

**NEGATIVE DECLARATION**

Department of Toxic Substances Control (DTSC)  
Brownfields and Environmental Restoration Program  
8800 Cal Center Drive  
Sacramento, CA 95826

Subject:  DRAFT  FINAL  MITIGATED

Project Title: Post-Closure Permit Issuance for Wastewater Treatment Units - East Basin, West Basin, Emergency Basin and Ponds A, B, and C, DuPont Oakley Site; U.S. EPA ID. NO. CAD009151671

State Clearinghouse No.: 2011092013

Project Location: 6000 Bridgehead Road, Oakley, California

County: Contra Costa

Project Description:

The project is the issuance by the Department of Toxic Substances Control (DTSC), in accordance with California Health and Safety Code, Chapter 6.5, Section 25100 et seq., of a Resource Conservation and Recovery Act (RCRA) Hazardous Waste Facility Post-Closure Permit (Permit) to the E.I. du Pont de Nemours and Company (DuPont or Permittee) Antioch Works facility (a.k.a. the Facility, DuPont Oakley Site or Site) for six waste management units (units) described below.

Background:

The Site was a manufacturing plant where DuPont produced chlorofluorocarbons (CFCs), including Freon®, fuel-additive anti-knock compounds (AKC), and titanium dioxide (TiO<sub>2</sub>), a pigment used to provide whiteness to products such as paints, plastics, foods, medicines. DuPont discontinued all three product lines beginning with AKC manufacturing in 1981 followed by CFC manufacturing in 1995, and TiO<sub>2</sub> manufacturing in 1997. DuPont entered into a Corrective Action Consent Agreement (CACA) with DTSC for the Site, effective June 17, 2003 (HWCA P2-02/03-005). All manufacturing facilities at the Site have been demolished.

The units subject to the Permit include three concrete and polyethylene-lined ponds (Ponds A, B, and C) and three unlined basins (East Basin, West Basin, and Emergency Basin) that are no longer used for the treatment or storage of hazardous wastes. The ponds and basins were used to treat and store wastewater that was generated at the Site during operation of the manufacturing plant. All six of the units were removed from service in accordance with a Closure Plan dated June 20, 1983, which was approved by the California Regional Water Quality Control Board-Central Valley Region (CRWQCB) and Department of Health Services (DHS) (predecessor agency to DTSC). The Closure Plan included: removing waste materials from all six units for off-site disposal at a permitted hazardous waste landfill; filling five of the units with clean soil; and, leaving one unit (the West Basin) functional for the purpose of receiving non-RCRA wastewater prior to discharge into the San Joaquin River under a National Pollutant Discharge Elimination System (NPDES) permit. The NPDES permit expired in 2001 and piping to and from the West Basin has been sealed; however, the unit still receives rainwater.

Project Activities:

The Permit requires monitoring of groundwater and surface water and includes a special condition requiring backfilling the West Basin with clean soil. Groundwater and surface water monitoring for the purpose of the Permit shall be performed in accordance with California Code of Regulations, title 22, Chapter 14, Article 6. Forty-one (41) groundwater monitoring wells have been installed immediately downgradient of the units and are sampled and analyzed regularly for chemical contamination under the CACA. The Permit requires continued surface water monitoring currently being performed under the CACA at four locations within adjacent surface water bodies (Lauritzen Yacht Harbor and Little Break). The Permit also requires scheduled inspections of the integrity of the soil covers over all of the units. Additionally, the Permit requires the Permittee to cooperate with DTSC in preparation and recording of a covenant that will place restrictions on groundwater extraction and building construction and/or occupancy. Permittee shall sign and record the covenant within thirty (30) days after receiving written approval of the form and content of the covenant from DTSC.

Project activities are to commence January 9, 2012 and continue through the Post-Closure Permit's term, which is 10 years. Before the Permit expires, DuPont may apply to DTSC for another post-closure permit.

Finding Of Significant Effect On Environment: None *(An Initial Study supporting this finding is attached.)*

Mitigation Measures: None

*//Original signed by//*



*RG*

Unit Chief Signature

*12-5-11*

Date

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Unit Chief Name

Hazardous Substance Engineer Sup. I  
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