

NEGATIVE DECLARATION

Submitting: Draft
 Final
 Mitigated Negative Declaration

Project Title: Ecology Control Industries, Richmond

State Clearinghouse Number: 2006062014

Contact Person: Ryan Batty, Hazardous Substances Engineer Phone # (916) 255-6699

Project Location (*Include County*):

Ecology Control Industries (ECI) in Richmond, California occupies the northwest portion of a nine-acre industrial parcel in Contra Costa County, approximately one mile from the San Pablo Bay. Latitude 37degrees 58' 09.1", longitude 122 degrees 22' 03.1". The surrounding land uses are primarily industrial, however there are two residences located adjacent to the eastern site boundary. The nearest school is also approximately a half mile from the facility. The site is bordered on the north by a commercial nursery. On the east side of the property are two residences. On the west border there is a trailer manufacturing facility. The south side of the site is bordered by Parr Boulevard. Across the street from Parr Boulevard is an industrial office park. The entire facility is surrounded by a chain link fence. Access and egress are limited to gates located on Parr Boulevard. The tank processing pads are located approximately 50 feet from the western fence line.

Project Background:

The facility recycles drained Underground Storage Tanks (USTs) previously used to store gasoline or diesel fuel. Tanks and containers that are designated as Non-Resource Conservation & Recovery Act (RCRA) hazardous waste are shipped on a Uniform Hazardous Waste Manifest. The facility accepts empty tanks, and tank appurtenances as Non-RCRA Hazardous Waste Solid (empty storage tanks). Wastes that are designated as RCRA hazardous wastes are not accepted at the facility. In order to confirm that all information is correct, a "Tank Receiving/Discrepancy Form" is completed before the tank is accepted at the facility. When waste conformance has been confirmed, the tank, piping, hoists, and related equipment, are assigned a tank receiving number. Empty petroleum fuel tanks, hydraulic hoists and piping are profiled on a "Tank Certification" and "Tank Processing Facility Land Disposal Restriction Form". The Lower Explosive Level (LEL) readings are taken prior to tank shipment. Samples are taken from the wastes that are removed from the tanks.

Process Flow Description

- 1) Storage tanks that have been previously pumped empty in the field are received by the facility for a more thorough decontamination. As previously described, tanks are shipped to the facility on a Uniform Hazardous Waste Manifest under the shipping name: "Non-RCRA Hazardous Waste Solid".
- 2) Storage tanks are verified to be RCRA empty when they are received at the facility. This is accomplished by a visual inspection by the delivery driver and the tank pad technician who receives the tank at the facility.
- 3) The tank is unloaded from the flat bed trailer by forklift and placed in the Tank Staging Area. The tanks are temporarily staged on this pad until they are moved to the Tank Processing Pad (with secondary containment) for cleaning.
- 4) The decontamination process includes removal of all residual solid and liquid material inside the tank. The physical process of removing this waste includes cutting a hole in the side of the tank, and physically removing any remaining residual wastes from the tank. Prior to cutting, the technician verifies that the atmosphere inside the tank contains less than 10% of the LEL for flammable vapors and less than 10% oxygen. Carbon dioxide is pumped into the tank to displace any oxygen or flammable vapors that may be present. The oxygen and LEL levels are maintained throughout the cutting process. The tank is then cut open with a portable electric saw (saws

- all) or cutting torch. The hole in the side of the tank allows access for cleaning and visual inspection of the tank interior.
- 5) All confined space tank entry procedures, if required, will follow the ECI policy “HS 300 Confined Space Entry Procedures.” Prior to tank entry, the interior vapor space will be tested and monitored utilizing an approved confined space meter to assure the atmosphere is safe for entry and continued occupation. The confined space decontamination team will consist of a minimum of three people on site at all times: at least one “confined space entry supervisor”, at least one person as “whole watch”, and at least one person as “entrant”. The supervisor shall be present for initial entry and then in the general vicinity when a person is inside the tank. The whole watch shall remain at the tank entrance at all times during the tank entry.
 - 6) The waste is removed from the interior of the tank by scraping and shoveling with hand tools Gasoline sludge (from USTs that formerly contained gasoline) is transferred into 55-gallon drums and tested for ignitability with an LEL meter. This material is characterized as either ignitable (RCRA) or as Non-RCRA waste depending on the LEL reading. Waste that is determined to be ignitable is shipped for disposal as Waste Flammable Liquid. Waste from oil and diesel tanks is transferred directly into a roll-off container for disposal as Non-RCRA hazardous waste solid. Diesel fuel is used, occasionally, as a cleaning solvent to dissolve heavy sludge. A minimal amount (1 to 5 gallons) of diesel fuel is used to dissolve the sludge so that it can be physically removed from the interior surface of the tank. Less than five (5) percent of the tanks that are processed at the facility require the use of diesel fuel. The diesel is stored in a labeled 250-gallon tank on the processing pad.
 - 7) After the tank bottom residuals are removed, the tanks are rinsed with water. The rinsate is transferred directly into the 5,200-gallon holding tank via an air driven double diaphragm pump. This entire process takes place within secondary containment on a concrete, bermed pad. The secondary containment structures included in the written tank assessment were certified by a professional engineer as required. The berm height is sufficient to contain all rinsate.
 - 8) The tank is visually inspected by the tank pad supervisor to verify it is clean. At this point, the tank has been rendered non-hazardous
 - 9) The decontaminated fuel tank is then transferred to the “cleaned UST storage area” area (along the North fence line). Tanks are temporarily stored in this area until they are transported off-site to either a metal recycler or landfill for appropriate disposal.
 - 10) Cleaned pipes and appurtenances, similarly, are stored in 40 cubic yard bins for recycling or for disposal as Non-RCRA hazardous wastes.

Note: Many of the double walled petroleum storage tanks usually contain some residual liquid inside the interstitial space between the two walls. This liquid, calcium chloride water, contains a dye that helps to identify leaks that may occur in the tank while it is in use. This calcium chloride water is non-hazardous. The calcium chloride water is also transferred to the rinsate holding tank. The water from the tank cleaning operation is not discharged to the sewer. The tank processing pads are approximately 50 feet from the western fence line. The tank processing pad and rinsate holding tanks are equipped with secondary containment that will capture storm water. All rain water that falls inside the tank containment and tank cleaning areas is pumped into the rinsate holding tanks that are also used to store petroleum-contaminated waste water generated in the tank cleaning process.

The facility receives between 5 and 10 UST's daily via truck and trailer. Additionally there are 10-15 trucks that are dispatched daily from ECI that may function independently of the tank cleaning operation. These trucks transport hazardous and non-hazardous wastes from various customers in the bay area to appropriate disposal facilities.

Drums and Drum Storage:

Drums are inspected and labeled prior to filling. Hazardous waste labels are placed on the outside of the roll-off boxes. The bins are shipped off-site as” Non-Hazardous waste, and labels are placed on the outside of the roll-off boxes. The bins are shipped off-site as” Non-RCRA Hazardous Waste Solids”. DOT 17H, UN 1A2 55-gallon drums are used to transport ignitable waste sludge. Leaking 55-gallon drums are over-packed into 85 gallon steel over-pack drums. Drums are inspected daily for leaks. Drums are shipped off-site at least every 90 days. Drum lids are secured at the end of every

work shift. Drums are sealed with a drum lid which has been secured with a drum ring. Partially full drums are kept outside on the cleaning pad until completely full. If necessary, a tarp is placed over the drums that are temporarily staged outside. Full drums are stored inside the drum storage locker. The drums and storage locker are inspected daily.

The facility does not use, store, receive, handle, or generate, any wastes which would be incompatible with hydrocarbon wastes. Examples of such incompatible wastes would be corrosives (waste acids, caustics), reactive (nitrates, sulfides, cyanides) and oxidizers such as hydrogen peroxide or sodium hypochlorite. Since incompatible wastes are not expected or allowed at the Facility, ECI does not anticipate the handling of incompatible wastes. In order to remind the technicians who work on the pad, an additional warning sign will be posted in the hazardous storage area that will read: "Warning- Do NOT Put Incompatible Wastes in This Container: Do NOT put Acids, Bases, Oxidizers, or other Incompatible Wastes."

The hazardous waste that will be treated or stored in the above-mentioned containers pursuant to title 22, California Code of Regulations 66270.13(j), 66270.14(b)(19) is known commonly as tank bottom solids. Waste that has been characterized as Non-RCRA does not carry an EPA waste code. California hazardous waste codes include number 352-Other organic solids. Wastes that are determined to be ignitable would carry the the D001 code. The hydrocarbon-contaminated soils are designated as: "Non RCRA Hazardous Waste Solid". DOT packaging group III is adequate packaging for this waste stream. Wastes that contained Benzene or Lead over the federal thresholds would carry U109 or D008 EPA waste codes. Waste in Roll-off boxes is designated as: "Non-RCRA Hazardous Waste Solids". The presence of lead contamination is not anticipated, since lead was removed from gasoline over 20 years ago. There is, however, a possibility that some older tanks may still contain some levels of lead. If analysis indicates that the toxicity characteristic leaching procedure (TCLP) lead concentration is over 5parts per million, the roll-off waste will be designated as: "Hazardous Waste Solids, not otherwise specified (n.o.s.) (lead) 9 NA 3077 PG III". This waste will also be designated with the Federal waste code D008.

Proposed units to be permitted include those listed in Table 1.

Table 1: Permitted Units

Unit Name	Dimensions	Waste Type	Waste Volume
Tank Staging Area	120' X 145'	Petroleum Solids	Max of 25.
Tank Processing Pad	15' X 50'	Petroleum Wastewater	1 tank of various sizes at one time
Rinsate Tanks	30'6" X 20'6"	Petroleum Wastewater	6,850 gallons
Flammable Drum Storage	11' X 8'	Petroleum Solids	11 drums - 55 gallons max. (605 gallons)
55 Gallon Drum Storage	22' X 8'	Petroleum Solids	16 drums - 55 gallons max. (880 gallons)
Bin Storage Area 1	20' X 20'	Petroleum Solids	40 cubic yards
Bin Storage Area 2	25' X 60'	Petroleum Solids	80 cubic yards
Bin Storage Area 3	25' X 65'	Petroleum Solids	120 cubic yards

Permitted Activities

If approved, the 10-year standardized permit would authorize the applicant to conduct the following activities:

- Receive previously drained USTs, pipes and appurtenances and stage in a concrete secondary containment area.
- Using water, decontaminate the USTs, pipes and appurtenances on the Tank Processing Pad. The Tank Processing Pad is to be a fully compliant secondary containment pad.
- Store the rinse water in one of two above ground storage tanks (ASTs) with secondary containment for up to one year. The seismic calculations of the two ASTs tanks and secondary containment structures included in the written tank assessment were certified by a professional engineer as required. The seismic restraint systems were designed and certified by a professional structural engineer.
- Collect tank bottom sludge and store sludge in 55-gallon drums or in 20-cubic-yard roll-off bins for up to one year.
- Ship cleaned USTs, pipes and appurtenances for off-site disposal for recycling or to a landfill for proper disposal.

- Use twenty and forty cubic-yard containers to accumulate cleaned metal pipes and appurtenances. Twenty and forty-cubic-yard containers are to be used to accumulate cleaned fiberglass pipes and debris as well as segregate clean metal pumps, hoists, and pipes. Roll-off containers are made of mild steel 12 gauge hot rolled steel (HRS) prime steel sheet-radius formed and include the following dimensions:

8' wide X 4' high X 18' long, 18.4 cubic-yards each
 8' wide X 5' high X 15' long, 20.7 cubic-yards each
 8' wide X 4' high X 14' long, 14.2 cubic-yards each
 8' wide X 8' high X 20' long, 40 cubic-yards each.

Twenty and 40 cubic-yard hazardous waste roll-off boxes are used for dirty piping and appurtenances. Liners are to be used to line roll-off boxes. Liners are made from poly-ethylene sheeting (Visqueen®) that is four thousands of an inch thick. Twenty and forty-cubic-yard hazardous waste roll-off boxes are to be used for the storage of Non-RCRA - Hazardous Waste Solids and tank bottom solids.

- Appropriately label container contents - Hazardous waste labels to be used include the following: soils and sludges are identified as “Non-RCRA Hazardous Waste Solids” Dirty piping, appurtenances, and construction debris may be identified as Non-RCRA Hazardous Waste Solids” or as “Non hazardous wastes.” Bins containing these wastes are to be labeled with either hazardous or non-hazardous waste labels so that they can be easily distinguished.
- Ship solid waste and rinsate water out for proper disposal, and ship materials in accordance with title 49 Code of Federal Regulations and California Code of Regulations, title 22.
- Maintain and use appropriate and up-to-date Site-Specific Health and Safety Plan.
- Maintain and update the required emergency contingency plan and plan notification procedures.
- Conduct waste characterization sampling and annual sampling to verify waste streams for tanks and drums as described below.

Waste Characterization Sampling:

Polyethylene Rinsate Holding Tanks 6,500 (UST Rinse water): Samples are collected and analyzed for the initial three shipments to verify the waste conformity and then on an annual basis to confirm the waste characteristics. Three grab samples will be collected using a coliwasa sampler. One sample from the bottom, middle and top of the tank is obtained. These samples will be combined into a composite sample. This representative composite sample will then be distributed into the following containers and tested for the following flash point, benzene, toluene, ethylbenzene and xylene (BTEX) /methyl tertiary butyl ether (MTBE), TRPH, and California Code of Regulations title 22, section 66261.24(a)(2)(A) metals (CAM) metals:

Method:	Container:	Preservative:
Flash point	2x40 milliliter (ml)	Volatile organic compound (VOC) ice
EPA 8260B	2x40 ml VOC	Hydrochloric acid (HCL) or ice
EPA 418.1	1x1 liter glass	Sulfuric or ice
EPA 6010B	500ml glass	Nitric or ice

The samples are then delivered to a California Certified Laboratory with a completed Chain-of-Custody. Flash point is run to test for ignitability characteristic. Since gasoline tanks are cleaned at the facility, test method 8260B is run to confirm benzene levels are below RCRA levels and test method 6010B is run to confirm lead levels are below RCRA levels. Test method 418.1 is run to determine the amount of petroleum hydrocarbons in the waste stream. The waste in the holding tank separates into 3 layers. The top layer contains waste oil and hydrocarbons, the middle layer is aqueous, and the bottom layer contains sludge, soil, and tank bottoms. As stated above, a composite sample taken from all three layers and is used to better represent this waste stream. Samples are collected and analyzed for the initial 3 shipments to verify the waste conformity and then on an annual basis to confirm the waste characteristics. The procedure for verifying the accuracy or validity of the sampling results includes duplicate samples and trip blanks. Once every 12 months split samples will be sent to two California certified hazardous waste laboratories to verify sampling and results. Waste stream characteristics may change if fuel or petroleum formulations change. ECI will test for additional analytes if necessary. Some tanks may contain residual soil, gravel, or sludge. These solids may be contaminated by the fuel or oil that had previously been stored in the tank while it was in service. The source of hydrocarbon contamination may also be a result of residual oil or fuel that remained in the tank after pumping. Different tanks may have different amounts of residual contamination; consequently, a composite sample is taken.

Drum Storage Area: Three 16-ounce grab samples are taken by scupula from three separate drums. These samples are combined into one composite sample. Flash point is run to test for characteristic ignitability. EPA test method 8260B is run to confirm benzene levels are below RCRA levels and test method 6010B is run to confirm lead levels are below RCRA levels. Test method 418.1 is run to determine the amount of petroleum hydrocarbons in the waste stream. The waste is composed of soil and sludge. A composite sample is used to better represent this waste stream. Samples are collected and analyzed for the initial 3 shipments to verify the waste conformity and then on an annual basis to confirm the waste characteristics. The analytical methods used include: EPA methods:1020, 8260B, 418.1, 6010B for flash point, BTEX/MTBE, TRPH, CAM metals.

Bin Storage Area: Three 16-ounce grab samples are obtained from each bin by scupula. Samples are taken from each end and the middle of the bin at surface level. These samples are combined into a composite, preserved with ice, and sent to a California State Certified Laboratory for consolidation and analysis with a completed Chain-of-Custody. Some tanks may contain residual soil, gravel, or sludge. These solids may be contaminated by the fuel or oil that had previously been stored in the tank while it was in service. The source of hydrocarbon contamination may also be a result of residual oil or fuel that remained in the tank after pumping. Different tanks may have different amounts of residual contamination, so a composite sample is more representative of this waste stream. Samples are taken on an annual basis to confirm the waste characteristics. The analytical methods used include: EPA methods:1020, 8260B, 418.1, 6010 for ignitability, BTEX/MTBE, TRPH, CAM metals.

- Institute the closure plan when operations cease at the facility. The closure plan provides for confirmation sampling of equipment and structures, including the tank processing pad, rinsate holding tanks, tank holding/staging pad, secondary containment areas, drum storage areas, and buildings. Decontamination of structures and equipment and removal of specified operations structures and equipment is also provided. Demolition and disposal of the concrete pads will be performed as indicated by sampling results. Background levels will be used as clean-up standards for inorganic metals. Non-detect will be used as the clean-up standard for total petroleum hydrocarbon results. Disposal of all equipment and waste waters at appropriate facilities will also occur. A Site-Specific Health and Safety Plan will be provided to DTSC when the facility undertakes closure.

Corrective Action

As a condition of the Permit that is being issued to the Richmond facility, ECI is required to conduct corrective action on the soil in the vicinity of the Tank Staging Area. Based on the Initial Assessment of Soil Quality in the Tank Pad Vicinity Report received from the facility in May 2005, further investigation is necessary to define the extent of contamination. The initial soil assessment failed to define the vertical and lateral extent of the total recoverable petroleum hydrocarbons (TRPH) releases. Once the contamination is defined, a remedy will be selected to handle contamination and the new Tank Staging area will be constructed with cement. The new containment system should have structural strength to withstand vehicular traffic and weight associated with the activities carried out in this area without developing cracks or gaps. In addition, there will be a berm for run-on controls and a sump for drainage collection and pumping. The surface should have adequate slope to promote drainage and to prevent standing water on the surface of secondary containment. The sump should have a pump that manually or automatically removes accumulated water promptly from the storage tank area.

The soil investigation is on-going. As yet, there is not sufficient information regarding the release of TRPH into the soil and groundwater to determine the health risk. Preventative measures are now being taken to prevent further release of contamination into the soil. These measures include stricter management practices. The Tank Rinse Pad is to be maintained free of cracks, and improved storm water practices will be implemented. Management practices include re-training of all personnel on appropriate handling of un-cleaned tanks. The Tank Staging Area has been re-paved and bermed to maintain a surface area free of cracks. Storm water practices will include the following: all storm water that accumulates inside the secondary containment areas, including hazardous waste storage and tank processing areas, will be pumped into the rinsate holding tank(s) and managed as Non-Resource Conservation and Recovery Act (RCRA) hazardous waste liquid.

Therefore, this permit will allow ECI to continue to operate during investigation and remediation of the contaminated area. The details and schedule of the corrective action process described in the draft permit will allow the facility to adhere to a compliance schedule while continuing to operate. However, while the secondary containment is being constructed, the facility will temporarily cease operation until construction is complete because there will not be a place for incoming tanks.

Corrective Action activities would include:

1. The Permittee shall, within thirty (30) calendar days after the effective date of this Permit, submit a RCRA Facility Investigation (RFI) Workplan. The RFI Workplan shall detail the methodology to: (1) gather data needed to make decisions on interim measures/ stabilization during the early phases of the RCRA Facility Investigation; (2) identify and characterize all sources of contamination; (3) define the nature, degree and extent of contamination; (4) define the rate of movement and direction of contamination flow; (5) characterize the potential pathways of contaminant migration; (6) identify actual or potential human and/or ecological receptors; and (7) support development of alternatives from which a corrective measure will be selected by DTSC. A specific schedule for implementation of all activities shall be included in the RFI Workplan.
2. Concurrent with the submission of a RFI Workplan, Respondent shall submit to DTSC a Health and Safety Plan.
3. The Permittee shall, within thirty (30) calendar days after completing the soil and groundwater investigation submit a RFI Report. Respondent shall submit a RFI Report to DTSC for approval in accordance with DTSC-approved RFI Workplan schedule. If there is a phased investigation, separate RFI Reports and a report that summarizes the findings from all phases of the RFI must be submitted to DTSC. DTSC will review the RFI Report(s) and notify Respondent in writing of DTSC's approval or disapproval.
4. Permittee shall submit a RFI Summary Fact Sheet to DTSC that summarizes the findings from all phases of the RFI. The RFI Summary Fact Sheet shall be submitted to DTSC in accordance with the schedule contained in the approved RFI Workplan. DTSC will review the RFI Summary Fact Sheet and notify Permittee in writing of DTSC's approval or disapproval, including any comments and/or modifications. When DTSC approves the RFI Summary Fact Sheet, Permittee shall mail the approved RFI Summary Fact Sheet to all individuals on the Facility mailing list established pursuant to California Code of Regulations, title 22, section 66271.9(c)(1)(D), within 15 calendar days of receipt of written approval.
5. Permittee shall prepare a Corrective Measures Study (CMS) if contaminant concentrations exceed current health-based action levels and/or if DTSC determines that the contaminant releases pose a potential threat to human health and/or the environment. Within forty-five (45) calendar days of DTSC's approval of the RFI Report (or of Permittee's receipt of a written request from DTSC), Permittee shall submit a CMS Workplan to DTSC. The CMS Workplan is subject to approval by DTSC. The CMS Workplan shall detail the methodology for developing and evaluating potential corrective measures to remedy any contamination at the Facility. The CMS Workplan shall identify the potential corrective measures, including any innovative technologies that may be used for the containment, treatment, remediation, and/or disposal of contamination.
6. Respondent shall prepare treatability studies for all potential corrective measures that involve treatment except where Respondent can demonstrate to DTSC's satisfaction that they are not needed. The CMS Workplan shall include, at a minimum, a summary of the proposed treatability study including a conceptual design, a schedule for submitting a treatability study workplan, or Respondent's justification for not proposing a treatability study.
7. Respondent shall submit a CMS Report to DTSC for approval in accordance with the DTSC-approved CMS Workplan schedule. DTSC will review the CMS Report and notify Respondent in writing of DTSC's approval or disapproval.
8. DTSC will provide the public with an opportunity to review and comment on the final draft of the CMS Report, DTSC's proposed corrective measures for the Facility, and DTSC's justification for selection of such corrective measures. Following the public comment period, DTSC may select final corrective measures or require Respondent to revise the CMS Report and/or perform additional corrective measures studies. DTSC will notify Respondent of the final corrective measures selected by DTSC in the Final Decision and Response to Comments. The notification will include DTSC's reasons for selecting the corrective measures.
9. Within sixty (60) calendar days of Permittee's receipt of notification of DTSC's selection of the corrective measures, Permittee shall submit to DTSC a Corrective Measures Implementation (CMI) Workplan. The CMI Workplan is subject to approval by DTSC. The CMI program shall be designed to facilitate the design, construction, operation, maintenance, and monitoring of corrective measures at the Facility. In accordance with the schedule contained in the approved CMI Workplan, Respondent shall submit to DTSC the documents listed below:

- Operation and Maintenance Plan
- Draft Plans and Specifications
- Final Plans and Specifications
- Construction Workplan
- Construction Completion Report
- Corrective Measures Completion Report.

DTSC will review all required CMI documents and notify Respondent in writing of DTSC's approval or disapproval.

As directed by DTSC, within 90 days of DTSC's approval of all required CMI documents, Permittee shall establish a financial assurance mechanism for Corrective Measures Implementation. The financial assurance mechanisms may include any mechanism described in California Code of Regulations, title 22, sections 66264.143 or 66265.143 as applicable. The mechanism shall be established to allow DTSC access to the funds to undertake Corrective Measures Implementation tasks if Permittee is unable or unwilling to undertake the required actions. The workplan for remediating any contamination found will be undertaken under a separate CEQA process when the remedy for the tank staging area has been selected.

Findings of Significant Effect on Environment:
(A copy of the Initial Study which supports this finding should be attached.)

After conducting an Initial Study of the potential environmental impacts for the proposed project, DTSC has determined that project implementation will not result in any significant environmental impacts. Refer to the attached Initial Study.

Mitigation Measures:

DTSC has determined that no additional mitigation measures would be required beyond those incorporated as part of the project to ensure that impacts would be less than significant.

_____		_____
DTSC Branch Chief Signature		Date
_____	Chief, Standardized Permitting and Corrective Action Branch	(916) 255-3716
Mohinder S. Sandhu	DTSC Branch Chief Title	Phone #
_____		_____
DTSC Branch Chief Name		