

CH2M HILL 2485 Natomas Park Drive Suite 600 Sacramento, CA 95833-2937 Tel: 916.920.0300

Fax: 916.920.8463

July 8, 2013

Ms. Patricia Kelly California Energy Commission 1516 Ninth Street Sacramento, CA 95814-5512

Subject: Redondo Beach Energy Project (12-AFC-03)

Staff Query 2 – Waste Management

California Energy Commission

DOCKETED 12-AFC-03

TN 71531

JUL 08 2013

Dear Ms. Kelly:

As requested by Ellie Townsend-Hough/CEC during the site visit on June 20, 2013, and via email on June 25, 2013, please see below for responses to additional staff requests associated with the topic of Waste Management.

1. Please provide the contact names for the DTSC project manager and CUPA leads for the RBGS site.

DTSC	Redondo Beach Fire Dept	County of Los Angeles	County of Los Angeles
Steve Rounds	<b>Hazardous Materials</b>	Dept of Public Works	Fire Department
DTSC Project Manager	Rick Kuciemba	Unit 7 & 8 UST	<b>Hazardous Waste</b>
9211 Oakdale Avenue	(310) 318-0663 x 4395	Walter Glowac	Arturo Mico
Chatsworth, Ca 91311		(310) 534-4862	(323) 890-4024
(818) 717-6597			James Ly
srounds@dtsc.ca.gov			(323) 890-4118

2. Please provide a copy of the agreement between AES and SCE that addresses contaminated areas at the RBEP site.

A copy of the 1995 Consent Agreement is provided as Attachment SQ-2 to this letter. Additional copies of the Consent Agreement can be provided upon request.

If you have any questions about this matter, please contact me at (916) 286-0249 or Mr. Jerry Salamy at (916) 286-0207.

Sincerely,

CH2M HILL

Sarah Madams AFC Project Manager

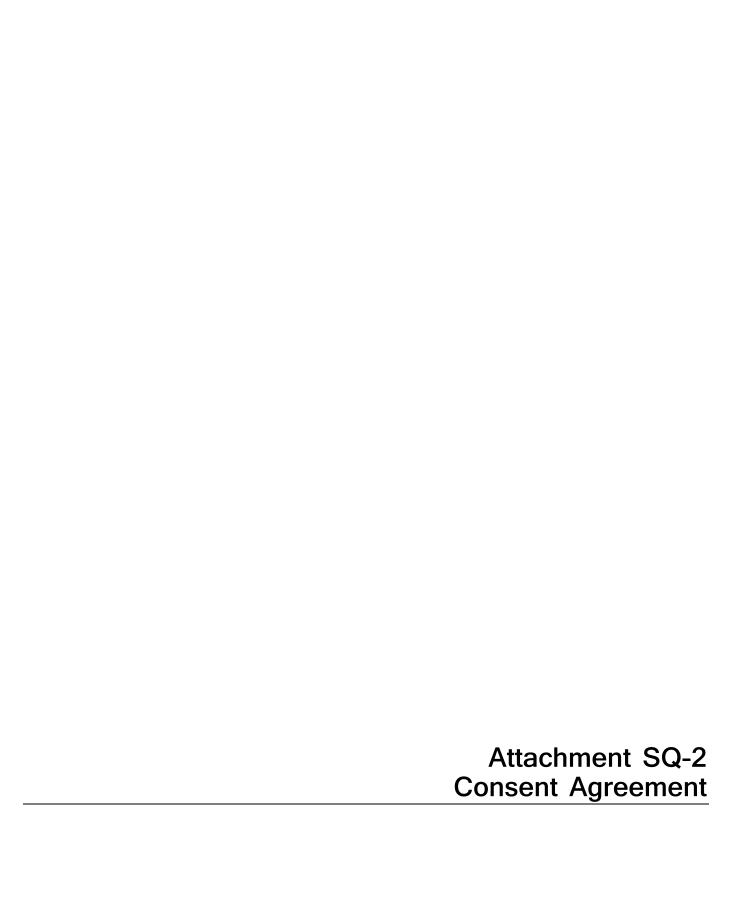
Attachment: Consent Agreement

cc: S. O'Kane, AES

G. Wheatland, ESH

S. Pottenger, ESH

J. Salamy, CH2M HILL



'toksy

J00-368

State of California
DEPARTMENT OF JUSTICE

DANIEL E. LUNGREN
Attorney General

300 SOUTH SPRING STREET, SUITE 5212 LOS ANGELES, CA 90013 (213) 897-2000

> FACSIMILE:(213) 897-2802 (213) 897-2614

February 3, 1995

RECEIVED

FEB G 1995

Law Department

Dawn Wilson, Esq.
Southern California Edison Company
Law Department
P.O. Box 800
2244 Walnut Grove Avenue
Rosemead, California 91770

RE: Edison Consent Agreement

Dear Ms. Wilson:

Enclosed for your files is a fully executed copy of the Judgment which has been signed by Judge O'Brien. Thank you for

Sincerely;

DANIEL E. LUNGREN

Attorney General

PEARL LATTAKER

Deputy Attorney General

cc: Bonnie Wolstoncroft

Sharon Fair Rich Hubbell

fledyes legnature

DANIEL E. LUNGREN, Attorney General 1 of the State of California . 2 THEODORA BERGER Assistant Attorney General PEARL LATTAKER- State Bar # 74680 ORIGINAL FILED 3 Deputy Attorney General 300 South Spring Street, 11th Blogson Dept. Los Angeles, California 90013f Judge D'Brien FEB X1 1805 5 LOS ANGELES SUPERIOP COURT б FEB 0 1 1995 Attorney for Plaintiffs 7 8 SUPERIOR COURT OF THE STATE OF CALIFORNIA 9 FOR THE COUNTY OF LOS ANGELES 10 PEOPLE OF THE STATE OF CALIFORNIA, BC 121219 ex rel. William Soo Hoo, Director, 11 No. California Department of Toxic FINAL JUDGMENT PURSUANT Substances Control, 12 TO STIPULATION 13 Plaintiffs, 14 SOUTHERN CALIFORNIA EDISON 15 15 17 Defendant. 18 Judgment is hereby entered in the above captioned case pursuant 19 20 to the following terms as stipulated by the parties: 21 I. Introduction · 22 On or about February 1, 1995, the People of the State of California ex rel. William Soo Hoo, Director, State Department of 23 Toxic Substances Control ("Department") filed a Complaint 24 ("Complaint") in the Superior Court for the County of Los Angeles 25 pursuant to § 25187 of the California Health and Safety Code 26 27 against Southern California Edison (hereinafter " Edison")

alleging violations of the Health and Safety Code at its Alamitos, Cool Water, El Segundo, Etiwanda, Huntington Beach, Highgrove, Long Beach, Mandalay, Ormond Beach, Redondo Beach, San Bernardino generating stations ("facilities"). The Department and Edison now stipulate to judgment on the terms set forth in this Final Judgment Pursuant to Stipulation ("Stipulation"). The effective date of this Stipulation shall be the date on which it is signed by the Department. All further proceedings in this case, including the filing of an answer by Edison, are stayed during the pendency of this Stipulation. II.

## Complaint

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The Complaint in this case (attached hereto as Exhibit A) alleges that Edison violated provisions of the Hazardous Waste Control Law ("HWCL"), Cal. Health and Safety Code \$\$25100 et seq. and the regulations thereunder, California Code of Regulations, Title 22, Division 4 ("Title 22"), with respect to its hazardous waste operations at the facilities named above, and requests certain corrective action.

## III. Jurisdiction

The Department and Edison agree that the Los Angeles Superior Court has subject matter jurisdiction over the matters alleged in the Complaint and personal jurisdiction over the parties to this Stipulation.

#### Settlement of Disputed Claim . IV.

The parties enter into this Stipulation pursuant to a compromise and settlement of disputed claims for the purpose of avoiding prolonged and complicated litigation and furthering the

public interest. For the purposes of this Stipulation, Edison admits none of the allegations of the Complaint, except for the limited purposes of any subsequent action brought by the Department pursuant to the Hazardous Waste Control Act, Health & Safety Code \$\$25100 et seq., within 5 years of the date of the Complaint, Edison admits the allegations of the Complaint. Waiver of Hearing

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By signing this Stipulation, Edison waives its right to a hearing on the allegations of the Complaint.

#### VI. Settlement Amount

Edison agrees to pay the Department a total of \$950,000.00 in civil penalties and reimburse the Department's administrative costs in the amount of \$300,000.00 within (30 days of the effective date of this Stipulation. Payment shall be delivered to: Cashier, DTSC Accounting, Department of Toxic Substances Control, P. O. Box 806, Sacramento, California 95812-0806. Copies of all checks shall be sent to:

Chief Statewide Compliance Division Department of Toxic Substances Control 245 West Broadway Suite 425 Long Beach, California 90802

Pearl 'Lattaker Deputy Attorney General 300 S. Spring Street lith Floor North Los Angeles, California 90013

FUNDING OF ENVIRONMENTAL PROJECTS: Edison agrees to fund five environmental projects: PETE, SPECTRA, Compliance School, bill stuffers and the Western States Hazardous Waste Project as set forth below. Edison shall contribute \$700,000.00 to fund these projects. If Edison fails to fund any of these projects, then Edison shall contribute any unused funds to alternate

B. (SPECTRA): Within 30 days after the Department notifies Edison of the effective date of SPECTRA implementation, Edison shall contribute \$316,800.00 toward marketing and distribution of the Department's SPECTRA software. The \$316,800.00 shall be apportioned as set forth below:

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- 1. \$50,000.00 for a marketing study. The \$50,000.00 allotted for marketing shall be used to increase an existing SPECTRA marketing study contract with Sacramento State University. Payment for this project shall be made to the manager of contracts at Sacramento State University.
- 2. \$266,800.00 for a user's station and subsidy account for the purchase of SPECTRA by Edison rate payers. Edison shall establish a dedicated SPECTRA account to subsidize part or all of the purchase of SPECTRA software. Edison shall establish a SPECTRA user's station at the Edison Irwindale

facility.

3. Within 60 days after the Department notifies Edison of the effective date of SPECTRA implementation, Edison shall submit for Department review and approval a procedure for establishing and utilizing the SPECTRA users's station at the Edison Irwindale CTAC facility. The user's station shall be operational within 30 days of the Department's approval of the procedure. The procedure shall also include an accounting which demonstrates that the cost of establishing the user's station is at least \$40,000.00. If the cost of establishing the user's station is less than \$40,000.00, then the difference shall be added to the SPECTRA subsidy account.

- 4. Edison and the Department shall jointly develop a strategy for utilizing the subsidy account. Within 60 days of the Department's notification to Edison of the implementation of SPECTRA, Edison shall submit procedures for implementing the subsidy account to Don Johnson, Chief, Program Coordination and Policy Development Branch, Department of Toxic Substances Control, 400 P Street, P.O. Box 806, Sacramento, CA 95812-0806 for review and approval. The procedures shall include, at a minimum, methods for public notification of the availability of the subsidy, the amount of money available to each user, and accounting and reimbursement to the Department for each SPECTRA unit purchased.
- 5. The SPECTRA account shall be available for three years, with additional one year renewals if directed by the Department or until funds are exhausted.

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If, in the Department's judgment, the SPECTRA subsidy account funds would be better spent elsewhere, the Department may require Edison to direct the funds to the PETE program and/or Compliance School, or Edison and the Department may confer and agree on another environmental project to receive the unused funds.

COMPLIANCE SCHOOL: Within 30 days of the execution of this Stipulation, Edison shall contribute \$200,000.00 to the Kern Community College District to support the management of Compliance School by the Environment and Safety Institute at Bakersfield College. Funds will be used for program development activities, including promotion, registration, augmenting instructional materials and instructor training, responding to public inquiries, statewide planning and program evaluation. The Compliance School curriculum, developed by Bakersfield college under contract with the Department, will provide basic hands - on training on hazardous waste management laws to hazardous waste generators and on-site treatment facilities. Expenditure and accounting of these funds will be made by the Kern Community College District pursuant to a written agreement with the Department.

Payment shall be made by check payable to Kern Community College District and shall be mailed by certified mail, return receipt requested to:

> Ann Boyce Bakersfield College -ESI 1801 Panorama Drive Bakersfield, CA 93305

A copy of the check shall be sent to:

. .

Ann Carberry
Tiered Permitting Compliance Section
Hazardous Waste Management Program
Department of Toxic Substances Control
400 P Street
P. O. Box 806
Sacramento, CA 95812-0806

- 2. If Kern Community College District returns unused funds to Edison, Edison and the Department shall confer and agree on another environmental project to receive the unused funds.
- D. BILL STUFFERS: Edison shall expend \$60,000.00 on bill stuffers to be inserted in bills mailed to rate payers. The bill stuffers shall contain information relating to protection of public health and safety and the environment from toxic substances. The Department's Chief of Communications shall prepare text and review and approve the bill stuffers prior to mailing. Edison shall provide an accounting to the Department demonstrating that the cost of the bill stuffers is \$60,000.00. The bill stuffers shall be mailed within 180 days of the effective date of this Stipulation.
- E. <u>WESTERN STATES PROJECT</u>: Within 30 days of the effective date of this Stipulation, Edison shall pay the Department's fiscal year 1994-95 membership dues of \$23,200.00 for the Western States Hazardous Waste Project. Payment shall be made to:

Western States Mazardous Waste Project Arizona Office of the Attorney General 1275 W. Washington Phoenix, Arizona 85007 (502) 542-3881 FAX (602) 542-3522 A copy of the check shall be sent to:

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Chief, Statewide Compliance Division Department of Toxic Substances Control 400 P Street P. O. Box 806 Sacramento, CA 95812-0806

#### Funding of Permitting Activities VII.

Edison agrees to fund, on a Fee - For - Service basis, all permitting, closure, and other document review and approval activities required by this Stipulation. Within 60 days of the effective date of this Stipulation, Edison shall enter into a Fee - For - Service agreement with the Department for all of the permitting, closure and other document review and approval activities required under this Stipulation. VIII. Compliance Schedule

- As conditions of this Stipulation, Edison shall do the following with regard to the violations alleged in the Complaint:
- Within 30 days of the effective date of this Stipulation, Edison shall submit to the Department for approval a general sampling plan to determine whether or not the following materials are hazardous wastes: air pre-heater wash water and fireside wash water. After the effective date of this Stipulation, whenever Edison performs the initial air pre heater wash or fireside wash at any of its generating facilities, Edison shall (1) notify the Chief of Statewide Compliance Division - Region 4, 30 days in advance of the event; (2) collect and analyze representative samples of the wash waters according to the approved sampling plan; and (3) submit the results to the Department within 30 days of the sampling event.

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- 2. Within 60 days of the effective date of this Stipulation, Edison shall submit to the Department, for review and approval, a proposal on the method of conducting integrity tests for the polishing demineralizer sumps listed in column D of Exhibit 1. Edison shall conduct integrity tests and submit a report to the Department within 30 days of the Department's approval of Edison's proposed tank integrity testing procedure. Any future re-use of the sumps depends upon the outcome of the integrity tests. If Edison intends to use the sumps for elementary neutralization, Edison shall comply with the notice requirements of the Tierred Permitting System.
- CLOSURE OF BOILER CHEMICAL CLEANING BASINS: For each 3. facility, Edison shall submit a report containing information and data demonstrating that there have been no releases in the past from the Boiler Chemical Cleaning Basins (BCCB's). The Department will review each report including the supporting information and data to determine whether it is adequate to demonstrate whether or not there has been a release. If existing data in the report is adequate and shows no evidence of any releases, the Department shall deem the appropriate units clean closed. The reports submitted shall provide the basis for RCRA closure of the BCCB's to satisfy the applicable provisions of Title 22 California Code of Regulations ("CCR"), Chapter 15, Article 7. (Closus / Pr; Closure 66265, 110 - 1120

If existing data is not adequate to demonstrate whether or not there has been a release, Edison shall submit a work plan, in accordance with the schedule set forth in Exhibit 2, for Department review and approval, to conduct additional soil sampling, as necessary, and/or installation of ground water monitoring wells and collect monitoring data before closure can be accomplished. Edison shall upgrade the ground water monitoring systems to meet the requirements of 22 CCR Chapter 15, article 6 in a timely manner. Edison shall implement the approved work plan to demonstrate whether or not there has been a release. After implementation of the approved work plan, Edison shall submit to the Department a report of the findings. The units which have been deemed clean closed may be operated so long as they handle non-RCRA hazardous waste or solid waste that does not generate a RCRA hazardous sludge.

If there is evidence of a past release to soil and /or groundwater from the BCCB's, the Department will issue a Corrective Action Order to Edison requiring that corrective action work be performed. Corrective action requires Edison to define the nature and extent of the release, evaluate the risk posed, and perform remediation to background or health-based levels. The Department will determine on a case by case basis whether or not the BCCB's can continue to be used during corrective action. If contamination cannot be remediated, the unit will be closed with waste in place and Edison shall apply for a post-closure permit.

For the purpose of this Stipulation, the Department will assume that there has been a release if the pH or heavy metal constituents that are present in the Edison waste stream are found beneath or adjacent to the BCCB's at levels exceeding the

- 4. CLOSURE OF RETENTION BASINS: Edison shall conduct RCRA closure of the Retention Basins identified in Exhibit 1 of this Stipulation, in accordance with 22 CCR, Chapter 15, Article 7 closure requirements. The procedures outlined in above 43 of this Stipulation entitled CLOSURE OF BCCB'S shall be followed in closing the Retention Basins with the following additional requirements:
  - 1. Since these units do not meet the minimum technology requirements specified in 22 CCR, Chapter 15, Article 11, the initial report for each facility containing the no release demonstration shall include at least one year of groundwater monitoring data from a Department approved monitoring system.
  - 2. If the units do not have a groundwater monitoring system meeting the requirements of 22 CCR, Chapter 15, Article 6, Edison shall submit a work plan for each facility for installing such a system. Upon Department approval, Edison shall implement the plan and obtain groundwater monitoring data for a minimum of one year: If the background information, along with the groundwater monitoring data, indicates that there have been no releases from these units, the Department will proceed with granting closure for these units.
- 5. Within 90 days after receiving written guidance for preparing surface impoundment closure plans from the Department, Edison shall prepare and submit to the Department a complete

closure plan for the north and south retention basins, make - up demineralizer sump, polisher demineralizer sump, and boiler 2 chemical cleaning basin located at the Alamitos Generating 3 4 To streamline the closure process, the Department intends to review and approve the closure plan for the Alamitos Generating Station as a model closure plan. When the Alamitos б closure plan is deemed technically complete by the Department, it. shall serve as the model for all other retention basin closures covered by this Stipulation. Within 50 days after the Department's determination of completeness of the Alamitos closure plan, Edison shall sequentially submit the closure plans for the remaining Edison facilities in accordance with the closure plan schedule of submittal specified in Exhibit 2. closure plans shall comply with the closure requirements of The chapter 15, Division 4.5, Title 22, CCR, including but not limited to \$ 65265.228 (Cheun/136)... remove all residues)

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17 Within 90 days of the effective date of this Stipulation, Edison shall submit to the Department for approval, 18 Det e Tor 1. -. Torum a water quality monitoring and response program under Title 22, CCR, Chapter 15, Article 6, \$ 66265.90 for the units at the Alamitos Generating Station listed in rectangle Cl of Exhibit 1. To streamline the process, the Department intends to review and approve the water quality monitoring plan for the Alamitos Generating Station as a model plan. In the event that Edison receives a Notice of Deficiency ("NOD"), it shall respond to the NOD within 45 days from issuance of the NOD. A written approval will be issued when all deficiencies listed in the NOD have been

addressed. When the Alamitos plan is deemed technically complete by the Department, it shall serve as the model for all other water quality monitoring programs covered by this Stipulation. 3 Within 120 days of the effective date of the Department's approval, Edison shall complete installation of the approved 5 detection monitoring program at Alamitos generating station. Edison shall sequentially submit Water Quality Monitoring and Response Programs for the remaining facilities listed in column C . 8 of Exhibit 1 in accordance with the (closure plan schedule) of 9 submittal specified in Exhibit 2. \Within 120 days of the 10 effective date of the Department's approval of each Water Quality 11 Monitoring and Response Program, Edison shall complete 12 installation of the approved detection monitoring program for 13 14 each facility. 15

For all facilities listed in column C of Exhibit 1 that have groundwater monitoring systems, Edison shall submit to the Department for review and approval within 90 days of the 17 effective date of this Stipulation, a water quality sampling and, analysis plan pursuant to Title 22, \$66265.91. In the event that Edison receives a Notice of Deficiency, (NOD) it shall respond to the NOD within 45 days from issuance of the NOD. approval will be issued by the Department when all deficiencies in the NOD have been addressed. Edison shall implement the approved water quality sampling and analysis plans during subsequent groundwater sampling events. The plans shall be self implementing. However, the Department may require changes to the plans if changes are deemed necessary to protect public health

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For all facilities in column /C of Exhibit 1/ that do 2 not have existing groundwater monitoring systems, Edison shall sequentially submit water quality sampling and analysis plans to the Department for review and approval. Edison shall begin sequentially submitting the plans within 90 days of completion of installation of the approved detection monitoring program. plans shall be submitted in accordance with the schedule specified in Exhibit 2. These plans shall be submitted pursuant to Title 22 CCR \$65265.91. In the event that Edison receives a Notice of Deficiency, (NOD) it shall respond to the NOD within 45 days from issuance of the NOD. A written approval will be issued by the Department when all deficiencies in the NOD have been addressed. Edison shall implement the approved water quality sampling and analysis plans during subsequent groundwater sampling events. The plans shall be self-implementing. the Department may require changes to the plans to protect human health and the environment.

19 This Stipulation shall serve as a Grant of Authorization for continuing operation of those surface 20 impoundments which are specifically designated as the BCCB's at 21 six Edison facilities, and which are currently used for storage 22 of California-only (non-RCRA) hazardous wastes, pending proposed 23 legislation. This Stipulation shall be deemed a permit only as 24 set forth below for purposes of the Health & Safety Code and 25 payment of the annual facility fee pursuant to Health & Safety 26 Code \$\$25205.2 and 25205.4. The facility size and type pursuant 27

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to this Stipulation shall be "Series A Standardized Permit" during calendar years #1994; 1995; and 1996. Thereafter, facilities shall be regarded as "large treatment" otherwise authorized by legislation.

- Within 30 days after the close of the 1996 legislative session, if authorized by legislation, Edison shall submit a standardized permit notification to the Department, to include a 7 complete application, pursuant to legislation, for the BCCB at the Alamitos generating station. To streamline the permit process, the Department intends to review and approve the notification and Part "B" standardized permit application for the BCCB at the Alamitos generating station as a model standardized permit application for BCCB's. The Alamitos application, when deemed technically complete by the Department, will serve as the model for all other BCCB standardized permit applications covered by this Stipulation. Edison shall submit the remaining applications for the facilities listed in column A of Exhibit 1 in accordance with the schedule of submittal specified in Exhibit 2.
- If the legislation fails to authorize operation of the BCCBs under the Standardized Permit tier by the close of the 1996 legislative session, within 90 days after receiving written guidance from the Department for preparing surface impoundment permits, Edison shall complete, sign and submit Part A and Part B hazardous waste surface impoundment permit applications to the Department for the BCCB at Alamitos generating station. streamline the permit process, the Department intends to review

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and approve the Part A and Part B permit application for the BCCB's at the Alamitos generating station as a model permit application for BCCB's. The Alamitos permit application, when deemed technically complete by the Department, will serve as the model for all other BCCB permit applications covered by this Stipulation. Edison shall submit the remaining applications for the facilities listed in column A of Exhibit 1 in accordance with the schedule of submittal specified in Exhibit 2.

D. If the Department determines that any report, plan, schedule or other document submitted for approval fails to comply with this Stipulation or fails to protect public health or safety or the environment, the Department may return the document to Edison with recommended changes and a date by which Edison must submit to the Department a revised document incorporating the recommended changes for approval by the Department. IX.

# Matters Covered by This Stipulation

This Stipulation settles all violations alleged in the Complaint filed against Edison, including Department costs of inspection and investigation and costs of suit, relating to the Complaint. The Department agrees that it will not refer or recommend that any criminal charges be filed based on the allegations in the complaint. The provisions of this paragraph are expressly conditioned on full and complete performance by Edison of all of the terms and conditions of this Stipulation.

Nothing in this Stipulation shall constitute or be construed as a satisfaction or release from liability for any conditions or claims arising as a result of current, or future operations of

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Edison which are not covered by this Stipulation, nor shall this Stipulation be construed to preclude the Department or any state agency, board, or entity from exercising its authority under any law, statute or regulation.

#### Requirement of the Department X.

The duties imposed on Edison by this Stipulation shall be construed to be requirements of the Department issued pursuant to the HWCL. Any violation of this Stipulation is separate and in addition to any violation of any provision of the HWCL. Notice and Submittals

## XI.

All submittals required pursuant to MAVIII(A)(1), VIII(A)(2), VIII(A)(3), VIII(A)(4), VIII(A)(6), and VIII(A)(7) of this Stipulation shall be submitted to the following:

Chief Statewide Permitting Division Department of Toxic Substances Control, Region 4 245 West Broadway, Suite 425 Long Beach, CA 90802

Unit Chief, Geology Services Statewide Permitting Division Department of Toxic Substances Control, Region 4 245 West Broadway, Suite 425 Long Beach, CA 90802

In addition, a copy of the transmittal letter for the above submittals and all other submissions and notices including copies of all checks required by this Stipulation shall be sent to:

Chief Statewide Compliance Division Department of Toxic Substances Control, Region 4 245 West Broadway, Suite 425 Long Beach, California 90802

All approvals and decisions of the Department regarding any matter requiring approval or decision under the terms of this

Stipulation shall be communicated in writing to:

Robert Reid Southern California Edison Company 2244 Walnut Grove Avenue Rosemead, CA 91770.

No advice, guidance, suggestions or comments by employees or officials of the Department regarding submissions or notices shall be construed to relieve Edison of its obligation to obtain the final written approvals required by this Stipulation. Department Not Liable

## XII.

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The Department shall not be liable for any injury or damage to persons or property resulting from acts or omissions by Edison, its directors, officers, employees, agents, representatives or contractors in carrying out activities pursuant to this Stipulation , nor shall the Department be held as a party to or guarantor of any contract entered into by Edison, its directors, officers, employees, agents, representatives or contractors in carrying out activities required pursuant to this Stipulation.

### .IIIK Modification of Settlement and Order

This Stipulation may be modified upon written approval of the parties hereto and the Court.

#### XIV. Extensions

Edison may request in writing an extension of the compliance schedule provided herein prior to the date compliance is due. If the Department determines that good cause exists for an extension, it will grant the request and specify in writing a new compliance schedule. Approval shall not be unreasonably

withheld; however, silence does not constitute approval of the extension. Edison is not authorized to modify the compliance schedule herein unless and until the Department agrees to the modification in writing. Application of Stipulation

This Stipulation shall apply to and be binding upon the Department and Edison and the successors or assigns of either of them.

XVI. Authority to Enter Stipulation

Each signatory to this Stipulation certifies that he or she is fully authorized by the party he or she represents to enter into this Stipulation, to execute it on behalf of the party represented and legally to bind that party.

XVII. Integration

This Stipulation constitutes the entire agreement between the parties and may not be amended or supplemented except as provided for herein.

XVIII. Counterparts

This Stipulation may be executed in one or more counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument.

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:	•	1 XIX. Termination of Order
<u>)</u>	;	This action shall be dismissed with prejudice upon Edison's
	:	satisfaction of the terms and conditions herein.
	4	IT IS SO STIPULATED:
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	.7	Dated:, 1994 By:
	8	TED RAUH, Deputy Director Department of Toxic Substances Control
	9.	Approved as to Form and Content:
	. 10	DANIEL E. LUNGREN, Attorney General
	11	THEODORA BERGER,
	12	PEARL LATTAKER,
	13	Deputy Attorney General, 1995 By:
	14	PEARL LATTAKED
	15	Attorneys for Department of Toxic Substances Control
	16	SOUTHERN CAL. EDISON CO.
	17	Dated: Dated: Dated: Drugell Co.
	18	BRYANT C. DANNER Senior Vice President
	19	Approved as to Form and Content:
	20	DAWN WILSON
	21	Dated: 12 Maz-y 2: , 1995 By: 1995 By:
	22	Attorneys for Edison
	23	In accordance with the terms of the above written Stipulation
	24	between praintill and defendant,
•	25	IT IS SO ORDERED AND ADJUDGED:
•	26 [	PATED: 21,195 ROBERTH. C'ERIEN
	27	JUDGE OF THE SUPERIOR COURT
	1)	

DEPARTMENT OF TOXIC SUBSTANCES CONTROL SOUTHERIN CALIFORNIA EDISON CONSENT DECNEE

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TOTAL SEALING AND TOTAL	12	PO SUMP - 1 UMT		
EPA 10 No.: CADADISSA795		BCCB - 2 UNKL		
El Segundo Generaling Siallen, El Stenede				
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Segundo, CA 9024F	•	The state of the s	R BASIN - 1 URIT	
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DEPARTIMENT OF TOXIC SUBSTANCES CONTROL SOUTHERN CALEDRIA PRESENTATION

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# DEPARTMENT OF TOXIC SUBSTANCES CONTROL EXHIGIT NO. 2 SCHEDULE OF SUBMITTAL FOR SOUTHERN CALIFORNIA EDISON HAZARDOUS WASTE MANAGEMENT UNITS

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EXHIBIT "A"

#### EXHIBIT B

SCOPE OF WORK FEE FOR SERVICE AGREEMENT SOUTHERN CALIFORNIA EDISON CONTRACT NUMBER: 94-T0783

#### 1.0 GENERAL:

In accordance with the Compliance Schedule of the Settlement Agreement between Southern California Edison (SCE) and the Department of Toxic Substances Control (DTSC) dated February 1, 1995. The scope of SCE's Fee For Service project includes eleven (11) generating stations with various units (Exhibit A). Since most of these SCE facilities are similar in operation, DTSC and SCE have agreed to streamline the review and approval process. To accomplish this objective, the Alamitos Generating Station will be handled as a pilot project.

To the extent possible, the plans and reports generated from the Alamitos Generating Station will be used as protocols for other facilities to expedite reviews. The plans and reports from subsequent facilities should clearly present any deviations from these protocols.

Due to the similarities of units at all eleven generating stations, the work required at each facility can be further divided into four general groups:

- Closure Demonstration of Boiler Chemical Cleaning Basins
- Closure Demonstration of Retention Basins З.
- Closure Demonstration of Demineralizer Sumps Miscellaneous Items 4.

The following general procedures will be adhered to in achieving the closure objectives for these units at various SCE generating stations beginning with Alamitos.

#### . 1.1 BOILER CHEMICAL CLEANING BASINS:

Closure Demonstration Report: (a)

> SCE shall submit a Closure Demonstration Report (CDR). The report shall be based on existing data, demonstrating compliance with the Closure Performance Standard of Title 22, California Code of Regulations, Section 66265.111. The Report should include at a minimum facility maps, location of samples, analytical data, and discussion of

(b) DTSC review, comment and/or approve CDR:

DTSC will review and provide written comments on the CDR, request additional information if necessary, accept the report without modifications, or provide comments and request a workplan for additional work.

(c) SCE submits sampling work plan at DTSC's request:

If DTSC requests SCE to prepare a work plan for additional data collection, the work plan should include a detailed sampling plan, analysis plan, monitoring well installation plan, a work schedule, and any other necessary information required by DTSC.

DTSC will provide guidance to SCE for the development of the work plan if necessary.

- (d) DTSC will review the work plan, provide written comments on the work plan, request additional information if necessary, or accept the work plan without modification.
- (e) SCE implements the work plan and submits a final report:

Once DTSC approves the work plan, SCE shall implement the work plan in accordance with the approved schedule. DTSC will provide oversight during implementation of the work plan. When complete, SCE shall prepare a final work plan report to demonstrate clean closure. The report shall include a discussion of findings and all supporting data. The conclusion of the report shall either certify the unit as clean closed or discuss contamination found and recommend remedial action if possible.

(f) DTSC reviews and approves the final report:

After review of the final report, DTSC will either accept the closure certification for the unit, or issue a Corrective Action Order (CAO) to characterize and remediate the contamination found in item (e) above.

(g) Public Notice of DTSC approved action:

If DTSC finds that SCE has demonstrated compliance with closure performance standards, DTSC will public notice its intent to approve the closure. This decision may also be subject to the California Environmental Quality Act (CEQA).

Response to public comments and issuance of final (h) decision:

> At the close of the public comment period, DTSC will prepare a response to public comments and issue the final clean closure approval.

DTSC issues Corrective Action Order if necessary: (主)

> If a corrective action order(CAO) is issued, the closure shall be deemed incomplete until provisions of the CAO are

NOTE: Although further DTSC staff support for report review, remedial oversight and/or Post Closure Permit application review maybe required after the issuance of the CAO, these services are not included in the scope of this current Fee for Service agreement. Any additional work associated with the unit(s) after the issuance of the CAO will be renegotiated with SCE.

#### RETENTION BASINS:

60265,111 SCE shall follow the procedures outlined in sitems 1.1 to (a) demonstrate closure of the retention basins.

NOTE: Paragraph 4 of the February 1, 1995 compliance schedule required SCE to include in the CDR (See step 1.1(a)) at least one year of ground water monitoring data from a DTSC approved monitoring system since the Retention Basins do not meet the minimum technology requirements. If SCE does not have data from at least one year of ground water monitoring, the subject CDR will not be deemed adequate for demonstration of clean closure and the following additional steps must be taken.

(b) SCE submits a work plan for the installation of a ground water monitoring system:

If SCE does not have at least one year of ground water monitoring data, a DTSC approved ground water monitoring system in place, or if the monitors are deemed inadequate by the DTSC, SCE shall submit a work plan for the installation of a ground water monitoring system. must also develop a water quality monitoring and response program and a water quality sampling and analysis plan.

DTSC will provide guidance for SCE in the development of the above plans. SCE will send Ms. Karen Baker of DTSC the maps on tidal flow, ground water direction and the location of the current wells for review for the Los Alamitos generating station. DTSC will review the submittal and set up a meeting with SCE to provide additional guidance once this agreement is signed.

#### 1.3 <u>SUMPS</u>:

(a) SCE shall propose methods to conduct integrity tests on the demineralizer sumps in writing.

DTSC understands SCE may not be able to conduct integrity tests on some sumps due to size limitations and that SCE may elect to conduct soil and or ground water sampling to demonstrate clean closure. If sampling or monitoring is decided, SCE shall provide a sampling/ monitoring plan for DTSC's review and approval.

- (b) DTSC reviews and approve the sampling/monitoring plan.
- (c) SCE shall implement the DTSC approved integrity test procedure and submit a report of findings.
- (d) DTSC reviews and approves the report of findings:

After the review of the report of findings, DTSC will either accept the closure certification for the unit, comment and request additional information, or issue a CAO to characterize and remediate contamination found.

(e) Public Notice of DTSC approval action:

See step 1.1 (g) of BCCB closure procedures.

(f) DTSC will issue a corrective action order if contamination is found:

See step 1.1 (i) of BCCB closure procedures.

### 1.4 <u>MISCELLANEOUS ITEMS</u>:

(a) SCE shall submit a sampling plan for waste determination of the fireside wash and the air preheater wash.

DTSC agrees that SCE will not have to conduct a waste determination sampling of the fireside wash or the air preheater wash until SCE conducts a routine maintenance of the boilers. To comply with paragraph 1 of the Agreement, SCE agrees to submit a sampling plan for DTSC review and approval. Upon completion of the FFS agreement, DTSC will review and comment upon the sampling plan submitted for the Cool Water Generating Station dated February 22, 1995. Once this plan is approved, the plan can be adopted for the other SCE facilities.

## 2.0 COMPLIANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT:

The California Environmental Quality Act (CEQA) requires the DTSC to conduct an initial study and adopt an environmental impact finding for any discretionary project undertaken by the DTSC. It is our intent to conduct a CEQA study for each facility prior to acceptance of clean closure certification. For any units which do not meet the closure performance standards for clean closure, DTSC may issue a Corrective Action Order and compliance with CEQA will be addressed at that time.

## 3.0 SCHEDULE FOR SUBMITTAL:

The Alamitos pilot project shall begin upon the execution of the Fee For Service Agreement. The schedule for subsequent projects shall adhere to Exhibit 2 of the February 1, 1995 settlement Agreement (See copy attached).

# DEPARTMENT OF TOXIC SUBSTANCES CONTROL EXHIBIT NO. 2 SCHEDULE OF SUBMITTAL FOR SOUTHERN CALIFORNIA EDISON HAZARDOUS WASTE MANAGEMENT UNITS

	California Edison Hazardous Waste M	ANAGEMENT	
A		I C	Revised 12/02/6
FACILITY	CLOSURE PLAN LINIT TYPE	UNITS	SCHEDULE OF SUBMITTAL
1 Alamitos Generating Station, Long Beach	North Retention basin	1	Within 90 days of
690 North Studebeker Road	South Retention Saain	1	receiving Departments
Long Seach. CA 90815	Makeup demineralizer zump Polizh demineralizer zump	1	zicaure plan guidante
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2 El Segundo Generaling Station. El Segundo	Rejection besin	<del></del>	60 days from the
301 Vista Del Mar	Makeup demineralizer sump	l i	Completeness determination
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Huntington Beach Generating Station -	Retention basin		30 days from submittel
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Huntington, Beach, CA 92648	j		
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5 Mandalay Generating Station, Conset	Relamitor basin	2	30 days from submittee
303 North Harber Shed.	Boller chemical deaning besin	1 1	of Huntington Seach
Oxnerd, CA 93030	i		Closure Plan
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6 Redando Basch Generating Station	North Retention basin	1	30 says from submitted
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9 Long Beach Generating Station	Resolion basin		30 days from submitted
2685 Wast Saszida Boulevard			of Highgroovs
Long Beach, CA 90813	·	.	Closure Plan
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EPA ID No. CAD0006311143		1	
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San Bemardino, CA 92408		1 1	Closure Pien
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11 Cool Water Generating Station	Poish demineralizer sump	1	
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37072 Ess; Santa Fe Dagget, CA 92327			Closure Plan
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Southern California Edison Fee For Service Agreement Contract No. 94-T0783

#### EXKIBIT C

Fee for Service Program Cost Estimates - Alamitos Pilot Project

100-202

DEPARTMENT OF TOXIC SU. STANCES CONTROL FEE FOR SERVICE PROGRAM COST ESTIMATES - PILOT PROJECT

CONTRACT NUMBER: 94-10783

(BASED ON ESTIMATED 180% WORKLOAD STANDARD)
SOUTHERN CALFORNA EDISON ALANITOS STATION: CLOSURE OF TWO (?) BOILER CHEMICAL CLEANING BASINS,
THREE (3) RETENTION BASINS, AND TWO (?) SUMPS

Exhibit C

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Southern California Edison Fee For Service Agreement Contract No. 94-T0783

#### EXHIBIT D

Fee for Service Program Cost Estimates - Streamlined Projects

- 1. El Segundo Generating Station: Closure of 1
  Retention Basin, 1 Boiler Chemical Cleaning Basin,
  and 1 Sump.
- Etiwanda Generating Station: Closure of 1
   Retention Basin, 1 Boiler Chemical Cleaning Basin,
   and 1 Sump.
- 3. Huntington Beach Generating Station: Closure of I Retention Basin, and I Boiler Chemical Cleaning Basin.
- 4. Mandalay Generating Station: Closure of 1 Retention Basin, and 1 Boiler Chemical Cleaning Basin.
- 5. Redondo Beach Generating Station: Closure of 2
  Retention Basin, 1 Boiler Chemical Cleaning Basin,
  and 1 Sump.
- 6. Ormond Beach Generating Station: Closure of 2 Retention Basin and 1 Sump.
- 7. Highgrove Generating Station: Closure of a Retention Basin and 1 Sump.
- 8. Long Beach Generating Station: Closure of 1 Retention Basin.
- 9. San Bernardino Generating Station: Closure of 1 Retention Basin and 1 Sump.
- 10. Cool Water Generating Station: Closure of 1 Sump.

DEPARTMENT OF TOXIC SUBSTANCES CONTROL

FEE FOR SERVICE PROGRAM COST ESTMATES - SLICCEEDING PROJECTS Southern Calfornia Edison, Cantract Number 84-10783 (BASED ON ESTMATED 30% INCREASED EFFICIENCY)

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