Department of Toxic Substances Control

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NOTICE OF EXEMPTION

To: Office of Planning and Research
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Sacramento, CA 95812-3044

From: Department of Toxic Substances Control
Permit Renewal Team
8800 Cal Center Drive
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Project Title: Golden Eagle Refinery, Tesoro Facility, Waste Management Unit 17 – Post-Closure Permit Renewal

Project Location: Martinez, about 25 miles northwest of San Francisco

County: Contra Costa County

Project Description: This project consists of renewing the post-closure permit for Waste Management Unit (WMU) 17 at the Golden Eagle Refinery Tesoro Facility (Facility). WMU 17 is a closed and covered 4 acre area formerly used for oily waste storage. No physical changes to the site are proposed. The Tesoro Refining and Marketing Company is the current owner. On July 30, 1998, the Department of Toxic Substances Control (DTSC) issued a post-closure permit for the Facility which is currently due for renewal. The renewed post-closure permit outlines three primary functions: 1) maintenance of the closure cover, 2) environmental monitoring; and 3) maintenance of financial mechanisms to fund the post-closure activities.

Background

Location, Usage, and History

The Facility is located at 150 Solano Way in Martinez, in the vicinity of State Route 4 and Interstate 680 interchange. The Refinery is bounded to the north by Suisun Bay, to the south by State Route 4, to the east by open space land and marsh, and to the west by Pacheco Creek.

Operations at the Facility began in 1913 and now encompass an area of approximately 2,100 acres. Approximately 145,000 barrels of petroleum crude oil are processed at the Facility per day. Primary products produced are gasoline and diesel fuel, while other products include liquid petroleum gas, heating oil, and petroleum coke.

Only the 4 acres however which comprise WMU 17 constitute the project associated with this California Environmental Quality Act (CEQA) document. WMU 17 was constructed in 1966 and consisted of two rectangular shaped ponds. WMU 17 was utilized from 1966 to 1983 as oily waste storage ponds with residence times of 6 to 9 months. At the time of closure, the depth of both ponds were approximately 6 feet below ground surface, and the areas of the west and east ponds were approximately 425 by 150 feet and 500 by 175 feet, respectively. In December 1983 WMU 17 was removed from service. The closed ponds are now capped by an engineered cover system installed during closure activities which were approved by the Department of Health Services (DHS) and USEPA in a letter dated December 6, 1988.

Groundwater

Three groundwater bearing zones have been identified beneath the Facility; an unconfined shallow water-bearing zone consisting of alluvium, Bay Sediments, and artificial fill, a second zone within denser alluvial deposits, and a deeper groundwater zone within fractured sandstone or bedrock. Groundwater monitoring is conducted as required by the Regional Water Quality Control Board's Waste Discharge Order (Order No. 09-89-0013a). This order is applicable Facility-wide and is administered under the Owner's Self-Monitoring Program (SMP). The SMP is designed to accomplish the following:

- Detect releases from the WMUs/areas of concern and assess overall groundwater conditions;
- Monitor chemical constituents in groundwater beneath the perimeter of the Refinery;
- Evaluate whether further degradation of groundwater quality at the Refinery is occurring; and
- Map the groundwater gradient.

Within the Facilities network of 217 groundwater water monitoring wells, 23 are used to asses WMU 17 groundwater contaminant levels and conditions. Data gathered from these wells are also used in assessing Facility-wide groundwater conditions.

Surface Water and Vadose Zone Monitoring

Surface water monitoring is conducted outside of WMU 17 as part of a Facility-wide monitoring program. The following water bodies surrounding WMU 17 are monitored: the Clean Water Canal, Oily Water Canal, surge ponds, coke pond, Hastings Slough and its tributaries, and the canal adjacent to Waterfront Road. Surface water monitoring data gathered from these areas are used to collectively assess potential surface migration of contaminants Facility-wide, as well as the local area of WMU 17.

Air Monitoring

The Facility has an air monitoring program in place that is regulated by Bay Area Air Quality Management District. The existing Facility-wide air monitoring program addresses air quality at WMU 17 by continuous ground level monitoring at the Tract 3 and Mallard Reservoir locations. WMU 17 is located midway between these two stations.

Project Activities

In renewal of the Golden Eagle Tesoro WMU 17 post-closure permit, the following tasks were competed:
- Facility prepared a post-closure permit renewal application (application) and submitted to DTSC;
- DTSC reviewed the application and required changes as part of Notice of Deficiencies;
- Facility prepared a revised post-closure permit application which was accepted by DTSC;
- DTSC prepared a draft post-closure permit;
- The draft post-closure permit received a 45-day public comment period; and
- The draft post-closure permit was approved as the final post-closure permit.

The post-closure permit includes the following three main requirements:
1. Regular inspection and maintenance of the cover and drainage systems (with corrective action as necessary);
2. Environmental monitoring, consisting of regular well inspection, sampling, and data analysis; and,
3. Provisions of financial mechanisms to fund the post-closure activities for 30 years.

Name of Public Agency Approving Project: Department of Toxic Substances Control

Name of Person or Agency Carrying Out Project: Golden Eagle Refinery, Tesoro Facility, Martinez

Exemption Status: (check one)

☐ Ministerial [PRC, Sec. 21080(b)(1); CCR, Sec. 15268]
☐ Declared Emergency [PRC, Sec. 21080(b)(3); CCR, Sec.15269(a)]
☐ Emergency Project [PRC, Sec. 21080(b)(4); CCR, Sec.15269(b)(c)]
☐ Categorical Exemption: [State type and section number]
☐ Statutory Exemptions: [State code section number]
☒ General Rule [CCR, Sec. 15061(b)(3)]

Exemption Title: Title 14, California Code of Regulations, Section 15061 (b)(3). With certainty, no possibility of significant environmental effect.

Reasons Why Project is Exempt: This project consists of renewing the Facility's post-closure permit for WMU 17. With the exception of minor repairs identified during periodic inspections of the closure cover, no physical changes to the site are proposed. Control measures that will limit environmental effects to insignificant levels include the following:

- The closure of WMU 17 was approved by the DHS and the USEPA in 1988;
- A recorded notation on the Facility property deed notifies any potential purchaser of the property that the land has been used to manage hazardous wastes and that the use of the land is restricted under Title 22, Chapter 15, Section 7 of the California Code of Regulations;
- The closure cover integrity and inspection protocol was approved by DTSC in the July 30, 1998 post-closure permit;
- WMU 17 is located within the Refinery fencing and can only be accessed through the Refinery's security system. There is no unattended public access. All visitors accessing the Refinery must obtain security clearance and an entry pass from an authorized Tesoro representative prior to being allowed access to the Refinery property; and
- Post-closure activities are carefully regulated to assure against the potential for any additional environmental concerns. Pursuant to DTSC authority, any new discoveries at the Facility will trigger an examination and evaluation of this notice of exemption (NOE) relative to the statutory and regulatory requirements of CEQA. Any constituent release will trigger corrective action mechanisms such as a Corrective Action Consent Agreement or Unilateral Corrective Action Order, as well as evaluation of this NOE for CEQA compliance.

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