



Linda S. Adams  
Secretary for  
Environmental Protection



## Department of Toxic Substances Control

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



Arnold Schwarzenegger  
Governor

June 29, 2006

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:

The Dow Chemical Company  
901 Loveridge Road  
Pittsburg, California 94720  
Contra Costa County  
EPA ID CAD 076 528 678

The Dow Chemical Company (Dow) operates a chemical manufacturing facility that produces chemicals used in agriculture and paper manufacturing. The manufacturing process produces hazardous wastes. These hazardous wastes are stored in containers within an area of the Dow plant known as Block 560 Drum Storage Area. The storage of hazardous waste requires a permit from DTSC.

On February 24, 2006, DTSC informed the public of a 45-day public comment on the draft permit and California Environmental Quality Act (CEQA) draft Negative Declaration. The comment period ran from February 24, 2006 through April 10, 2006. A public hearing was held on March 29, 2006 in the City of Pittsburg's City Hall office building. No comments were received at the public hearing.

DTSC received comments from Dow via electronic mail and from a community member via postal mail. 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 is being sent to each commenter. The Response to Comments document, the DTSC memorandum to file listing the revisions made from the Draft Permit to the Final Permit, and a marked up version of the Final Permit showing all changes from the draft to final permit have been made part of the administrative record and are available to the public at the repositories listed at the end of this Notice.

June 29, 2006

DTSC prepared an Initial Study to comply with the provisions of the California Environmental Quality Act (CEQA). Based on the findings of the Initial Study, DTSC prepared a Draft Negative Declaration for this project. DTSC also solicited public comments on the Draft Negative Declaration and Initial Study. DTSC did not receive any public comments on the Draft Negative Declaration. Therefore, the Draft Negative Declaration has been finalized without any changes. DTSC will file a Notice of Determination with the Governor's Office of Planning and Research.

The Final Hazardous Waste Facility Permit becomes effective on July 31, 2006 unless a review is requested pursuant to the California Code of Regulations (CCR), title 22, section 66271.18. Any person who filed comments on the draft permit or participated in the public hearing may petition the Department to review any condition of the permit decision. Any person who failed to file comments or failed to participate in the public hearing on the draft permit may petition for 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 hearing) to the extent required by these regulations and when appropriate, a showing that the 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 Department should, in its discretion, review.

A petition must be postmarked no later than July 31, 2006, and must be submitted to:

Watson Gin, Deputy Director  
Hazardous Waste Management Program  
Department of Toxic Substances Control  
P.O. Box 806  
Sacramento, California 95812-0806

A copy of the petition should also be sent to:

Mohinder S. Sandhu, P.E., Chief  
Standardized Permitting and Corrective Action Branch  
700 Heinz Avenue  
Berkeley, California 94710

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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, Final Negative Declaration and CEQA Notice of Determination are also available for review at:

Pittsburg Public Library  
80 Power Ave  
Pittsburg, CA 94565  
(925) 427-8390

These documents are also available at DTSC's website:

[http://www.dtsc.ca.gov/HazardousWaste/Hazardous\\_Waste\\_Facilities\\_Index.cfm](http://www.dtsc.ca.gov/HazardousWaste/Hazardous_Waste_Facilities_Index.cfm)

DTSC would like to thank everyone who participated in this permitting 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 Alejandro Galdamez of my staff at (510) 540-3933 or [agaldame@dtsc.ca.gov](mailto:agaldame@dtsc.ca.gov)

//original signed by//

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Mohinder S. Sandhu, P.E., Chief  
Standardized Permitting and Corrective Action Branch  
Hazardous Waste Management Program

6/29/06  
Date: