



Department of Toxic Substances Control

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MEMORANDUM

FROM: Andrew Berna-Hicks
Project Manager

TO: File (USS-POSCO INDUSTRIES, Pittsburg, CA)

DATE: September 24, 2002

RE: **CHANGES MADE FROM THE DRAFT TO FINAL DOCUMENTS
(POST-CLOSURE PERMIT, NEGATIVE DECLARATION, STATEMENT
OF BASIS, and PART "B" PERMIT APPLICATION)**

I. CHANGES TO THE POST-CLOSURE PERMIT:

Cover page:

The date for the approved Part "B" Application has been changed from May 23, 2002 to August 12, 2002 in order to incorporate clarifications to mitigation measures and other minor changes. See a complete list of changes to the Application in Section IV of this memo.

At the bottom of the page, the word "Issuance" was added in front of date to clarify that the date the permit is signed is the issuance date.

Table of Contents:

In the description for Appendix #1, the words "and Piezometers" have been removed since this appendix does not refer to piezometers.

Add the following: "Appendix #2 - Location Map- Corrective Action Management Unit". This location map has been added to clarify the location of the CAMU.

Page One:

"HSC as used in this permit..." and "CCR as used in this permit..." have been removed from the list of definitions since these abbreviations are not used.

"Cal. Code of Regs. as used in this permit..." has been inserted to reflect the most current abbreviation used for the California Code of Regulations.

Page Two:

The words "Republic of" have been added in front of Korea to clarify that the reference is to South Korea.

The number of downgradient wells used to monitor the landfill has been corrected from 6 to 7. The number "6" was removed, and the number "7" was inserted.

Page Four:

The date for the Application for a Part B Permit was changed from May 23, 2002 to August 12, 2002 due to changes required. See a complete list of changes to the Application in Section IV of this memo.

Under section 2.(b), the word "construct" has been added, since this permit also allows the Permittee to construct the CAMU.

Page Five:

Under section 3., the word "Mitigated" was added in front of Negative Declaration, since mitigation measures were added as a result of comments from the City of Pittsburg.

Under section 4., "semi-annual" was removed and "semi-annually" added to correct grammar.

Page Six:

In the note on the bottom of the graph determining when a post-earthquake inspection should be completed, "Richter magnitude" was removed, and "on the Richter scale" was added for clarification purposes.

Section e) has been added and it reads: "The Permittee shall provide written notice to DTSC of all construction and monitoring activities authorized by this Permit at least 15 calendar days before initiating such activities. The notice shall be provided to the following persons:

Branch Chief
Standardized Permits and Corrective Action Branch
700 Heinz Avenue, Suite 200
Berkeley, CA 94710"

This section was added to insure timely notification to DTSC so appropriate oversight of construction and monitoring activities can be scheduled.

Page Seven:

Corrective Action section was modified to include all aspects of the remedy into the permit in order to make the remedy legally enforceable. Also, language was added to insure that the land shall not be sold before the remedy is complete, and that all renters and lessees are notified of the remedy. The following language was added:

“Until such time as the deed restrictions mandated by the approved corrective action remedies are recorded and DTSC notifies USS-POSCO that the remedies have been adequately completed, the subject properties shall not be sold. Any lessee or renter of the subject properties shall be given a copy of the Notice of Final Decision and Final Statement of Basis so as to be aware of the restrictions on the properties and the contaminants of concern contained upon them. During this period, no activities shall be conducted upon, or improvements made, on the properties addressed in the Final Statement of Basis, or on any properties addressed in the Consent Agreement for which further investigation or remedial action is required, which is intended for human residence, schools, day care centers, human medical care facilities, or cultivation of food. Construction activities involving soil movement will comply with all current applicable laws and regulations and mitigation measures identified in the permit application, especially those designed to limit exposure to contaminants by construction workers and adjacent residents.”

Page Eight:

Laboratory parameters were corrected by removing the words: “beryllium”, “cadmium”, “mercury”, and “silver”. These metals were removed from the list of monitoring constituents since these metals are not required based on previous screening. They should not have appeared on this list.

Page Nine:

Appendix #2, a Location Map for Unit One - Corrective Action Management Unit, was added to the permit for clarification as to the location of the unit.

II. CHANGES TO THE NEGATIVE DECLARATION:

Page One:

The word “Mitigated” was added to the title page. This change was made as a

result of comments submitted by the City of Pittsburg. See changes to Page Five of the Negative Declaration below for a detailed list of these changes.

Page Five:

The Mitigation Measures identified in the Initial Study, along with changes made as a result of comments by the City of Pittsburg were inserted as follows:

“Mitigation measures were incorporated into the project as described in the attached Initial Study to reduce impacts to less than significant levels. During the public comment period, the City of Pittsburg provided clarification to some of the mitigation measures it had proposed to be included into the draft permit for this project. The mitigation measures identified below reflect changes provided by the City of Pittsburg, and have been included in the final permit as conditions of project approval. Changes made are underlined.

Mitigation Measures during Remedial Activity: USS-POSCO shall perform the following mitigation measures:

- C Regularly water all active construction areas and at access and haul roads at least twice daily;
- C Cover all trucks hauling soil, sand, and other loose materials or require all trucks to maintain at least two feet of freeboard in all trucks, or employ other equivalent means (such as watering the top layer of materials exposed to short on-site haul distances) as may be approved by the BAAQMD;
- C Pave, apply water three times daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas and staging areas at the project site;
- C Sweep daily (with water sweepers) all paved access roads, paved parking areas and paved staging areas at the project site;
- C Sweep southbound lanes of Loveridge Road (from Site L-A entrance/exit point on Loveridge Road to the Pittsburg-Antioch Highway) at the end of each day (with water sweepers) during the off-haul of remediation soils;
- C Hydroseed or apply (non-toxic) soil stabilizers to inactive construction areas (previously disturbed areas inactive for ten days or more), or employ other equivalent means (such as watering disturbed areas to maintain adequate moisture content) as may be approved by the BAAQMD;
- C Enclose, cover, water twice daily or apply (non-toxic) soil binders to exposed stockpiles (dirt, sand, etc.);
- C Limit traffic speeds on unpaved roads to 15 miles per hour;
- C Install sandbags or other erosion control measures to prevent silt runoff to public roadways;
- C Replant vegetation (hydroseed) in disturbed areas as quickly as possible (i.e., at

- least twice during Site L-A remediation activity and at the completion of the closure activity at the Unit I CAMU);
- C Install wheel washers for all trucks, or manually wash off the tires or tracks of all trucks and equipment traveling between Site L-A and the Unit I CAMU on paved access roads;
- C Suspend excavation and grading activity when winds (instantaneous gusts) exceed 25 miles per hour or operate in a manner such that visible dust emissions from all excavation and grading activity does not exceed 0.5 on the Ringelmann chart, for a period or periods aggregating more than 3 minutes in any hour;
- C Limit the area subject to excavation, grading, and other construction activity to two SWMUs or 10 acres (which ever is less) and the Unit I CAMU at any one time;
- C Enforce a speed limit of not more than 15 miles per hour on unpaved roads and 30 miles per hour on paved roads within the UPI facility;
- C Have on-site at all times, a site safety officer who is responsible for implementing the specific project construction SSHSP (signed by a Certified Industrial Hygienist and reviewed by UPI and/or its consultants for completeness) and implementing dust mitigation measures;
- C Install appropriate air monitoring equipment as may be required by the BAAQMD;
- C Limit personnel entrances into excavations;
- C Limit the number of construction areas as well as limit access to those areas to approved personnel with adequate protective equipment; and
- C Post signs at all project entry points or within 200 feet of project activities to warn the public and non-construction employees of hazardous activities at the project sites.

Mitigation Measures for Heavy Equipment: USS-POSCO shall, to the extent possible, implement the following mitigation measures to minimize the impacts of heavy equipment use:

- C Use alternative fueled construction equipment;
- C Minimize idling time, for example, 5-minute maximum;
- C Maintain properly tuned equipment; and
- C Limit the hours of operation of heavy-duty equipment as may be restricted by the City of Pittsburg and/or the amount of equipment in use as may be restricted by the BAAQMD};
- C Limit the area subject to excavation, grading, and other construction activity to two SWMUs or 10 acres (which ever is less) and the Unit 1 CAMU at any one time;
- C Post signs at all project entry points or within 200 feet of project activities to warn the public and non-construction employees of hazardous activities at the project sites.
- C Limit the hours of operation of heavy-duty equipment (as may be restricted by the

Memorandum to File (USS-POSCO Industries, Pittsburg, CA)
September 24, 2002
Page 6

City of Pittsburg) and/or the amount of equipment in use (as may be restricted by the BAAQMD)."

Page Six:

As a result of the change to a Mitigated Negative Declaration, the last line of the page has had the phrase “with the mitigation measures adopted” added.

III. CHANGES TO THE STATEMENT OF BASIS:

Page Three and other locations:

All references to a “California registered industrial hygienist” have been changed to read “a registered industrial hygienist”. The reason for this change is that a registration program for industrial hygienists by the State of California is not in existence at this time. A professional organization known as the Association of Professional Industrial Hygienists, Inc. (APIH) registers industrial hygienists.

IV. CHANGES THE PART B PERMIT APPLICATION

Cover Page:

The date on the Part B Permit Application was changed to show that it was last revised on August 12, 2002. The Application’s last revision was formerly listed as May 23, 2002.

Table IV.1:

Mitigation measures intend to reduce dust and noise are listed in table IV.1. These were modified slightly as a result of comments by the City of Pittsburg. These same mitigation measures and the changes made during the comment period are listed in the Negative Declaration. For a complete list of the changes, see the section II above, Changes to the Negative Declaration, Page Five.

Page 6-3, 6-4:

As a result of internal review by DTSC, language was inserted referring to the Training Plan for workers doing inspections and other activities associated with the CAMU. This reference is necessary to make the Training Plan a formal and required component of the Post-Closure Permit. The language inserted reads as follows:

“UPI has established a Training Plan that addresses the Unit I CAMU. During the post-closure maintenance period, UPI employees (both new and existing) responsible for the Unit I CAMU would receive training regarding facility inspection and be required to be familiar with the Contingency Plan (refer to Section 6.2)

The UPI Environmental and Safety Department has oversight responsibility for the

existing Unit I landfill and would have oversight of the Unit I CAMU. Designated compliance engineers within the department are trained to inspect the Unit I landfill. These same employees would be responsible for inspecting the Unit I CAMU. Compliance engineers are required to have a four-year science/engineering degree or an equivalent level of experience. Existing inspectors or an independent qualified engineer familiar with the inspection requirements train first time inspectors. Training provided in the field during an actual inspection. Each and every item on the inspection form is reviewed and discussed during the training event. The trainee is provided with the phone number of the Utilities Department, which is responsible for repairing items identified by the inspectors as needing repair. Annual refresher training is provided to all trained inspectors. This refresher training is provided in the field (and is similar in method to the new inspector training) while walking the landfill with the engineer hired by UPI to provide the annual third-party evaluation of the final cover system. The hired engineer is required to be an independent qualified engineer registered in the State of California.

All compliance engineers with the department are required to be familiar with the Contingency Plan. Familiarization is demonstrated by an annual review of the plan. New compliance engineers are provided with a copy of the plan and are required to read and become familiar with it.”