

COMMUNITY UPDATE

Department of Toxic Substances Control – Our mission is to protect the people, communities, and environment of California from harmful chemicals by cleaning up contaminated sites, enforcing hazardous waste laws, and compelling the development of safer products.

QUEMETCO INC. CITY OF INDUSTRY FACILITY, CALIFORNIA

Para información en español por favor comuníquese con Elsa Lopez al número (818) 717-6566

This Community Update provides the status of activities the California Department of Toxic Substances Control (DTSC) is overseeing related to the Quemetco Facility in the City of Industry, California. DTSC will host a Community Meeting in Spring 2021.

PERMITTING

DTSC issued a 10-year permit to Quemetco in 2005. Quemetco submitted a renewal application in 2015. Therefore, since 2015, Quemetco continues to operate with its 2005 permit until DTSC makes a decision on the renewal application.

Quemetco's permit renewal application to DTSC does not include a request to increase the capacity of its smelting furnaces. However, Quemetco has made this request to the South Coast Air Quality Management District. DTSC is finishing its review of Quemetco's permit renewal application and plans to make a tentative permit decision in 2021.

DTSC will invite public comment on its tentative permit decision by holding a public comment period and a public hearing. Stakeholders on the project mailing list will be notified of these opportunities. Following the public comment period, DTSC will consider and respond to all comments and make a final decision to approve or deny the permit.

VIOLATIONS SCORING PROCEDURE

The Violations Scoring Procedure (VSP) regulations¹ became effective on January 1, 2019 and apply to all operating permitted hazardous waste facilities. VSP is a systematic process for evaluating and characterizing a hazardous waste facility's compliance with substantive hazardous waste management requirements. It is an additional tool to support the permit decision-making process.

By September 30 of each year, DTSC is required to issue permitted hazardous waste facilities: 1) a provisional inspection violation score for each compliance inspection done during the preceding calendar years; 2) a Facility VSP Score, which is the sum of provisional or final inspection violation scores for each compliance inspection conducted during the preceding ten year period, divided by the number of such inspections; and 3) a compliance tier assignment.

On September 27, 2019, DTSC issued to Quemetco provisional inspection violation scores for each compliance inspection done between 2009 and 2018, a Facility VSP Score of 35.38, and a compliance tier assignment of Conditionally Acceptable. A final Conditionally Acceptable tier assignment imposes additional requirements on Quemetco, including third-party compliance audits,

¹ California Code of Regulations (CCR), title 22, sections 66271.50 – 66271.57



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Additional information on DTSC sites can be found through our [EnviroStor](#). (rev. 5-2020)

and additional sampling and testing of hazardous materials. Quemetco has disputed provisional inspection violation scores that were used to calculate the 2019 Facility VSP Score.

On September 30, 2020, DTSC issued Quemetco a Facility VSP Score of 38.33. The compliance tier assignment remained the same at Conditionally Acceptable. This score includes inspection violation scores for each compliance inspection conducted between 2010 and 2019. You can learn more and review supporting documents at DTSC's website: www.dtsc.ca.gov/violations-scoring-procedure/.

ENFORCEMENT CASE

In October 2018, the California Attorney General's Office, on behalf of DTSC, filed a Complaint for Civil Penalties and Injunctive Relief against Quemetco, Inc. and Quemetco West, LLC (collectively "Quemetco"). The Complaint alleges numerous violations that DTSC observed during inspections conducted in 2015, 2016, and 2018 and two violations from an earlier investigation. The principal violations are inadequate operation of the facility's large containment building, particularly its inadequate leak detection system, and inadequate environmental monitoring of its two closed land-disposal units. Most of the minor violations did not include continuing violations or were remedied in 2016. A trial on this matter is scheduled for August 2021.

SITE MITIGATION

Quemetco Impacted Area Cleanup: DTSC ordered Quemetco to clean up lead contaminated soil from the immediate vicinity of the facility where investigations identified lead concentrations above 1,000 parts per million. The facility submitted a cleanup plan for DTSC review and approval. Quemetco has completed the cleanup of areas that contractors were able to access. The facility is working to obtain access to commercial properties to the west of the Facility and to the San Jose Creek access road in order to complete the cleanup.

Current Conditions Report: Quemetco submitted a Current Conditions Report on August 10, 2020 as required by a Corrective Action Consent Agreement between Quemetco and DTSC. The purpose of the report is to summarize previous investigations and cleanups of chemical releases from the facility and to identify the need for additional investigations, if any. The report is under DTSC review.

Supplemental Soil Sampling Plan: DTSC prepared a sampling plan to collect and analyze soil samples within one mile of the facility in 11 different directions. The plan supplements an earlier investigation from 2017. The proposed sampling locations consist of residential street parkways, thoroughfares, and creek access roads. DTSC is working with Quemetco to finalize a schedule for Quemetco to implement the plan under DTSC oversight. The plan can be found on the Envirostor database. Go to www.envirostor.dtsc.ca.gov and enter 80001454 in the search bar.

MORE INFORMATION

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