



California Regional Water Quality Control Board

Los Angeles Region



Recipient of the 2001 *Environmental Leadership Award* from Keep California Beautiful

Matthew Rodriguez
Secretary for Environmental
Protection

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

Edmund G. Brown Jr.
Governor

August 3, 2011

Ms. Ellie Townsend-Hough
California Energy Commission
1516 Ninth Street
Sacramento, CA 95814-5512

DOCKET	
09-AFC1	
AUG 03 2011	
DATE	_____
RECD.	AUG 05 2011

SUBJECT: CONSTRUCTION OF FIFTH COGENERATION TRAIN ON WATSON COGENERATION FACILITY AT BP CARSON REFINERY

SITE: BP CARSON REFINERY, 2350 E. 223RD STREET, CARSON, CALIFORNIA (SITE CLEANUP PROGRAM CASE NO. 224, CLEANUP AND ABATEMENT ORDER NO. 90-121, SITE ID NO. 2040063)

Dear Ms. Townsend-Hough:

The Regional Board staff has reviewed an email dated July 12, 2011 from Ms. Christine Hammond of the California Energy Commission (CEC) requesting a letter from the Regional Board that responds to questions in Mr. Matthew S. Layton's letter dated May 31, 2011. Although responses to CEC's May 31, 2011 letter were provided by Dr. Kwangil Lee of the Regional Board in a letter dated June 30, 2011, Ms. Hammond requested that our letter respond specifically to the following questions: (1) how the construction of the Fifth Train project might affect the Board's enforcement of the cleanup and abatement Order (CAO); and (2) what conditions can be imposed to prevent impediments to enforcement. Regional Board staff responses to the two questions are as follows:

CEC Question No. 1:

How the construction of the Fifth Train project might affect the Board's enforcement of the cleanup and abatement Order?

Regional Board Response to Question No. 1:

If there is no soil and groundwater contamination beneath the planned Fifth Train location of the existing Cogeneration Plant, there will be no impact of the proposed project to the Board's CAO. However, existing site data indicate that groundwater contamination is near or beneath the planned Fifth Train location of the existing Cogeneration Plant. Soil contamination may also be present beneath the proposed Fifth Train location. Under the CAO No. 90-121 and 13267 Order No. 85-17, the Regional Board will continue to require any assessment and cleanup of the soil and groundwater contamination beneath the proposed Fifth Train location, as appropriate.

California Environmental Protection Agency



Our mission is to preserve and enhance the quality of California's water resources for the benefit of present and future generations.

CEC Question No. 2: *What conditions can be imposed to prevent impediments to enforcement?*

Regional Board Response to Question No. 2:

The development of a conceptual site model and corrective action plan (based on the existing and any new data, and proposed locations of the physical Fifth Train structures) for the entire Cogeneration Plant area would assist the Regional Board and BP with the development of strategies to address the requirements of the Order. Potential human health risks to construction workers and site occupants must be addressed in the soil management plan that is being developed for the site.

The Regional Board recognizes the high priority of this project for the CEC, and will support your staff in this effort. Please contact the project manager Mr. Mohammad Zaidi at (213) 576-6732 or mzaidi@waterboards.ca.gov, or Dr. Kwangil Lee at (213) 576-6734 with any questions you may have.

Sincerely,


Samuel Unger, PE
Executive Officer

cc: Mr. Christine Hammond, California Energy Commission
Mr. Alan Solomon, California Energy Commission
Ms. Kateri Luka, BP Carson Refinery