

CALIFORNIA ENVIRONMENTAL QUALITY ACT NOTICE OF EXEMPTION

To: Office of Planning and Research
State Clearinghouse
P.O. Box 3044, 1400 Tenth Street, Room 212
Sacramento, CA 95812-3044

From: Department of Toxic Substances Control
Office of Permitting
8800 Cal Center Drive
Sacramento, CA 95826

Project Title: Site L-B Unit I CAMU, Post-Closure Permit (PCP) Renewal

Project Location: 900 Loveridge Road, Pittsburg, CA 94565

County: Contra Costa

Project Description: The California Department of Toxic Substances Control (DTSC), pursuant to authority granted under Chapter 6.5, 25150, 25159, and 25159.5 of the California Health and Safety Code is considering approval of a Post-Closure Permit (PCP) Renewal application submitted May 4, 2012 for the closed Site L-B Unit I landfill (known as Unit I CAMU) located at the USS-POSCO Industries (UPI or Facility) plant. The proposed project consists of the renewal of a post-closure hazardous waste facility permit for the closed Unit I CAMU. The Unit I CAMU is a closed and covered non-RCRA hazardous waste landfill which was historically used for disposal for hazardous solid waste produced as a by-product of steel processing activities conducted at UPI. No physical changes to the Facility are proposed as part of this permit renewal. The renewed PCP requires the continued fulfillment of the following three primary post-closure regulatory requirements: 1) maintenance of the closed landfill's cover system; 2) continuation of on-going environmental monitoring; and 3) maintaining financial assurance to fund all post-closure care activities.

Background:

The UPI plant is located at 900 Loveridge Road, Pittsburg, CA 94565. The Unit I CAMU is located in an area of the UPI plant designated as Site L-B which is approximately 50 acres. Between 1971 and 1989, Site L-B contained five unlined sludge thickening impoundments and a dried sludge disposal area. These impoundments accepted hazardous semi-solid waste for de-watering and drying. Once dry, the surface impoundments sludge was placed on unlined ground surface for disposal. The five surface impoundments were closed in 1989 and the dried sludge disposal area became managed as Unit I (also previously identified as WMU-I). Closure construction activities of Unit I were completed in September 1995, and post-closure monitoring began in January 1996. On November 1, 2002, DTSC approved a PCP for Unit I which required a 30-year post-closure maintenance period be developed and implemented by the Facility. Unit I was re-opened in 2003 as a RCRA Corrective Action Management Unit (CAMU) used for the disposal of remediation materials from the other adjacent areas of the USS Posco site. By 2004 no additional remediation material would be placed in Unit I, and the landfill was closed as Unit I CAMU. No RCRA hazardous waste or polychlorinated biphenyl (PCB) materials regulated under Title 40 Code of Federal Regulations (40 CFR) Section 761.61 (the Toxic Substances Control Act [TSCA]) have been placed in the Unit I CAMU.

Groundwater

The vadose zone at the UPI facility extends to varying depths depending on the season, rainfall, and proximity to New York Slough. In general, the vadose zone extends to a depth of about 20 feet below the ground surface in the southern portion of the Facility. In the north-central portion of the site, the vadose zone extends to a depth of about 7 feet below the ground surface. The vadose zone is characterized by clay, sandy clay, and silt with local discontinuous sand lenses. Soil borings and monitoring wells at the site indicate groundwater occurs in the following two zones:

- An unconfined upper water-bearing zone that extends from about 10 feet to 80 feet below the ground surface and consists primarily of clay and silty clay interbedded with silty to clayey sand deposits in the bottom 20 to 30 feet of the zone. The upper water-bearing zone is further subdivided into a shallow and intermediate intervals; and
- A confined lower water-bearing zone that begins about 100 feet below the ground surface and consists of sand that averages about 70 feet thick.

The groundwater elevations in Site L-B will be monitored on a semiannual basis and groundwater sample collection and analysis will be performed annually.

Project Activities:

To renew the post-closure permit for the closed Site L-B Unit I CAMU, the following tasks were required:

- UPI prepared a Final Post-Closure Permit Application (renewal)
- DTSC prepared a Draft Post-Closure Permit
- The Draft Post-Closure Permit received a 45-day public comment period
- Draft Post-Closure Permit revisions are considered and DTSC responds to public comment
- Post-Closure Permit implementation

The Post-Closure Permit includes three main requirements:

- Regular inspection and maintenance of the closure cover and drainage systems (with maintenance repair completed as necessary);
- Environmental monitoring, consisting of regular monitoring well inspection, sampling, and data statistical analysis; and,
- 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: USS-POSCO Industries

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:

1. This project does not involve Air Quality/Green House Gas (GHGs) emissions which DTSC has determined on July 30, 2013, and therefore, is below the Bay Area Air Quality Management District (BAAQMD) threshold levels. In addition, an analysis of project activities upon existing environmental conditions indicates that there are no environmental impacts as the result of the Post-Closure Permit renewal. As a result, DTSC finds that the project is exempt from further environmental review under CEQA.
2. DTSC has determined with certainty that there is no possibility that the activities in question may have a significant effect on the environment. Due to a lack of surface activities the project would not result in “a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project, including land, air, water, minerals, flora, fauna, ambient noise, and object of historic or aesthetic significance.”
3. The project costs are over a \$1,000,000.
4. The project consists of renewing the Facility’s Post-Closure Permit. With the exception of periodic cover inspections and minor repairs of cover for drainage, no physical changes to the site are proposed.
5. The Post-Closure Permit includes a provision to restrict future land uses at the Facility via a Land Use Covenant (LUC) signed between DTSC and the UPI. The LUC restricts future use of the property. The property will be restricted from construction activity of residential, hospital, public or private schools, or day care center. No activity will be allowed that will disturb the landfill cover or disturb the soil below the cover and no activity will be allowed for the extraction of groundwater.
6. The closure cover integrity and inspection protocol of the cover was previously approved by DTSC in a Post Closure Permit in 2002.
7. The site is secured from unauthorized entry by a six-foot chain link fence with a locked gate. Security guards monitor the gates and patrol the plant on a 24 hour basis.
8. 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 the California

