

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
Permit Renewal Team
9211 Oakdale Avenue
Chatsworth, California 91311

Project Title: Post Closure Permit for ConocoPhillips Los Angeles Refinery Wilmington Plant Stormwater Holding Basin No. 2

Project Location: 1660 W. Anaheim Street, Wilmington, California 90744

County: Los Angeles

Project Description:

The Department of Toxic Substances Control (DTSC) is proposing to issue a post closure permit to ConocoPhillips Los Angeles Refinery Wilmington Plant (LARW), pursuant to authority granted under sections 25150, 25159 and 25159.5 of the California Health and Safety Code. The post closure permit is for the post closure care of a Stormwater Holding Basin No. 2 (SHB 2). SHB 2 is subject to post-closure because, required DTSC clean-up standards could not be met during closure activities. The post closure permit will require continued sampling and analyses of groundwater for a wide variety of components in 4 wells semiannually and Appendix IX sampling once every five years. The lining cover of the SHB2 shall also be inspected and maintained. No other remediation is required under this permit.

Background:

The SHB 2 is located along the eastern boundary of the refinery in an area known as Block 6. The SHB2 has surface dimensions of 436.75 feet by 356.5 feet and a depth at the deepest point of 34 feet. After receipt of final wastes, the SHB 2 was cleaned in March 1994. Since that time, there has been no placement of hazardous waste into SHB2. No waste treatment was ever conducted in SHB 2. The existing concrete lined impoundment has been modified as per the approved closure plan by installing a Flexible Membrane Liner over its entire surface. The requirements of a RCRA cap have been met by the combined system of the concrete basin (Primary liner), the flexible membrane liner (secondary liner) and the sump pump and instrumentation (leachate detection and removal). The Flexible Membrane Liner will hereafter be mentioned as the Flexible Membrane Cap (FMC). The foundation for the liner system is the existing basin floor. The basin floor and side slopes were constructed of four-inch thick concrete reinforced with #4 rebar at ten-inch spacing. Prior to installation of the liner system, the basin was cleaned by hydroblasting.

The bottom of the SHB 2 is below the water table which results in groundwater entering into the basin via a designed pressure relief valve. Closure-in-place consisted of the installation of the liner system designed to prevent intrusion of water during emergency use into the existing groundwater table. The SHB 2 will continue to receive intruding groundwater which will be removed with the use of the existing sump and pump, as is the current practice.

Situated between the liner and existing concrete is a drainage geonet material. The drainage geonet allows continued groundwater flow to the existing sump for removal by pumping. Any water that collects on top of the liner will be removed by pumping. Since the entire liner will be exposed to visual inspection and continually kept dry, intruding groundwater would become immediately visible if any type of hole or tear occurred in the liner.

The SHB 2 will be used to provide emergency storage in the event that the storm water and/or process wastewater storage capacity of the refinery is exceeded due to a catastrophic release, refinery-wide power outage or rainfall greater than the occurrence of a 25-year storm.

SHB 2 was placed under RCRA interim status in 1990 because of the new RCRA TCLP rule which states that any surface impoundment that handles refinery process water automatically becomes a RCRA-regulated surface water impoundment. SHB 2 receives storm water runoff from the plant during intense rainfall events and seldom receives overflow process water from the Oil Recovery Unit.

SHB 2 was constructed in fill material which has been shown to contain metals, VOCs, and SVOCs. The groundwater beneath the SHB 2 is contaminated and the post closure permit is therefore required.

The Los Angeles Refinery Wilmington (LARW) conducts groundwater monitoring, and groundwater and floating product extraction for the entire refinery pursuant to requirements of the Los Angeles Regional Water Quality Control Board (RWQCB) Cleanup and Abatement Order (CAO) No. 94-139. In accordance with Senate Bill (SB) 1082, oversight of the corrective action at the LARW and authority for implementing the requirements of the groundwater monitoring program lies with the RWQCB. Additionally, SB 1082 provides that the requirements for monitoring regulated units can be enforced through Water Board orders so that duplication of effort is avoided by the State.

Since the entire facility is covered by the corrective action specified in the CAO, the compliance monitoring conducted for the shallow aquifer as related to the SHB 2 should be considered as a "Corrective Action Monitoring Program". The post closure permit will require sampling and analyses of groundwater for a wide variety of components in 4 wells semiannually and Appendix IX sampling once every five years. The FMC shall also be inspected and maintained. No other remediation is required under this permit.

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

Name of Person or Agency Carrying Out Project: ConocoPhillips Los Angeles Refinery

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: [State type and section number]
- Statutory Exemptions: [State code section number]
- General Rule [CCR, Sec. 15061 (b) (3)]

Exemption Title: Title 14, California Code of Regulations, Section 15061 (b) (3) - No possibility of significant effect on the environment.

Reasons Why Project is Exempt: The proposed project will have no significant effect on the environment, because:

- 1) No significant disturbance will occur since the groundwater monitoring wells are already in place;
- 2) Soil excavation and removal will not be performed.
- 3) Currently the RWQCB, as the lead agency, has undertaken clean-up of site-wide soil and ground water for the Solid Waste Management units (SWMUs) at the Facility. As a result of diminishing concentrations in ground water adjacent to the SHB 2, DTSC believes that the cleanup is significantly reducing the threat to human health and environment. DTSC post closure permit is limited to Corrective Action Monitoring Program. The post closure permit will require sampling and analyses of groundwater for wide variety of components in 4 wells semiannually and Appendix IX sampling once every five years. The FMC shall be inspected and maintained. No other remediation is required under this permit;
- 4) The Facility is located in an industrialized area. The proposed groundwater monitoring will not affect the ongoing groundwater investigation/remediation by RWQCB; and will assure that the on-going cleanup under the RWQCB authority will not be impaired;
- 5) The Facility is secured with fencing and locks, and restricted to public access;
- 6) There are no known historical features or cultural resources located at the Facility;

- 7) The monitoring well locations are not in an area of biological significance and do not contain critical habitat for sensitive, threatened, or endangered species;
- 8) The post closure permit application has inspection schedule to inspect the following structures and facilities: XR-5 liner (FMC), Stormwater pump, Groundwater pump, Sump level instruments
- 9) Although the site is on the Hazardous Waste and Substances Sites List, pursuant to Government Code section 65962.5, the corrective action for the refinery is being conducted by RWQCB which includes measures to remediate the facility's groundwater contamination.

Mike Eshaghian
Project Manager Name

Hazardous Substances Engineer
Project Manager Title

(818) 717-6679
Phone #

Team Leader Signature

Date

Raymond Leclerc
Team Leader Name

Senior Hazardous Substances Engineer
Team Leader Title

(916) 255-3582
Phone #

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Date Received For Filing and Posting at OPR: