



# Department of Toxic Substances Control



Winston H. Hickox  
Agency Secretary  
California Environmental  
Protection Agency

Edwin F. Lowry, Director  
700 Heinz Avenue, Suite 200  
Berkeley, California 94710-2721

Gray Davis  
Governor

## **NOTICE OF FINAL DECISION** for **RCRA CORRECTIVE ACTION REMEDY SELECTION FOR SOILS AND A POST- CLOSURE PERMIT FOR AN EXPANDED FORMER LANDFILL (CORRECTIVE ACTION MANAGEMENT UNIT)**

**USS-POSCO INDUSTRIES  
900 LOVERIDGE ROAD  
PITTSBURG, CA  
EPA ID NO. CAD 009 150 194**

**Decision Date: September 26, 2002**

### TO WHOM IT MAY CONCERN:

In accordance with the California Health and Safety Code, Division 20, Chapter 6.5, and the California Code of Regulations, title 22, section 66271.14, and based on criteria and rationale presented in the attached "Final Statement of Basis", the Department of Toxic Substances Control (DTSC) has made a final decision on the RCRA Corrective Action Remedy Selection for ten Solid Waste Management Units (SWMUs) and a Post-Closure Permit for an expanded former landfill, designated as a Corrective Action Management Unit (CAMU), located at USS-POSCO Industries, Pittsburg, CA.

The remedy, proposed in the Corrective Measures Study (CMS), dated August 2, 2000 and its addendum, dated May 17, 2002, consists of excavation and disposal of soils from nine SWMUs to either the on-site CAMU, or to appropriate off-site disposal facilities. An additional SWMU will have a deed restriction recorded to require a Health and Safety Plan to protect construction workers who may encounter as yet undiscovered contaminated soils. All SWMU areas will have a deed restriction recorded to limit these areas to industrial/commercial use. The application for a Post-Closure Permit, final version dated August 12, 2002, consists of expansion of the existing Unit One landfill, groundwater monitoring and regular inspection of the on-site CAMU. The Post-Closure Permit consists of both DTSC's final permit and USS-POSCO's permit application.

This final decision document will be incorporated into a revised Consent Agreement to be entered into between DTSC and USS-POSCO Industries before the effective date of the Post-Closure Permit, November 1, 2002. In the event that the Consent Agreement is not completed by that date, the Post-Closure Permit effective date shall be delayed until the Consent Agreement is approved by both parties. This Notice of Final Decision applies only to those SWMUs identified in the Final Statement of Basis and to issuance of the Post-Closure Permit and does not effect corrective action requirements for other areas of the facility.

A public comment period was held by DTSC on the proposed RCRA Corrective Action Remedy and Post-Closure Permit from June 10, 2002 to July 24, 2002. A public workshop and hearing was held on July 16, 2002. Responses to comments received during the comment period have been prepared.

Issuance of this decision constitutes a final permit decision under California Code of Regulations, title 22, section 66271.14(b). The Post-Closure Permit shall be in effect for a period of ten years. The permit becomes effective on November 1, 2002 unless the permit decision is appealed pursuant to procedures described later in this document, or a revised consent agreement is not approved by DTSC and USS-POSCO (see above).

**Changes from the draft to the final RCRA corrective action remedy selection and Post-Closure Permit:**

All changes made subsequent to the public notice to the draft Post-Closure Permit, the draft Negative Declaration, the draft Statement of Basis, or the Part "B" Application, are listed in a Memorandum to the file prepared by the project manager on September 24, 2002.

**Availability of Documents:**

Final documents pertaining to this project including the final Statement of Basis, DTSC's Response to Comments, final Post-Closure Permit, Mitigated Negative Declaration, and the Memorandum to the file listing changes made from draft to final documents are available for review by the public at the following locations:

- |   |   |
|---|---|
| 1) DTSC File Room<br>700 Heinz Ave.<br>Berkeley, CA 94710<br>(510) 540-3800 | 2) Pittsburg Main Library<br>Reference Desk<br>80 Power Avenue<br>Pittsburg, CA<br>(925) 427-8390 |
|---|---|

Notice of Final Decision  
USS-POSCO Industries  
September 26, 2002  
Page 3

In addition, these documents may be accessed on the Internet at  
[http://www.dtsc.ca.gov/HazardousWaste/RCRA\\_Facilities\\_Index.html](http://www.dtsc.ca.gov/HazardousWaste/RCRA_Facilities_Index.html)  
(under USS-POSCO)  
or  
<http://www.dtsc.ca.gov/HazardousWaste/USS-POSCO/index.html>

**Appeals:**

This decision may be appealed in accordance with California Code of Regulations, title 22, section 66271.18. Any person who filed comments on the draft RCRA Corrective Action Remedy Selection or Post-Closure Permit may petition DTSC to review any condition of the permit decision. Persons who did not file comments on these documents may petition for administrative review only on changes that were made from the draft to the final remedy selection and draft Post-Closure Permit. The petition shall include a statement of the reasons supporting the review, including a demonstration that any issues being raised were raised during the public comment period (including any public hearing) to the extent required by the regulations and when appropriate, a showing that the condition in question is based on: 1) a finding of fact or conclusion of law which is clearly erroneous, or 2) an exercise of discretion or an important policy consideration which DTSC should, in its discretion, review. Petitions must be submitted by October 30, 2002.

Petitions must be sent to:

Watson Gin  
Deputy Director  
Hazardous Waste Management Program  
Department of Toxic Substances Control  
P.O. Box 806  
Sacramento, California 95812-0806

A copy of the petition should be sent to:

Mohinder S. Sandhu, P.E., Chief  
Standardized Permits and Corrective Action Branch  
Department of Toxic Substances Control  
700 Heinz Avenue, Suite 200  
Berkeley, CA 94710

Notice of Final Decision  
USS-POSCO Industries  
September 26, 2002  
Page 4

Please bring this notice to the attention of all persons who might be interested in this matter. If you have any questions regarding this matter, please contact Andrew Berna-Hicks at (510) 540-3956.

[Original signed by]  
\_\_\_\_\_  
Mohinder S. Sandhu, P.E., Chief  
Standardized Permits and Corrective Action Branch  
Northern California Region

signed 09/26/02  
\_\_\_\_\_  
Date