



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 e-mail

October 5, 2009

Ms. Yvonne Meeks
Portfolio Manager – Site Remediation
Pacific Gas and Electric Company
4325 South Higuera Street
San Luis Obispo, California 93401

PACIFIC GAS AND ELECTRIC COMPANY
PART B SOIL INVESTIGATION AT THE TOPOCK COMPRESSOR STATION
NEEDLES, CALIFORNIA (EPA ID NO. CAT080011729)

Dear Ms. Meeks:

The Department of Toxic Substances Control (DTSC) has evaluated the request by Pacific Gas and Electric Company (PG&E) as outlined in the August 3, 2009 letter to defer implementation of Part B soil sampling at the Topock Compressor Station until after February 2010. PG&E requested the deferral in anticipation of a proposed rule amendment by the Mojave Desert Air Quality Management District (MDAQMD) that may require alteration of the existing footprint of the station facilities.

According to the August 3, 2009 PG&E letter, PG&E proposes to implement the items identified in your September 30, 2008 letter, including surface soil sampling and the installation of on-site groundwater monitoring wells. The August 3, 2009 letter also indicates that PG&E will implement the Part B work originally proposed to the extent that soils can be accessed for sampling.

During the conference call between DTSC and PG&E on August 19, 2009, PG&E clarified that the request to defer the Part B soil investigation applies to both accessible and currently inaccessible locations. At this time, PG&E only proposes to implement the items specified in the September 30, 2008 letter.

Upon inquiry, MDAQMD indicated to DTSC that the proposed rule amendment is still being planned and no amendment language exists. Therefore, the rule amendment will most

likely not be adopted at the end of 2009 as indicated in your August 3, 2009 letter, but probably sometime in 2010. PG&E indicated during the August 19, 2009 conference call that PG&E is conducting a study to evaluate the alternatives that will bring the station into compliance with the anticipated rule, and the PG&E study is independent of when the rule is adopted, as PG&E anticipates the rule amendment to be similar to requirements governing the PG&E Hinkley facility, therefore, PG&E will already have an idea of the potential modifications to the station regardless of when the rule amendment is adopted.

Ideally, DTSC would like the immediate implementation of all on-site investigation activities. However, DTSC recognizes the value in the potential to investigate previously inaccessible areas. Never the less, DTSC is concerned that delays in the adoption of the MDAQMD rule amendment may be utilized by PG&E as reason for further postponing Part B activities. At this time, DTSC will allow PG&E to defer Part B soil activities until February 2010; however, PG&E must expeditiously define and include all Part B soil activities in the overall project schedule. PG&E shall submit the revised project schedule showing the path forward for all PG&E soil activities by November 6, 2009. Furthermore, regardless of the timing for the adoption of the MDAQMD rule amendment, PG&E shall initiate all Part B soil activities no later than February 2010 starting with completion of all the necessary items (i.e., response to comments, revisions, etc.) that will lead to a final Part B workplan.

With respect to the on-site groundwater investigation component of the Part B activities, DTSC believes that it is a vital component for the design and implementation of the groundwater remedy. Therefore, PG&E should proceed with the acquisition of approvals for the installation of groundwater monitoring wells that will support the current groundwater investigation and remedy at the site. PG&E should recognize that additional groundwater wells may also be required based on the results of the Part B soil investigations. DTSC will issue a letter officially requesting PG&E to proceed with the preparation of a groundwater well installation workplan at the compressor station and East Ravine area separate of the Part B workplan. DTSC understands that PG&E considers the on-site and East Ravine area wells to be a data gap for the current East Ravine investigation. DTSC recommends that PG&E begin preparing this workplan to expedite the process.

Regarding PG&E's proposal to collect surface soil samples as indicated in your September 30, 2009 letter, community members have previously expressed concerns about the multiple disturbances of the land in and around the station. In an attempt to reduce such disturbances, DTSC recommends that PG&E defer the surface soil sampling and perform all soil sampling during the full implementation of the Part B workplan.

Please recall that in a March 25, 2008 memorandum, DTSC requested PG&E to provide information identifying areas that are definitively inaccessible for subsurface sampling. This information will allow DTSC to assist PG&E in identifying problematic sampling areas and to collectively decide on the course of action for the investigation. This is standard information that is provided by other operating facilities regulated by DTSC in the planning of subsurface investigations. DTSC reiterates its request for this information.

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If PG&E anticipates that certain areas of the station will be used to install new infrastructure as a result of the MDAQMD rule amendment, it is imperative that these areas be adequately characterized while they are still accessible. DTSC expects PG&E to promptly notify DTSC and to expedite the characterization of these areas as part of the on-going site investigations during planning for any new infrastructure.

According to your letter, PG&E is reviewing and updating existing safe work practices related to the presence of soil contamination at the site and that PG&E is willing to provide DTSC these updated documents when they are completed. DTSC looks forward to receiving these documents.

In the August 3, 2009 letter, PG&E indicated that the sole jurisdiction to regulate workplace safety issues at the station is held by the California Division of Occupational Safety and Health (Cal/OSHA). DTSC does not wish to debate or contest this perspective. DTSC's mission is the protection of public health and the environment which includes the assessment of risk posed by contamination to different receptors including human, ecological and groundwater resources. To fulfill this mission, if DTSC identifies site conditions or activities that may warrant the attention of Cal/OSHA during oversight, DTSC will document and contact Cal/OSHA as deemed necessary.

Finally, it is worth clarifying that DTSC's renewed interest in moving forward with the Part B activities is not an abrupt shift in direction. It should be noted that PG&E previously submitted the December 2007 *Draft RCRA Facility Investigation/Remedial Investigation (RFI/RI) Soil Investigation Work Plan Part B*. Substantial comments were submitted by DTSC, the U.S. Department of the Interior, and stakeholders on the Part B workplan in 2008, and PG&E initiated draft responses to these comments prior to PG&E's request to defer the Part B activities. Since that time, DTSC has been evaluating PG&E's proposal to defer the Part B activities and has since concluded that moving forward with the Part B activities is the appropriate course of action.

DTSC looks forward to the continued coordination with PG&E with regards to the soil RFI/RI and also to receiving the information requested in this letter. If you have any questions please feel free to contact me at (714) 484-5423 or Jose Marcos at (714) 484-5492.

Sincerely,



Karen Baker, CHG, CEG
Performance Manager
Geological Services Branch

cc: PG&E Topock Consultative Workgroup Members – Via e-mail
PG&E Topock Technical Workgroup Members – Via e-mail
Native American Tribal Contacts for the PG&E Topock Project – Via e-mail