

**RESPONSE TO COMMENTS
ON
HAZARDOUS WASTE POST-CLOSURE FACILITY PERMIT**

**FORMER BARON BLAKESLEE, INC. FACILITY
8333 ENTERPRISE DRIVE
NEWARK, CALIFORNIA 94560
U.S.EPA ID NO.: CAD074644659**

The Department of Toxic Substances Control (DTSC) prepared a Draft Hazardous Waste Post-Closure Facility Permit (Permit) for the Former Baron Blakeslee, Inc. Facility (Facility) now owned by Gallade Chemicals, Inc. and operated by Honeywell International, Inc. Gallade Enterprises, LLC is the current owner of the real Property. DTSC public-noticed the Draft Permit for public comments during the public comment period from October 15, 2009 through January 18, 2010.

This Response to Comments document responds to comments that DTSC received during the public comment period. All the comments came from Honeywell International, Inc. in a letter dated January 13, 2010. The comments are shown below in italics. DTSC's response follows each of the comments.

Comments made by Honeywell International Inc., in letter dated January 13, 2010:

Comment #1: Cover page of the Draft Hazardous Waste Post Closure Facility Permit

Please change "Gallade Chemical Enterprises, LLC" to "Gallade Chemical, Inc."

Response to Comment #1

The name of the Owner of the Facility and the real property in the draft Permit was based on the information provided in the Part A and Part B of the Permit Application dated January 8, 2009 and the subsequent revisions dated June 12, 2009 and July 30, 2009 (Approved Application). DTSC later discovered that the information was incorrect and requested Honeywell to make the correction. Honeywell submitted revised pages of the Permit Application on March 4, 2010 to show the correct name of the Owner of the Facility and the real property. As a result, DTSC has added the following at the end of Section III.1 of the Permit: "Revised page of the Permit Application submitted on March 4, 2010 is also made a part of this Permit by reference". DTSC has also made the following changes to the cover page and page 4 of the Permit:

Owner of Facility:

Gallade Chemical, Inc.
8333 Enterprise Drive
Newark, California 94560

Owner of Real Property:

Gallade Enterprises, LLC
1230 East St. Gertrude Place
Santa Ana, California 92707

In addition, in Section II.5. of the Permit, DTSC has replaced "... Gallade Chemical Enterprises, LLC (Gallade) has owned the property and ..." with "... Gallade Enterprises, LLC has owned the real property and has leased it to Gallade Chemical, Inc. which..."

Comment #2: Part III.2(b) of the Draft Hazardous Waste Post Closure Facility Permit

Honeywell would like to request a revision to include the following language (**in bold italics**):

*The Permittee is permitted to operate, monitor and maintain this Facility for post closure activities in accordance with the terms and conditions of this Permit and the Approved Application. Any management of hazardous wastes not specifically authorized in this Permit or otherwise authorized by DTSC or RWQCB is strictly prohibited, **other than hazardous waste generated onsite that is managed in accordance with the requirements of 22 CCR Division 4.5 Chapter 12 and activities authorized by RWQCB SCR Order No. R2-2007-0005 and subsequent modifications.***

Response to Comment #2

The issue raised by the commenter is already addressed in the applicable regulations. Section III.2.(a) of the Permit provides that the Permittee shall comply with the provisions of Health and Safety Code and its implementing regulations in California Code of Regulations, title 22, division 4.5. The Permit does not need to repeat all the regulatory requirements. Therefore, no change has been made to the Permit.

Comment #3: Part III.4(f) of the Draft Hazardous Waste Post Closure Facility Permit

Honeywell would like to request a revision to include information from the permit application that discussed termination of the permit (**in bold italics**):

*For the purpose of California Code of Regulations, title 22, section 66264.96 the Compliance Period for the Post Closure Unit at the Facility shall be 30 years beginning with the effective date of the Permit. DTSC may extend the post-closure monitoring period beyond the 30 year to protect human health and the environment. **Final closure may be requested if monitored concentrations are less than the concentration limits for a period of 3 years after active remediation is completed and no sources remain at the site as described in Section 8.2.8 and Section 8.3.4 of the Approved Application.***

Response to Comment #3

DTSC cannot pre-determine when or how all the post-closure requirements will be completed. The Permit should not proscribe how post-closure care can be terminated, as regulatory requirements for termination of post-closure care may change over the life of the Permit. The Permittee is not precluded from requesting a permit modification to adjust or shorten the post-closure care period at later time. Therefore, no change has been made to the Permit.

Comment #4: Part V.8 of the Draft Hazardous Waste Post Closure Facility Permit

Honeywell would like to request a revision to the section to remove specific details of the remediation and reduce redundancy of agency approval (**in bold italics**):

*Since the current monitoring well network is subject to change over time **to allow for soil and groundwater treatment and treatment assessment, [delete: the monitoring well network will be adjusted in the plume area during the In-Situ Chemical Oxidation (ISCO) process, and new performance monitoring wells will most likely be installed. It is expected that at the conclusion of the treatment program, most, if not all, of the technology-specific monitoring wells will be abandoned;]** the final post-treatment monitoring network will include a network of wells that is sufficient to monitor the soil and groundwater impact that remains at the Facility; and the network will include existing wells, replacement wells for those abandoned to perform treatment, and selected technology-specific monitoring wells. In any of these events, the Permittee may implement repairs, replacement and abandonment of the wells and piezometers, and construction of new wells and piezometers without a permit modification as long as the Permittee makes these changes in accordance with a workplan approved by the RWQCB. **[remove: and DTSC in writing.]** The Permittee shall obtain written approval from DTSC and RWQCB for the final post-closure monitoring well network.*

Response to Comment #4

DTSC does not agree with the commenter. As DTSC is the lead agency overseeing the post-closure monitoring activities, DTSC's approval is necessary for any changes to the post-closure monitoring well network. However, to reduce redundancy of agency approval, DTSC has revised Part V.8 of the Permit to read as follows:

Since the current monitoring well network is subject to change over time to allow for soil and groundwater treatment, removal, and assessment, the interim post-closure monitoring network will include a network of wells that is sufficient to monitor the soil and groundwater impact that remains at the Facility; and the network will include existing wells, replacement wells for those abandoned to perform treatment, and selected technology-specific monitoring wells. In any of these events, the Permittee may implement repairs, replacement and abandonment of the post-closure wells and piezometers, and construction of new post-closure wells and piezometers without a permit modification as long as the Permittee makes these changes in accordance with a workplan approved by the RWQCB and notifies DTSC of the proposed changes for the interim network. The Permittee shall obtain written approval from DTSC and RWQCB for the final post-closure monitoring well network once soil and groundwater treatment, removal, and assessment have been completed.

Comment #5: Part IV of the Draft Hazardous Waste Post Closure Facility Permit

Honeywell would like to request addition of the following statement shown **in bold italics** in Waste Codes:

*Solvents, ignitables, chlorinated and fluorinated solvents. **Ignitable wastes are no longer present at the Facility and are not considered a chemical of concern.***

Response to Comment #5

DTSC has revised the Waste Types section of Part IV of the Permit and has removed the ignitable waste from the section. It now reads as follows: Solvents, chlorinated and fluorinated solvents. In addition, DTSC has deleted "D001" from the RCRA Hazardous Waste Codes section of Part IV of the Permit.

[NOTE: Honeywell's January 13, 2010, letter skipped the comment number "6".]

Comment #7: Draft Notice of Exemption, Cover page

Please change "Gallade Chemical Enterprises, LLC" to "Gallade Chemical, Inc."

Response to Comment #7

The Draft Notice of Exemption was not subject to public notice and comment under the California Environmental Quality Act. However, DTSC has revised the Notice of Exemption as necessary to address the comment.

Comment #8: Draft Notice of Exemption, Project Description

Honeywell would like to request a revision to the following sentence:

"The post-closure permit requires the continued quarterly or semi-annual groundwater monitoring of the nine RCRA groundwater monitoring wells, measuring the depth to ground water in groundwater wells, inspect, repair, maintain and report on the integrity and general condition of the wells, and report vapor gas soil sampling results."

*"The post-closure permit requires the continued **semi-annual or annual** groundwater monitoring of the nine RCRA groundwater monitoring wells, **quarterly** measuring the depth to ground water in **selected RCRA groundwater monitoring** wells, inspect, repair, maintain and report on the integrity and general condition of the wells, and report vapor gas soil sampling results."*

Response to Comment #8

The Draft Notice of Exemption was not subject to public notice and comment under the California Environmental Quality Act. However, DTSC has revised the Notice of Exemption as necessary to address the comment.

Comment #9: Draft Notice of Exemption, Ongoing Corrective Action Activities

Honeywell would like to request a revision to the following sentence:

“The contracting process is currently ongoing and the design is planned to be completed in early 2010 for remediation to begin in March 2010.”

*“The contracting process is currently ongoing and the design is planned to be completed in early 2010 for remediation **through 2011.**”*

Response to Comment #9

The Draft Notice of Exemption was not subject to public notice and comment under the California Environmental Quality Act. However, DTSC has revised the Notice of Exemption as necessary to address the comment.

Comment #10: Draft Notice of Exemption, Reasons Why Project is Exempt

Honeywell would like to request a revision to the following sentence:

“The post closure permit will require sampling and analyses of groundwater for wide variety of components in 9 wells quarterly or semiannually.”

*“The post closure permit will require sampling and analyses of groundwater for wide variety of components in 9 wells **semiannually or annually.**”*

Response to Comment #10

The Draft Notice of Exemption was not subject to public notice and comment under the California Environmental Quality Act. However, DTSC has revised the Notice of Exemption as necessary to address the comment.