



**California Environmental Protection Agency
Department of Toxic Substances Control**

HAZARDOUS WASTE FACILITY PERMIT

Facility Name:

Chevron Environmental Management Company
940 Hensley Street
Richmond, California 94804

Owner Name:

Chevron U.S.A. Inc.
6001 Bollinger Canyon Road
San Ramon, California 94583-6001

Operator Name:

Chevron Environmental Management Company
940 Hensley Street
Richmond, California 94804

Pursuant to California Health and Safety Code section 25200, this Resource Conservation and Recovery Act (RCRA)-equivalent Hazardous Waste Facility Permit is hereby issued to: Chevron Environmental Management Company and Chevron U. S. A. Inc.

The Issuance of this Permit is subject to the terms and conditions set forth in Attachment A and the Part "B" Application (Operation Plan) dated February 11, 2010. The Attachment A consists of 16 pages including Figures 1, 2, and 3.

Facility EPA ID Number:
CAD043237486

Effective Date: **Draft**

Expiration Date: **Draft**

Peter Bailey, Team Leader
Landfills Team
Hazardous Waste Permitting Teams
Department of Toxic Substances Control
Date:

**CHEVRON ENVIRONMENTAL MANAGEMENT COMPANY
940 HENSLEY STREET
RICHMOND, CALIFORNIA 94804**

**HAZARDOUS WASTE FACILITY PERMIT
ATTACHMENT "A"**

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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 California Code of Regulations, title 22, 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. **"Facility"** as used in this Permit means all contiguous land and structures, other appurtenances, and improvements on the land used for the treatment, transfer, storage resource recovery, disposal or recycling of hazardous waste. A hazardous waste facility may consist of one or more treatment, transfer, storage, resource recovery, disposal or recycling operational units, or combinations of these units.

For the purpose of implementing corrective action under California Code of Regulations, title 22, division 4.5, a hazardous waste facility includes all contiguous property under the control of the owner or operator required to implement corrective action.

3. **"Permittee"** as used in this Permit means the Owner and Operator.

4. **"RCRA"** as used in this Permit means the Resource Conservation and Recovery Act (42 U.S.C. §6901 et seq.).

PART II. DESCRIPTION OF THE FACILITY AND OWNERSHIP

1. Owner of Facility

Chevron U.S.A. Inc.
6001 Bollinger Canyon Road
San Ramon, California 94583-6001

2. Owner of Real Property

Chevron U.S.A. Inc.
6001 Bollinger Canyon Road
San Ramon, California 94583-6001

3. Operator of Facility

Chevron Environmental Management Company
940 Hensley Street
Richmond, California 94804.

4. Location

The Facility is located in Richmond within Contra Costa County and consists of 170 acres divided by Castro Street into two addresses: 835 Castro Street and 940 Hensley Street.

The first parcel (hereafter the "IWPS Site") Site is physically located at 835 Castro Street. It is bounded on the north by Gertrude Street and east by Richmond Parkway and Castro Street, and measures approximately 130 acres. This parcel contains a 70-acre Integrated Wastewater Pond System ("IWPS") which is the "regulated unit" subject to this Permit and vacant land formerly occupied by Chevron's Fertilizer Division. The geographic coordinates for the IWPS is latitude 37°56'45" north, longitude 122°22'15" west (See Figure 1 for the Facility's general location). The Facility is comprised of Contra Costa County Assessor's Parcel Numbers 561-120-009, 561-110-040, 561-110-028, 561-110-026, 561-120-015, 561-100-034, 561-330-001, 561-341-016, 561-341-005, 561-380-004, 561-380-005, 561-380-003, 561-380-010 (See Figure 2).

The second parcel is bounded on the north by Hensley Street and west by Castro Street and is the site of Chevron's former Agricultural Chemicals Division (the "Plant Site"). It is physically located at 940 Hensley Street.

Both the Plant Site and IWPS Site share a single EPA Identification Number CAD 043237486.

5. Description of Facility Operations

The Facility currently serves as a warehouse, provides storage for trucks and trailer equipment and empty tank trucks, and provides analysis for environmental samples, and is not open to the public. The Facility is currently operating an Integrated Wastewater Pond System (IWPS) for storage of nonhazardous waste under delayed closure specified by California Code of Regulations, title 22, section 66264.113 (d).

The IWPS consists of a single surface impoundment unit subdivided into eight operational management areas. Each operational area is diked and the various areas have interconnecting pipes to allow operational flexibility. As shown on Figure 2 of this Permit, these subareas are designated as Ponds IA, IB, IC, 2, 3, 4A, 4B, and West Pond, with a total holding capacity of approximately 119 million gallons. The IWPS is fenced and secured.

Stormwater is collected from two locations: the Plant Site at 940 Hensley Street, and the former fertilizer plant portion of the Pond Site at 835 Castro Street. Stormwater runoff from these areas is pumped to the IWPS for storage. The stormwater accumulated in the IWPS is discharged to the City of Richmond's publicly owned treatment works (POTW) at a rate dictated by the flow limitations contained in the Facility's industrial stormwater permit from the POTW. During heavy storm events, the Permittee must decrease or suspend direct discharge to the POTW to ensure compliance with the flow limitations. The IWPS allows the Facility to meet the surge capacity needs associated with variable intensity storm events and POTW discharge requirements.

Stormwater accumulated in the IWPS is managed through incidental solar evaporation and discharge to the POTW. Stormwater discharged to the POTW is sampled in accordance with POTW permit requirements.

The IWPS also receives nonhazardous, extracted groundwater and treated groundwater from the Water Treatment Unit (WTU effluent). Groundwater extracted by the groundwater extraction trench is either pumped directly to the IWPS (if analysis indicates treatment is not necessary) or to the onsite WTU. Effluent from the WTU is discharged either to the IWPS or directly to the POTW in accordance with POTW permit requirements.

6. Facility History

The Facility submitted its application in 1980 to treat and store hazardous waste and operated as an interim status facility before receiving its first permit in 1990. The permit was renewed in 1998; however, the Facility submitted a modified Part B application requesting a delayed closure for the Integrated Wastewater Pond

System (IWPS). A permit allowing the delayed closure for IWPS was issued on August 16, 1999.

The evaporation ponds were originally constructed in the 1960s to treat and store hazardous waste. To meet the requirements of the Toxic Pits Cleanup Act, the Facility commenced major design upgrades in 1989, and the IWPS in its current configuration was completed in 1993 within the footprint of the original evaporation ponds. The upgrades included the installation of a synthetic liner within each of the eight subunits. Prior to the upgrades, all hazardous waste was removed from the IWPS; contaminated media was left in place within the berms and beneath the liner, as allowed by applicable regulations.

The constituents of concern detected in soils include ammonia, nitrate, arsenic, lead, chlordane, lindane, dichloro-diphenyl-dichloroethane (DDD), dichloro-diphenyl-dichloroethylene (DDE), dichloro-diphenyl-trichloroethane (DDT), trans-1, 2-dichloroethene and trichloroethene.

Groundwater monitoring and corrective action is conducted at the Facility pursuant to Waste Discharge Requirements Order No. 97-049 issued by the San Francisco Bay Regional Water Quality Control Board (RWQCB). The constituents that have been detected in groundwater in concentrations above the California Primary Drinking Water Standards include benzene, cadmium, arsenic, lead, ammonia, chlordane, carbon tetrachloride, chromium, 1,2-dichloroethane, lindane, silvex, trichloroethene and tetrachloroethene.

This permit is to authorize the continued operation of the IWPS to receive non-hazardous waste water under the delayed closure.

7. Facility Size and Type for Fee Purposes

The Facility is categorized as a ministorage facility pursuant to Health and Safety Code section 25205.1 and for purposes of Health and Safety Code sections 25205.2 and 25205.19.

8. Closure Cost Estimate

The closure cost estimate for the Facility in 2009 dollars is \$ 58,000,000.00.

PART III. GENERAL CONDITIONS

1. PERMIT APPLICATION DOCUMENTS

The Part "A" Application, signed on February 11, 2010, and the Part "B" Application (Operation Plan), including all attachments, dated January 2010, are hereby made a part of this Permit by reference.

2. EFFECT OF PERMIT

- (a) The Permittee shall comply with the terms and conditions of this Permit and the provisions of the Health and Safety Code and California Code of Regulations (Cal. Code Regs.), 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, those required by 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 Facility.
- (b) The Permittee is permitted to delay closure of the IWPS in accordance with the terms and conditions of this Permit. Any management of hazardous wastes not specifically authorized in this Permit is strictly prohibited.
- (c) Compliance with the terms and conditions 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.
- (e) Failure to comply with any term or condition set forth in the 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.
- (f) Failure to submit any information required in connection with the Permit, or

falsification and/or misrepresentation of any submitted information, is grounds for revocation of this Permit (Cal. Code Regs., tit. 22, §66270.43).

- (g) In case of conflicts between the Operation Plan and the Permit, the Permit conditions take precedence.
- (h) 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 any of the California Regional Water Quality Control Boards and any conditions imposed pursuant to section 13227 of the Water Code.

3. COMPLIANCE WITH CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

A Notice of Exemption has been prepared in accordance with the requirements of Public Resources Code section 21000 et seq. and the CEQA Guidelines, section 15300 et seq. of California Code of Regulations, title 14.

4. ENVIRONMENTAL MONITORING

The Permittee shall comply with the applicable environmental monitoring and response program requirements of California Code of Regulations, title 22, division 4.5, chapter 14, articles 6 and 17.

5. ANNUAL HAZARDOUS WASTE REDUCTION AND MINIMIZATION CERTIFICATION

The Permittee shall certify annually that it has a hazardous waste reduction and minimization program and method in place and shall keep the annual certification as part of its Operating Record in accordance with California Code of Regulations, title 22, section 66264.73(b)(9).

6. ACCESS

- (a) DTSC, its contractors, employees, agents, and/or any United States Environmental Protection Agency representatives are authorized to enter and freely move about the Facility 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 Part VI of the Permit; conducting such testing, 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, Health and Safety Code, division 20, chapter 6.5, and California Code of Regulations, title 22,

division 4.5. The Permittee shall provide DTSC and its representatives access at all reasonable times to the Facility and any other property to which access is required for implementation of any provision of this Permit, Health and Safety Code, division 20, chapter 6.5, and California Code of Regulations, title 22, division 4.5, 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 the entire Permit or undertake any other activity necessary to determine compliance with applicable requirements.

- (b) 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 IV. PERMITTED UNITS AND ACTIVITIES

This Permit authorizes operation only of the Facility units and activities listed below. The Permittee shall not treat, store, or otherwise manage hazardous waste in any unit other than those specified in this Part IV. Any modifications to a unit or activity authorized by this Permit require the written approval of DTSC in accordance with the permit modification procedures set forth in California Code of Regulations, title 22, division 4.5.

UNIT NAME:

Integrated Wastewater Pond System (IWPS)

LOCATION:

This unit is physically located at the southwestern corner of the intersection of Castro Street and Gertrude Street (See Figure 3 for the unit location).

ACTIVITY TYPE:

Storage of non-hazardous wastewater
Groundwater monitoring
Delayed closure

ACTIVITY DESCRIPTION:

The IWPS operates under delayed closure and is currently used to store only non-hazardous liquid wastes, including: (1) stormwater run-off from the Plant Site and the former fertilizer plant located on the Pond Site, (2) extracted groundwater from the hydraulic control system surrounding the IWPS, and (3) treated groundwater from the Facility's Water Treatment Unit (effluent).

Water quality monitoring is also performed at this unit in accordance with the San Francisco Bay RWQCB's Order No. 97-049 issued April 16, 1997. In addition, the unit is inspected in accordance with the Approved Application, Section 6.2, and maintained to preserve and protect its integrity.

PHYSICAL DESCRIPTION:

The IWPS unit is a 70-acre surface impoundment and is comprised of eight subunits (Ponds 1A, 1B, 1C, 2, 3, 4A, 4B and West Pond). A synthetic liner has been installed in each of the eight subunits, which was overlain by a geotextile and a granular drainage layer to collect groundwater.

The IWPS has both man-made and natural containment features. The features include the low permeability Bay Mud underlying the unit and a natural upward hydraulic gradient for vertical containment. Lateral containment is provided by a hydraulic control system which consists of a hydraulic control trench and a containment wall.

The hydraulic control trench consists of a two-foot wide emplacement of granular material extending from near the surface to a level within the underlying Bay Mud. Slotted drain pipes installed near the bottom of the trench collect and convey groundwater to sumps with extraction pumps spaced at 500 foot intervals along the trench.

The containment wall consists of ASPEMIX and a bentonite slurry wall. The ASPEMIX wall is comprised of a mixture of asphalt emulsion, sand, cement, and water and surrounds the majority of the IWPS, except for portions of the west and southwest sides where the slurry wall was installed. The slurry wall is comprised of a soil-bentonite mixture.

MAXIMUM CAPACITY

The maximum storage volume of the IWPS is 111.5 million gallons of liquid; however, the IWPS is not authorized to store or treat any RCRA or non-RCRA hazardous waste.

WASTE TYPES:

The IWPS only accepts non-hazardous liquid waste and is not authorized to store or treat any RCRA or non-RCRA hazardous waste.

UNIT SPECIFIC CONDITION

The Facility shall obtain advance written approval from DTSC before managing any non-hazardous waste in the IWPS that is not described in Part IV, Activity Description, of this Permit in accordance with Section 3.2 of the Approved Application.

AIR EMISSION STANDARDS

The IWTP no longer receives hazardous waste; therefore, so long as it does not, it is not subject to the applicable requirements of California Code of Regulations, title 22, division 4.5, chapter 14, article 28.5.

PART V. SPECIAL CONDITIONS

1. WASTE DISCHARGE REQUIREMENTS

The Permittee shall comply with Waste Discharge Requirements Order (Order 97-049) issued on April 16, 1997 by RWQCB and subsequent amendments.

2. LAND USE COVENANT

The Permittee shall sign and record a land use covenant (LUC) required by California Code of Regulations, title 22, section 67391.1 should Hazardous Materials as defined in Health and Safety Code section 25260 remain in or on the IWPS at closure. Permittee shall provide DTSC a conformed copy of the fully recorded LUC before requesting DTSC to acknowledge the closure certification.

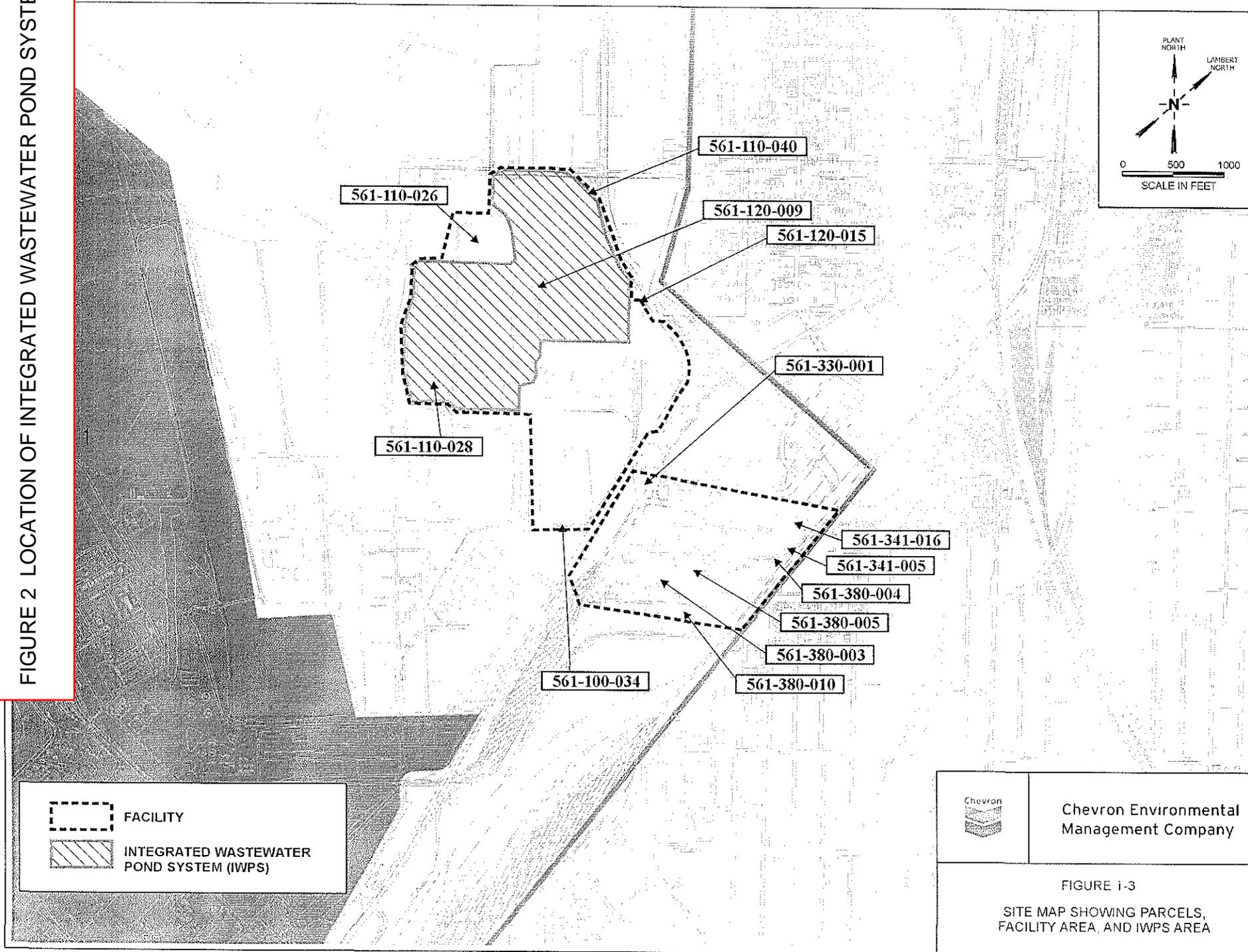
The Permittee shall reimburse DTSC for its costs incurred in developing, administering, overseeing, and enforcing the Land Use Covenant, including costs incurred in conducting inspections, preparing inspection reports, and reviewing any Soil Management Plan or Health and Safety Plan that may be required by the Land Use Covenant. The Permittee's payments of DTSC's costs shall be made within 30 days of the date of the billing statement by check payable to the Department of Toxic Substances Control and shall be sent to: Accounting Unit, Department of Toxic Substances Control, P.O. Box 806, Sacramento, California 95812-0806. All checks shall reference the name and address of the Facility.

3. In the event that any cracks, gaps, tears, erosion, or malfunctions are detected in a hazardous waste management unit (including the IWPS liner, under drain system, hydraulic control trench, and containment wall) or associated leakage monitoring devices, repairs shall be initiated as soon as possible. The Permittee shall notify DTSC within seven (7) days whenever a crack, gap, tear, or malfunction is found. Within fourteen (14) days of discovery of the problem, the Permittee shall notify DTSC in writing of the corrective measures that have been taken. All repairs shall be completed within twenty-one (21) days of the discovery of the problem or by October 15, unless Permittee submits a written request for extension and obtains DTSC's approval of the new completion date.

PART VI. CORRECTIVE ACTION

1. The Permittee shall conduct corrective action at the Facility pursuant to Health and Safety Code sections 25187 and 25200.10. Corrective action shall be carried out under the RWQCB's Waste Discharge Requirements Order 97-049 issued on April 16, 1997. Under the Senate Bill 1082 (Calderon, 1993), the RWQCB was designated as the lead oversight agency for corrective action at the Facility. If deemed necessary by DTSC, DTSC may require the Permittee to comply with additional corrective action requirements.
2. To the extent that work being performed pursuant to Part V of the 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 of the Permit from the present owner(s) of such property within 30 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 30 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 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. If there is any conflict between this permit condition on access and the access requirements in any agreement entered into between DTSC and the Permittee, this permit condition on access shall govern.
3. Nothing in Part V of the 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.

FIGURE 2 LOCATION OF INTEGRATED WASTEWATER POND SYSTEM



 Chevron Environmental Management Company

FIGURE 1-3
SITE MAP SHOWING PARCELS,
FACILITY AREA, AND IWPS AREA

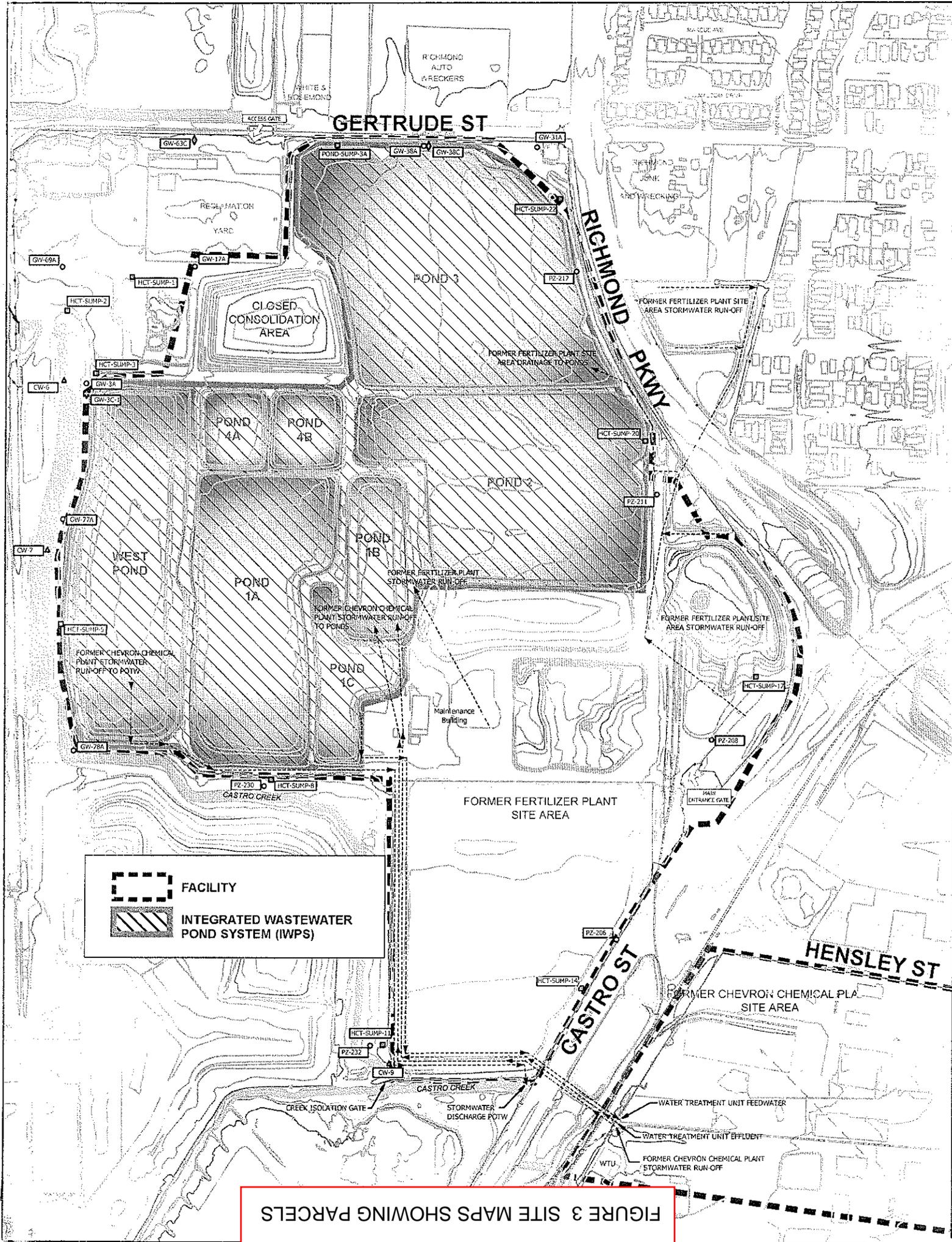


FIGURE 3 SITE MAPS SHOWING PARCELS