

**PUBLIC NOTICE FOR CLASS 1\* (PRIOR DTSC APPROVAL NEEDED) STANDARDIZED PERMIT MODIFICATION**

**Riverbank Oil Transfer, LLC.**  
**Hazardous Waste Transfer Facility**  
**EPA ID CAL000190816**

PLEASE TAKE NOTICE- Pursuant to the California Code of Regulations, Title 22 section 66270.42(a) Riverbank Oil Transfer, LLC (ROT) has requested a Class 1\* (prior DTSC approval needed) Permit Modification from the California Environmental Protection Agency (CalEPA), Department of Toxic Substances Control (DTSC) for ROT's Series C Standardized Hazardous Waste Permit (Permit). ROT is a hazardous waste transfer facility (the Facility) located within the Riverbank Industrial Complex (Industrial Complex) at 5300 Claus Road near Riverbank, California. The Industrial Complex is located at the intersection of Claus Road and Claribel Road (State Route 219). The Facility receives and transfers used oil, waste oil, antifreeze, and oily waste water.

This modification will revise sections in ROT's Permit with additional permit conditions, language provided by DTSC, pertaining to the test protocol for polychlorinated biphenyls (PCB). These proposed permit conditions are standard in all new DTSC used oil facility permits and allows for either onsite PCB testing (prior to rail car release) or PCB testing at the destination (prior to unloading). In either scenario, the PCB protocol, including test method, concentration limits, and handling of elevated PCB materials, is equivalent. PCB testing is currently being performed by ROT prior to shipping. The modification provides the Facility with greater flexibility in the transportation of rail cars, which could improve economies of scale and reduce transportation costs. This modification will not result in any changes to the total permitted quantity or type(s) of waste handled onsite, and poses no significant threat to human health or the environment.

Ms. Sherry Blunk is the DTSC agency contact for this Class 1\* Permit Modification. If you have any questions or comments regarding this Notice or the Permit Modification, please contact Ms. Blunk at the following location:

Sherry Blunk  
Hazardous Waste Permitting  
8800 Cal Center Drive  
Sacramento, California, 953826-3200  
(916) 255-3579  
sblunk@dtsc.ca.gov

More information may be obtained by contacting

Mr. Richard Renfro  
Riverbank Oil Transfer, LLC  
5300 Claus Road  
Riverbank, California, 95367

Full administrative record is available at the DTSC office noted above.

There is no public comment period for Class 1\* permit modifications, but any person may request DTSC to review a modification.



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DTSC proposed modified permit condition II.R and associated conditions II.FF, II.GG, and II.HH.

R. **Used Oil.** The Permittee shall take and retain a sample from each truck unloading used oil at the Facility. The Permittee shall collect a representative sample from each rail car holding used oil and analyze the sample pursuant to the procedures specified in Condition II.R.(1) or Condition II.R.(2). Alternatively, the Permittee may also have the receiving facility collect and analyze the sample after shipment of the rail car pursuant to the procedures specified in Condition II.R.(3). The rail car sample shall be analyzed for PCBs by a certified laboratory using a test method approved by DTSC with a detection limit of two (2) ppm or below. In addition to any actions discussed in Condition F of Part I of this permit, DTSC may modify this Permit to impose additional waste screening and management conditions based on PCB testing.

- (1) If the Permittee is performing the tests for PCBs in used oil at the Facility prior releasing the rail car for shipment, the Permittee shall test the used oil for PCBs using all of the following procedures:
  - a. The Permittee shall obtain a representative sample of the used oil from the rail car using the sampling procedure specified in Section III of the DTSC-approved Standardized Permit Application. No additional loads of used oil shall be added to the rail car once the sample is taken and used oil shall not be unloaded until the PCB test specified below is completed.
  - b. The Permittee shall test the used oil sample for PCBs using EPA test method 8082 or other similar methods approved by the United States Environmental Protection Agency or DTSC.
  - c. If the used oil does not contain PCBs at a concentration of 2 ppm or greater, the rail car may be released for shipment. The used oil may then be delivered to an authorized used oil transfer or treatment facility.
  - d. If the used oil contains PCBs at a concentration of 2ppm or greater, a second sample shall be obtained and tested. The second sample shall be obtained using sampling equipment that is new or has been cleaned using (i) the permanganate cleanup procedure (EPA Method 3665A); or (ii) an appropriate decontamination procedure that has been approved in writing by DTSC for use at the Facility.
  - e. If the second test result required in paragraph II.R.(1).d confirms that the used oil contains PBCs at a concentration of 2 ppm or greater, the retained sample from each tanker truck that was unloaded into the rail car shall be tested. Otherwise, the rail car may be released for shipment to an authorized used oil transfer or treatment facility.
  - f. If all the retained samples for shipments unloaded into the rail car show less than 5 ppm of PCBs, the Permittee may manage the tank contents as used oil.
  - g. If any retained sample is at or above the 5 ppm limit for PCBs, the entire contents of the rail car shall be shipped to a facility permitted to accept PCBs-contaminated hazardous waste pursuant to all applicable requirements, including those of the Toxic Substances Control Act (TSCA, Public Law [Pub.L.] 94-469). The rail car shall be decontaminated to remove all PCBs residues prior to reuse. Any waste generated as a result of decontamination of the rail car shall be managed as PCBs-contaminated hazardous waste.
  - h. If any sample shows a PCB concentration of 5 ppm or greater, the Permittee shall provide the written test results to DTSC within seven days of obtaining the test results.
  - i. The result of the PCB testing specified in this section shall be valid only if no additional loads of used oil are added to the rail car from which the sample is taken.
- (2) If the Permittee is performing the tests for PCBs in used oil at the Facility after releasing the rail car for shipment, the Permittee shall test the used oil for PCBs using all of the following procedures:
  - a. The Permittee shall obtain a representative sample of the used oil from the rail car using the sampling procedure specified in Section III of the DTSC-approved Standardized Permit Application. No additional loads of used oil shall be added to the rail car once the sample is taken and used oil shall not be unloaded until the PCB test specified below is completed.
  - b. The Permittee shall inform the receiving facility that the rail car is enroute and that rail car shall not be unloaded until they receive the confirmation that the used oil does not contain PCBs.
  - c. The Permittee shall test the used oil sample for PCBs using EPA test method 8082 or other similar methods approved by the United States Environmental Protection Agency or DTSC.
  - d. If the used oil does not contain PCBs at a concentration of 2 ppm or greater, the Permittee shall inform the receiving facility that the used oil does not contain PCBs and may be unloaded.
  - e. If the used oil contains PCBs at a concentration of 2ppm or greater, a second sample shall be obtained and tested. The second sample shall be obtained using sampling equipment that is new or has been cleaned using (i) the permanganate cleanup procedure (EPA Method 3665A); or (ii) an appropriate decontamination procedure that has been approved in writing by DTSC for use at the Facility.
  - f. If the second test result required in paragraph II.R.(2).e confirms that the used oil contains PBCs at a concentration of 2 ppm or greater, the retained sample from each tanker truck that was unloaded into the rail car shall be tested. Otherwise, the Permittee shall inform the receiving facility that the used oil does not contain PCBs and may be unloaded.
  - g. If all the retained samples for shipments unloaded into the rail car show less than 5 ppm of PCBs, the Permittee may manage the tank contents as used oil. The Permittee shall inform the receiving facility that the used oil does not contain PCBs and may be unloaded.

- h. If any retained sample is at or above the 5 ppm limit for PCBs, the Permittee shall immediately notify the receiving facility that the used oil contains PCBs at concentrations of greater than 5 ppm and to reject the rail car.
  - i. The Permittee shall also immediately notify DTSC by email or telephone and in writing that the rail car contain used oil contaminated with PCBs at concentrations of greater than 5 ppm and that the rail car will be rejected by the receiving facility.
  - j. The Permittee shall make arrangements to have the entire contents of the rail car shipped to a facility permitted to accept PCBs-contaminated hazardous waste pursuant to all applicable requirements, including those of the Toxic Substances Control Act (TSCA, Public Law [Pub.L.] 94-469). The rail car shall be decontaminated to remove all PCBs residues prior to reuse. Any waste generated as a result of decontamination of the rail car shall be managed as PCBs-contaminated hazardous waste.
  - k. If any sample shows a PCB concentration of 5 ppm or greater, the Permittee shall provide the written test results to DTSC within seven days of obtaining the test results.
  - l. The result of the PCB testing specified in this section shall be valid only if no additional loads of used oil are added to the rail car from which the sample is taken.
  - m. The Permittee shall record the date and time in the operating record that the receiving facility was notified of the initial shipment and of the results of the PCB testing.
- (3) If the Permittee elects to have the receiving facility test the used oil for PCBs and the receiving facility agrees to test the used oil for PCBs in accordance with paragraph II.R.(3), the Permittee shall provide written instructions to the receiving facility that directs it to test the used oil for PCBs to ensure that the used oil load does not contain PCBs at a concentration of 2 ppm or greater. The instructions shall, at a minimum, direct the receiving facility to do all the following:
- a. Take a sample for PCBs testing directly from the Permittee's used oil load and test the Permittee's used oil load separately from any other load.
  - b. Do not unload the rail car or commingle the Permittee's used oil load with any other used oil at the receiving facility until PCBs testing indicates that the Permittee's load does not contain PCBs at a concentration of 2 ppm or greater.
  - c. Use EPA test method 8082 or other similar methods approved by the United States Environmental Protection Agency or DTSC to test the used oil.
  - d. Write the manifest number on the written test results for the used oil load that was tested.
  - e. Provide the Permittee with written test results within 24 hours after the test has been performed. The written test results shall clearly show whether or not the used oil load contains PCBs at a concentration of 2 ppm or greater.
  - f. Reject the load if the test results show that the used oil contains PCBs at a concentration of 2 ppm or greater.
  - g. Provide a signed certification, under penalty of perjury, for each set of test results, to the Permittee stating that the receiving facility has followed all of the Permittee's written instructions for each used oil load received from the Permittee.
- FF (1) If the load is rejected under paragraph II.R.(3).f, the Permittee shall test, in accordance with paragraph II.R.(3).c. each retained sample from each tanker truck that unloaded into the PCBs-contaminated rail car that was transported to the receiving facility. If all the retained samples show less than 5 ppm of PCBs, the Permittee may manage the rail car contents as used oil. If the Permittee sends this used oil back to the same receiving facility that previously tested and rejected the load, the Permittee is not required to direct the receiving facility to test the same load again in accordance with the above instructions.
- (2) If any retained sample is at or above the 5 ppm limit for PCBs, the entire load from the PCB-contaminated rail car and any waste remaining in any other transport vehicle (i.e., tanker trailer) that transported the PCB-contaminated load shall be shipped to a facility permitted to accept PCBs-contaminated hazardous waste pursuant to all applicable requirements, including those of the Toxic Substances Control Act (TSCA, Public Law [Pub. L.] 94-469). Any transport vehicles and rail car that held the PCBs-contaminated hazardous waste shall be decontaminated to remove all PCB residues prior to reuse. Any waste generated as a result of decontamination of the transport vehicles and rail car shall be managed as a PCBs-contaminated waste.
- GG. The Permittee shall immediately notify DTSC of any rejected load by e-mail or telephone and in writing and provide the written test results to DTSC within seven days of obtaining the test results. The Permittee shall comply with the requirements of Health and Safety Code section 25160.6 for any rejected load.
- HH The Permittee shall keep all documentation for PCBs testing for at least three years, including but not limited to: (1) the written instructions to the receiving facility; (2) the written test results provided by the receiving facility that show that the used oil load has been tested for PCBs in accordance with paragraph II.R.(3) or test results obtained by the Permittee in accordance with paragraph II.R.(1) or paragraph II.R.(2); (3) test results for retained samples that were conducted in accordance with paragraph II.R.(1).e, paragraph II.R.(2).f, and paragraph II.FF; and (4) the certifications required by paragraph II.R.(3).g. The Permittee shall make the documentation available for inspection upon DTSC's request