



Linda S. Adams
Secretary for
Environmental Protection



Department of Toxic Substances Control

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Arnold Schwarzenegger
Governor

July 29, 2009

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

Certified Mail No.: 7001 0320 0000 9689 6722

Mr. Philip Chandler
2615 Marquette Drive
Topanga, California 90290

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FINAL APPEAL DECISION AND ORDER FOR THE EVERGREEN OIL, INC. - DAVIS FACILITY, DAVIS, CALIFORNIA; EPA ID. NO. CAD982446874

Dear Mr. Douglas and Mr. Chandler:

Please find attached the Final Appeals Decision and Order, Docket PAT 08/09-04, (Final Order) pertaining to Permit decision issued by the Department of Toxic Substances Control (DTSC) on October 24, 2008, regarding the Evergreen Oil, Inc. – Davis Facility located at 44561 Road 30-B in Davis, California.

On March 27, 2009, DTSC's Permit Appeals Officer granted review of two appeal comments relating to the duration of the public comment period. The decision on 13 remaining appeal comments was reserved pending resolution of the two appeal comments granted review.

The Final Order rescinds the Permit Decision of October 24, 2008. Pursuant to California Code of Regulations, title 22, section 66270.51, the expired permit issued on December 30, 1997, shall continue in effect. The Order constitutes the Department's final decision regarding the October 24, 2008, Permit.

Mr. Douglas and Mr. Chandler
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If you have any questions concerning the Final Order, please contact
Mr. Michael O'Docharty, of my staff, at (916) 324-4754 or e-mail appeals@dtsc.ca.gov.

Sincerely,

//original signed by//

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

Attachment

cc: (via e-mail, with attachment)

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