

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
Standardized Permitting and Corrective Action
Branch,
700 Heinz Avenue, Suite 200
Berkeley, CA 94710-2721

Project Title: CORRECTIVE MEASURES STUDY REPORT AND SELECTED REMEDY FOR THE FORMER
WITCO CORPORATION SITE, RICHMOND, CALIFORNIA

Project Location – Specific: 850 Morton Avenue/3655 Collins Avenue

Project Location – City: Richmond

Project Location – County: Contra Costa County

Description of Project:

The Department of Toxic Substances Control (DTSC) has approved the Corrective Measures Study (CMS) Report submitted by the Former Witco Corporation Facility (formerly known as Crompton Corporation or "Crompton", now known as Chemtura Corporation or "Chemtura", "Facility", "Property" or "Site") and found the selected remedies to be adequate. The remedies to cleanup the remaining trimethyltetrahydrofuran (TMTHF) plume from the groundwater consist of dual-phase vapor extraction along with the Land Use Covenant (LUC) and annual inspection of Site to ensure that future land use remains industrial and that no drinking water wells are installed onsite.

Background:

The Former Witco Corporation Site (Site) occupies an irregularly shaped eight acres of land in an area zoned for light industrial activities. The Site is located in a US EPA Brownfield's study area and the City of Richmond redevelopment area. Part of the Site is bordered by Reaction Products Company and Morton Avenue to the north, the former Atlas Foundry, and abandoned industrial property (Beazer Property) and Collins Avenue to the east, the former Dennison Property to the south, which is now developed and occupied by small businesses known as By-Pass Business 93, and the southern Pacific Railroad right-of-way to the west. A nearby residential neighborhood, known as Parchester Village, is located 50 feet to the north of Morton Avenue. Morton Avenue separates Parchester Village from the industrial area. The former Breuner Property is located west and adjacent to the Southern Pacific Railroad right-of-way. San Pablo Bay is located approximately one third of a mile west of the Site adjacent to the former Breuner Property and about one mile south of Point Pinole (see Figure 1, Site Location).

The Former Witco Corporation Facility (Facility) was first owned and operated by U.S. Peroxygen Corporation in 1957, and then it was sold to Argus Chemical Corporation (Argus) in 1964. In 1965, Witco Corporation acquired Argus. In 1989, Witco Corporation terminated all manufacturing operations at the Facility. In 1999, Witco Corporation changed its name to CK Witco Corporation. On October 15, 1999, the Property was sold to Durkee Properties, LLC (Durkee Properties) with Witco retaining the responsibility to clean up the Site. In 2000, CK Witco Corporation changed its name to Crompton Corporation. In 2005, Crompton Corporation changed its name to Chemtura Corporation. Since 1999, the Site has been redeveloped with the construction of a new warehouse and demolition of the old structures.

From 1967 to 1984, the Facility was a former chemical manufacturing facility that produced benzoyl peroxide paste which was an active ingredient for manufacturing facial cream in cosmetics. Other chemicals manufactured at the Facility included methyl ethyl ketone peroxide, peroxyesters and peroxydicarbonates which were used as polymerization initiators for the production of plastics. The manufacturing processes produced an aqueous alkaline wastewater containing hazardous waste constituents. At that time, the wastewater was held in two unlined surface impoundments, identified as Ponds 1 and 2, and neutralized before being discharged under a National Pollution Discharge Elimination System (NPDES) Permit from the San Francisco Regional Water Quality Control Board (RWQCB). In May 1981, the former Witco Corporation (Witco) was regulated by the Department of Health Services (now DTSC) as an Interim Status Facility because of the operation of hazardous waste storage and treatment units. In March 1989, a RCRA Facility Assessment (RFA) was conducted at the Facility and identified 40 solid waste management units (SWMUs) and 6 areas of concern (AOCs). In December 1989, Witco ceased operation at the Site and by March 30, 1990, all related hazardous materials were removed. On June 23, 1993, DTSC approved the closure plan for the 40 SWMUs and 6 AOCs associated with the

former production and waste management activities at the Site. Witco completed the closure of all SWMUs and AOCs in 1993. Clean closure was certified and approved with the exception of SWMUs 25 and 30 (also known as Ponds 1 and 2, respectively). Because of this, Witco became subject to RCRA Corrective Action for impacts associated with the former Ponds 1 and 2.

In the mid-1980's, environmental concerns associated with the former Ponds 1 and 2 were identified when TMTHF and benzene were detected in the groundwater at the Site. In 1986, the former Ponds 1 and 2 were closed in accordance with the federal and state hazardous waste control law and Toxic Pits Control Act (TPCA) regulations. Wastewater from the former Ponds 1 and 2 was removed and solid materials were dried and excavated until it reached the shallow groundwater. Hazardous waste was completely dug out from the former Ponds 1 and 2. No hazardous waste was left in place. The pits were backfilled with clean soil and covered with an engineered cap consisted of sloped low-permeability bentonite clay (barrier layer), gravel (drainage layer), top soil and native grass (cover layer). On September 15, 1987, the Department of Health Services (now DTSC) approved the ponds closure, certified them closed and because of ponds impact on the groundwater, required Crompton to obtain a Post-Closure Permit. As an Interim Remedial Measure (IRM) for the former Ponds 1 and 2, groundwater extraction, using 6 wells at an average pumping rate of 0.25 gallons per minute, was conducted from June 1990 through July 1999. Groundwater extraction of TMTHF at the former Ponds 1 and 2 was terminated in 1999 when remediation effects had reached its technical limit. Five gallons of TMTHF were removed from the groundwater after nine years. On July 13, 1992, the US EPA and DTSC issued a Post-Closure Permit to the Facility and required them to conduct post-closure care of the former Ponds 1 and 2. The post-closure care required the Facility to conduct a RCRA Facility Investigation (RFI) and Corrective Measure Study (CMS) of its various SWMUs and AOCs identified in the RFA which included the former Ponds 1 and 2.

Witco submitted an RFI Workplan on December 15, 1993 and DTSC approved it on December 31, 1993. An RFI Report was submitted on May 12, 1995 and DTSC approved it on May 31, 1995. The RFI Report identified the areas where chemicals related to past activities at the Site were released to soil and groundwater. Detection of dioxin and dibenzofuran during routine groundwater monitoring between December 2001 and prior to December 2003 warranted an additional investigation for the Site. The findings of the further investigation, presented in a report dated March 31, 2005, concluded that previous dioxin and dibenzofuran groundwater chemistry data were likely corrupted by field contamination. The Facility prepared a Technical Memorandum dated April 29, 2005 to update the RFI eliminating dioxin and dibenzofuran in groundwater in the calculation of the health risk.

In 1998, DTSC re-examined the soil removal action from the former Ponds 1 and 2, and issued a letter dated November 5, 1998 stating that:

- (1) The caps for the former Ponds 1 and 2 could be removed;
- (2) The post-closure care of the caps covering the former Ponds 1 and 2 may be terminated; and
- (3) No further action would be required for the soil at the Site.

The Post-Closure Permit for the Site expired in 1998. To continue the post-closure care and corrective action at the Site, Witco entered a corrective action consent agreement with DTSC on May 19, 1999. On October 15, 1999, the property was sold to Durkee Properties LLC, with Witco retaining the post-closure care and corrective action responsibilities for the Site. In December 1999, the caps for the former Ponds 1 and 2 were removed. In 2001, the current owner re-developed the Property with the following improvements: (1) a new warehouse approximately 69,000 square feet (sq. ft.), (2) an above-ground fuel tank, (3) paved areas surrounding the new warehouse, and (4) some landscaping on the side of the warehouse and along the fence on the north side of the property boundary. During redevelopment of the Site, all structures associated with Witco's former operations were demolished, except the "shop" building and the 9,000 square-foot (sq. ft.) warehouse. The 9,000 sq. ft. warehouse was leased to Richmond Machine Engineering. The northeast portion of the Site, which includes the "shop" building, remains unpaved and is leased to a third party for use as a parking area for construction equipment, trucks and roll-off bins. The entire Site is surrounded by a chain-link fence and a locking, electronic gated entrance along Collins Avenue. For security, Durkee Properties monitors the Site with cameras.

Although the groundwater underneath the site is also contaminated with chlorinated solvents, the sources of the contamination were found to be from former neighboring businesses. Therefore, the cleanup of chlorinated solvents will be a separate project and is not subject to this corrective action process. The contamination from offsite sources will be addressed in a separate project.

Corrective Measures Study Report and Proposed Remedy:

Witco has been monitoring the groundwater for chemicals of concern and submitting reports on a quarterly and annual basis. A technical memorandum dated April 29, 2005 updated the RFI at the Site. A CMS Report dated May 2005 was submitted to DTSC to evaluate the cleanup options of the residual groundwater contamination at the Site. The CMS

Report focused on two relatively small areas at the Site: (1) one area, approximately 6,000 sq. ft., located in the north-central portion of the property where groundwater in low-permeability soil contains TMTHF which sometimes go above the potable-use cleanup goal of 2,300 parts per billion (ppb), and (2) the approximately 400 sq. ft. area near well W-40, at the west end of former Pond #2, where benzene had been detected above maximum contaminant level (MCL) of 1 ppb since termination of groundwater extraction in 1999 (see Figure 2, Site Plan). The February 2004 concentration of TMTHF in groundwater was 2,100 ppb while that of benzene was 29 ppb.

Witco will conduct a dual phase vapor extraction for 12 to 18 months at two areas between former Ponds 1 and 2. Wells will be installed and operated in phases in a paved area in between the former hazardous waste Ponds 1 and 2 until the cleanup goal of 2,300 ppb TMTHF in groundwater is achieved. Monitored natural attenuation will continue to be used to remediate the residual level of benzene from on-site sources until the cleanup goal of 1 ppb in groundwater is achieved. Bacteria that naturally inhabit many ground water environments are able to break down in place chemicals such as benzene to carbon dioxide and water, which are non-toxic end products. Natural attenuation is preferred for benzene because it does not transfer pollutants from one location to another. Five years groundwater monitoring will be done to justify termination of all post-closure activities. If the remedy is successful, DTSC will not require Witco to do further groundwater corrective action. Instead, DTSC will enforce the Land Use Covenant with the current owner of the Property. If the cleanup level for benzene and TMTHF is not achieved after five years, Witco will be required to submit another proposal for remedy.

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

Name of Person or Agency Carrying Out Project: Shaw Environmental in behalf of Chemtura Corporation

Exempt Status: *(check one)*

- Ministerial (Sec. 21080(b)(1); 15268);
- Declared Emergency (Sec. 21080(b)(3); 15269(A));
- Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
- Categorical Exemption. State type and section number: 15330
- Statutory Exemptions. State code number: _____
- General Rule (Sec. 15061(b)(3))

Exemption Title: Minor actions to prevent, minimize, stabilize, mitigate or eliminate the release or threat of release of hazardous waste or hazardous substances.

Reasons Why Project is Exempt:

The project is exempt from California Environmental Quality Act (CEQA) because it can be said with certainty that the activities involved in the approval of the selected remedy for groundwater cleanup of residual contamination at the former Witco Site will not have a significant impact on the environment because of the following reasons:

1. A site specific Health Risk Assessment (HRA) was prepared for the former Witco Site. On March 24, 2004, Witco submitted an HRA to DTSC. On June 1, 2004, DTSC approved the HRA. A Technical Memorandum dated May 6, 2005 updated the HRA. According to the HRA, the residual levels of TMTHF, benzene, and other chemicals do not appear to pose a significant health hazard to individuals who may come in contact with the soil or groundwater at the Site.
2. No new impacts will result from a short-term dual-phase vapor extraction of the remaining TMTHF from the groundwater at a small area between the former Ponds 1 and 2. Dual-phase vapor extraction uses negative pressure extraction techniques to extract contaminants from soil and groundwater in low permeability soil and remove the volatile organic compounds including TMTHF and benzene. Extracted vapors are treated with carbon adsorption to remove contaminants before being discharged to the atmosphere. Groundwater is monitored to confirm that the cleanup goals have been achieved. Approval of the selected remedy will remove the contaminant mass permanently from the site groundwater and have little potential to result in added threats to human health and the environment during implementation.
3. Furthermore, the selected remedy will result in permanent long-term reduction in concentrations of residual contaminants in groundwater. Witco's cleanup goal for TMTHF in groundwater is 2,300 ppb while that for benzene is 1 ppb MCL. Monitored natural attenuation will continue to be used to remediate the residual level of benzene from on-site sources. Bacteria that naturally inhabit many groundwater environments are able to break

down in place chemicals such as benzene to carbon dioxide and water, which are non-toxic end products. Natural attenuation is preferred for benzene because it does not transfer pollutants from one location to another. Five years of groundwater monitoring will be done to justify termination of all post-closure activities. If the remedy is successful, DTSC will not require Witco to do further groundwater corrective action. Instead, DTSC will enforce the Land Use Covenant for the Site with the current owner. If the cleanup level for benzene and TMTHF is not achieved after five years, Witco will be required to submit another proposal for remedy.

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3/15/07

DTSC Branch Chief Signature

Date

Mohinder Sandhu, P.E., Chief

DTSC Branch Chief Name

Chief, Standardized Permitting and Corrective
Action Branch

DTSC Branch Chief Title

TO BE COMPLETED BY OPR ONLY

Date Received For Filing and Posting at OPR: _____

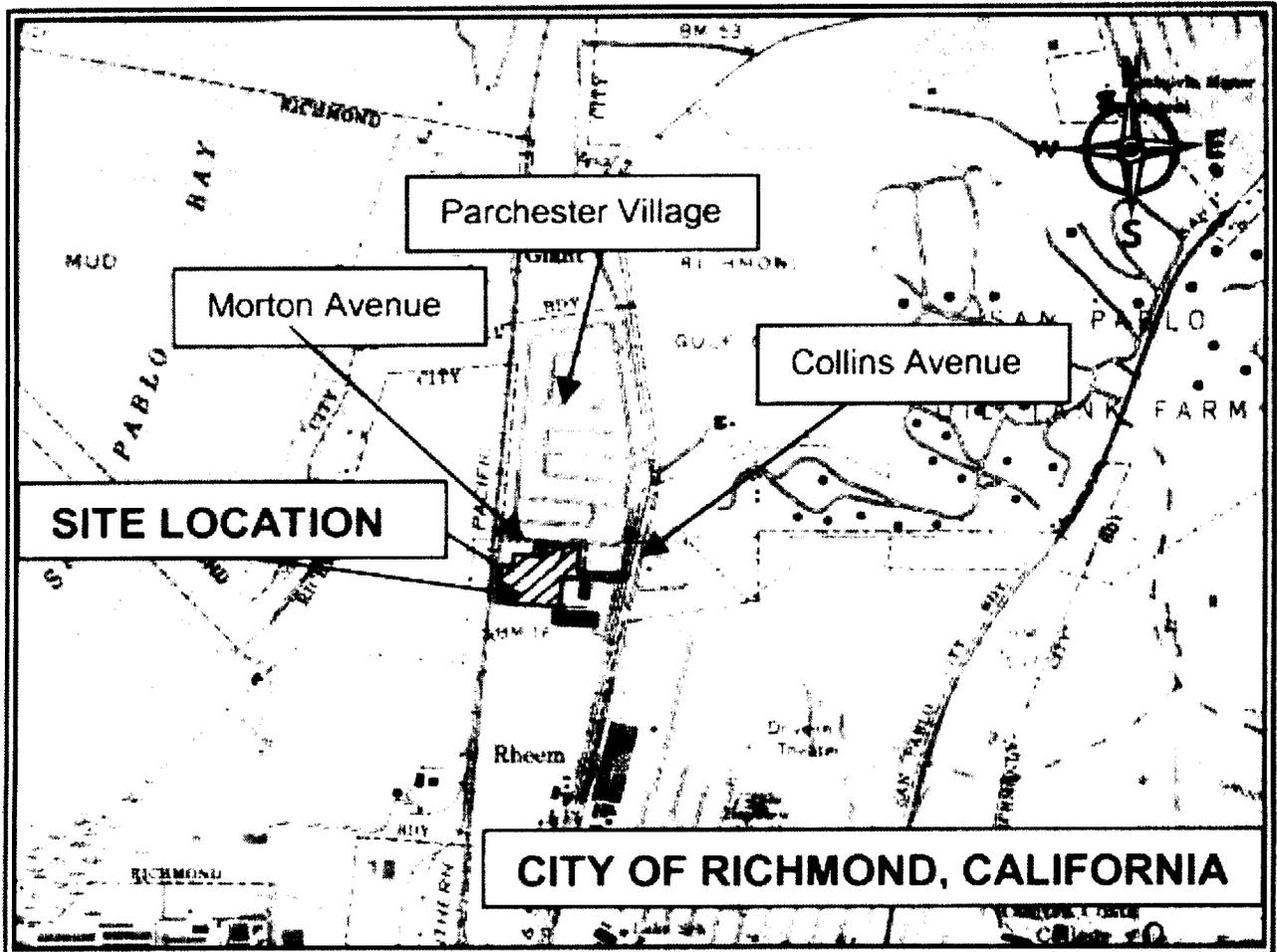


Figure 1. Site Location Map

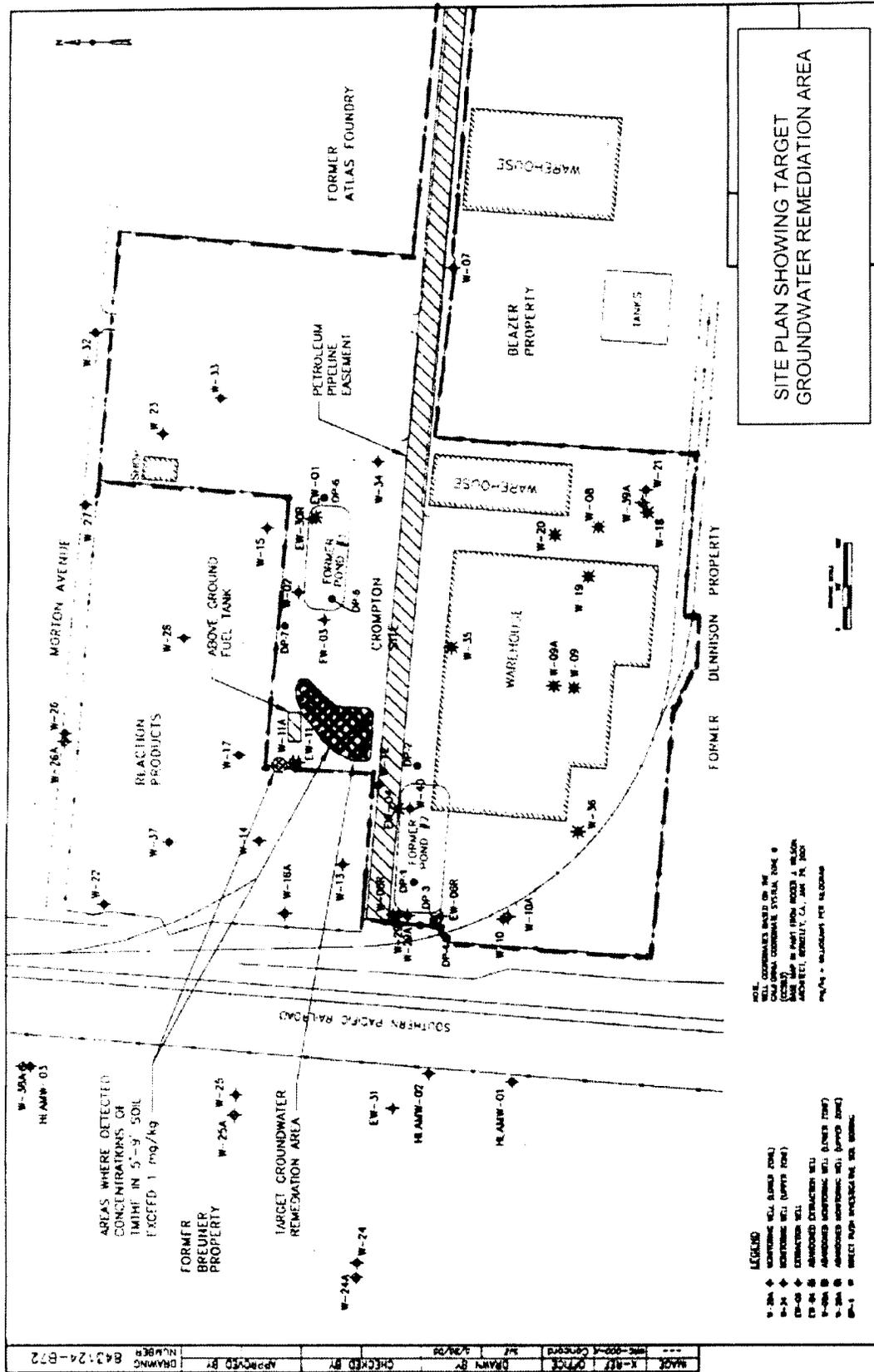


Figure 2. Site Plan Showing Target Groundwater Remediation Area.