



Department of Toxic Substances Control



Matthew Rodriguez
Secretary for
Environmental Protection

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Edmund G. Brown Jr.
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May 7, 2018

Mr. Enrique Manzanilla
Director
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Superfund Division
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Record of Decision Concurrence for the Casmalia Resources Superfund Site, Santa Barbara, California

Dear Mr. Manzanilla:

The Department of Toxic Substances Control (DTSC) hereby concurs with the United States Environmental Protection Agency's (U.S. EPA's) selected remedy for the Casmalia Superfund Site, Santa Barbara County, California as presented in the U.S. EPA Superfund Record of Decision *Working Internal Draft* (ROD), dated March 2018. The remedy proposes to reduce threats to human health and the environment posed by the hazardous substances at the site through implementation of the ROD's preferred alternative (Alternative 3) which requires construction of a Resource Conservation and Recovery Act (RCRA) cap; hot spot contaminant removal; Dense Non-Aqueous Phase Liquid (DNAPL) and Light Non-Aqueous Phase Liquid (LNAPL) source reduction; perimeter control; liquid extraction and treatment; a technical impracticability zone; a waste management area; monitored natural attenuation; surface water management; institutional controls; ecological habitat mitigation for threatened or endangered species covered under the Endangered Species Act; and long-term operations, maintenance, and monitoring.

DTSC and its State Agency counterparts at the Central Coast Regional Water Quality Control Board (RWQCB) and the California Department of Fish and Wildlife (CDFW) have been working diligently with U.S. EPA, Region 9, for many years to identify remedial actions that will address the range and extent of hazardous substances found at the Casmalia Superfund Site and will comport with all Applicable or Relevant and Appropriate Requirements (ARARs), be protective of public health and the environment, and meet the other Comprehensive Environmental Response Compensation and Liability Act (CERCLA) criteria. In consultation with our State Agency counterparts and consistent with our memorandum of agreement with those agencies, DTSC hereby concurs with the ROD. In providing this concurrence, DTSC notes that RWQCB may be providing additional comments to the draft ROD. It is our expectation that U.S. EPA will work with RWQCB to address their concerns. Also, in consideration of discussions with you and your staff, DTSC anticipates that the following provisions will be addressed during the ROD implementation phase:

- 1) U.S. EPA will work cooperatively with DTSC to ensure that all ROD implementation costs, including long-term operation, maintenance, monitoring costs are secured from responsible parties.
- 2) U.S. EPA will support DTSC and other state agencies in collection of past costs and ensure DTSC's participation in future consent decrees.
- 3) Comments in the attached CDFW memorandum will be addressed in the remedial design phase. Specifically, CDFW wants to ensure that biological design features and monitoring activities will be incorporated and funded in the Remedial Design. DTSC expects CDFW's requirements will be addressed in the Remedial Design.

DTSC appreciates the opportunity to review and comment on the ROD, and we look forward to implementation of these remedial actions. If you have any questions regarding the foregoing, please contact Richard Hume at (916) 255-6540 or at Richard.Hume@dtsc.ca.gov.

Sincerely,



Mohsen Nazemi, P.E.
Deputy Director
Site Mitigation and Restoration Program

Enclosure

cc: (By email)

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Memorandum

Date: April 24, 2018

To: Angela Singh, Senior Environmental Scientist (Specialist)
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From: Patty Velez, Senior Environmental Scientist (Specialist)
Regina Donohoe, Ph.D., Staff Toxicologist
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Subject: Review of the Working Internal Draft Record of Decision, Casmalia Resources Superfund Site, Santa Barbara County, California

Introduction

The California Department of Fish and Wildlife, Office of Spill Prevention and Response (CDFW-OSPR) has reviewed the "Working Internal Draft Record of Decision (ROD) for the Casmalia Resources Superfund Site, Santa Barbara County, CA", dated March 2018. The document was prepared by the U.S. Environmental Protection Agency (USEPA) and was received on April 4, 2018 by electronic mail. The CDFW is the State's Trustee for fish and wildlife resources pursuant to Fish and Game Code Section 711.7. The CDFW is also designated as a Trustee for natural resources pursuant to Comprehensive Environmental Response, Compensation, and Liability Act Section 107 (f)(2)(B). The comments that follow are provided as part of our role as a natural resource trustee for the State of California.

Background

The Casmalia Resources Hazardous Waste Management Facility (the Site) is an inactive Class I hazardous waste management facility located in Santa Barbara County, California. The Site lies approximately four miles from the Pacific Ocean, approximately 10 miles southwest of the City of Santa Maria, and approximately 16 miles north-northwest of the City of Lompoc. The 252-acre Site received waste from the early 1970s until 1991. During its operation, the facility accepted all types of commercial and industrial wastes, including liquids that were disposed of in un-lined landfills. Site facilities include landfills, storage and evaporation ponds, evaporation pads, oil field waste spreading areas, treatment units, and disposal wells and trenches. Four ephemeral streams occur adjacent to the Site and two are tributaries of Casmalia Creek. The Site contains terrestrial grassland and coastal sage scrub habitats, freshwater ponds, and ephemeral drainages that provide habitat for several State listed plants and animals. The existing Biological Opinion issued on October 12, 2007 by the United

States Fish and Wildlife Service (USFWS) to the USEPA includes stormwater management activities, closure of the existing surface water management units, and construction of alternate amphibian habitat. CDFW-OSPR previously commented on the Feasibility Study for the Site (Velez and Donohoe, 2013).

Comments

1. *Part 1, Section 1.2, Statement of Basis and Purpose and Part 2, Section 8, State Agency Acceptance.* It is stated that the Department of Toxic Substances Control (DTSC) concurs with the selected remedy. Please reference the letter that documents DTSC's concurrence with the remedy selected in the ROD.
2. *Part 2, Section 2.8.8, Remediation Levels for Cleanup and Containment and Table 2-16.* For clarity, please note that the ecological risk based concentrations are based on the 95% upper confidence limit on the mean for soil concentrations in the surface (0-0.5 foot) and surface and shallow soil (0-5.5 foot) depth intervals.
3. *Part 2, Section 2.9, Description of Alternatives; Section 2.9.3.3, Alternative 3 and Section 2.12.8, Habitat Mitigation.* It is stated that habitat mitigation will be conducted based on coordination with the USFWS during the remedial design phase. Please state that coordination with both USFWS and CDFW will occur. CDFW would coordinate with USFWS on their Biological Opinion and on issuing a CDFW "Consistency Determination."
4. *Part 2, Section 2.9.3.3, Alternative 3 – Capping, Liquids Extraction, Small Evaporation Pond (Selected Remedy).* For Area 4, evaporation ponds will be designed with biological controls and subsequent monitoring. However, these biological controls and the details (i.e., type and frequency) of monitoring will be selected during the remedial design phase of the project, following the ROD. This discrepancy presents significant uncertainty in that the specific details will not be known and/or developed during the ROD time frame. CDFW-OSPR would like to confirm that the cost for these biological control design features and monitoring activities are currently reflected in the ROD cost estimates. Both CDFW (Velez and Donohoe, 2013) and USFWS (Henry, 2018) have concluded that the evaporation ponds have the potential to pose risk to special status species and other wildlife. Special status species include: the California red-legged frog, listed as threatened by USFWS and a "species of special concern" by CDFW; the California tiger salamander, Federally endangered and State threatened; the Western spadefoot toad, a CDFW "species of special concern"; and the two-striped garter snake, listed as a "Federal species of concern" and a CDFW "species of special concern." Due to these uncertainties, CDFW-OSPR has reservations about the acceptability of this remedy.

5. *Part 2, Section 2.10, Long-Term Effectiveness and Section 2.13.6, Five-Year Review Requirements.* Reviews at least every 5 years are proposed to evaluate the effectiveness of the selected alternative. This should include evaluation of the effectiveness of biological control measures for the evaporation ponds, based on biological monitoring data. The biological monitoring element should be included in Section 2.12.4 as part of the long-term operations, maintenance and monitoring activities.

CDFW-OSPR has been working with the USEPA to select a remedial alternative that will be protective of biological resources at the Site. The selected alternative includes evaporation ponds that present potential hazards to wildlife. Although biological controls and monitoring are to be outlined in the remedial design phase, CDFW-OSPR has reservations about the effectiveness of these controls for mitigating hazards to wildlife. We look forward to continued collaboration with the regulatory agencies to promote the protection of wildlife, including special status species at the Site. If you have questions regarding biological resource issues, please contact Patty Velez by phone at (831) 649-2876 or by e-mail at Patty.Velez@wildlife.ca.gov. For ecological risk assessment questions, please contact Regina Donohoe by phone at (831) 649-7150 or by e-mail at Regina.Donohoe@wildlife.ca.gov.

References

Henry, S.P. 2018. Letter to Alejandro Diaz, U.S. Environmental Protection Agency. RE: Comments on the Proposed Plan for the Casmalia Resources Superfund Site, Santa Barbara County, California. January 19.

Velez, P. and R. Donohoe. 2013. Memorandum to Chris Sherman, Department of Toxic Substances Control. RE: Comments on the Draft Final Feasibility Study, Casmalia Resources Superfund Site, February 2013. April 4.

Reviewed by: Tami LaBonty, Senior Environmental Scientist (Specialist)

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