



*Matthew Rodriguez*  
Secretary for  
Environmental Protection



## Department of Toxic Substances Control

Miriam Barcellona Ingenito  
Acting Director  
700 Heinz Avenue  
Berkeley, California 94710-2721



*Edmund G. Brown Jr.*  
Governor

June 27, 2014

Mr. Paul Turek  
Environmental Manager  
Chemical Waste Management, Inc.  
Kettleman Hills Facility  
35251 Old Skyline Road, P.O. Box 471  
Kettleman City, California 93239

**STAY OF CLASS 3 PERMIT MODIFICATION DECISION FOR CHEMICAL WASTE  
MANAGEMENT INC. – KETTLEMAN HILLS FACILITY, KINGS COUNTY,  
CALIFORNIA, EPA RCRA ID. NO. CAT000646117**

Dear Mr. Turek:

The Department of Toxic Substances Control (DTSC) has received petitions for review (appeals) to the permit modification decision issued by DTSC on May 21, 2014, for the Chemical Waste Management, Inc. – Kettleman Hills Facility. The 2 appeals (attached) were filed by the following organizations, pursuant to California Code of Regulations, Title 22, Sections 66270.42 (f)(2) and 66271.18:

- Center on Race, Poverty & the Environment
- Greenaction for Health and Environmental Justice

Pursuant to the California Code of Regulations, Title 22, Section 66271.14 (b)(2), the permit modification decision is stayed until DTSC has completed its review of the appeal and determined which, if any, of the issues raised in the appeal meet the criteria set forth in California Code of Regulations, Title 22, Section 66271.18 for granting a review.

If DTSC determines that one or more issues raised in the appeal meet the procedural and substantive criteria for granting a review, DTSC will issue an order and a public notice establishing a briefing period, during which interested parties may submit written arguments to DTSC on identified appeal comments accepted for further briefing. DTSC will also determine which conditions in the permit modification decision are affected by the appeal issues for which a briefing period is granted and will adjust the scope of the stay pursuant to California Code of Regulations, Title 22, Section 66271.15.

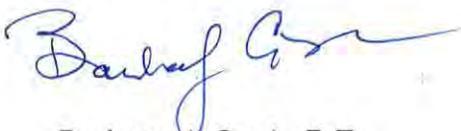
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In the event that DTSC determines that none of the issues raised in the appeal meet the criteria for granting a review, DTSC will issue an order denying the appeal and will rescind the stay of the permit modification decision.

As the Permit Appeals Officer assigned to the proposed Chemical Waste Management, Inc. – Kettleman Hills Facility permit modification, I must remain neutral to ensure fair appeals decisions are rendered. Therefore, I must refrain from discussing the substance of the initial permit modification decision and the appeal with all parties. If you have further questions concerning the permit modification, please communicate with the staff in the Office of Permitting.

If you have any additional questions regarding the permit appeals procedures, please contact Mr. Paul Ruffin, permit appeals project manager, at (916) 255-6677 or email us at [appeals@dtsc.ca.gov](mailto:appeals@dtsc.ca.gov). We also encourage you to review the Permit Appeals Frequently Asked Questions (FAQ's) at the following link:  
<http://www.dtsc.ca.gov/HazardousWaste/AppealingPermit.cfm>

Sincerely,



Barbara J. Cook, P.E.  
Permit Appeals Officer  
Department of Toxic Substances Control

#### Attachments

cc: Mr. Bradley Angel  
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San Francisco, California 94109

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Center on Race, Poverty & the Environment  
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Mr. Dave Carlson  
Regional Water Quality Control Board  
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cc: Ms. Debra Schwartz  
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