



Linda S. Adams
Secretary for
Environmental Protection



Department of Toxic Substances Control

Maziar Movassaghi
Acting Director
8800 Cal Center Drive
Sacramento, California 95826-3200



Arnold Schwarzenegger
Governor

March 27, 2009

Mr. Stephen Douglas
Compliance Manager
Evergreen Oil, Inc.
6880 Smith Avenue
Newark, California 94560

Certified Mail No.: 7001 0320 0000 9689 7859

Mr. Philip Chandler
2615 Marquette Drive
Topanga, California 90290

Certified Mail No.: 7001 0320 0000 9689 7842

APPEAL OF PERMIT DECISION REGARDING EVERGREEN OIL, INC. – DAVIS,
STANDARDIZED HAZARDOUS WASTE FACILITY PERMIT, SERIES B,
(CAD 982446874)

Dear Mr. Douglas and Mr. Chandler:

Enclosed please find the initial ORDER TO GRANT REVIEW, TO RESERVE ISSUES, AND TO SET BRIEFING PERIOD (Order) pertaining to the Standardized Hazardous Waste Facility Permit, Series B issued by the Department of Toxic Substances Control (DTSC) on October 24, 2008, concerning the Evergreen Oil, Inc. – Davis facility located at 44561 Road 30-B, Davis, California, 94560.

Shortly, DTSC will issue a public notice announcing this decision and setting a briefing schedule for the issues that have been granted review under the Order. DTSC will use a three phase briefing schedule for this briefing period, which will be explained further in the public notice. After considering the arguments submitted during the briefing period, DTSC will issue an Order setting forth its final decision on the appeal comments that were granted review.

The Permit Appeals Officer reserves Appeal Comments 3 through 15 for further disposition, pending a determination regarding Appeal Comments 1 and 2.

Mr. Stephen Douglas and Mr. Phillip Chandler
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If you have any appeal procedural questions, please contact Mr. Michael O'Docharty of my staff at (916) 324-4765 or e-mail us at appeals@dtsc.ca.gov.

Sincerely,

//original signed by//

Mohinder S. Sandhu, P.E.
Permit Appeals Officer

Attachment

cc: (via e-mail with enclosure)

Jeff Wong, Ph.D., Chief Scientist and Executive Sponsor
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Department of Toxic Substances Control
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Mr. Norman Riley, Executive Sponsor
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cc: Mr. Ryan Batty, Project Manager
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