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MEMORANDUM

TO: Ecology Control Industries (ECI) Richmond Facility File
EPA ID. NO. CAD 009 466 392

VIA: Mr. Rizgar Ghazi, P.E., Unit Chief

FROM: Mr. Ryan Batty, Project Manager

DATE: February 26, 2007

SUBJECT: CHANGES FORM DRAFT PERMIT TO FINAL PERMIT

A number of changes were made to the draft Permit by DTSC. Many of the changes were minor to correct typographical, grammatical or other errors. Other changes were made to improve the readability or enforceability of the Permit or directly as a result of comments received. The changes made are outlined below.

Note: As an alternative reference please consult the red line mark-up version of the permit.

1. Deleted the word "Draft" from Header.
2. Inserted Permit Number (07-BRK-01) on cover page of permit.
3. Inserted Effective Date of Permit as April 6, 2007.
4. Inserted Expiration Date of Permit as April 6, 2017.
5. Changed the word "Industry" in the Header to "Industries".
6. Changed the date in the Header to "March 2, 2007".
7. Title of Figure 2. changed from "Thomas Bros Map Showing..." to "Map Showing..."
8. Modified the word "Units" to "UNITS".

9. Added "May 4, 2006" to the permit application revisions list.
10. Changed the statement "Cal Code of Regs, tit 22" to read "California Code of Regulations, title 22".
11. Modified the text "...west of the Staging Area" to read ".....west of the Tank Staging Area".

This change was made so that the areas of the facility are defined consistently throughout the Permit.

12. Changed the word "appurtences" to "appurtenances".
13. Deleted the following statement from the Maximum Capacity section of the Flammable Drum Storage Area and the 55-gallon Drum Storage Area.

"55 gallons can be stored in each drum."

These statements were deemed to be redundant and were thus removed.

14. Changed the physical description of the tank rinse pad from "15' X 15' bermed concrete pad" to "A 15' X 15' bermed concrete pad."
15. Added the following statement to the maximum capacity of the flammable drum storage area; "Six drums can be stored in the northern bay and five drums can be stored in the southern bay." The statement does not change the amount of waste that can be stored but it clarifies where it can be stored.
16. Changed the number of drums allowable in the 55-gallon drum storage area from 15 to 16.

This change was made in order to make the Permit text consistent with Figure 5 which shows 16 drums.

17. Replaced the units "cy" throughout the document with cubic yards.
18. A number of section headings were formatted for consistency.
19. The physical description of the Tank Staging Area was redefined; a CURRENT and a FUTURE section were added. The text "A 90' X 130' bermed pad" was added under the header CURRENT to describe the pad at the time of permit issuance. The text "A 120' X 145' bermed and reinforced concrete pad" was added under the header FUTURE to describe the new pad that will be

constructed. A description of the conditions under which the new FUTURE requirements will take effect was also added as outlined below.

“ECI shall complete construction of a new Tank Staging Area pad within 90-days of DTSC notice to do so. The new pad will be constructed in accordance with the drawings submitted to DTSC and signed by a Professional Engineer licensed in the State of California. With DTSC approval, ECI can construct the new tank pad in sections.”

DTSC will direct ECI to start construction on the new Tank Staging Area pad as soon as progress of corrective action at the facility will allow.

20. Inserted the following unit specific special conditions to the Flammable Drum Storage Area and the 55-Gallon Drum Storage Area.

“For the purpose of determining compliance with the maximum unit capacity, all containers in storage will be assumed full, regardless of their actual contents.”

This condition has been added to provide clarity and increase the enforceability of the permit.

21. Inserted the following Part V. special condition “9. The Permittee shall not route traffic through North Richmond residential neighborhoods. Truck traffic access to and from Ecology Control Industries shall be limited from Richmond Parkway to Parr Boulevard. (see Figure 2: Map Showing Traffic Flow To and From ECI Site.)”.

This change was made as a direct result of comments received from the public and to reflect assumption made in the CEQA Initial Study.

22. Inserted the following statement into section 1. of Part VI. Corrective Action “DTSC has determined that there has been a release of hazardous constituents at the Facility based on the “Initial Assessment of Soil Quality in the Tank Pad Vicinity Report,” dated May 2005. Permittee submitted a Revised Work Plan Addendum dated July 25, 2006 and this was conditionally approved by DTSC in a letter dated January 12, 2007. Permittee shall implement the conditionally approved Work Plan in accordance with the Corrective Action Consent Agreement (CACA) entered into with DTSC.”

This change was made to link the Permit to the CACA ECI has entered into with DTSC. It also clearly defines when and how ECI will construct the new Tank Staging Area pad.

23. Deleted from Part VI. Corrective Action section 1. “prepare a new Revised Work Plan Addendum as directed by DTSC and implement the Revised Work Plan Addendum as approved by DTSC. [Note: DTSC may approve the new Revised Work Plan Addendum prior to the issuance of the final permit decision and revise this permit condition accordingly.]”

This language was removed because it has been superceded.

24. Deleted from Part VI. Corrective Action section 2. “Docket HWCA: P2-05/06-xxx, issued on Month day, 2006”.

And “[Note: DTSC will prepare a Corrective Action Consent Agreement or Corrective Action Order prior to issuance of the final permit decision and revise this permit condition accordingly.]”.

This language was removed because it has been superceded.

25. Inserted into Part VI. Correction Action section 3.
The Permittee shall conduct corrective action at the Facility pursuant to Health and Safety Code, section 25200.10. Corrective action shall be carried out in accordance with CACA Docket HWCA P2-06/07-005, entered into with DTSC and dated February 21, 2007.

26. Changed the Detail section of Figure 5: from “30 total drums” to “27 total drums”.

This change was made in order to make the graphic and the text in the figure consistent.