



Linda S. Adams  
Secretary for  
Environmental Protection



## Department of Toxic Substances Control

Maziar Movassaghi  
Acting Director  
5796 Corporate Avenue  
Cypress, California 90630



Arnold Schwarzenegger  
Governor

Sent Via Email

October 6, 2009

Ms. Pamela S. Innis  
DOI Topock Remedial Project Manager  
U.S. Department of the Interior  
Office of Environmental Policy and Compliance  
OEPC- Denver Region  
P.O. Box 25007 (D-108)  
Denver Federal Center, Bldg 56  
Denver, Colorado 80225-007

CLARIFICATION OF SPECIFIC CALIFORNIA APPLICABLE OR RELEVANT AND  
APPROPRIATE REQUIREMENTS, PACIFIC GAS AND ELECTRIC COMPANY  
(PG&E), TOPOCK COMPRESSOR STATION, NEEDLES, CALIFORNIA  
(EPA ID NO. CAT080011729)

Dear Ms. Innis,

The Department of Toxic Substances Control (DTSC) is in receipt of your August 10, 2009 letter requesting interpretation of specific California Applicable or Relevant and Appropriate Requirements (ARARs). A copy of your letter is enclosed for easy reference. DTSC identified three specific questions which references ARARs from the Regional Water Quality Control Board and regulatory requirements under the Resource Conservation and Recovery Act (RCRA).

DTSC requested input from the California Regional Water Quality Control Board for the first and third questions of your letter since they are pertaining to Resolutions adopted by the Board and references the Water Quality Control Plan. As a result, the Regional Water Quality Control Board provided extensive evaluation and discussions on these matters. DTSC does not see the necessity to paraphrase or other wise alter the proposed response by the Board. Therefore, their response is enclosed for your record.

DTSC has reviewed the remaining question with respect to cleanup time constraints under RCRA water quality protection standards and clean closure requirements. California Code of Regulations, Title 22, Section 66264.100 and closure requirements under Title 22, Division 4.5, Chapter 14 is only applicable to units that are regulated

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under a RCRA hazardous waste permit. At PG&E Topock, the current groundwater contamination has not been linked to any of the RCRA regulated units. Therefore, the water quality protection standard requirements and closure requirements do not apply. Even if any of the groundwater contamination is found to be related to a regulated unit during the soils investigation in the future, the cited sections of the California Code of Regulations do not establish a maximum time frame for cleanup. Instead, Section 66264.100(e) provides the DTSC with discretion to specify the period under which the corrective action should be completed.

If you have any questions or comments regarding this approval letter or its conditions, please contact me at (714) 484-5439.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Aaron Yue', with a stylized flourish at the end.

Aaron Yue  
Project Manager  
Geological Services Branch

Enclosures

aky:100901A

cc: Casey Padgett  
Department of the Interior  
Solicitor's Office

Melissa Derwart  
Department of the Interior  
Solicitor's Office

Nancy Long  
Staff Counsel  
Department of Toxic Substances Control

Karen Baker  
Project Team Leader, PG&E Topock Project Team  
Department of Toxic Substances Control

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California State Water Resources Control Board

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Executive Officer  
California Regional Water Quality Control Board

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Bureau of Land Management

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Pacific Gas and Electric Company