



Linda S. Adams
Secretary for
Environmental Protection



Arnold
Schwarzenegger
Governor



Department of Toxic Substances Control

Mazlar Movassaghi
Acting Director
5796 Corporate Avenue,
Cypress, California 90630

**ASCON LANDFILL SITE NOTICE OF EXEMPTION,
NOTICE OF DETERMINATION AND ADDENDA
TO MITIGATED NEGATIVE DECLARATION FOR
THE INTERIM REMOVAL MEASURE AT
ASCON LANDFILL SITE, HUNTINGTON BEACH**

**What Is the Notice of Determination and
Addendum?**

Under the California Environmental Quality Act (CEQA), an Addendum (Addendum No. 2) to the Mitigated Negative Declaration (MND) for the Ascon Landfill Site Interim Removal Measure was prepared and approved to allow for partial removal of materials from Lagoon 3 at the Ascon Landfill Site (Site). Lagoon 3 is located directly north of Lagoons 1 and 2 at the Site, the area of waste lagoon removal addressed by the MND. This partial removal of Lagoon 3 materials was approved in order to increase the stability of the earthen berm between Lagoons 2 and 3 prior to the future final remedy and to better ensure the containment of Lagoon 3 materials during the period between completion of the Interim Removal Measure and implementation of the final remedy. In December 2010, DTSC filed a Notice of Determination for Addendum No. 2 with the California State Clearinghouse for the removal of a portion of material from Lagoon 3.

The Addendum and Notice of Determination for this partial removal of materials from Lagoon 3 are in accordance with CEQA because there will be no new significant environmental impacts and no substantial increase in the severity of impacts compared to those impacts identified in the MND.

In November 2010, DTSC filed a Notice of Exemption with the California State Clearinghouse to place and mix Lime Kiln Material (LKM) into Lagoon 3 before the next significant rain event to increase the berm stability by reducing the moisture caused during rain events. In July 2010, DTSC approved an Addendum (Addendum No. 1) to the MND for the Interim Removal Measure to account for minor changes with the onsite work areas and the increased number of Southern Tarplants, a protected plant species whose presence on the Site substantially increased after the MND was finalized. In July 2010, DTSC filed a Notice of Determination (NOD) for Addendum No. 1 with the California State Clearinghouse. These actions are part of DTSC's continual oversight of the ongoing remedial work at the Site.

Why This Notice

This notice provides the public with information on the Notices of Determination, Notice of Exemption and Addenda to the Mitigated Negative Declaration. The MND, Notices of Determination, Addenda, Notice of Exemption, and other Site related documents are available for public review at the DTSC office noted above, and at the Information Repositories listed below. Please contact Julie Johnson at (714) 484-5337 for an appointment if viewing information at DTSC

Huntington Beach Central Park Main Library
7111 Talbert Avenue
Huntington Beach, CA 92648-1232
(714) 842-4481

Banning Branch Library
9281 Banning Avenue
Huntington Beach, CA 92646-8302
(714) 375-5005

Who to Contact For More Information

For questions about the Ascon Landfill site project, please contact Safouh Sayed, DTSC Project Manager, at (714) 484-5478, or Stacey Lear, DTSC Public Participation Specialist, at (714) 484-5354, or toll free 1-888-877-5378. Notice to Hearing Impaired: You can obtain additional information by using the California State Relay Service at 1-888-877-5378 (TDD) or send a request to contact Stacey Lear at the number above regarding the Ascon Landfill site.

AFFIDAVIT OF PUBLICATION

STATE OF CALIFORNIA,)
) ss.
County of Orange)

I am a citizen of the United States and a resident of the County aforesaid; I am over the age of eighteen years, and not a party to or interested in the above entitled matter. I am the principal clerk of the **Huntington Beach Wave**, a newspaper that has been adjudged to be a newspaper of general circulation by the Superior Court of the County of Orange, State of California, on July 1, 1998, Case No. A-185906 in and for the City of Huntington Beach, County of Orange, State of California; that the notice, of which the annexed is a true printed copy, has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to wit:

December 23, 2010

"I certify (or declare) under the penalty of perjury under the laws of the State of California that the foregoing is true and correct":

Executed at Santa Ana, Orange County, California, on

Date: **December 23, 2010**



Signature
Huntington Beach Wave
625 N. Grand Ave.
Santa Ana, CA 92701
(714) 796-7000 ext. 3002

PROOF OF PUBLICATION

STATE OF CALIFORNIA)) SS.
COUNTY OF ORANGE)

I am a citizen of the United States and a resident of the County aforesaid; I am over the age of eighteen years, and not a party to or interested in the notice published. I am a principal clerk of the HUNTINGTON BEACH INDEPENDENT, which was adjudged a newspaper of general circulation on August 24, 1994, case A50479, for the City of Huntington Beach, County of Orange, and the State of California. Attached to this Affidavit is a true and complete copy as was printed and published on the following date(s):

December 16, 2010

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

Executed on December 16, 2010
at Costa Mesa, California


Signature



Department of Toxic Substances Control

Maziar Movassaghi
Acting Director

5796 Corporate Avenue • Cypress, California 90630



Linda S. Adams
Secretary for
Environmental Protection



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