



Linda S. Adams
Secretary for
Environmental Protection



Department of Toxic Substances Control

Maureen F. Gorsen, Director
700 Heinz Avenue
Berkeley, California 94710-2721



Arnold Schwarzenegger
Governor

March 13, 2009

To Whom It May Concern:

NOTICE OF FINAL HAZARDOUS WASTE FACILITY PERMIT DECISION

In accordance with the requirements of California Code of Regulations (CCR), title 22, section 66271.14, the Department of Toxic Substances Control (DTSC) is issuing this Notice of Final Hazardous Waste Facility Permit Decision (Notice) for the following facility:

Asbury Environmental Services
2549 Scott Avenue
Chico, California 95927
Butte County
EPA ID No. CAL 000 827 844

The Permittee transfers and stores used oil, waste antifreeze, and oily water (non-RCRA hazardous wastes) at the Facility. In addition, the Facility stores oily debris generated from the management of offsite waste and oily sludge from tank bottoms. The Facility consists of three horizontal storage tanks and a drum storage area. The three horizontal tanks have capacities of 10,000 gallons, 1,000 gallons, and 500 gallons, respectively. The total maximum permitted storage capacity in tanks is 11,500 gallons. The Facility also stores a maximum of 440 gallons in United States Department of Transportation (DOT) – compliant containers.

On December 1, 2008, DTSC informed the public of a 45-day public comment period on the Draft Permit. A Notice of Exemption was prepared to comply with the California Environmental Quality Act (CEQA). The comment period started on December 1, 2008 and ended on January 29, 2009.

DTSC received comments from Asbury Environmental Services via electronic mail on January 28, 2009. DTSC has prepared a Response to Comments document and has made minor changes to the Draft Permit. A copy of the Response to Comments document has been sent to the commenter and the DTSC Mandatory Mailing List. The Response to Comments document, the DTSC memorandum to file listing the revisions made to the Draft Permit, and a marked up version of the Final Permit showing all

March 13, 2009

changes have been made part of the administrative record and are available for public review at the repositories listed on page 3.

The Final Hazardous Waste Facility Permit becomes effective on April 20, 2009 unless a review is requested pursuant to the CCR, title 22, section 66271.18. Any person who filed comments on the draft permit may petition DTSC to review any condition of the permit decision. Any person who did not comment or did not participate in the public meeting on the draft permit may petition for an administrative review only to the extent of the changes from the draft to the final permit decision. The petition shall include a statement of the reasons supporting that review, including a demonstration that any issues being raised were raised during the public comment period (including any public meeting) to the extent required by these regulations and when appropriate, a showing that the permit condition in question is based on:

1. A finding of fact or conclusion of law which is clearly erroneous, or
2. An exercise of discretion or an important policy consideration which the DTSC should, in its discretion, review.

A petition must be postmarked no later than April 20, 2009, and must be submitted to:

Mohinder S. Sandhu, P.E.
Permit Appeal Officer
Department of Toxic Substances Control
8800 Cal Center Drive, 2nd Floor
Sacramento, California 95826-3200

A copy of the petition should also be sent to:

Peter Bailey, P.G., Team Leader
Permit Renewal Team
Department of Toxic Substances Control
8800 Cal Center Drive
Sacramento California 95826

March 13, 2009

A copy of the complete administrative record for this permit decision is available for review at:

Department of Toxic Substances Control
700 Heinz Avenue, Suite 200
Berkeley, California 94710
Contact: Ms. Lule Varela at (510) 540-3800 for an appointment

Copies of the Final Permit, Response to Comments, DTSC memorandum to file listing the revisions made to the Draft Permit, and CEQA Negative Declaration are also available for review at:

Butte County Library
Chico Branch Library
1108 Sherman Avenue
Chico, California 95926
(530) 891-2762

To view electronic versions of these documents, please visit DTSC's EnviroStor website: <http://www.envirostor.dtsc.ca.gov/public/>. Enter "Chico" as the City and select Asbury Environmental Services Facility. Click on the link for "Report" and then on the button for "Community Involvement".

DTSC would like to thank everyone who participated in this permit decision process. Please bring this notice to the attention of all persons whom you know would be interested in this matter. If you any questions, please contact DTSC staff Alejandro Galdamez at (510) 540-3933 or agaldame@dtsc.ca.gov