



SESPE
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**Final Report - Emergency Use Authorization
Santa Clara Waste Water Facility
815 Mission Rock Road
Santa Paula, California 93060
APN 099-0-060-565**

January 30, 2018

SESPE Project GR10.15.02

Prepared for:

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FIGURE

Figure 1 Site Aerial

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1.0 INTRODUCTION

This Final Report presents a summary of activities conducted under the Emergency Use Authorization, issued by the Ventura County Planning Division (County Planning) for the Santa Clara Waste Water (SCWW) Facility property located at 815 Mission Rock Road ("Site"), near Santa Paula, in Ventura County, California. See Figure 1 for a Site Aerial.

1.1 Purpose

Section 8111-1.2.1.c(1) of the Ventura County Non-Coastal Zoning Ordinance (NCZO) authorizes the County Planning Director to allow certain actions in the case of an emergency, including issuance of an Emergency Use Authorization (EUA).

1.2 Background

On November 18, 2014, there was an accidental explosion and subsequent fire at the SCWW Facility. Given the exigent circumstances and to expedite ongoing response actions at the facility, SCWW requested issuance of an EUA. On April 20, 2015, the County Planning Director issued the EUA. Subsequently, over the course of the project, the EUA was extended by County Planning, with the most recent extension granted on October 31, 2017.

The EUA request included the following procedures:

- Operating Procedure SCWW-02, Industrial Waste Process Tanks Solidification Plan, dated March 31, 2015 (IWP 2015).
- Operating Procedure SCWW-03, Domestic Waste Process Tanks Solidification Plan, dated March 31, 2015 (DWP 2015).

These documents were developed to address the contents of 94 portable 500 barrel (bbl) baker tanks, 7 on-Site clarifier processing tanks, and 92-120 bbl "poly" tanks. The procedures outline the processes by which the contents of these tanks would be safely monitored, tested for analytical parameters, emptied, cleaned and non-hazardous wastes properly disposed of to an approved landfill facility, all under the oversight and approval of the County.

Copies of all EUA submittals and correspondence are on file with the County.

1.3 EUA Compliance

As a condition of the EUA, various compliance requirements were imposed by the County, including the following:

- Condition 7: required SCWW to retain the services of an independent Certified Testing Laboratory (CTL) accredited by the California Department of Public Health.
- Condition 8: required SCWW to submit a sampling plan to the County for review and approval, and to submit hazardous waste determination (HWD) reports based upon the analytical findings.
- Condition 9: required SCWW to provide VCEHD a minimum of 24 hours notice for all material sampling and removal activities.
- Condition 12: required SCWW to submit written daily reports to the VCEHD in conformance with Section 9.0 of both the DWP and the IWP plans during waste handling and removal activities.
- Condition 14: required SCWW to submit, upon completion of the handling and removal activities, a final EUA report.

1.4 Certified Laboratory

BC Laboratories, Inc (BCL) provided field staff to conduct all sampling required on the Site during the duration of the project. BCL's reports were delivered directly to the Ventura County Environmental Health Department (VCEHD), and were also separately conveyed to VCEHD by SESPE via emails or in HWD reports.

1.5 Hazardous Waste Determination (HWD) Reports

Each tank/clarifier was tested for the following laboratory parameters as required by Condition 8:

- Inorganic Persistent and Bioaccumulative Toxic Substances (CAM 17 Metals)
- Volatile Organic Compounds - EPA 8260
- pH
- Acute Aquatic 96-hour LC 50 Bioassay
- Radiochemistry (gross beta analysis)

Numerous HWD reports were submitted to VCEHD, including requests by SCWW for approval to clean the various on-Site tanks. In general, VCEHD responded in writing to the HWD reports and would either approve or deny the findings. In some instances, additional testing was required. SCWW complied with these requirements and copies of all HWD reports are on file with the County.

1.6 60-Day Progress Reports

The EUA extension, granted by the County on January 28, 2016, added a requirement to submit 60-day progress reports describing work completed and outstanding tasks. SCWW complied with this requirement and copies of all 60-day progress reports are on file with the County.

1.7 Tank Cleaning Documentation

Condition 14 required, among other things, that an accounting be made of the materials removed from the tanks, amount of water added to the materials removed, and the amount of sorbent (mulch) used (each by weight). SCWW staff maintained a tank manifest log sheet for the baker tanks and clarifiers. A copy of these log sheets is attached as Appendix 1.

2.0 BAKER TANK CLEANING

All work performed by SCWW in connection with the emptying, cleaning and disposal of waste from baker tanks at the Site was completed pursuant to notices to and approvals by the VCEHD. During this process, numerous HWD reports were submitted to VCEHD, including requests for County approval to proceed with any proposed cleaning activities. Generally, the County responded in writing to the HWD reports and would either approve or deny the cleaning of select tanks. SCWW complied with the County's requirements and copies of all HWD reports are on file with the County.

2.1 Non-Hazardous Waste Disposal

Upon approval from the County to clean and dispose of tank contents as non-hazardous waste, there were several possible steps involved with the process, including: bulk liquid removal, sludge/solids removal, and final tank cleaning. Various disposal facilities, depending upon waste type, were used including:

- Simi Valley Landfill
- Green Compass Environmental Services – Orange County Facility
- Saugus Liquid Waste Disposal
- Chiquita Landfill
- Avalon Environmental Services

Manifests for wastes sent to these facilities are attached in Appendices 2 - 6. In addition, mulch was used as the primary material to help solidify sludge/solids. In early 2017, Simi Valley landfill changed its policy on the use of mulch and required that soil be used for mixing. SCWW obtained its mulch from Agromin (see Appendix 7) and soil from Santa Paula Materials (see Appendix 8).

2.2 Skim Oil Tanks

In a letter dated August 18, 2015, SCWW requested approval from VCEHD to skim and sell oil in tanks 85 and 86. VCEHD approved the sale and transfer of the oil on August 21, 2015. The oil was collected in a vacuum truck and transferred to 25 Hill Properties in Taft, California, an oil production company. SCWW complied with the County's requirements with respect to all oil skim activities, and copies of relevant correspondence are on file with the County. See Appendix 9 for manifests.

Additional oil skim and transfers took place, with County approval, as follows:

- February 1, 2016: County approved skimming of crude oil in tanks 45, 73, 76, and 77 and transfer of the oil to tank 86. From tank 86, the oil would be collected in a vacuum

and transferred to 25 Hill Properties.

- **March 9, 2016:** County approved request to sell crude oil from tank 86 to 25 Hill Properties, and continued use of tank 86 as a skim oil consolidation tank for oil skimmed from other on-Site tanks. SCWW was required to analyze the contents of tank 86 for TCLP Benzene.
- **April 18, 2016:** County approved skimming of crude oil from 14 tanks on the Site, and transfer of the contents to tank 86.
- **May 25, 2016:** County approved request to skim oil from 7 tanks on the Site, and transfer of the contents to tank 86, and further to clean and rinse out the contents of the 7 tanks into 1-2 tanks. SCWW was required to analyze the contents of the consolidation tanks for TCLP Benzene.
- **July 25, 2016:** County approved revised request for oil skimming and consolidation.

2.3 Oil Skimming Transfers to 25 Hill Properties in Taft, CA

Transfers of skimmed crude oil to 25 Hill Properties occurred on the following dates, in the following quantities:

- 9/16/15: 40 bbls and 165 bbls
- 3/24/16: 110 bbls and 110 bbls
- 4/1/16: 110 bbls, 110 bbls and 110 bbls
- 4/8/16: 110 bbls, 75 bbls, 115 bbls, 110 bbls
- 4/29/16: 100 bbls, 110 bbls and 110 bbls
- 4/1/16: 110 bbls, 110 bbls and 110 bbls
- 5/6/16: 110 bbls, 100 bbls and 110 bbls
- 5/27/16: 50 bbls 50 bbls
- 6/2/16: 110 bbls, 110 bbls and 100 bbls
- 6/10/16: 110 bbls, 100 bbls and 100 bbls
- 6/20/16: 110 bbls, 110 bbls and 100 bbls
- 1/12/17: 114 bbls
- 3/13/17: 80 bbls
- 8/10/17: 80 bbls
- 9/13/17: 55 bbls
- 10/10/17: 25 bbls

As noted above, SCWW complied with the County's requirements with respect to oil skimming activities and transfers, and copies of relevant correspondence and manifests are on file with the County.

2.4 Final Benzene TCLP Tanks

After all of the oil skimming and consolidation efforts, tanks 14-18 were the final tanks that required a benzene TCLP analysis. Some additional oil skimming from these tanks was also conducted. This work was performed pursuant to and in compliance with requirements set forth in written or verbal correspondence with VCEHD between August 25 – October 25, 2017.

2.5 SCWW Regulatory Discussion of the Benzene TCLP Testing Results

As set forth in prior correspondence to the County, SCWW has consistently asserted that all materials stored in on-site baker tanks were derived from oil field production, and therefore were subject to the crude oil exploration and production (E&P) hazardous waste exclusion set forth in Title 40, Code of Federal Regulations, Section 261.4(b)(5) and Title 22, California Code of Regulations, Section 66261.4(b)(2). While the County disagreed, SCWW reserves all rights regarding its previous legal, factual and technical arguments.

2.6 HWD Report for the Benzene TCLP Tanks

On behalf of SCWW, SESPE submitted a HWD to VCEHD on December 22, 2017, documenting the results of all previous sampling results for certain on-site tanks. The results from the analyses conducted by BCL determined that the contents of tanks 14, 15, and 18 were non-hazardous; the County concurred and the contents of these tanks were disposed of as non-hazardous waste.

To facilitate timely site closure, and with VCEHD's approval, the residual contents of tanks 16 and 17 were removed and disposed of as hazardous waste to DeMenno/Kerdoon (D/K) in Compton, CA. Copies of relevant correspondence are on file with the County and copies of the D/K manifests are found in Appendix 10¹. It should be noted, pursuant to section 2.5 above, that SCWW disputed, and continues to dispute, characterization of these wastes as hazardous pursuant to the E&P exclusion, and reserves all rights regarding its previous legal, factual and technical arguments. The manifests to D/K confirm that SCWW disputed VCEHD's determination and that the wastes were disposed of as hazardous solely to expedite a resolution of the waste characterization dispute with VCEHD.

¹Appendix 10 includes two sheets from each of the D/K manifests. One copy set provided by Clean Harbors is more legible, but does not include handwritten notes prepared concurrently on the manifest copy sheets by Mike Legan of SCWW reserving rights with respect to waste characterization issues.

3.0 POLY TANKS

In addition to the baker tanks, there was also an inventory of 77 "poly" tanks on the Site that generally contained processed waste. The poly tanks measured 5,000 gallons in size, or 120 bbls, and the level or volume of each tank varied.

The protocols for addressing these tanks, and sampling their contents, were established with the County's approval, as follows:

- January 9, 2017: County approves SESPE's request to initiate sampling of the 77 poly tanks pursuant to a sampling plan. Sampling results were summarized in a Hazardous Waste Determination Report, dated March 27, 2017, which is on file with the County. The BCL testing results showed contents of all of the sampled tanks were non-hazardous.

April 26, 2017: County concurred with the HWD findings, and approved emptying and cleaning of the tanks, with the contents to be disposed of as non-hazardous waste. SCWW transferred the contents from the poly tanks to large Baker tanks and then

rinsed clean all of the poly tanks. All rinse water from the poly tanks was collected and transported to Avalon Environmental, in Gardena, CA. Solids were solidified in the on-site mixing pit and the contents were transported to Chiquita Landfill, in Simi Valley, CA.

SCWW complied with the County's requirements with respect to the poly tanks, and copies of relevant correspondence and manifests are on file with the County.

4.0 CHEMICAL TOTES

There were a number of chemical poly totes that existed on the Site. The totes measured approximately 275 gallons, and varied in size. Many of these totes were originally inventoried in December 2014 by Center for Toxicology and Environmental Health (CTEH). The CTEH inventory accounted for 64 separate containers, which included chemical totes (raw materials), process totes, along with several poly tanks and a 55-gallon drum.

These materials were moved by the cleanup contractor in late 2014 and early 2015 to the southern portion of the Site where they were stored in rows, on visqueen, and segregated by material type (corrosive, flammable, oxidizer, polymer, empty). As cleanup of the Site progressed, additional containers and materials were also relocated to the southern portion of the Site.

4.1 Ventura County Fire Protection District Permit

During the EUA process, County Planning requested the relocation of all materials stored on the southern portion of the Site. In January 2016, SCWW submitted an application for a Fire Code Permit to Ventura County Fire Protection District, authorizing storage of the chemical totes in three different areas on the northern portion of the Site covered by the existing CUP. The storage areas were designated by material type (acid, peroxide, corrosive/flammable/other). The Fire Department conducted an inspection and issued the final approved Fire Code Permit on March 15, 2016. Thereafter, the chemical totes were moved to their new storage locations at the end of March 2016. A collection of other empty/mostly empty totes were moved to a new location on the south side of the poly tanks.

SCWW obtained bids from contractors to remove the chemical totes. On August 9, 2017, SESPE submitted a Request to Remove the Chemical Totes to VCEHD, seeking approval to have a waste disposal contractor properly remove and dispose the chemical totes.

On December 20 and 27, 2017, Clean Harbors removed all of the chemical totes and some small containers containing waste materials, which were transferred to various Clean Harbors facilities. Copies of these manifests are found in Appendix 11.

On January 12, 2018, SESPE submitted a letter to the Fire Department to revoke the Fire Code Permit. Ms. Marnel Vanden Bossche processed this request and conducted a site inspection on January 18, 2017 to verify all hazardous materials had been removed from the Site. Per email correspondence dated January 18, 2018, Ms. Vanden Bossche confirmed the permit was revoked.

4.2 Petromax

An inventory of a chemical called "Petromax" was found in a storage container on the Site by VCEHD

during an inspection on November 6, 2015. The Petromax inventory included nineteen 275-gallon totes and seven 55-gallon drums.

On January 26, 2017, SCWW arranged for proper disposal of the entire Petromax inventory to the Clean Harbors facility in Buttonwillow, California. Hazardous waste labels were applied to all of the Petromax containers, which were removed under a Uniform Hazardous Waste Manifest and generator ID Number of CAC002893261. It should be noted that SCWW disputed, and continues to dispute, characterization of these wastes as hazardous pursuant the detailed legal and technical arguments previously submitted, and reserves all rights regarding its previous legal, factual and technical arguments. Along these lines, the manifest stated as follows: "This inventory of Petromax is being removed and disposed of under this manifest solely in response to a Notice issued by the County of Ventura; and SCWW reserves all rights and makes no admissions or waivers of rights in doing so."

SCWW complied with the County's requirements with respect to removal and disposal of the Petromax, and copies of relevant correspondence and manifests are on file with the County.

4.3 Sodium Chlorite Tote

On November 7, 2017, VCEHD approved the emptying, disposal and cleaning of the sodium chlorite tote. SCWW emptied and rinsed the tote and transferred the residual and wash out material into a new, clean 55-gallon drum. The drum was picked up by Clean Harbors on December 27, 2017, along with other waste containers as referenced above. The original and cleaned sodium chlorite tote was wrapped with visqueen and labeled, and is currently being stored south of clarifier 6 (C6).

SCWW complied with the County's requirements with respect to removal and disposal of the sodium chlorite tote, and copies of relevant correspondence and manifests are on file with the County.

5.0 COUNTY INSPECTIONS

VCEHD conducted CUPA (Certified Unified Program Agency) inspections on November 6 and December 9, 2015, and July 8, 2016.

SCWW responded to and has addressed the County's comments as set forth in VCEHD's Inspection Report/Notice to Comply for each inspection, including detailed correspondence on various issues. Copies of these inspection reports and all relevant correspondence are on file with the County. It should be noted that SCWW disputed, and continues to dispute, various of the County's findings as set forth in the detailed legal and technical arguments previously submitted, and reserves all rights regarding its previous legal, factual and technical arguments.

5.1 California Environmental Reporting System (CERS) Update

On January 5, 2018, SCWW updated the online CERS account for the Site. Specifically, the Business Activities document was updated to reflect that no hazardous materials remain on the Site.

6.0 POST EUA CLOSURE


Currently there are no operations at the Site. SCWW is currently in the process of seeking a modified CUP from County Planning. In the interim, the Site will remain vacant during this CUP processing period. Security is maintained by many motion-activated cameras that are located throughout the property and monitoring by Bay Alarm.

Figure 1 depicts the current Post-EUA site.



E = Electrical
 C = Camera Location
 I = Sodium Chlorite Tote # 10 Location
 (Empty/Clean)
 SC = Shipping Container (Storage)
 OW = California Resources Production Oil Well
 "585" 17

All Baker Tanks Empty
 All Poly Tanks Empty
 All Clarifier Tanks Empty

SITE AERIAL SCWW		 SESPE CONSULTING, INC.	
1/5/18 aerial (revised)			
FIGURE	I	DATE	
SCALE:	NA	DRAWN BY:	

SCWW facility as of 01-08-18 rotated.xlsx