



## Department of Toxic Substances Control

Matthew Rodriguez  
Secretary for  
Environmental Protection

Barbara A. Lee, Director  
8800 Cal Center Drive  
Sacramento, California 95826-3200

Edmund G. Brown Jr.  
Governor

CERTIFIED MAIL 70091410000214486072

December 31, 2014

Paul Elliott  
Environmental Specialist  
San Onofre Nuclear Generating Station  
P.O. Box 128 (W-44)  
San Clemente, CA 92674

**FIRST NOTICE OF DEFICIENCY FOR THE RCRA PERMIT RENEWAL  
APPLICATION, SAN ONOFRE NUCLEAR GENERATING STATION, 5000 PACIFIC  
COAST HIGHWAY SAN CLEMENTE, CALIFORNIA 92671, EPA ID. NO.  
CAD000630921**

Dear Mr. Elliott:

The Department of Toxic Substances Control (DTSC) has completed its technical review of the RCRA Hazardous Waste Facility Permit Renewal-Parts A & B (Application), for the San Onofre Nuclear Generating Station (SONGS). The Application, dated December 2013, has been reviewed for compliance with the applicable requirements of, California Code of Regulations (CCR), Title 22 and the California Health and Safety Code, Division 20. The enclosed comments comprise the Notice of Deficiency (NOD).

DTSC's Engineering Services Unit is currently reviewing the Closure Cost Estimate and certified designs for compliance. Comments on those sections will be sent to you soon. Please address the comments in this NOD and submit a revised application by February 16, 2015.

### GENERAL COMMENTS

GC-1 Under CCR, Title 22 Section 66270.3(d), DTSC cannot issue a permit to a facility that affects land or water use in the coastal zone until the applicant certifies that the proposed activity complies with the California State Coastal Zone Management Program, and the California Coastal Commission concurs with the certification. Please include a certification from the Coastal Commission in the revised Part B Application.

GC-2 Include in your revised application the methods on how the facility will be complying with Air Emission Standards (Subpart CC) for containers. If the facility is exempt from these requirements, include the reason for the exemption.

GC-3 Include in your revised application a completed Environmental Information Form (enclosed). This form provides information, which enables DTSC to comply with the California Environmental Quality Act.

GC-4 The application contains references to the following standard operating procedure (SOP) documents:

- S0123-XV-17, Hazardous Waste Management Program
- S0123-XV-17.3, Contingency Plan
- S0123-XV-18, Mixed Waste Guidelines
- S0123-XVI-15.1, SONGS Hazard Communication Program
- S0123-IX-2.202, Hazardous/Mixed Waste/Material Shipments
- S0123-IX-2.206, Hazardous Material/Waste/Mixed Waste Inspections
- S0123-IX-2.208, Hazardous Waste and Emergency Response Training Program
- S0123-IX-2.210, Hazardous Materials Emergency Response Protocol
- S0123-XXI-1.11.8, General Employee Training Program Description

At a minimum, please include as an attachment to the application, the information from these documents that specifically pertains to what is required in the application.

GC-5 DTSC has still not received a completed disclosure statement. A package containing the documents with instructions was mailed to the facility on August 21<sup>st</sup>, 2014. Please complete the documents and send them to the address stated in the instructions.

## **SPECIFIC COMMENTS**

### **Comments on Attachment 1-3 - Part A Application**

#### **1.1 Hazardous Waste Permit Information Form, Page 3**

This page was not completed. Please list the process code and design capacity, and process total for each storage area and indicate the line number for each process either on the map or photographs required in items 10 and 12.

- 1.2 Hazardous Waste Permit Information Form, Page 5  
The list does not include all the waste codes listed in the RCRA Subtitle C Site Identification Form. Please include all the waste codes accepted.
- 1.3 Topographic Map  
Revise this map so the information in the map legend is legible and meets all requirements under CCR, Title 22 section 66270.13(l).

### **Comments on Section 2 – Facility Description**

- 2.0 Attachment 2-3 Topographic Map  
This map does not contain a wind rose as required 66270.14(b)(18)(E). Please revise the map to satisfy this requirement.
- 2.1 General Description  
The distances from the Facility to the nearest military housing at Camp Pendleton and community in San Clemente are incorrect. On base housing appears to be just across the freeway from the northern end of the electricity generating side of the facility. The nearest housing in San Clemente appears to begin just two miles to the north of the facility. Please change the description in the Part B to state the correct distances.

### **Comments on Section 3 – Waste Characteristics**

- 3.0 Section 3.0  
Include the SONGS Operating Procedures referenced in this section as an attachment to the Part B.
- 3.1 Section 3.3, Page 3-1  
The first sentence of this section begins with “wastes are stored and treated.” Please explain what wastes are being treated and how.
- 3.2 Section 3.3, Page 3-1  
The second to last paragraph of this page states:  
  
“If, during this inspection, it is determined that the container is unsuitable or damaged, the material will be transferred to an appropriate container or placed in a recovery drum (over pack).”

In this scenario, the waste should be transferred to an appropriate container immediately upon discovery. Please state this in this paragraph. This will ensure the facility understands the requirements of CCR, Title 22 section 66264.15(c).

3.3 Section 3.3, Page 3-1

List or explain the inspection procedures the Hazardous Materials Group personnel use to determine if the containers integrity and waste compatibility is adequate.

3.4 Section 3.4, Page 3-2

The beginning of the third paragraph states "The following wastes may be subject to 22 CCR 66268.32." This should be changed to say "The following wastes are subject to CCR, Title 22 section 66268.32.

3.5 Section 3.4, Page 3-3

Under Notification and Certification Requirements, the second paragraph states "with each shipment of restricted waste that has been treated at the San Onofre facility to meet the treatment standards." Explain what treatment is being done at San Onofre to meet the treatment standards required by the land disposal restrictions.

**Comments on Section 4 – Design and Process Information**

4.0 Figure 4-1 and Figure 4-2

Illustrate on these figures that reactive or ignitable wastes are not stored within 50 feet of the property boundary.

**Comments on Section 5 – Procedures to Prevent Hazards**

5.0 Section 5.0

This section does not address the requirements of CCR Title 22 section 66264.37. Describe the attempts that were made by the facility to make the arrangements with the State and Local Authorities that are described under 66264.37.

5.1 Section 5.3, Page 5-1

At the bottom of the page it states, "If any containers are not in good condition, it will be placed in recovery, over pack, or salvage drums and /or have its contents transferred to another container." As stated in comment number 3.2, the application should state that these actions will be completed immediately upon discovery.

5.2 Section 5.7.2, Page 5-7

Please include support documentation regarding the compliance with the Uniform Fire Code and the Fire Hazards Analysis used to assure all steps were taken to prevent potential fires at the hazardous waste storage areas.

**Comments on Section 6 – Contingency Plan**

6.0 Section 6

CCR Title 22 section 66264.53 requires that the contingency plan be submitted with the Part B of the permit application. Please include a copy of the contingency plan as an attachment to Section 6 of your Part B.

**Comments on Section 8 – Closure Plan**

8.0 Attachment 8-1, Section VIII and IX

Revise the closure plan to include the number, locations, type, and depths of the samples that will be taken from the floor and soil beneath the permitted units. and explain the rationale (biased or random sampling methods) that was used to determine this.

8.1 Attachment 8-1, Section XII

The closure performance standards in the Closure Plan to determine whether clean closure for the mixed storage areas has been achieved are inappropriate. Background samples can only be used for naturally occurring substances and cannot be used for man-made structures or materials such as the building or concrete. Currently, closure performance standards are: (1) non-detect, (2) background levels for naturally occurring substances, or (3) health risk based levels based on an unrestricted land use scenario. For the building and any equipment or materials, the appropriate closure performance standards should be non-detectable levels of chemical constituents. The closure performance standards for soil may be non-detect, background, or health risk based. Please

revise this section to include closure performance standards for the concrete. Please note that hazardous waste levels for hazardous waste classification purposes cannot be used for closure performance standards.

8.2 Attachment 8-1, Front page and Section XVI

The expected closure year is 2023. This seems too soon. Please verify if that is the correct year.

8.3 Attachment 8-1, Table 1

This table is referred to as the list of mixed waste constituents. However, this list should contain the constituents that the laboratory will be testing for. In those situations where multiple waste types are stored in one area, general tests such as Total Petroleum Hydrocarbons, Total or CAM-17 Metals, Volatile or Semi-volatiles, etc. can be used. Please revise this table to show what constituents the samples will be tested for. The Closure Plan should state the constituents you will be analyzing and the cost of the analyses should be included in your closure cost estimate.

**Comments on Section 10 – SWMU's**

10.0 Section 10

Please include an updated list of SWMU's at the facility and include their location on a topographic map. A SWMU is defined under CCR Title 22 section 66260.10.

10.1 Section 10

Please include all the information required under CCR Title 22 section 66270.14 for each SWMU.

If you have any questions regarding this NOD you can contact me at (916)255-3587 or sam.coe@dtsc.ca.gov.

Sincerely,

Original Signed By:

Sam Coe  
Project Manager  
Office of Permitting

Paul Elliott  
December 31, 2014  
Page 7

Cc: Mr. Brian Metz  
Environmental Manager/Fire Marshal  
San Onofre Nuclear Generating Station  
P.O. Box 128  
San Clemente, CA

Mr. Syef Hoque  
Chemistry & Hazmat  
San Onofre Nuclear Generating Station  
P.O. Box 128  
San Clemente, CA

Mr. Kam Chen  
Environmental Scientist  
DTSC Enforcement Branch  
5796 Corporate Avenue  
Cypress, CA 90630-4732

