



California Regional Water Quality Control Board Los Angeles Region



Matthew Rodriguez
Secretary for
Environmental Protection

320 W. 4th Street, Suite 200, Los Angeles, California 90013
(213) 576-6600 • FAX (213) 576-6640
<http://www.waterboards.ca.gov/losangeles>

Edmund G. Brown Jr.
Governor

March 19, 2012

Mr. Richard Cameron
Director of Environmental Planning
Port of Long Beach
925 Harbor Plaza
Long Beach, California 90802

TERMINATION OF WASTE DISCHARGE REQUIREMENTS – PORT OF LONG BEACH, TLC CONSENT ORDER STUDY AREA, 420 HENRY FORD AVENUE, WILMINGTON, CALIFORNIA (ORDER NO. 96-022, CI-4946, FILE NO. 65-121)

Dear Mr. Cameron:

The California Regional Water Quality Control Board, Los Angeles Region (Regional Board) adopted waste discharge requirements (WDRs) contained in Order No. 96-022 on February 23, 1996, for the Port of Long Beach for the land-treatment and disposal of contaminated soils at the TCL Consent Order Study Area (Site) at 420 Henry Ford Avenue, Wilmington, California.

On March 12, 2012, you submitted a letter to the Regional Board requesting the termination of the WDRs, citing that the waste disposal and treatment activities regulated under these WDRs have been completed and that post-remediation cleanup and maintenance activities have been, and will continuously be, performed under the oversight of the Department of Toxic Substances Control (DTSC), which has been the lead agency for the remedial activities for the Site since 1988. Since no waste discharge under the WDRs is underway and no future waste discharge under the WDRs is expected, Regional Board staff recommends that the WDRs be terminated.

In accordance with administrative procedures, this Regional Board, at a public meeting to be held on **May 3, 2012**, beginning at 9:00 AM., at the Metropolitan Water District of Southern California, 700 North Alameda Street, Los Angeles, CA, 90013, will consider the enclosed tentative order and any written comments regarding any or all requirements thereof. It is expected that the Regional Board will take action at the meeting, however as testimony indicates, the Regional Board at its discretion may order further investigation.

Persons wishing to comment upon the tentative order are invited to submit comments in writing to the above address by 5:00 PM on **April 16, 2012**, in order to be evaluated by Regional Board staff and to be included in the Regional Board's agenda folder. Timely submittal of written comments is encouraged to ensure that all comments are accurately and fully included in the administrative record, that Regional Board staff is able to provide timely review, and that the Regional Board members have sufficient time to give full consideration to the comments and issues raised. Comments received after the requested date may result in delay in consideration of the tentative order.

California Environmental Protection Agency

Mr. Richard Cameron
Port of Long Beach

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March 19, 2012

A copy of the tentative order is attached. An electronic copy of the tentative order is also available at http://www.waterboards.ca.gov/losangeles/board_decisions/tentative_orders/.

If you have any questions regarding this matter, please contact Mr. Douglas Cross (Case Manager) at (213) 620-2246 or dcross@waterboards.ca.gov, or contact me at (213) 620-2253 or wyang@waterboards.ca.gov.

Sincerely,



Wen Yang, Ph.D., C.E.G., C.H.G.
Chief of Land Disposal Unit

cc: Leslie Graves, Land Disposal Program, State Water Resources Control Board
Safouh Sayed, Department of Toxic Substances, Cypress
Cindy Chen, Los Angeles County Department of Public Health, Baldwin Park
Stuart Berge, Port of Long Beach

State of California
CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD, LOS ANGELES REGION

ORDER NO. R4-2012-xxxx

TERMINATION OF WASTE DISCHARGE REQUIREMENTS
FOR DISCHARGES TO LAND/GROUNDWATER

The California Regional Water Quality Control Board, Los Angeles Region (Regional Board), finds:

1. The Regional Board adopted Waste Discharge Requirements (WDRs) contained in Order No. 96-022 for the Port of Long Beach (Discharger) on February 23, 1996, for remediation activities at the TCL Consent Study Area (Site) at 420 Henry Ford Avenue in Wilmington, California.
2. Beginning in 1988, under the direction of the Department of Toxic Substances Control (DTSC) as the lead agency, the Discharger has been conducting remedial activities of petroleum impacted soils generated at the Site. The WDRs were adopted for the excavation, treatment, backfill, and disposal of contaminated soils.
3. Waste treatment and disposal operations permitted under the WDRs were completed in 1997. Since then, the Site has been paved with concrete and asphalt and used for container storage. Post-remediation cleanup and maintenance activities, including free products recovery and groundwater monitoring, have been, and will continuously be, performed under the oversight of DTSC.
4. In a letter dated March 12, 2012, to the Regional Board, the Discharger requested that the WDRs be terminated. Board staff has verified, by inspection, that waste treatment and disposal activities have been ceased and that the entire site has been capped with pavement.
5. Regional Board staff has coordinated with DTSC staff in an effort to avoid duplicative regulatory activities, and agreed that, as waste discharge activities regulated under the WDRs have been completed and no future waste discharge under the WDRs is expected, the WDRs shall be terminated.
6. Termination of the WDRs is exempt from the provisions of Chapter 3 (commencing with Section 21100), Division 13, Public Resources Code, in accordance with Water Code Section 13389.

The Regional Board has transmitted copies of this tentative Order to the Discharger and to interested agencies and persons, and has notified them of its intent to terminate requirements at a public meeting to be held on May 3, 2012. At that public meeting, the Regional Board heard and considered all comments and testimony pertinent to this Order.

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IT IS HEREBY ORDERED that that Waste Discharge Requirements Order No. 96-022 be terminated, except for enforcement purposes.

The Executive Officer of the Regional Board is authorized, and he is hereby directed, to certify and submit copies of this Order to the Discharger, and to such individuals and governmental agencies that request it.

I, Samuel Unger, Executive Officer, do certify that the foregoing is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, Los Angeles Region on May 3, 2012.

Samuel Unger, P.E.
Executive Officer

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