



California Environmental Protection Agency
Department of Toxic Substances Control

**HAZARDOUS WASTE FACILITY
POST-CLOSURE PERMIT**

Facility Name:

TFX Aviation, Incorporated
3085 Old Conejo Road
Newbury Park, California 91320

Owner Name:

Teleflex Incorporated
550 E. Swedesford Road
Suite 400
Wayne, Pennsylvania 19087-1603

Operator Name:

TFX Aviation, Incorporated
3085 Old Conejo Road
Newbury Park, California 91320

Facility EPA ID Number: CAD008383127

Effective Date: July 23, 2016

Expiration Date: July 23, 2026

Pursuant to California Health and Safety Code section 25200, this Resource Conservation and Recovery Act (RCRA)-equivalent Hazardous Waste Facility Post-Closure Permit is hereby issued to: TFX Aviation, Incorporated.

The issuance of this Permit is subject to all terms and conditions set forth in the Approved Application dated March 10, 2016. The Permit consists of 21 pages including attachments.

A handwritten signature in blue ink, appearing to read "Edward Nieto".

Edward Nieto, P.E.
Permitting Division – Sacramento
Date:

01/23/2016

TFX Aviation 3085 Old Conejo Road, Newbury Park

HAZARDOUS WASTE FACILITY POST-CLOSURE PERMIT

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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.).
5. **"U.S. EPA"** as used in this Permit means the United States Environmental Protection Agency.
6. **"RWQCB"** as used in this Permit means the Regional Water Quality Control Board.

PART II. DESCRIPTION OF THE FACILITY AND OWNERSHIP

OWNER OF FACILITY

The Facility owner is Teleflex, Incorporated, 550 E. Swedesford Road Suite 400, Wayne, Pennsylvania 19087-1603.

OWNER(S) OF REAL PROPERTY

The Owner(s) of real property are as listed on Attachment 1.

OPERATOR OF FACILITY

The Operator of the Facility is TFX Aviation, Incorporated 3085 Old Conejo Road, Newbury Park, California 91320.

The TFX Aviation, Incorporated Facility (Facility) is located at 3085 Old Conejo Road, Newbury Park, California. Newbury Park is part of the municipality of Thousand Oaks which is located in Ventura County. The Facility is south of the U.S. 101 freeway and northwest of Wendy Drive. The Facility is shown on the Location Map (Attachment 3).

LOCATION

The Facility is located on thirty-one parcels. The Ventura County Assessor's Parcel Numbers are provided in Attachment 1 of this permit. A portion of the Facility is located at 3085 Old Conejo Road within Common Lot 2 of Tract 5476 per Map filed in Book 158, Pages 21-24, Miscellaneous Records, Official Records of Ventura County, California.

DESCRIPTION OF FACILITY OPERATIONS

The Facility occupies approximately 12.85 acres. Currently, there are 31 office buildings, interior roads, parking spaces, a groundwater treatment system and groundwater monitoring and extraction wells. The Facility includes the following hazardous waste management units:

- Closed surface impoundment; and
- Groundwater treatment system (Permit by Rule, permitted by Ventura County, Certified Unified Program Agency). The groundwater treatment system is operated on the portion of the Facility located at 3085 Old Conejo Road, which is the current facility address.

FACILITY HISTORY

The Facility, originally located at 3303 Old Conejo Road in Newbury Park, California (see Attachment 2), was built in the early 1950s on approximately 12.85 acres of property. The Facility was used by Talley Corporation for manufacturing civilian and military aircraft components from approximately 1956 to 1989. Seven buildings were located on the Facility supporting various manufacturing processes including metal casting, degreasing, pickling, and plating. During the manufacturing process, the Facility generated hazardous wastes, that contained a number of listed hazardous wastes, F003, F005, F007 and F009, which include the following hazardous constituents: hexavalent chromium (Cr^{+6}), other metals, cyanide, Trichloroethylene (TCE), miscellaneous chlorinated solvents, and waste oils, some of which contained low concentrations of polychlorinated biphenyls (PCBs). On-site waste disposal practices included the use of a surface impoundment (which consisted of two-adjointing evaporation ponds) and a leachfield. Soil and groundwater at the Facility were impacted from the on-site waste disposal.

On October 4, 1982 Talley filed a Part A Permit application with U.S. EPA and was issued an Interim Status Document for storage of hazardous waste in containers, tanks and treatment in surface impoundment on September 13, 1982.

In 1983 it was discovered that the surface impoundment had leaked. Subsequent investigations revealed that soil and groundwater were contaminated with solvents and heavy metals (mainly TCE and Cr^{+6}). In 1984 Talley submitted a closure plan to DTSC for the surface impoundment. The impoundment was closed in 1984 and a total of 3,200 cubic yards of contaminated soil were later removed. An engineered cap was then installed over the impoundment area.

Results of the impoundment closure soil sampling conducted in June of 1986 showed that the soil adjacent to and underneath the former surface impoundment contained residual concentrations of chromium and chlorinated organic compounds such as TCE, tetrachloroethylene (PCE), and 1,1,1-trichloroethane (TCA). In August 1986, Talley began removal of an additional 1,000 cubic yards of soil. Soil and bedrock containing concentrations greater than 5 milligrams per kilogram (mg/kg) TCE and 6 mg/kg Cr^{+6} were excavated from the site at the direction of Ventura County Environmental Health Agency and DTSC. Additional assessment was conducted to define the vertical extent of the chemical plume. Talley sampled existing wells and installed two new extraction wells and four groundwater monitoring/extraction wells with the purpose of defining the vertical extent of the chemical plume. In 1986, Talley was acquired by Teleflex, inc. (Teleflex).

The former surface impoundment was acknowledged certified closed by DTSC on August 26, 1987. DTSC issued an order to Teleflex in November 1990 requiring that a RCRA-equivalent post-closure permit be obtained for the facility.

The post-closure permit application included a closure sampling and analysis workplan for the solid waste management units at the Facility. The application also included post-closure plans for the installation and operation of the groundwater treatment plant, the installation and monitoring of the surface impoundment cap as required by the U.S. EPA and the DTSC, and the cleanup of the groundwater contamination. A final post-closure permit was issued by DTSC on November 24, 1992. The Post-Closure Permit addressed water quality monitoring of the former surface impoundment, closure of the solid waste management units, and post-closure care of the former surface impoundment. Operation of the groundwater treatment plan was subsequently taken out of the final post-closure permit and covered by DTSC's Permit by Rule process. The groundwater treatment plant was authorized by Ventura County under Permit by Rule and is not part of this permit. The Post-Closure Permit was renewed on October 7, 2005, with an expiration date of October 7, 2015.

Corrective action at the Facility has been conducted pursuant to the requirements of the Administrative Order on Consent issued by U.S. EPA in 1988 and the Post-Closure Permit issued by DTSC in 1992. The Permittee executed and recorded a Land Use Covenant pursuant to California Civil Code 1471, restricting use of the property. The groundwater remedy is ongoing and is expected to continue throughout the period of this permit. As of March 2016, the treated groundwater is discharged under NPDES permit CA0059609 which expires on June 30, 2020.

FACILITY SIZE AND TYPE FOR FEE PURPOSES

The Facility is categorized as a medium post-closure facility pursuant to Health and Safety Code section 25205.7(d)(5). For the purpose of Health and Safety Code section 25205.4, the post-closure period for the facility shall be deemed to have started on November 24, 1992, which is the date the DTSC issued the Initial Post-Closure Permit.

PART III. GENERAL CONDITIONS

1. PERMIT APPLICATION DOCUMENTS

The DTSC-approved Application dated March 10, 2016 (Approved Application) is hereby made a part of this Permit by reference: RCRA Post Closure Permit Application for Renewal Volumes I-III, TFX Aviation, Newbury Park, prepared by AECOM, March 10, 2016.

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 operate, monitor and maintain this Facility for post-closure activities in accordance with the terms and conditions of this Permit and the Approved Application. 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) and will subject the Permittee to enforcement action and penalties pursuant to Health and Safety Code sections 25187 and 25189.2(a).
- (g) In case of conflicts between the Approved Application 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 15070 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.

- (a) For the purpose of Title 22, Cal. Code of Regs., section 66264.91 (b), the elements of the Groundwater Monitoring and Response Program for the Facility are those described in the Water Quality Sampling and Analysis Plan (SAP), which is part of the Approved Application.
- (b) For the purpose of Title 22, Cal. Code of Regs., section 66264.92, the Water Quality Protection Standard for the Facility is described in Section 2 of the SAP.
- (c) For the purpose of Title 22, Cal. Code of Regs., section 66264.93, the Constituents of Concern for the Facility are described in Section 2.1 of the SAP.
- (d) For the purpose of Title 22, Cal. Code of Regs., section 66264.94, the Concentration Limits for the Facility are described in Section 2.1 of the SAP. Such Concentration Limits may change over time in accordance with statistical and other procedures set forth in the SAP.

- (e) For the purpose of Title 22, Cal. Code of Regs., section 66264.95, the Monitoring Points and Points of Compliance for each regulated unit at the Facility are described in Section 2.3 of the SAP.
- (f) For the purpose of Title 22, Cal. Code of Regs., section 66264.96 the Compliance Period for each regulated unit at the Facility are described in Section 2.4 of the SAP.
- (g) For the purpose of Title 22, Cal. Code of Regs., section 66270.31, the monitoring, recording, and reporting program for the Facility are described in Section 6 of the SAP.

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 Health and Safety Code section 25202.9 and 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 the operation, monitoring and maintenance 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.

For the purpose of California Code of Regulations, title 22, section 66270.1 (c) and other similar, unit-specific regulatory requirements, this Facility has one Hazardous Waste Management Unit. This closed and non-operational unit is described in detail in the Approved Application, and is as follows:

UNIT NAME: Former surface impoundment

LOCATION: Southern boundary of the Facility and parallel to Old Conejo Road (see Attachment 3).

ACTIVITY TYPE AND DESCRIPTION:

This Unit is a closed surface impoundment subject to post-closure requirements including groundwater monitoring. In 1963, Talley constructed the surface impoundment, which consisted of two adjoining evaporation ponds with concrete bases and retaining walls. The total size of the surface impoundment was 40 by 500 feet and the total capacity was 130,800 gallons. The surface impoundment was used to evaporate plating wastewater transferred from the plating shop. The surface impoundment was taken out of service in January of 1984 and waste residues were removed. Between 1984 and 1986, the impoundment walls and underlying soils were excavated and a closure cap was installed. A closure certification for the surface impoundment was submitted on August 26, 1987. In 2004, the Facility requested reconsideration for the need for the closure cap and requested authorization to perform additional assessments to evaluate conditions beneath the cap. With DTSC's approval, soil vapor concentrations were tested beneath the cap in March 2004 and the sampling results were provided to DTSC in May 2004. On July 23, 2004, DTSC issued a letter removing the requirement for a cap over the former surface impoundment.

PHYSICAL DESCRIPTION:

This Unit is a closed surface impoundment approximately 500 by 40 feet in size that was located along the southern boundary of the Facility and parallel to Old Conejo Road (see Attachment 3).

WASTE TYPES:

This Unit is currently closed and does not accept any waste. The wastewater previously handled by the Unit included: F003, F005, F007 and F009, which include the following hazardous constituents: hexavalent chromium (Cr^{+6}), other metals, cyanide, Trichloroethylene (TCE), miscellaneous chlorinated solvents, and waste oils, some of which contained low concentrations of polychlorinated biphenyls (PCBs) .

UNIT-SPECIFIC SPECIAL CONDITIONS:

The Permittee shall maintain the recorded Land Use Covenant executed pursuant to California Civil Code 1471, restricting use of the property in perpetuity.

The Permittee shall reimburse DTSC for its costs incurred in implementing 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 as 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, Post Office Box 806, Sacramento, California 95812-0806. All checks shall reference the name and address of the Facility.

PART V. SPECIAL CONDITIONS

WATER QUALITY COMPLIANCE MONITORING

The Permittee shall continue to operate and maintain a groundwater monitoring system as defined in Article 6, of Chapter 14, of Title 22, Cal. Code Regs. (section 66264.90 to 66264.100) and described in the Water Quality Sampling and Analysis Plan included in the Approved Application.

REPORTING

The Permittee shall submit an annual Groundwater Monitoring Report no later than March 1 of each year. The annual Groundwater Monitoring Report shall include tables providing historic data as well as describe the specific monitoring activities that were conducted between January and December of the preceding year. The annual Groundwater Monitoring shall include graphical and statistical trend analysis of the groundwater monitoring data; evaluate the effectiveness of the monitoring and containment systems and make recommendations for modifications when appropriate. The annual Groundwater Monitoring must be signed by a California Registered Geologist or Professional Engineer.

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 to address any release of hazardous waste or constituents from any solid or hazardous waste management unit at the Facility regardless of when the waste or constituent was released at the Facility.
2. Hazardous waste or constituents found at the Facility include volatile organic compounds (VOCs) such as trichloroethylene, 1,1,1-trichloroethane, 1,1-dichloroethylene, trans 1,2-dichloroethylene, cyanides and metals such as total chromium, hexavalent chromium, cadmium, and lead.
3. In 1986, the U.S. EPA's contractors conducted a RCRA Facility Assessment (RFA) of the site. The RFA was conducted to identify areas where the potential for release was significant. The areas identified were: regulated units (former surface impoundment); solid waste management units (SWMUs); and areas of concern (AOC) where hazardous materials were used or stored.
4. In September 1988, the former owners of the facility, Talley Corporation and Telair International, entered into an Administrative Order on Consent (AOC) with the U.S. EPA to: (1) conduct interim measures to operate a contaminated groundwater extraction and treatment system; (2) conduct a RCRA Facility Investigation (RFI); (3) to conduct a corrective Measure Study; and (4) to implement any additional corrective measures selected by U.S. EPA.
5. In 1989, an interim groundwater extraction and treatment system was installed to control groundwater contaminated with chlorinated solvents and hexavalent chromium. Later, a vapor extraction and treatment system (VETS) was operated at the former leach field area which had been identified as a major source of the VOCs.
6. In 1992, it was decided to split the RFI into its groundwater and soil components. The result of the groundwater investigation is documented in *Groundwater RCRA Facility Investigation. Talley Facility, Newbury Park*, dated March 1992. The groundwater RFI identified a plume of contamination approximately 3,800 ft. long, 1,800 ft. wide and up to 225 ft. deep, extending eastward from the site in the direction of groundwater flow (most of it situated underneath the Ventura Freeway). The main chemicals were TCE and hexavalent chromium. In 1993, US EPA issued a Statement of Basis selecting extraction and treatment as the remedy for groundwater contamination. The remediation is currently ongoing, treating about 2.5 million gallons of groundwater a month and has involved a total of 40 wells used for extraction and monitoring. Continuation of the pumping and treating of the groundwater is necessary to eliminate further migration and prevent future exposure. As of March 2016, the treated groundwater is

discharged under NPDES permit CA0059609 which expires on June 30, 2020.

7. Between August 1996 and April 1997, Telair performed the final phase of soil investigation under DTSC oversight. The result of this investigation is described in RCRA Facility Investigation for the Soil and Vadose Zone for the Talley Facility Newbury Park, California, dated April 1997. From June to December 1997, Telair conducted a study to evaluate the various options for cleaning up the soil and vadose zone contamination. This evaluation is described in the Corrective Measures Study for Soil and Vadose Zone, Talley Facility, dated December 17, 1997.
8. DTSC issued a final Statement of Basis August 1998 selecting a remedy to address soil contamination. Additional impacted soil was removed from the leachfield area and a soil vapor extraction system was installed to remove the remaining chlorinated solvents in the vadose zone. In late 2003, the remedial goals of the soil vapor extraction system were achieved and DTSC certified completion of that part of the remedy in May 2004. Facility soils have been remediated to industrial/commercial standards. The Permittee executed and recorded a Land Use Covenant pursuant to California Civil Code 1471, restricting use of the property.
9. **WORK TO BE PERFORMED:**

The Permittee shall perform the work required by this Permit in accordance with applicable local, state and federal statutes, regulations, ordinances, rules, and guidance documents, including the applicable DTSC and the United States Environmental Protection Agency guidance documents and other corrective action requirements.

a. **HYDRAULIC CONTAINMENT OF THE IMPACTED GROUNDWATER PLUME**

The Permittee shall continue to operate and maintain a groundwater extraction and treatment system or other approved system capable of hydraulically containing the contaminant plume. The goal of this corrective action is to:

- 1) prevent the plume from further migration;
- 2) reduce the mass of hazardous constituents within the plume; and
- 3) if possible, reduce the aerial extent of the impacted plume until the groundwater meets the established water quality protection standard.

b. **REPORTING**

The Permittee shall submit an annual progress report no later than March 1st of each year. The Annual Progress Report must include a description of the corrective measures activities conducted during the reporting period; summaries of data collected during the reporting period, summaries of contacts with the public during the reporting period, projected work for the next reporting period

and copies of laboratory data not included in other reports provided to DTSC.

c. DISCHARGE OR DISPOSAL OF TREATED GROUNDWATER

As specified in the NPDES permit, monthly, quarterly and annual samples are collected of the effluent water. Quarterly influent samples are also collected and analyzed. Quarterly and annual reports are provided to the RWQCB and the DTSC. Discharge limits are based on the RWQCB Los Angeles Basin requirements and are protective of human health and the environment.

10. 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 10 days of such discovery summarizing the findings including the immediacy and magnitude of any potential threat to human health and/or the environment.
- 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 and newly identified SWMUs or releases of hazardous waste and/or hazardous constituents. If and when corrective action is required at the Facility, the Permittee shall conduct corrective action under either a Corrective Action Consent Agreement or an Enforcement Order for Corrective Action issued by DTSC pursuant to Health and Safety Code sections 25187 and 25200.10.

11. SAMPLING, DATA AND DOCUMENT AVAILABILITY

- a. When requested by DTSC, the Permittee shall make available for DTSC's inspection, and shall provide copies of, all data and information concerning contamination at or from the Facility, including technical records and contractual documents, sampling and monitoring information and photographs and maps, whether or not such data and information was developed pursuant to this Permit.
- b. 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.
- c. 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. 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.

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

12. ACCESS FOR CORRECTIVE ACTION

- a. Subject to the Facility's security and safety procedures, 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 Part VI of this Permit and shall permit such persons to inspect and copy all data, reports and other documents that pertain to work undertaken pursuant to Part VI of this Permit and that are within the possession or under the control of the Permittee or its contractors or consultants.
- b. To the extent that work being performed pursuant to Part VI 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.
- c. Nothing in Part VI 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.

13. ENDANGERMENT DURING IMPLEMENTATION

- a. The Permittee shall notify DTSC immediately upon learning of any condition that may pose an immediate threat to public health or safety or the environment. Within seven days of the onset of such a condition, the Permittee shall furnish a report to DTSC setting forth the conditions and events that occurred and the measures taken in response thereto.
- b. In the event DTSC determines that any activity (whether or not pursued in compliance with this Permit) may pose an imminent or substantial endangerment to the health or safety of people at the Facility or in the surrounding area or to the environment, DTSC may order the Permittee to stop further implementation of this Permit for such period of time as may be needed to abate the endangerment. DTSC may request that the Permittee implement interim measures to address any immediate threat or imminent or substantial endangerment.

14. RECORD PRESERVATION

- a. The Permittee shall retain, during the implementation of Part VI of this Permit and for a minimum of six years thereafter, all data, reports, and other documents that relate to the implementation of Part VI of this Permit or to hazardous waste management and/or disposal at the Facility. If DTSC requests that some or all of these documents be preserved for a longer period of time, Permittee shall either, comply with the request, deliver the documents to DTSC, or permit DTSC to copy the documents at Permittee's expense prior to destruction.
- b. If the Permittee retains or employs any agent, consultant, or contractor for the purpose of complying with the requirements of Part VI of this Permit, the Permittee shall require any such agents, consultants, or contractors to provide the Permittee a copy of all documents produced pursuant to Part VI of this Permit.

15. REIMBURSEMENT OF DTSC'S COSTS

Pursuant to Health and Safety Code section 25205.7(b), the Permittee shall reimburse DTSC for all costs incurred by DTSC in overseeing the work required by Part VI of this Permit, including DTSC's review of documents and site visits.

16. Nothing in Part VI of the Permit shall be construed to limit or otherwise affect the Permittee's liability and obligation to perform corrective action, including performing 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.

ATTACHMENT 2 – AERIAL PHOTOGRAPH



ATTACHMENT 3 – LOCATION MAP

