



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

June 24, 2009

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

CERTIFIED MAIL NO.: 7001 0320 0000 9689 6791

Mr. Philip Chandler
2615 Marquette Drive
Topanga, California 90290

CERTIFIED MAIL NO.: 7001 0320 0000 9689 6784

APPEAL OF STANDARDIZED HAZARDOUS WASTE FACILITY PERMIT FOR
EVERGREEN OIL, INC. – SANTA MARIA, 745-A WEST BETTERAVIA ROAD,
SANTA MARIA, CALIFORNIA; EPA ID. NO. CAD 982446858

Dear Mr. Douglas and Mr. Chandler:

Enclosed please find the initial ORDER PARTIALLY GRANTING REVIEW AND DENIAL OF REVIEW (Order) pertaining to the Standardized Hazardous Waste Facility Permit, Series C, issued by the Department of Toxic Substances Control (DTSC) on December 15, 2008, concerning the Evergreen Oil, Inc – Santa Maria facility located at 745-A West Betteravia Road, Santa Maria, California, 93454.

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. After considering the arguments submitted during the briefing period, DTSC will issue a subsequent order setting forth its final decision on the appeal comments that were granted review.

Contested permit conditions and those that are not severable from contested permit conditions are stayed during the pendency of a permit appeal, pursuant to California Code of Regulations, title 22, section 66271.15(a)(1). Appeal Comment 10, for which review has been granted, has a broad operational impact and relates to matters that are not severable from the other, uncontested conditions. Therefore, pending resolution of this appeal, the stay of the entire Permit shall remain in effect.

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For those appeal comments that were denied review, the Order constitutes the Department's final permit decision and is effective on the date of mailing of the Order.

If you have any appeal procedural questions, please contact Mr. Michael O'Docharty of my staff at (916) 324-4754 or e-mail us at appeals@dtsc.ca.gov.

Sincerely,

//original signed by//

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

Enclosure

cc: (via e-mail with enclosure)

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