

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 Management Program
Standardized Permitting and Corrective Action
Branch
8800 Cal Center Drive
Sacramento, CA 95826

Project Title: Proposed Corrective Action Completion Without Controls for Three Parcels and Changes to Regulated Property Boundary at the DuPont, Oakley Site

Project Location – Specific: DuPont Oakley Site, 6000 Bridgehead Road, Oakley California. Three parcels known as Western Development Area, Eastern Development Area, and Cline Vineyard Property.

Project Location – City: Oakley

Project Location – County: Contra Costa

Description of Project:Background:

The DuPont Oakley Site is located at 6000 Bridgehead Road, Oakley, California, in Contra Costa County, approximately 55 miles east of the City of San Francisco. The site is bounded on the north by the San Joaquin River (at river-mile 9), on the south by Burlington Northern/Santa Fe Railroad, on the west by State Highway 160 and Bridgehead Road, and on the east by Big Break Road (Figure 1).

The site is a former chemical manufacturing facility that produced chlorofluorocarbons (CFCs), fuel-additive anti-knock compounds (AKCs), and titanium dioxide (TiO₂). Production of CFCs began in 1956; AKC production was added in 1957; and TiO₂ production was added in 1963. Production of all three product lines has been eliminated, beginning with AKC manufacturing in 1981, CFC manufacturing in 1995, and TiO₂ manufacturing in November 1997, followed by a general shutdown of all TiO₂ and CFC blending operations on November 30, 1998. All manufacturing facilities at the site have since been demolished. There were six waste management units that were located on the site north of the manufacturing areas (three concrete and polyethylene-lined ponds and three unlined basins). These ponds and basins were used to treat and store waste that was generated at the DuPont facility when it was in operation. All six of the waste management units were closed in 1983 under Central Valley Regional Water Quality Control Board (CVRWQCB) and Department of Health Services (DOHS) oversight. One basin, however, remains in service for the storage of storm water.

Project Activities:

The project involves the determination that Corrective Action is complete, without controls, for three parcels of land at the former DuPont manufacturing facility in Oakley. In addition, DTSC proposed to remove these parcels from the general RCRA facility boundary definition. See Figure 2 which shows the original DuPont facility boundary and the boundaries of the 3 parcels being removed. See Figure 3 which shows the new facility boundary after the 3 parcels are removed. Listed below are detailed descriptions of the 3 parcels that have been investigated. DTSC has determined that Corrective Action is Complete, without controls, and No Further Action is required at any of these parcels. There were no RCRA regulated units at any of these parcels and there is no history of any RCRA regulated activities as having taken place within these parcels. The three parcels are all located either up gradient or cross gradient from the manufacturing and waste management units. The new site boundary will still provide a minimum of approximately 1,000 feet of buffer between the waste management units and the parcels being released.

Parcel 1 – Eastern Development Area (EDA)

The EDA (Figure 2) is geographically distant from the former DuPont manufacturing and waste management areas and was never used for any purpose related to manufacturing or waste disposal operations at the facility. Historically, dredge spoils from an adjacent marina were disposed within the EDA, which has otherwise been used exclusively for occasional parking by the marina. Results of soil sampling confirm that all constituent concentrations are below risk-based screening levels that would allow unrestricted (residential) use. Additionally, groundwater monitoring at the perimeter of the EDA confirms that groundwater beneath the area is not impacted by plumes from the former DuPont manufacturing areas.

Parcel 2 – Western Development Area (WDA)

The WDA (Figure 2) includes non-manufacturing areas such as manufacturing support service areas (shops and storage facilities), a parking lot and administration building, an electrical substation, and areas that previously were used for agriculture. There are no RCRA regulated units or SWMUs, nor any history of manufacturing operations or waste disposal activities within the WDA. An Environmental Site Assessment was performed for the WDA. All soil and groundwater data support the conclusion that the WDA can be utilized for unrestricted residential land use.

Parcel 3 – Vineyard Property (VP)

The Vineyard Property (Figure 2) has been dedicated to agricultural uses historically and continuously since before 1955, when DuPont purchased the property. Throughout manufacturing operations at the DuPont facility, the VP served as a buffer zone between the operating plant and the public. DuPont has never conducted any manufacturing operations on the VP, nor were any solid waste management units (SWMUs) located on the property. The VP is up gradient of the former DuPont manufacturing facility and groundwater evaluations have demonstrated that the area has not been impacted by DuPont operations. Soil sampling conducted in and around farm buildings on the VP found evidence of small amounts of residual pesticides that may have been spilled during storage or loading of agricultural equipment. In June 2005 fourteen cubic yards of pesticide contaminated soil were excavated and samples were collected to confirm that the removal action was satisfactorily completed. The excavations were backfilled with clean soil, and the contaminated soil was shipped to an approved offsite facility for disposal. All soil and groundwater data support the conclusion that the Vineyard Property can be utilized for unrestricted residential land use.

Name of Public Agency Approving Project: Department of Toxic Substances Control, California Environmental Protection Agency

Name of Person or Agency Carrying Out Project: E.I. DuPont de Nemours and Company Inc.

Exempt Status: *(check one)*

- Ministerial (Sec. 21080(b)(1); 15268);
- Declared Emergency (Sec. 21080(b)(3); 15269(A));
- Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
- Categorical Exemption. State type and section number: Title 14, Cal. Code Regs, section 15301
- Statutory Exemptions. State code number: _____
- General Rule (Sec. 15061(b)(3))

Exemption Title: Minor Modificaitons Of The Operation Of Existing Facilities.

Reasons Why Project is Exempt:

The project specific parameters, which limit the potential impact of the project, include the following:

1. The project is minor in nature and only consists of the determination that Corrective Action investigations are complete, no further action required, and no controls are required for of three parcels of land at the former DuPont / Oakley manufacturing facility. In addition, these three parcels will be removed from the general RCRA facility boundary definition. No construction, demolition, excavation or restriction of land use will occur.
2. The proposed Corrective Action Completion or the removal of the parcels does not substantially alter

the Hazardous Waste Facility Permit conditions or reduce the ability of the facility owned by DuPont to protect human health or the environment.

The site is not on the Hazardous Waste and Substances Site List (also known as the Cortese List) pursuant to Government Code Section 65962.5.

Dean Wright
Lead Agency Contact Person

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Phone #

DTSC Branch Chief Signature

Date

Mohinder S. Sandhu, P.E.
DTSC Branch Chief Name

Standardized Permitting and Corrective Action
Branch Chief
DTSC Branch Chief Title

TO BE COMPLETED BY OPR ONLY

Date Received For Filing and Posting at OPR: _____