



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

June 30, 2009

RESPONSES TO COMMENTS ON THE DRAFT HAZARDOUS WASTE FACILITY PERMIT FOR EVERGREEN ENVIRONMENTAL SERVICES – CARSON

Evergreen Environmental Services (EES) operates a hazardous waste facility in Carson, California that stores and transfers used oil, waste antifreeze, non-RCRA wastewater, and solids contaminated with oil. DTSC issued a Standardized Hazardous Waste Facility Permit (Standardized Permit) to the EES - Carson facility on August 19, 2004. EES is not allowed to treat used oil under a Standardized Permit. On May 17, 2007, EES submitted a new permit application to DTSC for a Full Hazardous Waste Facility Permit (Permit) which would allow EES to treat used oil and to certify the treated used oil as "recycled oil" in accordance with California Health and Safety Code section 25250.1. DTSC reviewed the permit application and prepared a draft Full Permit. DTSC also proposed to issue a Notice of Exemption to comply with the California Environmental Quality Act (CEQA).

DTSC published public notices in the Los Angeles Daily News (an English language newspaper) and the La Opinion Daily Newspaper (a Spanish language newspaper) on March 26, 2009 to announce the start of a 45-day public comment period to solicit comments on the Draft Permit. Copies of a fact sheet (in English and Spanish) were mailed to the facility mailing list. A paid public notice announcing the public comment period was aired on a local radio station. A public meeting and hearing was held at the Ambler Avenue Elementary School on April 30, 2009. The public comment period ended on May 11, 2009. One person, Mr. Glenn Striegler of the Los Angeles Unified School District, Office of Environmental Health and Safety Public, spoke at the public hearing and provided comments. Comments were also received from Mr. Stephen Douglas of Evergreen Oil, Inc. via email and from Mr. Max Castillo via email. Additionally, DTSC received one comment letter from Mr. Ron Love, Chairman of the City of Carson Environmental Commission. The letter was postmarked on May 14, 2009, after the public comment period and was not considered during the decision-making process for this Permit.

This document responds to comments received during the public comment period from March 26, 2009 to May 11, 2009,. A court reporter was present at the public hearing and recorded the proceedings. The court reporter provided DTSC with a transcript of the public hearing. DTSC excerpted oral comments from the court reporter's transcript

and from written comments received. The persons who made the comments are identified and DTSC's responses to their comments are shown in italics.

Commenter #1: Mr. Glenn Striegler (Excerpted from the Public Hearing Transcript)

Comment #1-1:

Good evening. My name is Glenn Striegler. I work at L.A. Unified School District in the Office of Environmental Health and Safety. And I'm part of the group that does CEQA review on existing projects or new construction and evaluating the impacts on our students and staff at nearby schools.

The Evergreen Oil Facility is located about 1700 feet northeast of Ambler Avenue Elementary School where we're having this meeting. And it's really not close enough to really have a major impact, however, the pedestrian routes for this elementary school do extend up to Gardena and along Avalon Boulevard.

I will be submitting a separate comment letter to point out specific items that we would like to get any additional information on, but what I do ask is that we -- that you keep us in the loop on this project as it moves along and provide the means for providing any comments we may have from students or faculty at Ambler Avenue School if there's anything there that's causing a problem.

I did go by the facility, the Evergreen Oil Facility. It looked fairly clean; I didn't notice any odors or anything else that would basically show the site as being a nuisance. There was, you know, no odors. But of course, with oil products you have a low odor threshold, and usually people don't like that odor.

But I thought at least now I'd take this opportunity to introduce myself and tell you that we -- that I want to be available for working with you on this project and any other things that come up related to this project or anything else in the area. You have my contact information, and I look forward to working with you on this project.

Response #1-1:

Thank you for your comment.

Commenter #2: Mr. Max Castillo (via email)

Comment #2-1:

Staff has reviewed the proposal submitted on March 23, 2009, for the proposed hazardous waste permit for Evergreen Environmental Services-Carson located at 16604 South San Pedro Street. The project site is located in the ML-D (Manufacturing, Light; Design Review) zone and within the Redevelopment Project Area No. 4. Staff finds that the following issues should be considered:

- Per Section 9141.1 – Uses Permitted – of the Carson Municipal Code, petroleum and petroleum products may be stored in the ML (Manufacturing, Light) zone provided the volume stored does not exceed 2,500 barrels.
- Due to surrounding uses such as Hemingway Park to the south and east of the site, significant changes to the operation in terms of storage and treatment, traffic and possible air quality and noise impacts would require further review by the City of Carson.

Response #2-1:

The total storage capacity in tanks and containers at the EES – Carson facility is 97,442 gallons. This is within the Permitted Use limit of the 2,500 barrels (105,000 gallons) of Section 9141.1 of the Carson Municipal Code.

In 2004, DTSC issued a permit to allow EES to store and transfer used oil, waste antifreeze, non-RCRA wastewater, and solid waste contaminated with oil in tanks and containers. EES since asked to include treatment of used oil to its operations. Treatment of used oil would consist of blending different loads of used oil in a larger tank (similar to consolidation), physical separation (allowing contaminants in the used oil to settle to the bottom of the tank), and dehydration (adding a small amount of chemical reagent, if needed, to the used oil to enhance the separation of the water phase from the oil phase). These are simple treatment processes that may already occur incidentally with the storage of used oil. The treatment will take place in the same tanks. No new equipment will be added. The storage capacity at the facility will remain the same. There will be no increase in storage capacity at the facility. The type of waste handled at the facility will also not change. The facility is currently allowed to accept used oil, waste antifreeze, non-RCRA wastewater (oily water), and solids contaminated with oil. The Permit will authorize EES to accept, store and treat the same wastestreams. No new wastestream will be allowed. DTSC requests that the City of Carson keep DSTC informed of any further environmental review conducted by the City of Carson.

Commenter #3: Mr. Stephen Douglas (via email)

Comment #3-1:

In an effort to provide as much clarity as feasible, the Activity Type and Activity Description for Unit 2, the Solid Waste Drum Storage Area, and Unit 3, Liquid Waste Drum Storage Area, should include language consistent with Section II.A. Facility Description and Exhibit II-5. Additional detail in the Activity Description could include the following suggested language: Waste in containers may be consolidated.

Response #3-1:

DTSC agrees with this comment. The Activity Description for Unit 2 and Unit 3 have been revised to clarify this issue.

Comment #3-2:

Table 7 identifies Waste Stream Number 1 as “Unspecified Oil-Containing Solid Waste (Oily Debris)” when it should read “Used Oil”.

Response #3-2:

DTSC agrees with this comment. The Common Name for Waste Stream Number 1 in Tank 7 has been changed from “Unspecified Oil-Containing Solid Waste (Oily Debris)” to “Used Oil”.

Comment #3-3:

In Table 4 for the used oil tanks (Tanks 1,2,3, and 4), the allowable waste codes are identified as 221, 241, 491, and 612, but the only waste codes that should be identified for the used oil tanks are 221 and 612.

Response #3-3:

DTSC agrees with this comment. The allowable waste codes for Tank 1 to 4 in Table 4 have been revised accordingly.

Comment #3-4:

For Tanks 5, 7 and 10 in Table 4 which are identified as storing Waste Antifreeze, the waste codes listed for the tanks do not match one another. Tank 5 is allowed waste codes of 221, 241, 491, and 612, but Tank 7 and 10 are allowed waste codes of 133, 134, 135, 223, 343, and 612. All waste antifreeze tanks should have consistent allowable waste code. The allowable waste codes for Tank 5 should be changed to match those for Tanks 7 and 10 in Table 4.

Response #3-4:

DTSC agrees with this comment. The allowable waste codes for Tank 5 in Table 4 have been revised accordingly.

Comment #3-5:

In addition, the allowable waste codes identified in Table 7 for Waste Stream Number 3, Waste Antifreeze, should match the waste codes for the Waste Antifreeze tanks identified in Table 4 (Tanks 5, 7 and 10). As a result, waste codes of 223 and 612 should be added to Waste Stream 3 in Table 7.

Response #3-5:

DTSC agrees with this comment. Waste Stream #3 in Table 7 has been revised accordingly.

Comment #3-6:

For Tank #6, Non-RCRA Wastewater, listed in Table 4, the allowable waste codes do not match the state waste codes for Waste Stream Number 2 identified in Table 7. A state waste code of 343 is listed in Table 4 for Tank 6, but is not listed in Table 7, Waste Stream #2. A 343 state waste code should be added to Waste Stream #2 in Table 7.

Response #3-6:

DTSC agrees with this comment and apologizes for this error. Waste Stream #2 in Table 7 has been revised accordingly.

Comment #3-7:

For Table 2, pink should be added to the acceptable range for the color of antifreeze so that Table 2 in the hazardous waste facility permit matches Table 3.4 in the Part B application.

Response #3-7:

DTSC agrees with this comment and apologizes for this error. Table 2 has been revised accordingly.