

March 23, 2007

State of California
Department of Toxic Substances Control
Southern California Permitting Branch
1011 North Grandview Avenue
Glendale, CA 91201

Re: Public Comments

Ref: Southern California Gas Company Permit Renewal (Pico Rivera site)

Dear Mr. Plaza,

Please accept the proceeding as an official entry into the Public Hearing comments from our community of Pico Rivera residents.

BACKGROUND:

Since 1956, the Southern California Gas Company was storing their accumulated and toxic waste somewhere on the premises located at 8101 Rosemead Boulevard in the City of Pico Rivera. The SCGC applied for a building permit from the City of Pico Rivera in and around 1983, for the purpose of building a "state of the art" toxic waste storage holding facility. The City of Pico Rivera granted the building permit, but attached a stipulation - Agreement No. 96-633. That agreement specifically mandates that the maximum storage capacity for the TWSHF be 200 barrels of combined toxic waste at any given time.

In 1996, as a result of new regulations, the DTSC applied its regulatory authority and issued a ten (10) year permit to this TWSHF amid protests from the community. The evidence, including an explosion in the early 1970's, violations and out of compliance issues, had largely been ignored. In addition, the permit was granted, ignoring the stipulation of Agreement No. 96-633 which was the foundation for allowing the facility to be built.

As we know, the permit for this facility is now up for another ten (10) year renewal which brings us to the present and current public hearing phase of the permitting process.

DISCUSSION:

First and foremost, we, as residents have come together to voice our concerns regarding any "rubber stamping" of this permit renewal. Particularly in regards to maintaining the "status quo" permit.

We have toured the facility, perused as many of the documents which we were able to obtain, and are of the following consensus;

TOUR of the FACILITY

During the tour of the TWSHF, we observed a lack of safety measures as mandated by the United States Department of Labor, Occupational Health & Safety Administration, to wit:

§1910.151 applies. When necessary, facilities for drenching or flushing the eyes "**shall be provided within the work area for immediate emergency use.**" In applying these general terms, OSHA would consider the guidelines set by such sources as American National Standards Institute (ANSI) Z358.1-1998, **Emergency Eyewash and Shower Equipment**, which states, at section 7.4.4, that eyewash facilities are to be located to require no more than 10 seconds to reach but that where a strong acid or caustic is used, the unit should be immediately adjacent to the hazard.

Source: OSHA March 8, 2002 correspondence to Mr. Brian McGuinness, Safety & Health Consultant, CORE Safety Network, 209 Congress Street, West Salem, Ohio

During the tour of the facility we observed a minimal amount of drums containing various wastes. We were not permitted within the facility and the names of the contents within the drums were not made available. We were informed that one 5 gallon drum contained PCB tainted material. Additionally, we were informed that the majority of waste (70%) was due to automotive, paint and solvent related wastes and the remainder of the waste stored fell in categories of 5% and lower, including those contaminants containing PCB's. We observed an outside shower area which did not appear to have a designated drainage system. We were further informed by the Gas Company personnel that they rarely exceed 85 barrels of toxic waste shipped out in a month and 80 to 85 barrels of toxic waste is the norm for any given month.

At the time of the tour, we were unaware of the annual reports, manifests, and current operating permits and agreements.

DOCUMENT REVIEW

Upon review of the documentation provided to us, we determined that there were a number of discrepancies, not only with what we were told, but there were inconsistencies in the inspection reports, diagrams, annual/biennial reports, and the agreement between the City of Pico Rivera and the SCGC.

In the diagram, the area designated as #5 is used for the storage of EMPTY barrels. The inspection report for the inspection of June 27, 2006, with the report written on August 24, 2006, states on page 3 - "At Unit 5, two buckets were stored in this area and labeled as empty. (Attachment 1, photo 2). Toward the west fence of Unit 5, a drum containing pipeline condensate was marked with an accumulation started date of 3/31/06. (Attachment 1, photo 3). Mr. Goldsberry told me that the condensate is hazardous material that the SC Gas sells as a by-product." **THIS WAS A SERIOUS VIOLATION** that was overlooked by the inspector as Area 5 was only permitted for "empty barrels". Additionally noted in that report were "minor" violations which the evacuation route was not included in the evacuation plan. Although this situation was later remedied, why did it exist and continue to be passed over in the inspection of 1997 and prior? As was also

the case for the list of emergency equipment and the description capacity of each piece of emergency equipment. It is reasonable to presume that these were long standing violations and that they were only brought to light because of the permit renewal and lends credibility to the lack of conscientious effort on behalf of the SCGC to place the safety of the SCGC employees and the surrounding community as the highest priority.

A review of the Contiguous Property Owners and Non-Property Owner Residents notification list is lacking from the prior list which was far more comprehensive. Why are politicians from the surrounding areas on the list when the parents and teachers of the elementary school, sharing the adjacent rear wall of the SCGC facility not notified? Again, this is failing in the duty to inform the directly affected residents of Pico Rivera and place their continued safety as the highest priority.

Furthermore, the attached sheet was compiled from the biennial report of 2005 and clearly shows that the majority of reported toxic waste is in the form of PCB's not the "that the majority of waste (70%) was due to automotive, paint and solvent related waste and the remainder of the waste stored fell in categories of 5% and lower, including the those contaminants containing PCB's" as we were told by the SCGC. This appears to be a gross discrepancy in the material being handled at the facility.

Since, by the SCGC's own admission, the maximum barrels shipped per month are no more than 85 barrels, there is no need to permit this facility for 1,100 barrels of toxic waste. In fact, it maybe of greater feasibility to relocate the HWSHF at another location.

CONCLUSION:

So in conclusion, and for the reasons stated above, we beseech the DTSC not to renew the permit for the Toxic Waste Storage Facility located at 8101 Rosemead Boulevard in the City of Pico Rivera.

Respectfully submitted,

Ms. Henrietta Salazar

Ms. Carlina Gomez

Mr. Richard Briones

Mr. Angel Lopez

Mr. Raul Murga

Executive Director

Pico Rivera Community for Truth In Politics, on behalf of our members

SCGC 2005 Biennial Report Recap

Hydrochloric Acid Solution	30
Oil with Solvents	77
Mercury Switches thermometers & thermostats	80
Natural Gas Odorant	89
Mercury in Manufacturers Articles	105
Lead Acetate Tapes/ Draeger Tubes for Sulfide Testing	157
Sodium Hydroxide Solution	160
Waste Gasoline	214
Waste Gasoline	255
Diesel and Asphalt Emulsion	344
Lead Acetate Tapes & Draeger tubes	364
Non-Chlorinated Solvent	385
Gasoline Contaminated Solids	420
Waste Aerosols	440
Diesel Fuel & Water	510
(Waste) Paint & Liquid	520
Spent Solvents from Lab	647
Waste Ferosene	653
Epoxy Grout Resin	834
Mercury Contaminated Debris	840
Gasoline Filters	906
Lead Contaminated Soil	1,000
Lab Packs	1,278
Water Contaminated With Gasoline	2,000
Discarded Solvents, Thinners, Hydrocarbons, Misc.	5,005
Abrasive Blast-Gasmeter Reburns	5,423
Aerosol Cans	7,365
Paint & Paint Related Material	15,637
Lead Contaminated Solids	16,704
Natural Gas Pipeline Condensate, PCB' less than 50 PPM	30,221
	92,663