

CALIFORNIA ENVIRONMENTAL QUALITY ACT

Addendum to Previously Adopted Negative Declaration

PROJECT TITLE: Phibro-Tech Inc.		STATE CLEARINGHOUSE NUMBER: 1990011026
PROJECT ADDRESS: 8851 Dice Road	CITY: Santa Fe Springs	COUNTY: Los Angeles

INTRODUCTION:

Phibro-Tech, Inc. (PTI) owns and operates a permitted hazardous waste facility located at 8851 Dice Road, Santa Fe Springs, California, 90670 (the Facility). PTI has submitted to the Department of Toxic Substances Control (DTSC) for review and approval the following documents: Interim Measure Work Plan, Revised Modified Pond 1 Closure Plan, Revised Corrective Measures Study and permit application for permit renewal. The Revised Modified Pond 1 Closure Plan, Revised Corrective Measure Study and permit application propose modifications to previously approved DTSC projects. Because the proposed project activities entail modifications of previously approved project(s), DTSC is required to conduct additional analysis pursuant to the California Environmental Quality Act (CEQA) (Pub. Resources Code, Section 21000 et seq.), and the CEQA Guidelines (Cal. Code Regs., tit. 14, § 15000 et seq.). This Addendum, and attached Environmental Document Analysis/Checklist, was prepared pursuant to California Public Resources Code, Section 21166, and California Code of Regulations, title 14, Sections 15162, 15163, and 15164 to assess whether previously adopted Negative Declaration(s) remain sufficient for purposes of DTSC approval of Interim Measures, Revised Modified Pond 1 Closure Plan, Revised Corrective Measure Study and permit application for permit renewal, or whether an addendum, supplement or subsequent negative declaration or Environmental Impact Report (EIR) is required to be prepared. DTSC has determined that these activities, including the modifications of previously approved project(s), do not meet any of the conditions described in Sections 15162 and 15163 of the CEQA Guidelines requiring the preparation of a subsequent or supplement negative declaration or Environmental Impact Report (EIR). DTSC has determined that the minor changes and additions to the project identified in the Environmental Document Analysis/ Checklist are consistent with Section 15164 of the CEQA Guidelines, and an addendum to the previously prepared negative declarations is the appropriate CEQA documentation.

PROJECT DESCRIPTION:

Pursuant to Chapter 6.5 of Division 20 of the California Health and Safety Code, DTSC is currently considering the following actions requested by PTI for its hazardous waste facility located at 8851 Dice Road, Santa Fe Springs, California:

- Interim Measure Work Plan proposes in situ treatment of hexavalent chromium soil contamination with injection of calcium polysulfide into subsurface soils near the former chromic acid underground storage tank. PTI proposed the interim measures to abate an imminent threat to the environment and/or to prevent and/or minimize the spread of contaminants while long-term corrective action is being evaluated.
- Revised Modified Pond 1 Closure Plan¹ to modify the approved 1988 Pond 1 Closure Plan. The Revised Modified Pond 1 Closure plan includes new and revised details on how a former surface impoundment (referred to as Pond 1) will be closed and how contamination will be detected and cleaned up if found. Such closure activities include the removal of hazardous waste tanks, a filter press, and ancillary equipment, removal of the pond structure, removal of underlying soils and confirmation testing of underlying soils. Additionally, the Revised Modified Pond 1 Closure Plan includes groundwater monitoring requirements, a contingent post-closure plan, and in-situ soil treatment for contamination. The removal and cleanup would involve excavation of the top 10 feet of soil and treatment of the deeper soil using in-situ treatment. As part of Pond 1 closure, PTI is required to close and remove four hazardous waste tanks -permitted waste water treatment tanks (W-1, W-2) and variance waste water treatment tanks (W-3, W-4) and a variance filter press. Tanks W-1 and W-2 are hazardous waste tanks located within the structure of the pond. Tanks W-3 and W-4 and the filter press are located adjacent to Pond 1 and must be closed to facilitate closure of Pond 1.
- Revised Corrective Measures Study (Revised CMS) proposing to modify DTSC-required corrective measures

¹ 2015 Closure Plan: “Phibro-Tech, Inc., CAD 008 488 025, Santa Fe Springs, California, TSD Facility, Pond 1 Closure Plan, September 2015, (With Updated Appendices B (figures) and G)”, dated September 2015, Received December 3, 2015, prepared by Iris Environmental, Submittal Cover Letter dated December 3, 2015. As approved with conditions described in DTSC letter dated December 4, 2015.

to allow treatment of contaminated groundwater with calcium polysulfide injections. DTSC is reviewing the Revised CMS. If selected, the calcium polysulfide in situ treatment would replace requirements for PTI to pump and treat contaminated groundwater.

- Permit Application. PTI submitted an application seeking to renew its hazardous waste facility permit (Permit Application) pursuant to California Health and Safety Code Section 25200 (California's Hazardous Waste Control Act (HWCA)). The Permit Application contains activities previously authorized in the PTI Hazardous Waste Facility Permit, as well as new activities. DTSC is reviewing the Permit Application. PTI currently operates a hazardous waste facility under a Hazardous Waste Facility Permit issued on July 29, 1991. By operation of law, PTI may continue to operate under the terms of its Permit until DTSC makes a determination on whether to issue a new permit or deny the Permit Application.

BACKGROUND CEQA DOCUMENTS:

The activities associated with the PTI project were evaluated in previously approved CEQA documents. Summaries of each of these CEQA documents are provided below.

So. California Chemical Co. Pond #1 Hazardous Waste Closure. Negative Declaration and Initial Study. State Clearinghouse Number 1988072715. On September 22, 1988, the Department of Health Services (DTSC's predecessor) and U.S. EPA approved a Modified Closure Plan for Pond 1. The 1988 Modified Closure Plan activities include removal and relocation of the wastewater tanks, site characterization, removal of the concrete liner and some of the underlying soils and closure as a land disposal unit in accordance with Code of Federal Regulations, title 40, Part 265.228. The Department prepared an Initial Study /Negative Declaration (IS/ND) for this project (SCH# 1988072715).

Entech Recovery Inc. A.K.A Southern Calif. Chemical CO. Negative Declaration. State Clearinghouse Number 1990011026. On June 19, 1991, Department of Health Services approved a Hazardous Waste Facility Permit for Entech Recovery Inc. aka Southern California Chemical (PTI's predecessors). The Department prepared an IS/ND in 1990 (SCH# 1990011026) for this project. The Hazardous Waste Facility Permit has an expiration date of July 29, 1996. By operation of law, PTI may continue to operate under the terms of the 1991 Permit until DTSC makes a determination on whether to issue a new permit or deny the Permit Application.

Permit Modification Phibro-Tech, Inc. Santa Fe Springs. Initial Study and Information in Support of a Negative Declaration. Class III Permit Modification Phibro-Tech, Inc. State Clearinghouse Number 1995100896. On June 30, 1995, DTSC approved a DTSC-initiated permit modification to select required corrective measures to be implemented at the PTI Facility. The permit modification required PTI to implement corrective measures to address releases of hazardous waste or constituents from the Facility. DTSC prepared an Initial Study and Negative Declaration (SCH# 1994111022) for this project.

Reconsideration of Conditional Use Permit Case No. 441. Initial Study and Negative Declaration. City of Santa Fe Springs. State Clearinghouse Number 2008101020 October 2008. In 2005, PTI submitted a revised permit application requesting authorization to add a new hazardous waste treatment system to treat oily water waste. This proposal required an amendment to PTI's Conditional Use Permit. As a result, the City of Santa Fe Springs, as lead agency, prepared an Initial Study in 2008 to determine if this change would result in any significant impacts to the environment. The City of Santa Fe Springs determined a Negative Declaration (SCH# 2008101020) was appropriate for the project on October 3, 2008.

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA):

This Addendum analyzes the proposed project as required under Public Resources Code, Section 21166 and CEQA Guidelines, Sections 15162, 15163 and 15164.

Public Resources Code, Section 21166 provides that when an environmental impact report (EIR) has been prepared and certified for a project, no subsequent or supplemental EIR shall be required by the lead agency, unless one or more of the following events occurs:

- a. Substantial changes are proposed in the project, which will require major revisions of the environmental impact report.
- b. Substantial changes occur with respect to the circumstances under which the project is being undertaken

which will require major revisions in the environmental impact report.

c. New information, which was not known and could not have been known at the time the environmental impact report was certified as complete, becomes available.

Pub. Resources Code, Section 21068 defines "Significant effect on the environment" as a substantial, or potentially substantial, adverse change in the environment. CEQA Guidelines, section 15382 further defines, in relevant part, a "Significant effect on the environment" as meaning 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 objects of historic or aesthetic significance.

Additionally, according to CEQA Guidelines Section 15162, once a negative declaration has been adopted for a project, a lead agency shall not prepare a subsequent negative declaration or EIR unless it determines, "on the basis of substantial evidence in the light of the whole record," that one or more of the following conditions has occurred:

(1) Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;

(2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or

(3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the negative declaration was adopted, shows any of the following:

(A) The project will have one or more significant effects not discussed in the previous EIR or negative declaration;

(B) Significant effects previously examined will be substantially more severe than shown in the previous EIR;

(C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or

(D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

Under CEQA Guidelines Section 15164, an addendum to an adopted negative declaration shall be prepared if only minor technical changes or additions are necessary or none of the conditions described in Section 15162 calling for the preparation of a subsequent or supplemental negative declaration or EIR have occurred.

DETERMINATION TO SUPPORT AN ADDENDUM:

Based on its examination of the relevant materials, DTSC has determined that the actions associated with approval of the Interim Measures Work Plan, Revised Modified Pond 1 Closure Plan, Revised Corrective Measure Study and permit application for permit renewal would not result in any of the conditions described in CEQA Guidelines section 15162 or 15163 that would require preparation of a subsequent or supplemental negative declaration or EIR. DTSC has determined that the currently proposed project will not result in new significant environmental effects or substantially increased severity of previously identified significant effects; nor have there been substantial changes with respect to the circumstances under which the project is being undertaken. Further, the currently proposed project consists of only minor changes that do not raise important new information of substantial importance. Although DTSC determined that there are changes in conditions from those previously described in previously adopted negative declarations, DTSC does not consider these changes to be substantial in that they did not change the previous impact findings of the four earlier Negative Declarations for the 1988 Modified Pond 1 Closure Plan, Corrective Measures

Study, and the Permit Issuance (which includes the addition of the hazardous waste treatment system to treat oily water). Additionally, implementation of the Interim Measure Work Plan, if approved, would be a minor action taken to prevent, minimize, mitigate, or eliminate the release or threat of release of a hazardous waste or hazardous substance. The attached Environmental Document Analysis/Checklist evaluated the potential environmental effects of the Interim Measures Work Plan as part of the cumulative activities on-site and concluded that this activity would be appropriately addressed in an Addendum. The minor changes and additions to the project identified are consistent with Section 15164 of the CEQA Guidelines, and an addendum to the previous negative declarations is the appropriate CEQA documentation.

These findings contained in this Addendum are supported by the analysis contained in the Environmental Document Analysis/ Checklist, including the incorporated supporting technical documents, and the administrative record.

This Addendum is an informational document, intended to be used in the planning and decision making process as provided for under Section 15164 of the CEQA Guidelines. This Addendum neither recommends approval or denial of the project nor will it be the sole basis for the DTSC's action on the project. If DTSC approves each of the four activities currently proposed for the PTI Facility, DTSC will review the project activity and the environmental setting before issuing a CEQA Notice of Determination for the activity. If the project activity or environmental setting is determined to meet the conditions set forth in Sections 15162 or 15163 of the CEQA Guidelines, DTSC will prepare a subsequent or supplemental negative declaration or EIR as required.

Signature

12-14-15

Date

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