



Linda S. Adams
Secretary for
Environmental Protection



Department of Toxic Substances Control

Maureen F. Gorsen, Director
1011 North Grandview Avenue
Glendale, California 91201



Arnold Schwarzenegger
Governor

May 9, 2007

Mr. Jose Esquivel
The Dow Chemical Company
305 Crenshaw Blvd.
Torrance, California 90503

APPROVAL OF CLASS 2 PERMIT MODIFICATION REQUEST FOR CLOSURE PLAN FOR THE HAZARDOUS WASTE MANAGEMENT FACILITY, MODIFICATION NUMBER MOD2 SC3-2007-010, THE DOW CHEMICAL COMPANY, 305 CRENSHAW BOULEVARD, TORRANCE, CALIFORNIA, EPA NUMBER CAD 009 547 050

Dear Mr. Esquivel:

The Department of Toxic Substances Control (DTSC) approves the Class 2 Permit Modification Request dated September 28, 2006 from The Dow Chemical Company (Dow) facility located in Torrance, California. DTSC's approval is pursuant to California Code of Regulations, title 22, section 66270.42.

DTSC received a Class 2 Permit Modification Request from Dow dated September 28, 2006 and a revised Closure Plan dated September 26, 2006. The revised Closure Plan updated the closure activities of the hazardous waste management units at the facility. The revised Closure Plan dated September 26, 2006 has been incorporated into the Permit by reference. Although the operating portions of the Permit have expired, the conditions of the Permit are enforceable until DTSC approves a Certification of Closure.

Dow held a public meeting on November 8, 2006 for the Class 2 Permit Modification Request. A public comment period for the Permit Modification Request was held on October 9, 2006 to December 8, 2006 and noticed in the Daily Breeze newspaper. During the public comment period, no comment was received from the members of the public.

In its role as Lead Agency under the provisions of the California Environmental Quality Act (CEQA), DTSC has determined that this project activity (i.e. the Class 2 modification) will not have potential for a significant effect on the environment. Therefore, DTSC prepared a CEQA Notice of Exemption for this project activity. The Notice of Exemption will be filed with the State Clearinghouse, Governor's Office of Planning and Research.

The decision to approve this Class 2 Permit Modification Request may be appealed in accordance with the California Code of Regulations, title 22, section 66271.18. These regulations provide that any person may petition the Department for review of any permit condition which has been changed or added from the permit modification request. In addition, any person who filed comments during the public comment period may petition the Department to review any condition of the permit modification. The petition must include a statement of the reasons supporting the request for review, including a demonstration that any issues being raised, were raised during the comment period, or were not reasonably ascertainable at the time of the public comment period. When appropriate, the petition must show 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 DTSC should review. A petition must be submitted to DTSC requesting a review of the permit decision within a 30 day appeal period beginning on May 9, 2007, and ending on June 7, 2007.

A petition must be postmarked no later than June 7, 2007, and must be submitted to:

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

A copy of the petition shall also be sent to:

Jose Kou, P.E., Chief
Southern California Permitting and Corrective Action Branch
Department of Toxic Substances Control
1011 North Grandview Avenue
Glendale, California 91201

Copies of the revised Closure Plan and CEQA Notice of Exemption are also available for review at:

Torrance Public Library
3301 Torrance Blvd.
Torrance, CA 90503
(310) 618-5959

These documents are also available at the DTSC website:

www.dtsc.ca.gov/HazardousWaste/Projects/Dow_Torrance.cfm

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Please bring this notice to the attention of all persons whom you know would be interested in this matter. If you have any questions, please contact Vu Nguyen, DTSC project manager, at (818) 551-2199.

Sincerely,

//original signed by//

Jose Kou, P.E., Chief
Southern California Permitting and Corrective Action Branch
Hazardous Waste Management Program

cc: Mr. Gregg Stiglic
URS Corporation
300 North Sepulveda Boulevard, Suite 1000
El Segundo, California 90245

Mr. Paul Carpenter
Department of Toxic Substances Control
8800 Cal Center Drive
Sacramento, CA 95826

Ms. Leticia Hernandez
Department of Toxic Substances Control
5796 Corporate Avenue
Cypress, California 90630

Mr. Robert Fitzgerald
U.S. Environmental Protection Agency
75 Hawthorne Street
San Francisco, California 94105

Mr. Hossein Nassiri
Hazardous Waste Management Program
Department of Toxic Substances Control
1001 I Street
Sacramento, California 95812

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cc: Ms. Bridget Fitzsenry
Hazardous Waste Management Program
Department of Toxic Substances Control
1001 I Street
Sacramento, California 95812

Ms. Florence Gharibian
Branch Chief
Statewide Compliance Division
Hazardous Waste Management Program
Department of Toxic Substances Control
1011 N. Grandview Avenue
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Ms. Yolanda Garza
Southern California Permitting and Corrective Action Branch
Hazardous Waste Management Program
Department of Toxic Substances Control
1011 N. Grandview Avenue
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Mr. Vu Nguyen
Southern California Permitting and Corrective Action Branch
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