

# **CALIFORNIA ENVIRONMENTAL QUALITY ACT**

## NOTICE OF EXEMPTION

**To:** Office of Planning and Research  
P.O. Box 3044  
Sacramento, CA 95812-3044

**From:** Department of Toxic Substances Control  
Office of Environmental Analysis, Regulations & Audits  
1001 I Street, 22<sup>nd</sup> Floor  
P.O. Box 806  
Sacramento, CA 95812-0806

**Project Title:** Amvac Chemical Corporation  
Class II Permit Modification

**Contact Person and Telephone:** Maria Fabella, (818) 551-2918

**Project Location:** 4100 East Washington Boulevard  
City of Commerce  
Los Angeles County

**Project Description:** Modification of Permit to Allow Changes to the Amvac Closure Plan

### Background

In 1983, Amvac Chemical Corporation Facility (Amvac) manufactures and formulates chemicals for crops, human, and animal health protection. These chemicals include insecticides, fungicides, molluscicides, growth regulators, and soil fumigants which are marketed in liquid, powder, and granular forms. Amvac received a Hazardous Waste Facility Permit (Permit) from the State Department of Health Services (DHS), DTSC's predecessor Agency, to store hazardous waste in containers on a storage pad, and in an above-ground storage tank (Tank). The Facility operated the Resource Conservation and Recovery Act (RCRA) permitted units from 1983 to 1988 when they were taken out of service.

The two RCRA permitted units are described as follows:

- Hazardous Waste Pad had a capacity to hold one hundred (100) 55-gallon, and 30-gallon drums made of either steel or polyethylene. Hazardous waste stored included pesticide manufacturing/formulating waste, container rinseouts, oils contaminated with pesticides, solvent wastes, off-specification raw materials, floor sweep and debris, spent carbon, and contaminated personal protective equipment;
- Aboveground Tank with a 2,500-gallon capacity, was unlined and made of steel. Hazardous wastes stored included pesticide manufacturing/formulating waste, pesticides container rinseouts, contaminated oils, and spent scrubber solutions.

The combined maximum permitted waste capacity of the Pad and Tank was 8,000 gallons.

In 1988, Amvac conducted certain closure activities without DHS' oversight. Amvac performed decontamination of the Tank, demolition and off-site disposal of the Pad, and off-site disposal of all hazardous waste contained within the Pad and the Tank, including Tank decontamination wastes.

In 1995, Amvac withdrew its Hazardous Waste Permit Renewal Application, and wanted to be classified as a Hazardous Waste Generator, by storing hazardous wastes in less than ninety (90) days.

In April 1997, the DTSC and Amvac signed an Expedited Remedial Action Enforceable Agreement, to address the RCRA investigation and remediation of the entire facility.

Between December 2002 and January 2005, as part of an on-going corrective action at the entire facility, Amvac conducted subsurface soil sampling, and soil gas at the location of the former Pad and former Tank, under DTSC's oversight. Characterization of all analytes is considered complete at the former Pad and Tank with the exception of total petroleum hydrocarbons (TPHs), polynuclear aromatic hydrocarbons (PAHs), and soil gas. The vertical characterization for TPHs and PAHs were considered complete during this period.

In June 2006, after conducting the above activities, Amvac formally submitted a Draft Modified Closure Plan (DMCP) which was revised at least twice, to be technically complete under the DTSC's oversight.

#### Summary of Proposed Modified Closure Activities:

Based on the results of the closure activities, additional sampling was performed and further sampling is necessary to complete characterization of the contamination. The closure performance standard proposed for the RCRA-permitted units is human health risk based under industrial/commercial scenario.

The following deviations from the 1983 DHS-approved Permit are the basis of the proposed approval of Amvac's Class II Permit Modification for the RCRA units:

- risk-based performance standards under industrial/commercial levels which include risk-based levels for VOCs, semi VOCs, pesticides, and petroleum hydrocarbons;
- closure cost estimate;
- supplemental sampling and analysis plan for structures, equipment, and soil associated with the RCRA-permitted units;
- health and safety procedures to be followed during closure activities;
- description of data quality objectives specifying the closure criteria; and
- a summary of the types of waste constituents handled by the Facility and their analytical test methods.

#### Summary of Environmental Setting

Amvac is located in a heavily developed industrial area which had been in place since before World War II. An approximately ½ mile radius of industrial and manufacturing facilities surround Amvac. The entire Amvac facility is either paved, covered by buildings, or by concrete structures.

The nearest residence is more than ½ mile away from Amvac. No wildlife habitats are located within one (1) mile of Amvac. There are no relevant species or habitats of endangered, threatened, rare, and sensitive animals and plants are located within 3 miles of Amvac.

The Los Angeles River which is a concrete-lined flood control channel, is located approximately ½ mile south of Amvac. As part of the stormwater management, surface runoff inside the Amvac facility is not allowed to escape beyond its property boundary and run into storm drains, to contaminate public surface water such as the Los Angeles River. The on-site captured surface water is treated in the facility sewer treatment unit before discharge into the sewer line

The on-site soil, and groundwater contamination at the Facility, is unrelated to the RCRA units and will be addressed in the current corrective action program for the Facility, under the DTSC oversight.

**Name of Public Agency Approving Project:** Department of Toxic Substances Control

**Name of Person or Agency Carrying Out Project:** Department of Toxic Substances Control

**Exempt Status:**

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: Class 30, Title 14 Cal Code Regs, section 15330

Statutory Exemptions:

General Rule (Sec. 15061(b)(3))

**Exempt Title:** Title 14, Section 15061(b)(3), California Code of Regulations, with certainty, no possibility of significant environmental effect.

**Reasons For Project Exemption:**

The proposed physical closure operations described are minimal and consistent with the parameters of section 15330. The modified closure plan, if approved and implemented, will not result in significant effects to human health and the environment because:

- 1) The performance target values for restricted commercial and residential land uses are proposed;
- 2) The absence of ecological receptors at the Facility. According to the California Department of Fish and Game, California Natural Diversity Database, there are no currently known threatened or endangered species on or near the Facility;
- 3) The proposed modified closure activities will utilize DTSC's current methods of risk assessment which will conservatively evaluate the potential risk for outdoor soil and indoor air under a future industrial exposure scenario;
- 4) No significant effect on offsite uses will unlikely occur from the proposed modified closure activities since the nearest residence from the RCRA units is more than ½ mile away;
- 5) The site is now considered closed in the Los Angeles County's Hazardous Waste database. In April 1997, the DTSC, formally took the lead to oversee the investigation and remediation of the entire Amvac facility including the RCRA-permitted units.
- 6) The Los Angeles County Department of Public Works (County) Underground Storage Tank Program's Hazardous Waste Database listed UST R-05366 which identified USTs T-1 through T-4, and T-7 through T-12. USTs contained TPH, VOCs, and agrichemicals. Amvac claims that USTs T-7 through T-12 contained rainwater. The database listed xylene to have contaminated soil at the Amvac facility. The County oversaw the USTs assessments from 1995 to 1996. USTs T-1 through T-4 were closed in place in 1995, and are no longer in service. The last assessment conducted in October 1996 concluded: 1) the products stored in USTs T-1 through T-4 did not appear to be the source of an anomalous TPH concentrations; and 2) the assessment report recommended a No Further Action for USTs T-7 through T-12;
- 7) As Lead Agency since April 1997, the DTSC has been continuously overseeing the investigation of the entire Amvac facility. Based on Amvac's Draft Site Investigation Report dated October 2005 (Report), confirmation sampling indicated the absence of xylene at the USTs area. The DTSC speculates that xylene bio-attenuated. Characterization of USTs T-7 through T-12 is complete and determines that No Further Action is required. The lateral and vertical extent of detected compounds at the USTs T-1 through T-4 has been characterized with the exception of the vertical contamination of 1,2-dibromo-3-chloropropane (DBCP), a pesticide previously manufactured at the Facility. The source of DBCP is not known as of yet.

- 8) USTs T-1 through T-4 are located approximately 210 feet from the Pad and approximately 435 feet from the Tank. USTs T-7 through T-12 are approximately 90 feet from the Pad, and approximately 85 feet from the Tank. Based on the lateral distance of the USTs from the RCRA units, and the minimal closure activities proposed, it does not appear that a potential concern for migration of contaminants below the RCRA units exist.

Maria Fabella

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Lead Agency Contact Person

Phone Number

Original Signed by Jose Kou

5/30/2007

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DTSC Branch Chief Signature

Date

Jose Kou

Supervising Hazardous Substances Engineer II

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DTSC Branch Chief Name

DTSC Branch Chief Title

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**Date Received for Filing and Posting at OPR:** \_\_\_\_\_