



Linda S. Adams
Secretary for
Environmental Protection



Department of Toxic Substances Control

Maureen F. Gorsen, Director
1001 "I" Street
P.O. Box 806
Sacramento, California 95812-0806



Arnold Schwarzenegger
Governor

February 13, 2008

Ms. Rosemary Domino
Advanced Environmental, Inc.
13579 Whittram Avenue
Fontana, California 92335-2950

RECEIPT OF PETITION FOR REVIEW OF PERMIT CONDITIONS:
ADVANCED ENVIRONMENTAL, INC.
EPA ID No.: CAT 080 025 711

Dear Ms Domino:

The Department of Toxic Substances Control (DTSC) has completed its review of the petition for review of the final permit decision (Appeal) issued on September 24, 2007, to the above referenced facility filed by Mr. Robert Hoffman, with Paul, Hastings, Janofsky & Walker LLP; on your behalf.

Pursuant to California Code of Regulations, title 22, section 66271.18, DTSC is granting review of permit provisions within the Permit's Special Conditions as follows:

Part V Condition N Used Oil - Total Halogen Testing (*comments 4-13*), and
Part V Condition O Used Oil - PCBs Testing (*comments 14-20*).

The changes from the draft to final permit meet the procedural and substantive criteria for granting a review. However, comments 1 thru 3 and 21 fail to meet the standard for review and are consequently being denied further review.

Enclosed, please find the Order granting the petition for review of the final permit decision and denying review of other conditions. The Order grants the Petitioner's petition for review and in accordance with California Code of Regulations, title 22, section 66271.15 (a), the permit is stayed pending a final DTSC decision. During the pendency of this appeal, AEI may continue to operate the Facility under the terms and conditions of the Interim Status Authorization issued by DTSC in 1991.

Ms. Rosemary Domino
Advanced Environmental, Inc.
February 13, 2008
Page 2 of 5

DTSC will be issuing a public notice announcing this decision and schedule a briefing period during which interested parties may submit written arguments to DTSC on the issues raised on your behalf. After considering the arguments submitted during the briefing period, DTSC will issue a second order setting forth its final decision on the appeal.

By copy of this letter and the enclosed Order, I am requesting DTSC's Hazardous Waste Management Program's Permitting and Corrective Action Division (PCAD) to respond to the issues raised in the petition for review, and to provide copies of all available documents pertaining to these issues, by the close of the briefing period for this permit appeal. In particular, PCAD is requested to address the issues identified in Section VI of the Order.

You will be provided with a copy of these responses when they are received. If you have any questions, please contact Ms. Nancy Long at (91 6) 324-3154.

Sincerely,

//original signed by//

Peggy Harris, P.E., Chief
Regulatory & Program Development Division
Hazardous Waste Management Program

Enclosure

cc: See next page.

Ms. Rosemary Domino
Advanced Environmental, Inc.
February 13, 2008
Page 3 of 5

cc: Mr. Robert Hoffman
Paul, Hastings, Janofsky & Walker LLP
1127 Eleventh Street, Suite 905
Sacramento, California 95814-3811

Mr. Alfred Wong
Senior Hazardous Substances Engineer
Permitting and Corrective Action Division
Hazardous Waste Management Program
Department of Toxic Substances Control
700 Heinz Avenue, Suite 200
Berkeley, California 94710-2721

Mr. Mohinder Sandhu, Chief
Standardized Permitting and Corrective Action Branch
Permitting and Corrective Action Division
Hazardous Waste Management Program
Department of Toxic Substances Control
8800 Cal Center Drive
Sacramento, California 95826-3200

Mr. Ray Leclerc
Senior Hazardous Substances Engineer
Permitting and Corrective Action Division
Hazardous Waste Management Program
Department of Toxic Substances Control
8800 Cal Center Drive
Sacramento, California 95826-3200

Mr. Watson Gin, Deputy Director
Department of Toxic Substances Control
1001 "I" Street, 11th Floor
P.O. Box 806
Sacramento, California 95812-0806

Ms. Rosemary Domino
Advanced Environmental, Inc.
February 13, 2008
Page 4 of 5

cc: Mr. Gale Filter, Deputy Director
Department of Toxic Substances Control
1001 "I" Street, 11th Floor
P.O. Box 806
Sacramento, California 95812-0806

Ms. Yolanda Garza, Acting Chief
Public Participation Program
Office of External Affairs
1011 N. Grandview Avenue
Glendale, California 91201-2205

Mr. Richard Sherwood
Senior Staff Counsel
Office of Legal Affairs
Department of Toxic Substances Control
1001 "I" Street, 23rd Floor
P.O. Box 806
Sacramento, California 95812-0806

Ms. Nancy J. Long
Senior Staff Counsel
Office of Legal Affairs
Department of Toxic Substances Control
1001 "I" Street, 23rd Floor
P.O. Box 806
Sacramento, California 95812-0806

Ms. Marilee Hansen
Staff Counsel
Office of Legal Affairs
Department of Toxic Substances Control
1001 "I" Street, 23rd Floor
P.O. Box 806
Sacramento, California 95812-0806

Ms. Rosemary Domino
Advanced Environmental, Inc.
February 13, 2008
Page 5 of 5

Mr. Roberto Kou
Supervising Hazardous Substances Scientist I
Standardized Permitting and Corrective Action Branch
Permitting and Corrective Action Division
Hazardous Waste Management Program
Department of Toxic Substances Control
1011 N. Grandview Avenue
Glendale, California 91201-2205

Ms. Ann Carberry
Senior Hazardous Substances Scientist
Department of Toxic Substances Control
1001 "I" Street, 11th Floor
P.O. Box 806
Sacramento, California 95812-0806

Ms. Hortensia Muniz
Senior Hazardous Substances Engineer
Department of Toxic Substances Control
1001 "I" Street, 11th Floor
P.O. Box 806
Sacramento, California 95812-0806