California Environmental Protection Agency
Department of Toxic Substances Control

DRAFT STANDARDIZED HAZARDOUS WASTE FACILITY PERMIT, SERIES C

Facility Name: Chico Drain Oil Service - Fortuna
200 Dinsmore Drive
Fortuna, California 95540

Owner Name: Chico Drain Oil Service, LLC
1618 West 5th Street
Chico, California 95928

Operator Name: Chico Drain Oil Service, LLC
1618 West 5th Street
Chico, California 95928

EPA ID Number: CAL 930256136

Effective Date:

DRAFT

Expiration Date:

Pursuant to California Health and Safety Code sections 25200 and 25201.6, this Standardized Hazardous Waste Facility Permit is hereby issued to Chico Drain Oil Service, LLC for its Fortuna facility.

The Issuance of this Permit is subject to the terms and conditions set forth in Attachment A. This Permit consists of 19 pages, including this cover page and Attachment A.

_____
Peter Bailey, P.G., Team Leader
Permit Renewal Team
Department of Toxic Substances Control

_____
Date

CHICO DRAIN OIL SERVICE - FORTUNA
200 DINSMORE DRIVE
FORTUNA, CALIFORNIA 95540

EPA ID NUMBER: CAL 930256136

DRAFT STANDARDIZED HAZARDOUS WASTE FACILITY PERMIT

ATTACHMENT "A"

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PART I. DEFINITIONS

All terms used in this Permit shall have the same meaning as those terms have in the California Health and Safety Code, division 20, chapter 6.5 and California Code of Regulations, title 22, division 4.5, unless expressly provided otherwise by this Permit.

1. **"DTSC"** as used in this Permit means the California Department of Toxic Substances Control.

2. **"Facility"** as used in this Permit means all contiguous land and structures, other appurtenances, and improvements on the land used for the treatment, transfer, storage resource recovery, disposal or recycling of hazardous waste. A hazardous waste facility may consist of one or more treatment, transfer, storage, resource recovery, disposal or recycling operational units or combinations of these units.

   For the purpose of implementing corrective action under California Code of Regulations, title 22, division 4.5, a hazardous waste facility includes all contiguous property under the control of the owner or operator required to implement corrective action.

3. **"Permittee"** as used in this Permit means the Owner and Operator.

4. **"RCRA"** as used in this Permit means the Resource Conservation and Recovery Act (42 U.S.C. §6901 et seq.).

5. **"RCRA hazardous waste"** as used in this Permit has the same definition as in Health and Safety Code section 25120.2.

6. **"Non-RCRA hazardous waste"** as used in this Permit has the same definition as in Health and Safety Code section 25117.9, and includes non-RCRA wastewater.

7. **"Used oil"** as used in this Permit has the same definition as in Health and Safety Code section 25250.1(a)(1).

8. **"Transfer"** as used in this Permit has the same definition as in California Code of Regulations, title 22, section 66260.10.

PART II. DESCRIPTION OF THE FACILITY AND OWNERSHIP

1. Owner of Facility:

Chico Drain Oil Service, LLC
1618 West 5th Street
Chico, California 95928

2. Owner of Real Property:

Robert Edward Canevari and
Jennie Marie Canevari
P.O. Box 686
Fortuna, California 95540

3. Operator of Facility:

Chico Drain Oil Service, LLC
1618 West 5th Street
Chico, California 95928

4. Location:

The Chico Drain Oil Service – Fontana facility is located at 200 Dinsmore Drive, Fortuna, California 95540, in Humboldt County at longitude 124° 9' 30" and latitude 40° 35' 30" (Facility). The Facility is located inside an industrial park on the south half quarter of Section 34, and on the southwest quarter of Section 35 in Township 3 North, Range 1 west, Humboldt Meridian, which lies south and west of the west line of lands conveyed to the State of California for freeway purposes by deed recorded July 12, 1957 under Recorder's File No. 10574 Humboldt County Records.

5. Description of Facility Operations:

(a) General Description

The Facility is an unmanned hazardous waste storage facility and is locked at all times. Used oil is brought to the Facility in tanker trucks. Only Chico Drain Oil Service, LLC's employees, including drivers, are allowed to unload and load hazardous waste at the Facility. Chico Drain Oil Service's operations consist of collecting used oil from offsite generators (gas stations, oil changers, auto repair shops, etc.) and consolidating the used oil at the Facility before shipping it to a hazardous waste treatment or disposal facility. Solid waste contaminated with oil is also generated as the used oil is pumped into the tank through a filter. The solids collected on the filter is placed into a 55-gallon drum and placed into the Drum Storage Area.

(b) List of Authorized Units

The Units listed below are identified and located on the Facility Site Plan shown in Figure 2.

(1) Tank Storage Area (Unit #1)
(2) Drum Storage Area (Unit #2)

6. Facility History:

DTSC issued a Series C Standardized Hazardous Waste Facility Permit to Chico Drain Oil Service, LLC to operate the Facility on December 31, 1997; this permit expired on December 31, 2007. 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.

7. Facility Size and Type for Fee Purposes

This Permit is categorized as a “Series C Standardized Permit” pursuant to Health and Safety Code section 25201.6 and for purposes of Health and Safety Code sections 25205.2 and 25205.19.

8. Closure Cost Estimate

The closure cost estimate (in 2009 Dollars) as approved by DTSC on June 29, 2009 is $41,367

PART III. GENERAL CONDITIONS

1. PERMIT APPLICATION DOCUMENTS

The Standardized Permit Application, "Operation Plan, Standardized Permit Renewal Application for Chico Drain Oil Service, LLC, 200 Dinsmore Drive, Fortuna, California 95540, May 2009" and submitted to DTSC by the Permittee is hereinafter referred to as the "Standardized Permit Application" and is hereby made a part of this Permit by reference.

2. EFFECT OF PERMIT

(a) The Permittee shall comply with the terms and conditions of this Permit and the provisions of the Health and Safety Code and California Code of Regulations (Cal. Code Regs.), title 22, division 4.5. The issuance of this Permit by DTSC does not release the Permittee from any liability or duty imposed by federal or state statutes or regulations or local ordinances, except the obligation to obtain this Permit. The Permittee shall obtain the permits required by other governmental agencies, including but not limited to, those required by the applicable land use planning, zoning, hazardous waste, air quality, water quality, and solid waste management laws for the construction and/or operation of the Facility.

(b) The Permittee is permitted to store hazardous wastes in accordance with the terms and conditions of this Permit. Any management of hazardous wastes not specifically authorized in this Permit is strictly prohibited.

(c) Compliance with the terms and conditions of this Permit does not constitute a defense to any action brought under any other law governing protection of public health or the environment, including, but not limited to, one brought for any imminent and substantial endangerment to human health or the environment.

(d) DTSC's issuance of this Permit does not prevent DTSC from adopting or amending regulations that impose additional or more stringent requirements than those in existence at the time this Permit is issued and does not prevent the enforcement of these requirements against the Permittee.

(e) Failure to comply with any term or condition set forth in this Permit in the time or manner specified herein is grounds for revocation of this Permit (Cal. Code Regs., tit. 22, §66270.43), and will subject the Permittee to enforcement action and penalties pursuant to Health and Safety Code sections 25187 and 25189.2(b).

(f) Failure to submit any information or document required in connection with the Permit, or falsification or misrepresentation of any submitted

information or document is grounds for revocation of this Permit (Cal. Code Regs., tit. 22, §66270.43), and will subject the Permittee to enforcement action and penalties pursuant to Health and Safety Code sections 25187 and 25189.2(a).

(g) In case of conflicts between the Operation Plan and the Permit, the Permit conditions take precedence.

(h) This Permit includes and incorporates by reference any conditions of waste discharge requirements issued to the Facility by the State Water Resources Control Board or any of the California Regional Water Quality Control Boards and any conditions imposed pursuant to section 13227 of the Water Code.

3. COMPLIANCE WITH CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

DTSC has prepared a Notice of Exemption in accordance with the requirements of Public Resources Code section 21000 et seq. and the CEQA Guidelines, section 15061(b)(3), et seq. of California Code of Regulations, title 14.

4. ACCESS

(a) DTSC, its contractors, employees, agents, and/or any United States Environmental Protection Agency representatives are authorized to enter and freely move about the Facility for the purposes of interviewing Facility personnel and contractors; inspecting records, operating logs, and contracts relating to the Facility; reviewing progress of the Permittee in carrying out the terms of Part VI of the Permit; conducting such testing, sampling, or monitoring as DTSC deems necessary; using a camera, sound recording, or other documentary-type equipment; verifying the reports and data submitted to DTSC by the Permittee; or confirming any other aspect of compliance with this Permit, Health and Safety Code, division 20, chapter 6.5, and California Code of Regulations, title 22, division 4.5. The Permittee shall provide DTSC and its representatives access at all reasonable times to the Facility and any other property to which access is required for implementation of any provision of this Permit, Health and Safety Code, division 20, chapter 6.5, and California Code of Regulations, title 22, division 4.5, and shall allow such persons to inspect and copy all records, files, photographs, documents, including all sampling and monitoring data, that pertain to work undertaken pursuant to the entire Permit or undertake any other activity necessary to determine compliance with applicable requirements.

(b) Nothing in this Permit shall limit or otherwise affect DTSC's right to access and entry pursuant to any applicable State or federal laws and regulations.

PART IV. PERMITTED UNITS AND ACTIVITIES

This Permit authorizes operation only of the facility units and activities listed below. The Permittee shall not treat, store or otherwise manage hazardous waste in any unit other than those specified in this Part IV. Any modifications to a unit or activity authorized by this Permit require the written approval of DTSC in accordance with the permit modification procedures set forth in California Code of Regulations, title 22, division 4.5.

Unit #1:

UNIT NAME:

Tank Storage Area

LOCATION:

This Unit is located adjacent to the northern side of Business #3, the Mercer-Fraser Warehouse as shown in Figure 2.

ACTIVITY TYPE:

Storage in Tank

ACTIVITY DESCRIPTION:

Used oil is brought to the Facility in an approximately 2,700-gallon tanker truck. Upon arrival at the Facility, the driver, one of the Permittee's employees trained to handle the Facility's transfer operations, opens the facility gate and connects a hose from the tanker truck to the storage tank. The used oil is then pumped from the tanker truck into the storage tank. During the pumping operations, a bucket is placed under the hose's connection point to contain any drips. When all the used oil has been pumped from the tanker truck to the storage tank, the hose is disconnected and the tank locked. The driver records the quantity of used oil unloaded into the Facility's operating record, locks the facility, and leaves. A tanker trailer with a capacity of up to 7,000 gallons will come periodically to unload the storage tank and delivers the used oil to a hazardous waste treatment or disposal facility.

PHYSICAL DESCRIPTION:

This Unit measures 33 feet by 23 feet on a 6-inch thick foundation constructed of reinforced concrete and contains one 10,000-gallon double-walled, horizontal storage tank constructed of 3/8-inch mild steel. The inner tank measures 8 feet in diameter and 27 feet and 5 inches in length and holds the used oil. The outer tank, which entirely encloses the inner tank, measures 29 feet 11 inches in length, 9 feet 4 inches in width and 8 feet 3 inches in height and acts as the dedicated secondary containment system. The tank system is equipped with a test valve which can detect leaks in the inner tank and a filter pot which screens out debris from the used oil. The tank is completely

enclosed by a 6-foot high chain link topped with barbed wire. Access to the storage tanks is through locked gates on the east end of the Unit.

MAXIMUM CAPACITY:

The total maximum permitted capacity is 10,000 gallons.

WASTE TYPES:

Used Oil

CALIFORNIA HAZARDOUS WASTE CODES:

221, 612

UNIT-SPECIFIC SPECIAL CONDITIONS

1. During the unloading and loading operations and/or when a hose is disconnected from a tank truck or a tank, the Permittee shall place a bucket or a drip pan under the hose's decoupling point to contain any release of hazardous waste.

2. The tank integrity assessment certification prepared by an independent, qualified, professional engineer pursuant to California Code of Regulations, title 22, section 66270.16, for a tank shall be valid for five years from the date of the tank assessment certification, unless a leak or damage is detected in a tank. The Permittee shall submit a new tank integrity assessment certification no later than five years from the date of the previous tank assessment certification.

3. Where a leak or damage is detected in a tank, the Permittee shall submit a new tank integrity assessment certification for this tank to DTSC for approval within 60 days of the repair or replacement. The Permittee shall not put the affected tank back into service until the Permittee receives written approval from DTSC.

Unit #2:

UNIT NAME:

Drum Storage Area

LOCATION:

This Unit is adjacent to the western wall of the Tank Storage Area, as shown in Figure 2.

ACTIVITY TYPE:

Storage in Container

ACTIVITY DESCRIPTION:

As the used oil is pumped from the tanker truck to the used oil storage tank in Unit #1, the used oil passes through a filter pot which filters any debris that may be in the oil. Typical debris filtered by the filter pot includes rags, vegetation, pebbles, wood, and bottle caps. The debris collected in the filter pot is then placed inside the 55-gallon metal drum and placed into the drum storage area until it is shipped off-site to a hazardous waste treatment and disposal facility.

PHYSICAL DESCRIPTION:

This Unit consists of a 6-inch thick reinforced concrete pad measuring 9 feet 5 inches by 6 feet 4 inches with a 7-inch high berm.

MAXIMUM CAPACITY:

Total maximum permitted capacity is one 55-gallon drum.

WASTE TYPES:

Solid waste contaminated with oil

CALIFORNIA HAZARDOUS WASTE CODES:

223, 352

PART V. SPECIAL CONDITIONS

1. Used Oil - Total Halogen Testing

(a) The Permittee shall determine, prior to accepting used oil, whether the used oil contains more than 1,000 ppm total halogens by testing each shipment of used oil for total halogens as specified in California Code of Regulations, title 22, section 66279.90(a) in accordance with California Code of Regulations, title 22, section 66279.10(a)(4).

(b) When the Permittee has determined that a used oil shipment contains more than 1,000 ppm total halogens, the Permittee shall reject the load pursuant to Health and Safety Code section 25160.6 and any other applicable requirements.

2. Used Oil - PCBs Testing

(a) The Permittee shall collect and retain a representative sample from each truck unloading used oil at the Facility. The Permittee shall retain the sample until the PCBs testing specified below is completed and documented. Each retained sample shall identify the specific shipment of used oil it represents.

(b) All outgoing used oil shall be tested for PCBs to ensure that the used oil load does not contain PCBs at a concentration of 2 ppm or greater. The Permittee shall test the used oil from each storage tank for PCBs in accordance with the procedures in paragraph V.2(b)(1) or the Permittee shall comply with the requirements in paragraph V.2(b)(2), which provide for the receiving facility to test the used oil for PCBs.

(1) If the Permittee is performing the tests for PCBs in used oil, the Permittee shall test the used oil for PCBs using all of the following procedures:

(A) The Permittee shall obtain a representative sample of the used oil from the tank to be emptied using the sampling procedure specified in Section III of the DTSC-approved Standardized Permit Application. No additional loads of used oil shall be added to the storage tank once the sample is taken and used oil shall not be unloaded until the PCB test specified below is completed.

(B) The Permittee shall test the used oil sample for PCBs using EPA test method 8082 or other similar methods approved by the United States Environmental Protection Agency or DTSC.

(C) If the used oil does not contain PCBs at a concentration of 2 ppm or greater, the tank contents may be emptied and released for shipment. The used oil may then be delivered to an authorized used oil transfer or treatment facility.

(D) If the used oil contains PCBs at a concentration of 2ppm or greater, a second sample shall be obtained and tested. The second sample shall be obtained using sampling equipment that is new or has been cleaned using (i) the permanganate cleanup procedure (EPA Method 3665A); or (ii) an appropriate decontamination procedure that has been approved in writing by DTSC for use at the Facility.

(E) If the second test result required in paragraph V.2(b)(1)(D) of the used oil in the storage tank confirms that the used oil contains PBCs at a concentration of 2 ppm or greater, the retained sample from each tanker truck that was unloaded into the storage tank shall be tested.

(F) If all the retained samples for shipments unloaded into the storage tank show less than 5 ppm of PCBs, the Permittee may manage the tank contents as used oil.

(G) If any retained sample is at or above the 5 ppm limit for PCBs, the entire contents of the storage tank shall be shipped to a facility permitted to accept PCBs-contaminated hazardous waste pursuant to all applicable requirements, including those of the Toxic Substances Control Act (TSCA, Public Law [Pub.L] 94-469). The storage tank shall be decontaminated to remove all PCBs residues prior to reuse. Any waste generated as a result of decontamination of the storage tank shall be managed as PCBs-contaminated hazardous waste.

(H) If any sample shows a PCB concentration of 5 ppm or greater, the Permittee shall provide the written test results to DTSC within seven days of obtaining the test results.

(I) The result of the PCB testing specified in this section shall be valid only if no additional loads of used oil are added to the storage tank from which the sample is taken.

(2) If the Permittee elects to have the receiving facility test the used oil for PCBs and the receiving facility agrees to test the used oil for PCBs in accordance with paragraph V.2, the Permittee shall provide written instructions to the receiving facility that directs it to test the used oil for PCBs to ensure that the used oil load does not

contain PCBs at a concentration of 2 ppm or greater. The instructions shall, at a minimum, direct the receiving facility to do all the following:

(A) Take a sample for PCBs testing directly from the Permittee's used oil load and test the Permittee's used oil load separately from any other load.

(B) Do not unload the truck or commingle the Permittee's used oil load with any other used oil at the receiving facility until PCBs testing indicates that the Permittee's load does not contain PCBs at a concentration of 2 ppm or greater.

(C) Use EPA test method 8082 or other similar methods approved by the United States Environmental Protection Agency or DTSC to test the used oil.

(D) Write the manifest number on the written test results for the used oil load that was tested.

(E) Provide the Permittee with written test results within 24 hours after the test has been performed. The written test results shall clearly show whether or not the used oil load contains PCBs at a concentration of 2 ppm or greater.

(F) Reject the load if the test results show that the used oil contains PCBs at a concentration of 2 ppm or greater.

(G) Provide a signed certification, under penalty of perjury, for each set of test results, to the Permittee stating that the receiving facility has followed all of the Permittee's written instructions for each used oil load received from the Permittee.

(c) (1) If the load is rejected under paragraph V.2(b)(2)(F), the Permittee shall test, in accordance with paragraph V.2(b)(2)(C), each retained sample from each tanker truck that unloaded into the PCBs-contaminated storage tank that was subsequently emptied and transported to the receiving facility. If all the retained samples show less than 5 ppm of PCBs, the Permittee may manage the storage tank contents as used oil. If the Permittee sends this used oil back to the same receiving facility that previously tested and rejected the load, the Permittee is not required to direct the receiving facility to test the same load again in accordance with the above instructions.

(2) If any retained sample is at or above the 5 ppm limit for PCBs, the entire load from the PCB-contaminated transport vehicle (i.e., tanker trailer), any waste remaining in any other transport vehicle that transported the PCB-contaminated load, and any remaining waste in the PCBs-contaminated storage tank (including any subsequent loads placed into the storage tank) shall be shipped to a facility permitted to accept PCBs-contaminated hazardous waste pursuant to all applicable requirements, including those of the Toxic Substances Control Act (TSCA, Public Law [Pub. L.] 94-469). Any transport vehicles and the storage tank that held the PCBs-contaminated hazardous waste shall be decontaminated to remove all PCB residues prior to reuse. Any waste generated as a result of decontamination of the transport vehicles and storage tank shall be managed as a PCBs-contaminated waste.

(d) The Permittee shall immediately notify DTSC of any rejected load by e-mail and in writing and provide the written test results to DTSC within seven days of obtaining the test results. The Permittee shall comply with the requirements of Health and Safety Code section 25160.6 for any rejected load.

(e) The Permittee shall keep all documentation for PCBs testing until closure of the facility, including but not limited to; (1) the written instructions to the receiving facility; (2) the written test results provided by the receiving facility that show that the used oil load has been tested for PCBs in accordance with paragraph V.2(b)(2) or test results obtained by the Permittee in accordance with paragraph V.2(b)(1); (3) test results for retained samples that were conducted in accordance with paragraph V.2(b)(1)(E) and paragraph V.2(c); and (4) the certifications required by paragraph V.2(b)(2)(G). The Permittee shall make the documentation available for inspection upon DTSC's request.

3. Used oil shall not be intentionally mixed with other hazardous waste, including household hazardous waste and hazardous waste from a conditionally exempt small quantity generator.

4. The Permittee is prohibited from conducting any hazardous waste transfer, storage, treatment or other management activity unless it is specifically described in this Permit or otherwise authorized by law.

5. The Permittee shall not conduct any hazardous waste management activities that would require a permit issued under RCRA or a RCRA-equivalent Hazardous Waste Facility Permit issued by DTSC.

6. The Permittee may store hazardous waste that is restricted from land disposal beyond one year; however, the Permittee bears the burden of proving that such storage is solely for the purpose of accumulating such quantities of hazardous

waste necessary to facilitate proper recovery, treatment or disposal pursuant to California Code of Regulations, title 22, section 66268.50.

7. The Permittee shall maintain an Operating Record at the Facility which documents all hazardous waste activities at the Facility, including the quantities and types of hazardous waste transferred to and from the Facility, the dates of arrival and departure of shipment, and the manifest document numbers.

8. In the event any cracks, gaps or tears are detected in any hazardous waste management units, repairs shall be initiated as soon as possible and completed within one week of discovery of the problem. The Permittee shall notify DTSC within 24 hours whenever a containment crack, gap or tear is found. Within seven days of discovery of the problem, the Permittee shall notify DTSC in writing of corrective measures that have been taken.

9. Containers holding hazardous wastes shall be stored only in the authorized areas designated in Part IV of this Permit. Any non-hazardous waste that is stored in a designated hazardous waste storage area as provided by this Permit shall be subject to the conditions of this Permit, including volume calculations, compatibility and inspections.

10. The Permittee shall collect all rainwater and washwater accumulated within the authorized units and determine whether it is hazardous waste; if it is hazardous waste, the Permittee shall manage it accordingly.

11. Household hazardous waste collected by the Facility shall be limited to used oil and oily debris (solid waste contaminated with oil).

12. Only employees of the Permittee who are fully trained in the Facility's operations and procedures are allowed to handle the transfer and storage operations at the Facility.

13. The Permittee shall not mix different waste streams together in containers, tanks, tanker trailers or tanker trucks.

14. If a hazardous waste separates into phases (i.e., oily water into oil and water) pursuant to Health and Safety Code section 25123.5(b)(2)(B), the Permittee shall manage all phases of the hazardous waste as hazardous waste after separation.

15. The Permittee shall conduct sampling activities only within the Units.

16. The Facility shall not be a designated Treatment, Storage, or Disposal Facility on the manifests for any exempt transfer activities conducted pursuant to California Code of Regulations, title 22, section 66263.18.

17. For the purpose of calculating the permitted maximum capacity limitations for storage and for secondary containment, all containers in the authorized units are

assumed to be full, and all hazardous waste that is stored or located in an authorized unit shall be included in the calculation for that unit, including any hazardous waste that is covered by the transfer facility exemption under California Code of Regulations, title 22, section 66263.18.

18. The Permittee shall maintain adequate lighting and security at the Facility, and shall keep the Facility locked except when the Permittee is conducting activities authorized by this Permit.

19. The Permittee shall, within 30 days 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.

20. The Permittee shall, within 30 days 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.

PART VI - CORRECTIVE ACTION

1. In the event the Permittee identifies an immediate or potential threat to human health and/or the environment, discovers new releases of hazardous waste and/or hazardous constituents, or discovers new Solid Waste Management Units (SWMUs) not previously identified, the Permittee shall notify DTSC orally within 24 hours of discovery and notify DTSC in writing within 10 days of such discovery summarizing the findings including the immediacy and magnitude of any potential threat to human health and/or the environment.

2. DTSC may require the Permittee to investigate, mitigate and/or take other applicable action to address any immediate or potential threats to human health and/or the environment and newly identified SWMUs or releases of hazardous waste and/or hazardous constituents. If and when corrective action is required at the Facility, the Permittee shall conduct corrective action under either a Corrective Action Consent Agreement or an Enforcement Order for Corrective Action issued by DTSC pursuant to Health and Safety Code sections 25187 and 25200.10.

3. To the extent that work being performed pursuant to Part VI of the Permit must be done on property not owned or controlled by the Permittee, the Permittee shall use its best efforts to obtain access agreements necessary to complete work required by this Part of the Permit from the present owner(s) of such property within 30 days of approval of any workplan for which access is required. “Best efforts” as used in this paragraph shall include, at a minimum, a certified letter from the Permittee to the present owner(s) of such property requesting access agreement(s) to allow the Permittee and DTSC and its authorized representatives access to such property and the payment of reasonable sums of money in consideration of granting access. The Permittee shall provide DTSC with a copy of any access agreement(s). In the event that agreements for the access are not obtained within 30 days of approval of any workplan for which access is required, or of the date that the need for access becomes known to the Permittee, the Permittee shall notify DTSC in writing within 14 days thereafter regarding both efforts undertaken to obtain access and its failure to obtain such agreements. In the event DTSC obtains access, the Permittee shall undertake approved work on such property. If there is any conflict between this permit condition on access and the access requirements in any agreement entered into between DTSC and the Permittee, this permit condition on access shall govern.

4. Nothing in Part VI of the Permit shall be construed to limit or otherwise affect the Permittee’s liability and obligation to perform corrective action including corrective action beyond the facility boundary, notwithstanding the lack of access. DTSC may determine that additional on-site measures must be taken to address releases beyond the Facility boundary if access to off-site areas cannot be obtained.

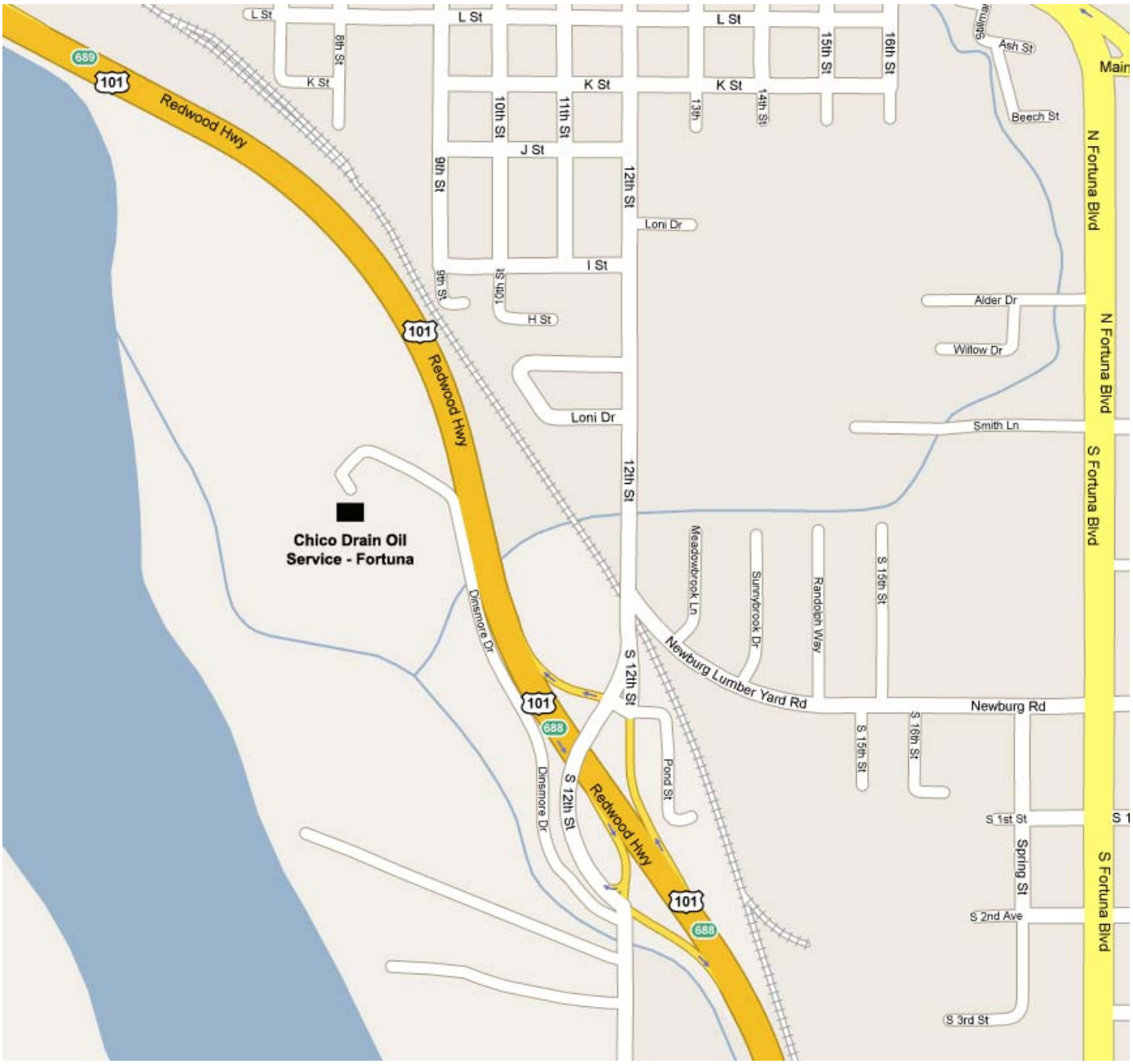

Figure 1. Location of Chico Drain Oil Service- Fortuna Facility

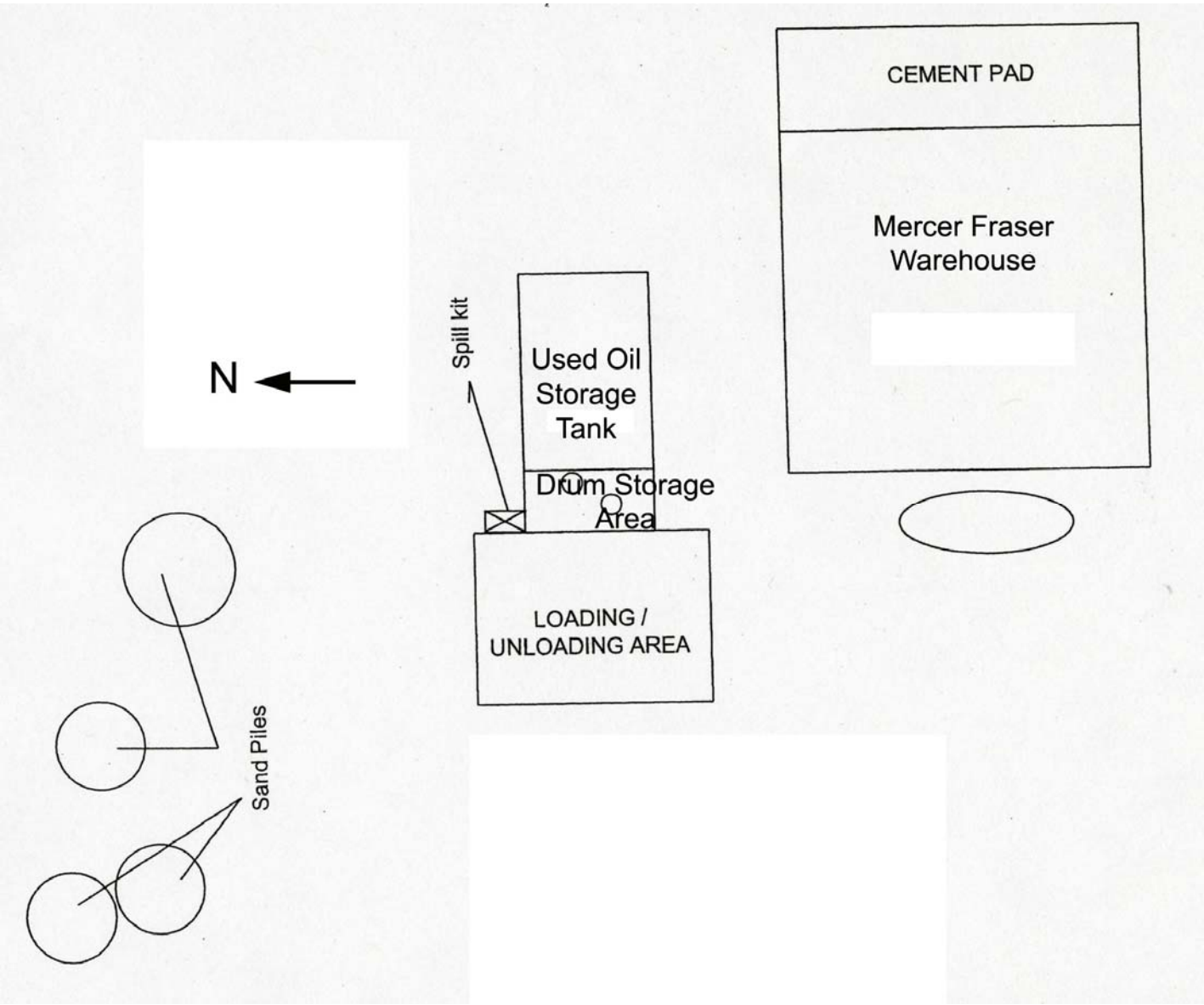

Figure 2. Facility Site Plan