

NOTICE OF DETERMINATION

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
Southern California Cleanup Operations Branch
5796 Corporate Avenue
Cypress, CA 90630-4732

Subject: FILING OF NOTICE OF DETERMINATION IN COMPLIANCE WITH SECTION 21108 OR 21152 OF THE PUBLIC RESOURCES CODE

Project Title: Lagoon 3 Proposal - Addendum to the Final Mitigated Negative Declaration for the Interim Removal Measure Workplan for Ascon Landfill Site

State Clearinghouse No.: 2009101077

Project Location: The 38-acre Project site is located at the southwest corner of Hamilton Avenue and Magnolia Street (21641 Magnolia Street) in the southwest portion of the City of Huntington Beach, California. The site is identified by Assessor's Parcel Numbers 114-150-75, 114-150-78, 114-150-79, and 114-150-80

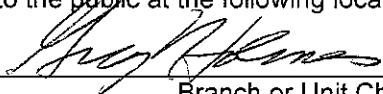
City: Huntington Beach County: Orange

Project Description: The proposed Interim Removal Measure (IRM) planned for 2010 at the Ascon Landfill site includes removal and disposal, or, if feasible, recycling of up to approximately 70,000 cubic yards of tarry materials from two interior lagoons in the southwest zone of the Ascon site that received oil production waste during the landfill's operation. The purpose of the IRM action is to enable assessment of the materials underneath the tarry materials in Lagoons 1 and 2. After on-going construction IRM activities within Lagoons 1 and 2, it has been determined that removal of materials from Lagoon 3 will be necessary to ensure the stability of the existing berm between Lagoons 2 and 3. In comparison to the IRM activities described in the Final MND and Modified IRM Proposal (analyzed in Addendum No. 1), the loading area for the Lagoon 3 Proposal would not be located closer to the site perimeter than existing onsite roads used as part of ongoing IRM activities, the traffic count of haul trucks will not change, off-site haul routes will not change, the construction schedule will not change, and the maximum volume of removable materials during the IRM (70,000 cubic yards) will not be exceeded as stated in the Final MND. Further, the Lagoon 3 Proposal will comply with the same regulatory requirements and implement the same components in the IRM Workplan that serve to minimize impacts on the environment.

As Lead Agency a Responsible Agency under the California Environmental Quality Act (CEQA), DTSC approved the above-described project on 05-10-2010 and has made the following determinations:

1. The project will will not have a significant effect on the environment
2. A Negative Declaration Mitigated Negative Declaration Environmental Impact Report was previously prepared for the project pursuant to the provisions of CEQA.
3. Mitigation measures were were not made a condition of project approval.
4. A mitigation reporting or monitoring plan was was not adopted for this project.
5. A Statement of Overriding Considerations was was not adopted for this project.
6. Findings were were not made pursuant to the provisions of CEQA.
7. An addendum to the Final MND is is not appropriate for the currently proposed project activities.

This is to certify that the final environmental document, comments and responses, and the record of project approval are available to the public at the following location: 5796 Corporate Avenue, Cypress, CA 90630-4732



Branch or Unit Chief Signature

12/7/2010
Date

Greg Holmes
Branch or Unit Chief Name

Supervising Hazardous Substances Scientist
Branch or Unit Chief Title

(714) 484-5461
Phone #

TO BE COMPLETED BY OPR ONLY

Date Received For Filing and Posting at OPR: