



Linda S. Adams
Secretary for
Environmental Protection



Department of Toxic Substances Control

Maziar Movassaghi, Acting Director
700 Heinz Avenue
Berkeley, California 94710-2721



Arnold Schwarzenegger
Governor

September 11, 2009

RESPONSES TO COMMENTS ON THE DRAFT HAZARDOUS WASTE FACILITY PERMIT FOR CHICO DRAIN OIL SERVICE - FORTUNA

Chico Drain Oil Service (Chico Drain Oil) operates a hazardous waste facility in Fortuna, California that stores and transfers used oil and solids contaminated with oil. DTSC issued a Standardized Hazardous Waste Facility Permit (Standardized Permit) to the Chico Drain Oil - Fortuna facility on December 31, 1997. On December 26, 2006, Chico Drain Oil Service, LLC submitted an application to renew its permit. DTSC determined that the application was administratively complete on March 26, 2007. In accordance with California Code of Regulations, title 22, section 66270.51, Chico Drain Oil Service LLC was allowed to continue operating under the terms of the expired permit at this Facility until DTSC made a final permit determination on its renewal application. DTSC reviewed the permit application and prepared a draft Standardized Permit. DTSC also proposed to issue a Notice of Exemption to comply with the California Environmental Quality Act (CEQA).

DTSC published a public notice in the Times-Standard to announce the start of a 45-day public comment period to solicit comments on the Draft Permit. Copies of a fact sheet were mailed to the facility mailing list. A paid public notice announcing the public comment period was aired on a local radio station. The public comment period ended on May 11, 2009. One person, Mr. Michael Chiotti, President of Chico Drain Oil Service provided comments via US mail and email.

This document responds to comments received during the public comment period from June 30, 2009 to August 17, 2009. A court reporter was present at the public hearing and recorded the proceedings. Mr. Chiotti's comments are identified and DTSC's response to his comments are shown in italics.

Commenter #1: Mr. Michael Chiotti

Comment #1 (via US mail):

I would like to make a request to extend my time frame to complete the secondary containment system and the chemical resistant coating at the Fortuna facility. I would a minimum of 6 months to complete containment system and chemical resistant coating. Due to economic conditions we would need more time to complete.

Response #1:

DTSC agrees with this comment. Special Conditions V.19 and V.20 have been revised accordingly to allow 6 months compliance rather than 30 days.

Special Condition V.19 has been revised to read as follows: "The Permittee shall, within 6 months of the effective date of this Permit, apply a chemical resistant coating material to the floors and walls of the secondary containment area of the Drum Storage Area (Unit #2). The coating material shall be compatible with the hazardous wastes to be managed in the Unit and shall be sufficiently impervious to contain leaks and spills."

Special Condition V.20 has been revised to read as follows: "The Permittee shall, within 6 months of the effective date of the Permit, construct a secondary containment system around the loading/unloading area in accordance with Health & Safety Code, section 25200.19. If the secondary containment system is constructed of concrete, the Permittee shall also apply a chemical resistant coating material to the floors and walls of the secondary containment system. The coating material shall be compatible with the hazardous wastes to be managed in the loading/unloading area and shall be sufficiently impervious to contain leaks and spills."

Comment #2 (via email):

I was going over the draft permit for Fortuna. Under Part V. Special Conditions number 19 and 20. It is indicating we have 30 days to comply with the secondary containment system and the chemical resistant coating. I originally asked for a 12 month compliance. Can this be changed to reflect this?

Response #2:

DTSC agrees with that additional time is warranted. A separate comment submitted by Mr. Chiotti via US mail requested 6 months rather than 30 days. DTSC considers 6 months to be adequate. Therefore, Special Conditions V.19 and V.20 have been revised accordingly to allow 6 months compliance rather than 30 days. See also Response to Comment #1.