94804

County:

Contra Costa

Project Description:

This project is a hazardous waste facility permit renewal which addresses ongoing activities including the delay closure of an integrated wastewater pond system (IWPS) and its maintenance. The renewal of the permit will not bring any modifications to the existing permit.

Background

The Chevron Environmental Management Company (Chevron) has timely submitted a RCRA Part B Permit Application for delayed closure of the Integrated Wastewater Pond System (IWPS). The IWPS has not received hazardous waste since 1988, and it is currently used for the management of nonhazardous storm water runoff from Chevron's facility at 940 Hensley Street in Richmond, California.

This IWPS system was formerly operated as an unlined surface impoundment that accepted RCRA hazardous waste liquids from the chemical manufacturing operation. Due to regulatory changes, the hazardous waste operation of the ponds was eliminated but the ponds were never closed to meet hazardous waste law requirements. A liner was placed on the area and it is currently used for nonhazardous storm water runoff. Because storm water control is necessary for continued facility operation, Chevron requested a delayed closure of the area below the current lined ponds that contains residue from the prior RCRA operation. Final closure of the ponds was considered at the time this Notice of Exemption was prepared; however, no planned activities or schedule have been determined.

Chevron has requested renewal of its existing delayed closure permit in order to effectively manage storm water run off from the facility's operations and because of the significant useful life remaining for the IWPS. Continued operation of the IWPS is necessary because the National Pollutant Discharge Elimination System (NPDES) permit for the Facility prohibits direct discharge of contaminated storm water runoff to surface waters. Therefore, the IWPS is necessary to hold runoff prior to discharge to the City of Richmond Publicly Owned Treatment Works (POTW) and to ensure compliance with the flow limitations specified in Chevron's industrial discharge permit. The large volume of water generated during storms and the limited capacity of the POTW requires restricted discharge of storm water to the POTW.

Chevron submitted its application in 1980 to treat and store hazardous waste and received its first permit in 1990. The permit was renewed in 1998; however, Chevron stopped the operation of the IWPS and requested a delayed closure for the IWPS. A permit allowing the delayed closure for the IWPS was issued on August 16, 1999. The reissuance of this permit is the subject of this Notice of Exemption.

The IWPS is a 70-acre surface impoundment comprised of eight (8) subunits which are separated from each other by inner dikes. The subunits, designated as Ponds 1A, 1B, 1C, 2, 3, 4A, 4B and West Pond, were constructed along with major design upgrades initiated in 1989 and completed in 1993 to meet the requirements of the Toxic Pits Cleanup Act (TPCA). The upgrades were performed to improve the integrity of the IWPS for managing nonhazardous storm water, groundwater, and potentially other nonhazardous liquid waste streams. Prior to the upgrades, all liquid hazardous waste and sludges were removed from the IWPS, as required by TPCA. Contaminated soils underlying the ponds were left in

place and are subject to ongoing corrective action pursuant to Health and Safety Code 25200.10 under an Order issued by the Regional Water Quality Control Board (RWQCB). A synthetic liner was installed in each of the eight subunits.

The liner system includes an underdrain that removes rising (artesian) groundwater underlying the ponds and returns it to the ponds. The liner is inspected on an annual basis. The entire IWPS is also surrounded by a hydraulic wall and trench. The Waste Discharge Requirements issued by the RWQCB require Chevron to conduct groundwater monitoring at the pond site and to report the results to both the DTSC and the RWQCB.

The IWPS is currently used to store non-hazardous waste water including storm water runoff from Chevron owned properties, extracted groundwater from the IWPS hydraulic control and pond under liner extraction systems, and the effluent from the facility's wastewater treatment unit when the unit is operating. Upon the final closure of the facility, a regulatory cap will be installed over the IWPS.

DTSC has previously approved a conceptual closure plan for the IWPS. Chevron is not proposing any changes to this closure plan, and no planned closure activities or schedule have been determined. Upon final closure, Chevron will install an approved cap over the IWPS for protection of the environment as described in the Part B application. A separate CEQA review for construction impacts will occur at that time.

Project Activity:

Project activities consist of the renewal of an existing delayed closure permit for the IWPS, which is currently used solely for storing non-hazardous aqueous waste. Renewal of the permit will allow for the continued operation of the IWPS and delay closure until the active life of the unit is exhausted or the time of the closure is determined. The renewed permit will require Chevron to: (1) maintain the integrity of the IWPS liner to prevent potential migration of contaminant residues under the pond; (2) routinely inspect the IWPS; and (3) routinely monitor the IWPS through groundwater monitoring and leakage tests.

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

Name of Person or Agency Carrying Out Project: Department of Toxic Substances Control

Exemption Status: (check one)

- Ministerial [PRC, Sec. 21080(b)(1); CCR, Sec. 15268]
- Declared Emergency [PRC, Sec. 21080(b)(3); CCR, Sec.15269(a)]
- Emergency Project [PRC, Sec. 21080(b)(4); CCR, Sec.15269(b)(c)]
- Categorical Exemption: [Sec 15301, Existing Facility]
- Statutory Exemptions: [State code section number]
- General Rule [CCR, Sec. 15061(b)(3)]

Exemption Title: Title 14, California Code of Regulations, Section 15301, Existing Facility

Reasons Why Project is Exempt:

This project consists of administratively continuing an existing permit. With the exception of the periodic inspections, minor repairs of the IWPS, no physical changes to the site are proposed. Control measures that will limit environmental effects to insignificant levels include the following:

- (1) The permit continues to allow the operation of the IWPS for non-hazardous storm water storage and maintenance of adequate control systems for the hazardous waste pond residue below until final closure. Ponds are currently lined to prevent infiltration of the storm water into the waste residue below. The permit will require inspection and maintenance of the pond liner. Groundwater monitoring wells surround the pond.
- (2) The facility is located in an area zoned for heavy industrial use. The Castro Creek flows adjacent to the south and west sides of the IWPS and flows northwest into San Pedro Bay, but gates have been installed that can be closed to isolate

the creek from the bay. A slurry wall and extraction trench system operated under the Regional Water Quality Control Board standards on the west and south side of the pond prevents any conduit to or from the nearby creek and maintains an inward gradient below the ponds. These systems have proven effective in controlling any hazardous waste releases and will be monitored for continued effectiveness until final closure.

- (3) Residential houses are located approximately 500 feet east and south of the facility. The access to the facility is limited to the employees only and the IWPS is protected by a chain-link fence of at least 6-feet in height. Security guards are contracted at the IWPS to control the movement of people and vehicle.
- (4) IWPS is located within the 100-year flood plain. Engineering analyses of the hydrostatic and hydrodynamic forces from 100-year flood was performed. The analyses indicate that the IWPS is adequate designed to prevent washout.
- (5) The continued operation of the IWPS under delayed closure will not cause significant odor, noise or light impact since no changes are been proposed.
- (6) The facility is an existing facility in an industrial area, and no new construction of buildings or structures will take place.
- (7) The nearest active fault, Hayward Fault, is located approximately four kilometers east of the site and an apparent inactive fault, San Pablo Fault, is located about 1.2 kilometers west of the site. Seismic evaluation has been performed to ensure that the IWPS dikes will not fail due to the external or internal forces from a maximum creditable earthquake of 7.8.
- (8) A contingency plan was prepared to minimize the potential threat to human health and the environment should an accident occurs at the site.

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| Project Manager Name | Project Manager Title | Phone # |

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| Team Leader Signature | Date |
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TO BE COMPLETED BY OPR ONLY

Date Received For Filing and Posting at OPR: