

CALIFORNIA ENVIRONMENTAL QUALITY ACT
NOTICE OF EXEMPTION

2019098031

To: Office of Planning and Research
State Clearinghouse
P.O. Box 3044, 1400 Tenth Street, Room 212
Sacramento, CA 95812-3044

From: Department of Toxic Substances Control
Site Mitigation and Restoration Program
5796 Corporate Avenue
Cypress, CA 90630

Project Title: Nalco Company: Land Use Covenant Remedy based on the findings of a Facility Investigation and Supplemental Facility Investigation Reports

Project Location: 2111 East Dominguez Street, Carson, CA 90810

County: Los Angeles County

Project Description: The project involves the recordation of a Land Use Covenant (LUC) for the Nalco Company (Nalco) property (Property) located in Carson pursuant to the approved Final Facility Investigation and Final Supplemental Facility Investigation Reports. The approved decision document, referred to as the Final Facility Investigation and Final Supplemental Facility Investigation Reports (FI Reports), describes a scope of investigation to delineate the extent of volatile organic compounds (VOCs) impacts in soil and soil vapor. The FI Reports concluded that the Property should be restricted by a LUC to limit the Property use to commercial/ industrial purposes and to prohibit certain activities from occurring on the Property. The Department of Toxic Substances Control (DTSC) has approved the FI Reports, prepared by Salem Engineering Group, Inc. on behalf of Nalco, pursuant to Division 20, Chapter 6.5, Sections 25187 and 25200.14 of the Health and Safety Code.

Background: The Nalco property, located at 2111 Dominguez Street in Carson, California 90810 (Site) is a 9.08-acre site which consists of nine buildings that were constructed between 1969 and 1977. The Property contains 55 above-ground storage tanks for storage of raw materials, intermediate and finished products, and wastewater. The Site is bounded by East Dominguez Street to the south, The Learning Center (warehouse) to the north, a rail spur followed by Western Tube & Conduit and Rhodia (industrial properties) to the west, and Kenwood USA (industrial property) to the east.

Nalco is a chemical formulation/blending plant that produces oil- and water-based chemical product mixtures for use in water and wastewater treatment processes. It services aerospace, chemical, pharmaceutical, food and beverage, and other industries. Site operations have resulted in the release of volatile organic compounds (VOCs) into soil and soil vapor at the Site.

On July 21, 2011, Nalco reported a spill incident to DTSC. At the request of DTSC, Nalco submitted a Focused Environmental Investigation Report prepared by AECOM. In January 2012 and July 2014, AECOM performed follow-up investigations of soil and soil vapor. Elevated levels of naphthalene, toluene, and ethylbenzene were detected around the water treatment pit and pump transfer areas. On October 22, 2014, DTSC conducted a site inspection and identified three areas with potential contamination. In December 2015, DTSC issued a Corrective Action Consent Agreement (Docket # RPD: HWCA-FY 15/16-001) (CACA) to Nalco.

In January 2016, as required by the CACA, Nalco requested that Salem Engineering Group, Inc. conduct a Facility Investigation and, subsequently, a Supplemental Facility Investigation to evaluate soil and soil vapor conditions in the three areas that were identified by DTSC as:

1. Solid Waste Management Unit 1 (SWMU-1) located near the wastewater pit located adjacent to the tank farm, including the truck and rail loading area;
2. Area of Concern 1 (AOC-1) located within the pump transfer corridor located to the east of SWMU-1; and
3. Solid Waste Management Unit 2 (SWMU-2) located within Storage Shed # 3 near a filter cake roll-off bin.

The investigations indicated that while no further action is warranted in SWMU-2, VOCs are present in soil vapor in SWMU-1 and AOC-1 at levels exceeding the DTSC screening levels for residential land use. SWMU-1 and AOC-1 are hereby referred to as the Restricted Area.

Project Activities: DTSC invited the public to review and comment on the proposed LUC as a remedy to address contaminated soil and soil vapor at the Restricted Area of the Nalco Property, based on the findings of the FI Reports. DTSC determined that a LUC is necessary to protect human health and the environment and that a LUC is the remedy for the Restricted Area at the Site.

The remedy selection consists of the following activities:

Institutional Controls – Restricted Land Uses: A Land Use Covenant will be recorded at the Los Angeles County Recorder’s Office to:

1. Restrict sensitive uses such as residences, day cares, schools, and hospitals;
2. Prohibit any activities that will disturb the soil; if disturbing the soil, a DTSC-approved soil management plan is required;
3. Prohibit altering the current configuration of existing structures or construction of any enclosed structures;
4. Prohibit drilling for any water, oil, or gas without prior written approval by DTSC; and
5. Prohibit activity that may alter, interfere with, or otherwise affect the integrity or effectiveness of, or the access to, the asphalt and/or concrete surface cover.

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

Name of Person or Agency Carrying Out Project: Nalco Company

Exemption Status: (check one)

- Ministerial [PRC, Sec. 21080(b)(1); CCR, Sec. 15268]
- Declared Emergency [PRC, Sec. 21080(b)(3); CCR, Sec.15269(a)]
- Emergency Project [PRC, Sec. 21080(b)(4); CCR, Sec.15269(b)(c)]
- Categorical Exemption: [State type and section number]
- Statutory Exemptions: [State code section number]
- Common Sense [CCR, Sec. 15061(b)(3)]

Exemption Title: **Common Sense Exemption** - Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.


Reasons Why Project is Exempt: DTSC has determined with certainty that there is no possibility that the activities in question may have a significant effect on the environment because the project would not result in "a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project, including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance."

Evidence to support the above conclusions is documented in the project file record, available for inspection at:

Carson Public Library
151 East Carson Street
Carson, CA 90745-2703
(310) 830-0901 Call for hours

DTSC Regional Records Office
5796 Corporate Avenue
Cypress, CA 90630-4732
(714) 484-5336 Call for an appointment

Or, you can find it on DTSC’s website: https://www.envirostor.dtsc.ca.gov/public/profile_report.asp?global_id=71002612

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		9/12/19
for Branch Chief Signature		Date
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