Message

**From:** Villalobos, Rafael [villalobos.rafael@cleanharbors.com]
**Sent:** 4/25/2019 5:16:36 PM
**To:** Brett Bowyer [brettbowyer@bowyerenvironmental.com]; Castellana, Ben [castellana.ben@epa.gov]; Deryck Roberts [droberts@aqmd.gov]; Briggs, Michael [Briggs.Michael@cleanharbors.com]
**CC:** Alan Malagon [alanmalagon@bowyerenvironmental.com]; Michael Lebow [mlebow@srllplaw.com]; Allen, HarryL [Allen.HarryL@epa.gov]; BERMAN, TESSA [Berman.Tessa@epa.gov]; rod.tobias@westonsolutions.com
**Subject:** RE: 210 W. Slauson - NTC
**Attachments:** ATT00001.txt

Adding Michael Briggs

***Safety Starts with Me: Live It 3-6-5***

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Rafael Villalobos
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Clean Harbors Environmental Services
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**From:** Brett Bowyer <brettbowyer@bowyerenvironmental.com>
**Sent:** Thursday, April 25, 2019 9:26 AM
**To:** Castellana, Ben <castellana.ben@epa.gov>; Deryck Roberts <droberts@aqmd.gov>
**Cc:** Alan Malagon <alanmalagon@bowyerenvironmental.com>; Michael Lebow <mlebow@srllplaw.com>; Allen, HarryL <Allen.HarryL@epa.gov>; BERMAN, TESSA <Berman.Tessa@epa.gov>; rod.tobias@westonsolutions.com; Villalobos, Rafael <villalobos.rafael@cleanharbors.com>
**Subject:** RE: 210 W. Slauson - NTC

We have received and will provide the requested schedule later today. I understand that the bins are not to be opened again and we are working to have them removed as quickly as possible. Just to be absolutly clear, I wanted to confirm with Mr. Roberts that there is no reason for the SCAQMD site inspection tomorrow.

Thank you.

Brett Bowyer, P.G.
BOWYER ENVIRONMENTAL CONSULTING, INC.
17011 Beach Boulevard, Suite 900
Huntington Beach, CA 92647

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**From:** Castellana, Ben <castellana.ben@epa.gov>
**Sent:** Thursday, April 25, 2019 8:09 AM
**To:** Brett Bowyer <brettbowyer@bowyerenvironmental.com>; Deryck Roberts <droberts@aqmd.gov>
**Cc:** Alan Malagon <alanmalagon@bowyerenvironmental.com>; Michael Lebow <mlebow@srllplaw.com>; Allen, HarryL <Allen.HarryL@epa.gov>; BERMAN, TESSA <Berman.Tessa@epa.gov>; rod.tobias@westonsolutions.com
**Subject:** RE: 210 W. Slauson - NTC

Good Morning All,

SCAQMD and I discussed this issue at length and are in agreement that the containerized wastes at the Site are part of the ER and need to leave the Site as soon as possible. EPA considers these wastes to present an immanent and substantial threat, as they display hazardous characteristics, and there is a risk of ignition and/or release to the environment for every day they remain on site. It is my understanding that waste profile samples were collected last week, and that BEC/Clean Harbors is on schedule to remove the wastes early next week.

In the meantime, the waste containers should not be opened or sampled again, unless further waste profiling is required by an accepting facility. Asbestos sampling will not be necessary for these wastes. Hazardous waste marks should be re-applied where the contents and dates have been washed out, if this has not already been done.

SCAQMD has requested Response Logs from Clean Harbors; these documents should be passed on to Mr. Roberts this week, as part of the Notice to Comply. In addition, SEC will need to provide the waste profile and accepting facility information to me when they are available, as well as the date the ER wastes are scheduled to leave the facility.

On the day the wastes leave the facility, SCAQMD has indicated they will return to the Site to collect samples of materials in the Removal areas. EPA will be represented on Site by either myself or a designee. SEC should coordinate with our respective leads for this schedule, as well as be aware of our presence for Health and Safety concerns.

For planning purposes, it would be helpful if BEC could provide a rough timeline and narrative for when key site events can be expected. These should include:

- Characterization Data and Profile Acceptance for ER Wastes.
- Removal of ER Wastes from the Site.

- Removal of Billboard Structure.
- Access agreement with the owner of 216 W. Slauson.
- Final disposition of the structure at 216 W. Slauson (from insurance company – a contact with the insurance company would be helpful).
- Demolition of structure at 216 W. Slauson (if that is what is going to happen at the property).
- Demolition of any structures at 206 W. Slauson.
- Soil Characterization Workplan.
- Removal Workplan,
- Soil Excavation/Removal Schedule.

Please let me know if I've left anything out, or anything above requires clarification. Thank you all very much for your time and effort in this matter.

Sincerely,

Ben Castellana, Ph.D.
On-Scene Coordinator
US EPA Region 9
Superfund Emergency Response
(562) 305-0694 cell

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**From:** Brett Bowyer <brettbowyer@bowyerenvironmental.com>
**Sent:** Tuesday, April 23, 2019 2:35 PM
**To:** Deryck Roberts <droberts@aqmd.gov>
**Cc:** Alan Malagon <alanmalagon@bowyerenvironmental.com>; Michael Lebow <mlebow@srllplaw.com>; Castellana, Ben <castellana.ben@epa.gov>
**Subject:** RE: 210 W. Slauson - NTC

Thank you for the response Deryck. We do need concurrence regarding our recommendation to not sample the containerized waste for suspected ACM. If the SCAQMD is still requiring the sampling of the containerized waste, we will need to devise a method for sampling the surface of the contained liquid, which is something that you verbally relayed to us when the NTC was issued. None of the CACs we contacted were familiar with any method to do this. If this is something that is being required, we will need more time to identify and develop an appropriate method. Again, we want to point out that the liquid is containerized and likely to be disposed of as a hazardous waste due to the presence of gasoline-related compounds. In its current containerized state, this material is not a threat to the public even if it is ACM.

We are going forward with the rest of the sampling program on Thursday in order to meet the current schedule. We suggest that if none of the other materials are found to be asbestos containing, then it can be inferred that the contained material is also not ACM.

We respectively ask that you confer with your Supervisor and Manager and let us know if the SCAQMD is in concurrence with our suggestion to not sample the containerized material at this time.

Thank you.

Brett Bowyer, P.G.

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**From:** Deryck Roberts <droberts@aqmd.gov>
**Sent:** Tuesday, April 23, 2019 12:45 PM
**To:** Brett Bowyer <brettbowyer@bowyerenvironmental.com>
**Cc:** Alan Malagon <alanmalagon@bowyerenvironmental.com>; Michael Lebow <mlebow@srllplaw.com>; Castellana, Ben <castellana.ben@epa.gov>
**Subject:** Re: 210 W. Slauson - NTC

Received. The proposed Notice To Comply amend date is approved. Any further amendments will need to be sent to my Supervisor and Manager. Let me know if you have any further questions,

*Deryck Roberts*
*Air Quality Inspector II*
*Toxics Unit*
*South Coast Air Quality Management District*
*21865 Copley Drive,*
*Diamond Bar, CA 91765*
*909-396-2154*
*droberts@aqmd.gov*

On Apr 23, 2019, at 12:42 PM, Brett Bowyer <brettbowyer@bowyerenvironmental.com> wrote:

Hello Mr. Roberts,

Per the voice mail I left you yesterday, we are in the process of gathering available documents and setting up the asbestos sampling program. We will need more time to comply. In particular, we are trying to confirm the need and extent of asbestos testing within the sealed containers present at the Site. Currently, there is one sealed 20 cubic yard bin and eight sealed drums that reportedly contain absorbent, debris and metal, In addition, there is one sealed baker tank that reportedly contains a mixture of gasoline and water. Representative samples have been collected from the containers and they are being analyzed for:

- Volatile organic compounds;
- Petroleum hydrocarbons;
- CAM Metals; and
- PCBs.

The results are due by the end of the day on Wednesday (April 24). Once we have those results, this material will be characterized for disposal. Given the suspected presence of high levels of gasoline-related compounds, it is possible that the material will be characterized as hazardous. If this is the case, this material will be profiled for disposal at a facility that is permitted to accept hazardous waste. We will work with the SCAQMD to ensure that this facility is also permitted to accept asbestos containing material. If this is the outcome, we would ask the SCAQMD to consider not requiring the sampling of these sealed container. The containers will remain sealed prior to and during transfer to the disposal facility and the material in them does not represent a hazard to the public due to the presence of suspect asbestos containing material (ACM).

The SCAQMD approval of the above will allow us to finalize the scope of work for the Certified Asbestos Consultant (CAC) and to move forward on this work right away. This work will include sampling of suspect ACM throughout the Site in compliance with all other aspects of the NTC.

Please let us know as soon as possible if the SCAQMD approves of this modification to the NTC.

If we receive your approval to this approach, we can arrange to have the ACM sampling done on Thursday. A report of findings, along with the other requested documents will be provided by May 1st.

Thank you for your consideration and please let us know if the suggested modification to the NTC is acceptable to the SCAQMD.

Brett Bowyer, P.G.
<image002.jpg>
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