



*California Environmental Protection Agency  
Department of Toxic Substances Control*

**HAZARDOUS WASTE FACILITY  
POST-CLOSURE PERMIT**

Permit Number: 03-SAC-02

Facility Name:

Westside Disposal Facility  
SE ¼ Section 25, T31E, R22E, MDBM  
Fellows, California

Owner Name:

Chevron U.S.A. Inc.  
26244 Highway 33  
Fellows, California 93324

Operator Name:

Chevron Environmental Management  
Company  
P.O. Box 6012  
6001 Bollinger Canyon Road, Room K2288  
San Ramon, California 94583

Facility EPA ID No.: CAT080010283

Effective Date: \_\_\_\_\_

Expiration Date: \_\_\_\_\_

Permit History:

Original Post-closure Permit Issued: January 17,  
1992

Renewal Permit Issued: \_\_\_\_\_, 2006

Pursuant to section 25200 of the California Health and Safety Code, this Resource Conservation and Recovery Act equivalent Hazardous Waste Facility Post-closure Permit is hereby issued to Chevron U.S.A. Inc. Issuance of this Permit, which consists of 15 pages, is subject to all terms and conditions set forth herein.

\_\_\_\_\_  
Chief, Northern California Permitting  
and Corrective Action Branch  
Hazardous Waste Management Program

Date: \_\_\_\_\_

Table of Contents

<b>PART I. DEFINITIONS.....</b>	<b>3</b>
<b>PART II. DESCRIPTION OF THE FACILITY AND OWNERSHIP .....</b>	<b>4</b>
1. OWNER.....	4
2. OPERATOR .....	4
3. LOCATION .....	4
4. DESCRIPTION.....	4
5. FACILITY SIZE AND TYPE FOR FEES .....	4
<b>PART III. GENERAL CONDITIONS.....</b>	<b>5</b>
1. PERMIT APPLICATION DOCUMENTS .....	5
2. EFFECT OF PERMIT .....	5
3. COMPLIANCE WITH CALIFORNIA ENVIRONMENTAL QUALITY ACT .....	6
4. ENVIRONMENTAL MONITORING .....	6
5. WASTE MINIMIZATION CERTIFICATION .....	7
6. WASTE MINIMIZATION CONDITIONS .....	7
7. CONDITIONS APPLICABLE TO ALL PERMITS .....	7
8. MODIFICATIONS .....	8
<b>PART IV. PERMITTED UNITS AND ACTIVITIES.....</b>	<b>9</b>
<b>PART V. SPECIAL CONDITIONS .....</b>	<b>10</b>
<b>PART VI. CORRECTIVE ACTION .....</b>	<b>11</b>
1. POTENTIAL OR IMMEDIATE THREATS/NEWLY IDENTIFIED RELEASES/ .....	11
2. SAMPLING AND ACCESS.....	11
<b>PART VII. ATTACHMENTS .....</b>	<b>13</b>

**PART I. DEFINITIONS**

All terms used in this Permit shall have the same meaning as those terms have in the California Health and Safety Code, division 20, chapter 6.5 and title 22, California Code of Regulations, division 4.5, unless expressly provided otherwise by this Permit.

1. "DTSC" as used in this Permit means the California Department of Toxic Substances Control.
2. "Permittee" as used in this Permit means the Owner and Operator.
3. "Approved Application" as used in this Permit means the Part A and Part B portions of the permit application described in Part III.1 of this Permit.
4. Unless explicitly stated otherwise, all references to items in this Permit shall refer only to items occurring within the same part.

DRAFT

## **PART II. DESCRIPTION OF THE FACILITY AND OWNERSHIP**

### **1. OWNER**

The Facility owner is Chevron U.S.A. Inc., P.O. Box 6012, 6001 Bollinger Canyon Road, San Ramon, California 94583 (hereafter "Owner").

### **2. OPERATOR**

The Facility operator is Chevron Environmental Management Company, P.O. Box 6012, 6001 Bollinger Canyon Road, San Ramon, California 94583 (hereafter "Operator").

### **3. LOCATION**

The Westside Disposal Facility (Facility) is located on the N ½ of the SE ¼ of Section 25 of Township 31 South, Range 22 East, Mount Diablo Base and Meridian, near the town of Fellows in Kern County. The site is shown on the attached Figure 1.

### **4. DESCRIPTION**

The Facility operated as a hazardous waste disposal site from 1973 through 1985, accepting approximately 15.1 million barrels of waste primarily from nearby oil fields. Minor amounts of plating waste containing heavy metals were also accepted. The Facility operated by spreading liquid waste throughout the 80 acre site, incorporating the waste into the soil to a depth of about 30 inches, and allowing the waste to biodegrade and evaporate. The closure plan for the Facility was approved in April 1991, and DTSC accepted closure certification in April 1992. Closure consisted of reconnaissance of the site for areas exceeding site-specific cleanup levels; abandonment of monitoring wells, piezometers, lysimeters, and oil wells; dike remediation; leveling the site surface; installation of well pads; verification soil sampling; air verification sampling; seeding of site surface; and final survey for closure certification. The results of the closure steps are detailed in the Closure Report for the Westside Disposal Facility, Volumes 1 and 2, dated November 1991. The final site configuration includes a sloped drainage surface, Fenced Area #1 and Fenced Area #2, a drainage channel, and two oil well pads. A Facility Location Map and Record of Survey are attached as Figure 1 and Figure 2, respectively.

### **5. FACILITY SIZE AND TYPE FOR FEES**

The Facility is categorized as a large post-closure facility for purposes of Health and Safety Code section 25205.19. For the purpose of Health and Safety Code section 25205.4, the post-closure period for the Facility shall be deemed to have started November 15, 1991, which is the date Santa Fe Energy Resources, Inc., the former owner of the site, transmitted to DTSC the closure certification report, *Closure Report for the Westside Disposal Facility, November 1991*, consisting of two volumes. Closure certification was accepted by DTSC on April 21, 1992.

### **PART III. GENERAL CONDITIONS**

#### **1. PERMIT APPLICATION DOCUMENTS**

The RCRA Subtitle C Site Identification Form, Revised RCRA Hazardous Waste Part A Permit Application, signed March 17, 2004 by Mr. Richard Harris, Assistant Secretary for Chevron U.S.A. Inc. and the Post-Closure Permit Application for the Westside Disposal Facility, dated March 2004 (Part B Permit Application), consisting of one volume, are hereby approved and made a part of this Permit by this reference (hereafter "Approved Application").

#### **2. EFFECT OF PERMIT**

- (a) The Permittee shall comply with the provisions of the California Health and Safety Code and California Code of Regulations, title 22, division 4.5. The issuance of this Permit by DTSC does not release the Permittee from any liability or duty imposed by federal or state statutes or regulations or local ordinances, except the obligation to obtain this Permit. The Permittee shall obtain the permits required by other governmental agencies, including but not limited to, the applicable land use planning, zoning, hazardous waste, air quality, water quality, and solid waste management laws for the construction and/or operation of the post-closure Facility.
- (b) The Permittee is permitted to monitor and maintain the post-closure Facility in accordance with the conditions of this Permit and the Approved Application. Any treatment or storage of hazardous wastes not specifically authorized in this Permit or described in the Approved Application is strictly prohibited.
- (c) Compliance with the terms of this Permit does not constitute a defense to any action brought under any other law governing protection of public health or the environment, including, but not limited to, one brought for any imminent and substantial endangerment to human health or the environment.
- (d) DTSC's issuance of this Permit does not prevent DTSC from adopting or amending regulations that impose additional or more stringent requirements than those in existence at the time this Permit is issued and does not prevent the enforcement of these requirements against the Permittee. Failure to comply with any term or condition set forth in this Permit in the time or manner specified herein will subject the Permittee to possible enforcement action including but not limited to penalties pursuant to Health and Safety Code section 25187.
- (e) In addition, failure to submit any information required in connection with this Permit, or falsification and/or misrepresentation of any submitted information, is grounds for revocation of this Permit (Cal. Code Regs., title 22, section 66270.43).
- (f) In case of conflicts between the Approved Application and this Permit, the Permit conditions take precedence.

(g) This Permit includes and incorporates by reference any conditions of waste discharge requirements issued to the Facility by the State Water Resources Control Board or the California Regional Water Quality Control Board, Central Valley Region, and any conditions imposed pursuant to section 13227 of the Water Code.

### 3. COMPLIANCE WITH CALIFORNIA ENVIRONMENTAL QUALITY ACT

A Notice of Exemption has been prepared in accordance with the requirements of Public Resources Code section 21000 et seq. and the California Environmental Quality Act Guidelines, which are codified in California Code of Regulations section 15070 et seq.

### 4. ENVIRONMENTAL MONITORING

This Facility has been granted a variance from the groundwater monitoring requirement of article 6, chapter 14, title 22, California Code of Regulations. See Part V., Special Conditions.

DRAFT

#### 5. WASTE MINIMIZATION CERTIFICATION

Health and Safety Code section 25202.9, does not apply to this facility because the Facility does not generate hazardous waste.

#### 6. WASTE MINIMIZATION CONDITIONS

The Hazardous Waste Source Reduction and Management Review Act (SB 14) does not apply to this facility because the Facility does not generate hazardous waste.

#### 7. CONDITIONS APPLICABLE TO ALL PERMITS

California Code of Regulations section 66270.30, Conditions Applicable to All Permits, is incorporated by this reference.

DRAFT

## 8. MODIFICATIONS

- (a) The Permittee must request and obtain a permit modification to revise any portion of this Permit. To request such a revision, the Permittee must comply with the procedures for permit modifications set forth in California Code Regulations, title 22, section 66270.42.
- (b) If at any time DTSC determines that modification of any part of this Permit is necessary, DTSC may initiate a modification in accordance with the procedures in California Code of Regulations, title 22, section 66270.41.

DRAFT

**PART IV. PERMITTED UNITS AND ACTIVITIES**

For the purpose of California Code of Regulations, title 22, section 66270.1(c) and other similar, unit specific regulatory requirements, the Westside Disposal Facility has one Hazardous Waste Management Unit. This unit is described in detail in the Approved Application and Closure Certification Report and is as follows: all of the former Westside Disposal Facility, consisting of approximately 80 acres, and being the North Half of the Southeast Quarter of Section 25, Township 31 South, Range 22 East, Mount Diablo Base and Meridian, as shown on Kern County Record of Survey Maps, Book 17, Page 11. A copy of this Record of Survey is attached as Figure 2.

DRAFT

**PART V. SPECIAL CONDITIONS**

1. Groundwater Monitoring Variance. DTSC has granted Chevron U. S. A., Inc. a variance from post-closure groundwater monitoring requirements for the Westside Disposal Facility. Variance No. V1-01/06-001, Effective Date: \_\_\_\_\_, Expiration Date: \_\_\_\_\_ is made part of this Permit by this reference.

2. Exemption from Onsite Equipment Requirements. Since there is no office or other building at the Facility, the Permittee is exempted from the onsite equipment requirements specified in section 66264.32, title 22, California Code of Regulations. Whenever Facility personnel are onsite at the Facility, they shall be in possession of the equipment specified in Appendix E, Post-Closure Contingency Plan for the Westside Disposal Facility, of the Approved Application.

DRAFT

## **PART VI. CORRECTIVE ACTION**

### **1. POTENTIAL OR IMMEDIATE THREATS/NEWLY IDENTIFIED RELEASES/ NEWLY IDENTIFIED SWMUs**

(a) In the event the Permittee identifies an immediate or potential threat to human health and/or the environment, discovers new releases of hazardous waste and/or hazardous constituents, or discovers new Solid Waste Management Units (SWMUs) not previously identified, the Permittee shall notify DTSC orally within 24 hours of discovery and notify DTSC in writing within ten (10) days of such discovery summarizing the findings including the immediacy and magnitude of any potential threat to human health and/or the environment. Newly identified hazardous constituents discovered during routine groundwater sampling shall be reported in accordance the reporting provisions of the approved Sampling and Analysis Plan.

(b) DTSC may require the Permittee to investigate, mitigate and/or take other applicable action to address any immediate or potential threats to human health and/or the environment, SWMUs, or newly identified releases of hazardous waste and/or hazardous constituents. Corrective action shall be carried out under either a Corrective Action Consent Agreement or Unilateral Corrective Action Order pursuant to Health and Safety Code section 25187.

### **2. SAMPLING AND ACCESS**

#### **(a) Sampling**

(1) The Permittee shall provide confirmatory samples to DTSC within the time requested by DTSC to determine if there is a threat to human health and/or the environment. The sampling shall be done in accordance with guidance that DTSC supplies to the Permittee.

(2) The Permittee shall notify DTSC in writing at least fourteen (14) days prior to beginning any confirmatory sampling requested by DTSC. If the Permittee believes it must commence emergency confirmatory sampling without delay, the Permittee may seek emergency telephone authorization from DTSC's Land Disposal Branch Chief or, if unavailable, his/her designee to commence such activities immediately. At the request of DTSC, the Permittee shall provide or allow DTSC or its authorized representative to take split or duplicate samples of all samples collected by the Permittee pursuant to this Part of this Permit.

(3) The Permittee shall submit to DTSC upon request the results of all sampling and/or tests or other data generated by its employees, divisions, agents, consultants or contractors pursuant to this Permit.

(4) Notwithstanding any other provisions of this Permit, DTSC retains all information gathering and inspection authority rights including enforcement actions related thereto, under Health and Safety Code and any other applicable state or federal statutes or regulations.

(b) Access

(1) DTSC, its contractors, employees, agents, and/or any U.S. EPA representatives are authorized to enter and freely move about the Facility pursuant to the entire Permit for the purposes of: interviewing Facility personnel and contractors; inspecting records, operating logs, and contracts relating to the Facility; reviewing progress of the Permittee in carrying out the terms of this Permit; conducting such test, sampling, or monitoring as DTSC deems necessary; using a camera, sound recording, or other documentary-type equipment; verifying the reports and data submitted to DTSC by the Permittee; or confirming any other aspect of compliance with this Permit and division 20, chapter 6.5, Health and Safety Code. The Permittee shall provide DTSC and its representatives access at all reasonable times to the Permittee's Facility and any other property to which access is required for implementation of any provision of this Permit and any provision of division 20, chapter 6.5, Health and Safety Code and shall allow such persons to inspect and copy all records, files, photographs, documents, including all sampling and monitoring data, that pertain to work undertaken pursuant to this Permit or undertake any other activity necessary to determine compliance with applicable requirements. DTSC acknowledges that the Facility is not manned 24-hours a day. DTSC will provide reasonable notice when requiring access to the site.

(2) To the extent that work being performed pursuant to this Part of this Permit must be done on property not owned or controlled by the Permittee, the Permittee shall use its best efforts to obtain access agreements necessary to complete work required by this Part from the present owner(s) or operator of such property within ninety (90) days of approval of any workplan for which access is required. "Best efforts" as used in this paragraph shall include, at a minimum, a certified letter from the Permittee to the present owner(s) of such property requesting access agreement(s) to allow the Permittee and DTSC and its authorized representatives access to such property and the payment of reasonable sums of money in consideration of granting access. The Permittee shall provide DTSC with a copy of any access agreement(s). In the event that agreements for the access are not obtained within ninety (90) days of approval of any workplan for which access is required, or of the date that the need for access becomes known to the Permittee, the Permittee shall notify DTSC in writing within fourteen (14) days thereafter regarding both efforts undertaken to obtain access and its failure to obtain such agreements. In the event DTSC obtains access, the Permittee shall undertake approved work on such property.

(3) Nothing in this Permit shall be construed to limit or otherwise affect the Permittee's liability and obligation to perform corrective action including corrective action beyond the Facility boundary, notwithstanding the lack of access. DTSC may determine that additional on-site measures must be taken to address releases beyond the Facility boundary if access to off-site areas cannot be obtained.

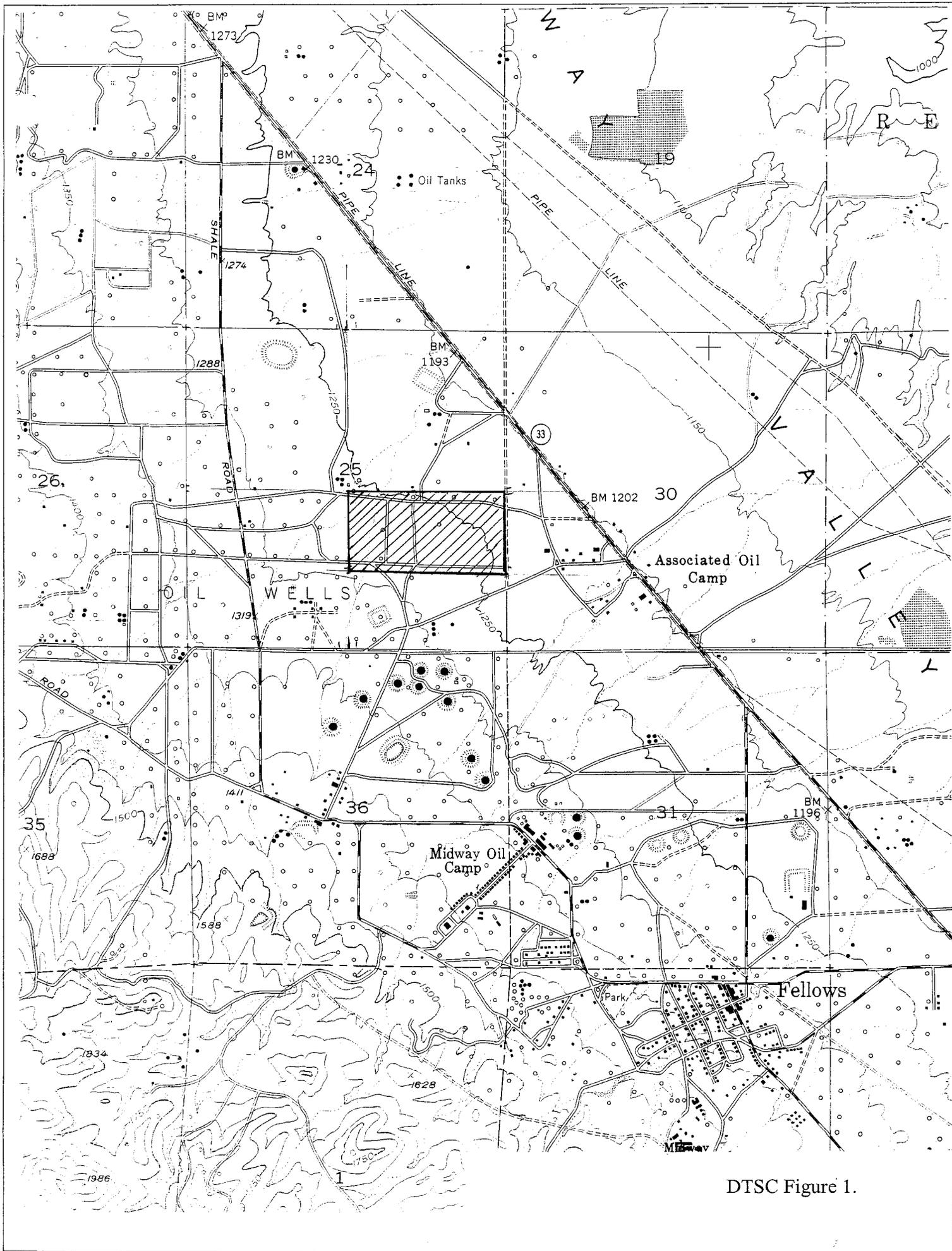
(4) Nothing in this Permit shall limit or otherwise affect DTSC's right to access and entry pursuant to any applicable state or federal laws and regulations.

**PART VII. ATTACHMENTS**

The following attachments are incorporated by this reference:

1. DTSC Figure 1, Facility Location Map
2. DTSC Figure 2, Record of Survey

DRAFT



DTSC Figure 1.

# Report of Survey

Being a Record of Survey of the North Half of the Southeast Quarter of Section 25, T19N S1, R22E E.

## Basis of Bearings

The bearing of N 88° 41' 08" W being the South line of the South-half of the Southeast Quarter of Section 25, Township 19 South, Range 22 East, Mount Diablo Meridian, per recent of Survey recorded in the 13 records of survey, at pg. 45, was taken as the basis of bearing for this map.

## Engineers' Statement

This map correctly represents a survey made by me or under my supervision, and I am a duly Licensed Professional Engineer, State of California, No. 22720.

John W. Wilson  
REGISTERED PROFESSIONAL ENGINEER  
No. 22720  
STATE OF CALIFORNIA

## County Surveyor's Statement

This map has been examined in accordance with Section 8706 of the Land Surveyor's Act this 21st day of January, 1992.

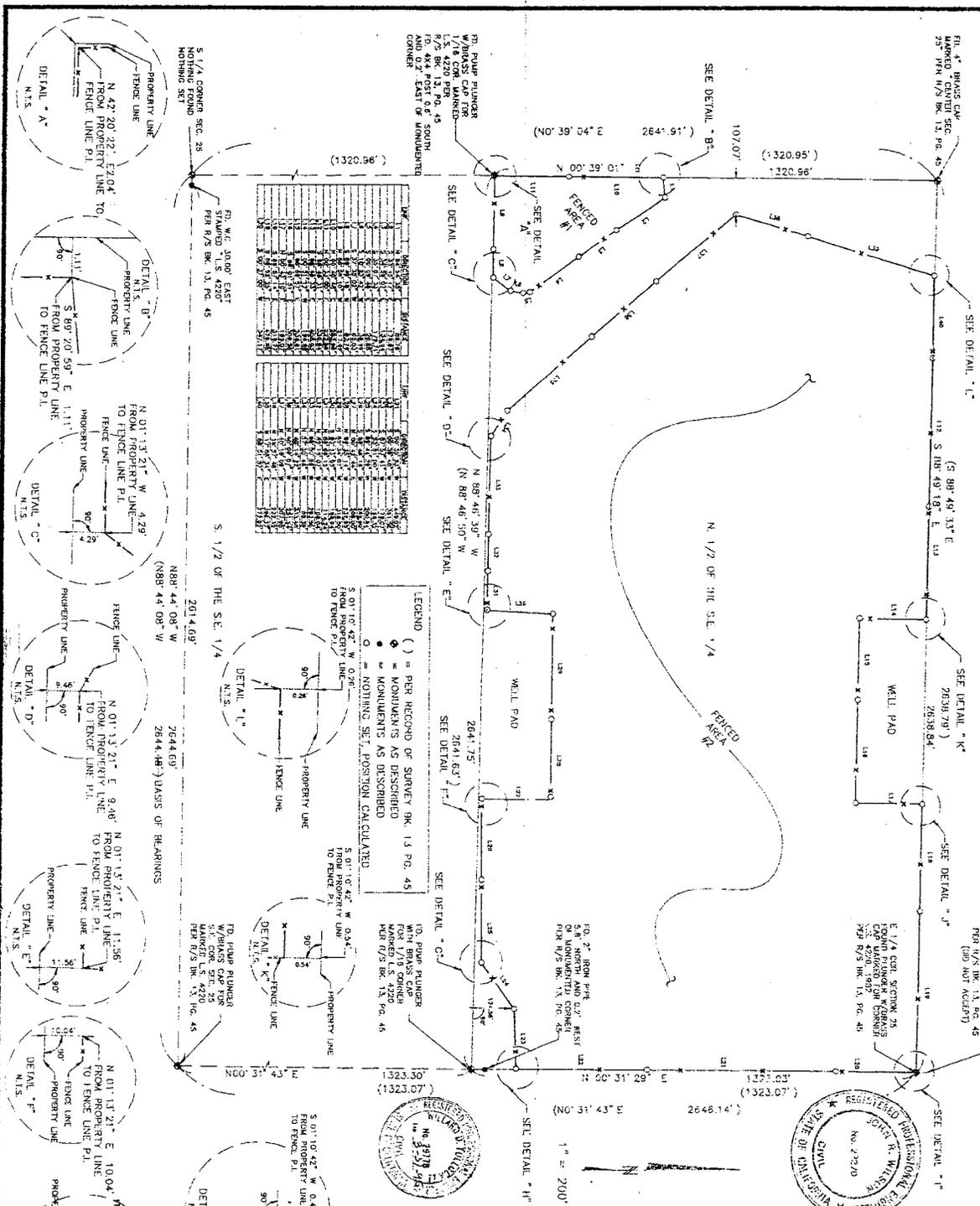
William Deary  
County Surveyor  
REC. NO. 29718  
Expires 3-31-95

Filed this 28th day of January, 1992, at 1:30 P.M. in Book 11 of Records of Survey at Page 11, at the request of Stella M. Emery

Granahy Clerk/Recorder: Carl S. Hyslop

By: Shirley A. Slawny, Deputy  
Recorder

NOTICE: Notice is hereby given by Stella M. Emery, Licensed Professional Engineer, that sections of the property shown on this survey have been used to manage hazardous wastes, and use of these portions is restricted under Title 40 of the Code of Federal Regulations, 40 CFR 261.11 through 261.13. The 40 CFR 261.11 through 261.13 are the Federal Regulations for the management and disposal of hazardous waste. The Federal Regulations for the management and disposal of hazardous waste are contained in Title 40 of the Code of Federal Regulations, 40 CFR 261.11 through 261.13. The Federal Regulations for the management and disposal of hazardous waste are contained in Title 40 of the Code of Federal Regulations, 40 CFR 261.11 through 261.13. The Federal Regulations for the management and disposal of hazardous waste are contained in Title 40 of the Code of Federal Regulations, 40 CFR 261.11 through 261.13.



# 11742

DTSC Figure 2