



November 7, 2017

Mr. Browning  
Department of Toxic Substances Control  
Permitting Division  
8800 Cal Center Drive  
Sacramento, CA 95826-3200

Mr. Browning:

**RE: Phillips 66 Carson Refinery/ Post-Closure RCRA Permit/ CAD 980881676**

The City of Carson recently learned that Phillips 66 Carson Refinery's Post-Closure RCRA Permit for its Process Water Storage Pond ("PWSP") is currently up for renewal for an additional 10 year period. It is the City's understanding that the permit application is deemed complete by DTSC and is currently undergoing technical review. Please note that the City has the following comments on the application:

1. The City is most concerned that the application is not available on ENVIROSTOR, and Phillips 66 is not required to send a copy of the application to the City in time for a meaningful review. As you know, the City is the primary land use authority within the City of Carson, and information such as the deed restriction, post-closure maintenance and monitoring activities is important for understanding of land use and provision of municipal services to the refinery. As such, the City requests that copies of the permit applications be forwarded to it for comment, and we trust that DTSC would be open to comments that would help ensure that the post-closure activities are consistent with DTSC/RWQCB and City requirements.
2. The City notes that the last compliance inspection for the PWSP was on October 8 2015 and contends that the facility should be inspected again prior to renewal of the post-closure permit. This is especially important given that DTSC's October 8, 2015 inspection found seven violations, mostly in the areas of sampling procedure and quality assurance. The City has been unable to find documentation that these violations have either been corrected and/or that Phillips has changed its procedures to ensure the violations will not occur in the future.
3. The City is unaware of any CEQA process that DTSC is implementing on this project. When the original post-closure permit was issued nearly 10 years ago, DTSC relied on a CEQA exemption, but

did not specify in the permit which exemption was applicable. Upon review of the current application for permit renewal, the City may well be a responsible agency under CEQA, so the City requests that DTSC inform the City if it intends to rely on a CEQA exemption again and, if so, which one.

In closing, I want to emphasize that the City is pleased that the PSWP is closed and the facility is undergoing a multi-decade post-closure process under the supervision of DTSC and the RWQCB, and that the comments stated herein are intended to improve implementation of the post-closure process and not be an obstacle to it.

Respectfully,

Albert Robles  
Mayor

cc: MPT Davis-Holmes  
Councilmember Santarina  
Councilmember Hilton  
Councilmember Hicks, Sr.  
Kenneth C. Farfsing, City Manager  
Sunny Soltani, City Attorney  
John Raymond, Community Development Director

Mazhda Ferouz, Permitting Division, DTSC 8800 Cal Center Dr. Sacramento, CA 95826-3200