

### NOTICE OF EXEMPTION

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  
Brownfields and Environmental Restoration Program  
5796 Corporate Avenue  
Cypress, CA 90630

Project Title: Ascon Landfill Site- Emergency Action as Part of an Interim Removal Measure – Application of Lime Kiln Material (LKM) and Construction of a Sump to Prevent Ponding in Lagoon 3 to Avoid Wet Weather Berm Failure

Project Location: 38-acres at the southwest corner of Hamilton Avenue and Magnolia Street (21641 Magnolia Street)

City: Huntington Beach      County: Orange County

Project Description: Placing and mixing lime kiln material (LKM) in Lagoon 3 at the Ascon Landfill Site and Construction of a Sump to Prevent Ponding

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

Name of Person or Agency Carrying Out Project: Project Navigator, Ltd.

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]
- General Rule [CCR, Sec. 15061(b)(3)]



Exemption Title: 15269 (c) Actions Necessary to Prevent an Emergency

Reasons Why Project is Exempt:

The Interim Removal Measure (IRM) is to remove tarry waste materials from Lagoons 1 and 2 at the site. After removing much of the waste from Lagoon 2, it has become apparent that the pressure of ponded rainwater in Lagoon 3 has caused the berm between Lagoons 2 and 3 to become saturated and therefore unstable. If the berm fails, unknown amounts of hazardous material from Lagoon 3 could flow into Lagoon 2. Therefore, unless action is taken promptly, before the next significant rain event, this berm could fail catastrophically and threaten the physical integrity of the approved removal action in Lagoon 2, potentially endangering workers at the site and ultimately compromising the existing remediation effort.

Placing and mixing LKM into Lagoon 3 would reduce the moisture from the southern portion of Lagoon 3. Following placement of the LKM, the reduction of seepage forces could be achieved by construction of a temporary sump within Lagoon 3. The placement and mixing of LKM with the Lagoon 3 materials should allow for the construction of a storm water sump within Lagoon 3. As a result, the ponded water could be removed and not allowed to remain in the southern portion of Lagoon 3 where it is causing instability of the berm. Additionally, this emergency action would minimize the seepage forces in the berm. Therefore, it is urgent that LKM be placed into Lagoon 3 prior to the next significant rain event.

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Project Manager Name	Project Manager Title	Phone #
		11/23/10
Unit Chief Signature		Date
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TO BE COMPLETED BY OPR ONLY

Date Received For Filing and Posting at OPR: