



Department of Toxic Substances Control

Matthew Rodriguez
Secretary for
Environmental Protection

Barbara A. Lee, Director
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Edmund G. Brown Jr.
Governor

July 12, 2016

Mr. David Thaete
EHS Manager
Phibro-Tech, Inc.
8851 Dice Road
Santa Fe Springs, California 90670

Certified Mail No.: 7015 3010 0002 3178 0121

**STAY OF DTSC-INITIATED PERMIT MODIFICATION DECISION FOR REVISED
POND 1 CLOSURE PLAN, PHIBRO-TECH, INC., SANTA FE SPRINGS FACILITY,
(CAD008488025)**

Dear Mr. Thaete:

The Department of Toxic Substances Control (DTSC) has received one petition for review (appeal) of the DTSC-initiated permit modification decision, issued on June 7, 2016, approving the revised Pond 1 Closure Plan for the Phibro-Tech, Inc. (PTI), Santa Fe Springs facility. The petition for review, dated July 8, 2016, was filed by Mr. Zachary R. Walton, of SSL Law Firm LLP. A copy of the petition for review is enclosed.

Pursuant to California Code of Regulations, title 22, section 66271.14, subsection (b)(2), the permit decision is hereby stayed until DTSC's Permit Appeals Officer has completed review of the petition and determined which, if any, of the issues raised in the petition meet the criteria set forth in California Code of Regulations, title 22, section 66271.18 for granting a review.

If the Permit Appeals Officer determines that one or more issues raised in the appeal meet the procedural and substantive criteria for granting a review, the Permit Appeals Officer will issue an order and a public notice establishing a briefing period, during which interested parties may submit written arguments on specified appeal comments. In this case, the stay of contested permit conditions and uncontested conditions which are not severable from those contested will continue to be in effect, pursuant to California Code of Regulations, title 22, section 66271.15, until the final decision on the appeal is issued.

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As DTSC's Permit Appeals Officer, I must remain neutral in this process. Therefore, I must refrain from discussing the substance of the permit decision and the appeal with all parties or their representatives.

You may, however, continue to communicate with staff in the Hazardous Waste Management Program, Permitting Division, who issued the permit modification decision. If you have any further appeals procedural questions, please contact Mr. Paul Ruffin, permit appeals project manager, at (916) 255-6677 or email us at appeals@dtsc.ca.gov. We also encourage you to review the Permit Appeals Frequently Asked Questions at the following link: <http://www.dtsc.ca.gov/HazardousWaste/AppealingPermit.cfm>.

Sincerely,



Pauline Batarseh
Permit Appeals Officer

Enclosure (1)

cc: Zachary R. Walton, Esq. (w/o enclosure)
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cc: Mr. Stephen McArdle (via email)
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