

Public Notice

The mission of DTSC is to protect California's people and environment from harmful effects of toxic substances by restoring contaminated resources, enforcing hazardous waste laws, reducing hazardous waste generation, and encouraging the manufacture of chemically safer products.

LAWRENCE LIVERMORE NATIONAL LABORATORY, MAIN SITE, PERMIT APPEAL

NOTICE OF BRIEFING SCHEDULE: December 15, 2016, through April 3, 2017

The California Department of Toxic Substances Control (DTSC) announces a briefing schedule for individuals to file written comments concerning the appeal of a hazardous waste facility permit for Lawrence Livermore National Laboratory (LLNL), located at 7000 East Avenue, Livermore, California. DTSC issued a final permit decision (Permit) for the LLNL facility on March 11, 2016.

DTSC received one appeal (Petition for Review) regarding the Permit from Tri-Valley Communities Against a Radioactive Environment (CAREs) on April 21, 2016. DTSC issued the "Order Partially Granting Petition for Review and Denial of Review," Docket PAT-FY16/17-001 (Order) granting review for three (3) of the appeal comments on December 1, 2016. These appeal comments are identified in the Order as Comments 2, 7, and 9. Comment 2 claims the permit application is inadequate because it does not provide information required by regulation, lacks detail, and does not provide implementing procedures or descriptions. Comment 7 claims DTSC has not followed its policy concerning authorizing delayed closure for hazardous waste management units and has not demonstrated certain units were closed in accordance with approved plans. Comment 9 claims that changes to the permit in response to comments from LLNL were not appropriately evaluated or provided public review. The Petition for Review and the Order are available at http://www.dtsc.ca.gov/HazardousWaste/Appeal_Facilities.cfm.

DTSC has established a briefing schedule for individuals to file written arguments concerning only the three appeal comments granted review. A sequential briefing schedule will be used as follows:

- Tri-Valley CAREs and interested persons supporting the appeal may submit briefs concerning the appeal comments granted review to be received by DTSC no later than **February 13, 2017**; and,
- DTSC's Permitting Division and interested persons supporting the permit may submit briefs responding to Tri-Valley CAREs' brief and any interested person briefs to be received by DTSC no later than **April 3, 2017**.

DTSC will post the briefs on the appeals webpage listed above as they are received and notify the parties via email about the availability of the briefs. Interested persons should monitor DTSC appeals webpage for the briefs. Written arguments must be restricted to the issues granted review and must include a supporting statement of reasons.

NOTICE TO HEARING IMPAIRED: TTY users may use the California Relay Service @ 711 or 1-800-855-7100. You may also contact the Public Participation Specialist listed at the end of this update.



Department of Toxic Substances Control

Written arguments may be submitted by e-mail to appeals@dtsc.ca.gov or mailed, to be received by DTSC no later than their due date, to:

LLNL Permit Appeal, Attn: Paul Ruffin
Department of Toxic Substances Control
8800 Cal Center Drive, Sacramento, CA 95826-3200

DTSC cannot consider arguments that do not meet these content and filing requirements. After considering the submitted written arguments, DTSC will issue an Order with the final permit appeals decision. The Permit is stayed until a final decision on these appeal comments is issued.

As part of a written argument submission, interested persons may request DTSC to hold an Informal Appeals Conference (IAC) so that they may present their arguments orally to DTSC. Only individuals who submit written arguments may present them at the IAC. If requested, the IAC will be scheduled after the close of the briefing period at the discretion of the Permit Appeals Officer. If you are interested in being informed of the date, time and location of the IAC, if one is held, please contact DTSC at appeals@dtsc.ca.gov or call (916) 255-6677 to provide your contact information. Information about an IAC will be posted on DTSC's appeals webpage: http://www.dtsc.ca.gov/HazardousWaste/Appeal_Facilities.cfm.

If you would like to speak with a DTSC representative about this appeal, call Mr. Paul Ruffin at (916) 255-6677 or send e-mail to appeals@dtsc.ca.gov. For information about appeals process, please see the permit appeals frequently asked questions webpage at: <http://www.dtsc.ca.gov/HazardousWaste/AppealingPermit.cfm>. If you would like to speak with a DTSC representative regarding the LLNL permit or project documents, please contact:

Mr. Alfred Wong
Permitting Division, Department of Toxic Substances Control
700 Heinz Avenue, Suite 200, Berkeley, CA 94710
(510) 540-3946 or Alfred.Wong@dtsc.ca.gov

The Petition for Review, DTSC's Order, and other administrative record documents related to the permit decision are available for your review at <http://www.envirostor.dtsc.ca.gov/> or at these repositories:

Livermore Public Library
1188 S Livermore Avenue
Livermore, CA 94550
(925) 373-5500

DTSC Regional Records Office
700 Heinz Avenue, Suite 200
Berkeley, CA 94710
(510) 540-3800

