RESPONSE TO COMMENTS
FOR
SOUTHERN CALIFORNIA GAS COMPANY
PICO RIVERA BASE
8101 SOUTH ROSEMEAD BLVD.
PICO RIVERA, CALIFORNIA
EPA I.D. No. CAT 000 625 137

INTRODUCTION:

On February 6, 2007, the Department of Toxic Substances Control (DTSC) issued a public notice for the proposed Hazardous Waste Permit Renewal for Southern California Gas Company, Pico Rivera Base, located in the City of Pico Rivera. A public hearing was held at the El Rancho High School Cafeteria in the City of Pico Rivera on March 8, 2007. The public comment period was initially scheduled to end on March 23, 2007. At the request of the community, the comment period was extended until May 1, 2007.

DTSC received comments from the facility and from members of the general public, all of which have been included in their entirety.

SECTION I. RESPONSE TO COMMENTS RECEIVED DURING THE PUBLIC HEARING TO THE DRAFT PERMIT

Comments 1 through 6 are from members of the community received at the March 8th Public Hearing,. Comment 7 was from the El Rancho Board of Education. Comments 8 through 12 were from Mr. Raul Murga by e-mail. Comment 13 was from Mr. Pat Canney, Sr. Environmental Specialist, Southern California Gas Co. / San Diego Gas & Electric, the only comments that were received by mail. Comment 14 was from Mr. Jim Roybal and Mr. Luis Cabrales and was received by e-mail.

COMMENT 1-1

The following is a verbal comment from Mr. Fred Boyce:

"Okay. First question, what cities or counties transport waste to Pico Rivera?"

Response to Comment 1-1

No municipalities or counties send waste to the Pico Rivera Facility. The facility is only permitted to accept waste from other Southern California Gas Company (SCGC) facilities and to store that waste for up to one year. There are 76 facilities that produce hazardous waste in the region served by the SCGC. They are located in the following counties: Kings, Tulare, Kern, San Luis Obispo, Santa Barbara, Ventura, Los Angeles, San Bernardino, Orange, Riverside, and Imperial. Each of these facilities is wholly owned by the SCGC.

COMMENT 1-2

Mr. Fred Boyce's verbal comments continue:
"Second question, how many other storage sites are located in Southern California and located in what other cities?"

Response to Comment 1-2

There is one other hazardous waste storage facility that is operated by the SCGC. It is located in Los Angeles at 2424 East Olympic Boulevard.

COMMENT 1-3

Mr. Fred Boyce's verbal comments continue:.

"Why was Pico Rivera selected as a site in 1955 and continues to be an active site as of March of 2007? And what control does Pico Rivera have over the site?"

Response to Comment 1-3

The decision to purchase the Pico Rivera site is under the purview of the SCGC and not the DTSC. And one would have to query the City of Pico Rivera to ascertain what control the City has over the site

COMMENT 1-4

Mr. Fred Boyce's verbal comments continue:.

"After the formal hearing tonight, what will the process be for the permit renewal? Will it go to the planning commission in Pico Rivera, Pico City Council or where?"

Response to Comment 1-4

After the comment period is over, the DTSC will prepare a Response to Comments document and issue the final permit decision. There will be a 30-day appeal period for the final permit decision. See attached "NOTICE OF FINAL HAZARDOUS WASTE FACILITY PERMIT DECISION" for the criteria and procedures for filing an appeal. Any questions regarding the City of Pico Rivera plans for this facility should be directed to the City of Pico Rivera.

COMMENT 1-5

Mr. Fred Boyce's verbal comments continue:

"And the last comment would be Pico Rivera is continuously evolving, and I would like the evolution to be a positive or continue to be positive with removal of this storage waste site from our city. Thank you."

Response to Comment 1-5

Comment noted. The commenter did not provide reasons why the permit renewal application for the hazardous waste storage facility should be denied by DTSC.

COMMENT 2-1

The following is a verbal comment from Mr. Luis Cabrales:

"Thank you very much. Luis Cabrales, 3658 Gangle (phonetic) Avenue in Pico Rivera. The first question is will you notify everyone here -- will you send the answers, all of these answers, send them all together in one document and send them to everyone here, or are you going to take your notes and send them individually, each question to the person who asks them? Is that a question? Can you respond?"

Response to Comment 2-1

This document, called the Response to Comments, includes all comments posed by the community and any other interested parties. This document has been mailed to everyone who made comments or who signed the Public Hearing Attendance Sign-in Sheet.

COMMENT 2-2

Mr. Luis Cabrales' verbal comments continue:

"Okay. Well, in that case, just in case I have to go, I would like you -- in fact, I request that you send everyone here all this information that has been requested because it will be very, very hard for me to find out, to know the questions that my neighbors or the information that my neighbors are going to be asking for. And it's imperative that all of the residents hear this information.

The second question is how soon are you going send this information, and is that going to be before you extend the permit? Okay. Question regarding the presentation tonight is let's see, you have found that initial findings there is no -- or "we have identified no significant impact." Can you redefine that? Define "significant." If there are no significant impacts, are there other potential impacts that you have identified, whether its emissions, emissions caused by truck traffic or by potential emissions from gases by -- due to the combination of toxics, spills, et cetera, et cetera. I don't know if you guys have done any studies of the water tables underneath these locations, if any, just to ensure that, you know -- I don't know how this site was, I don't know, 15 years ago when it started working, if they

already had this concrete or was it dirt or what type of floor it had. Is there any history of spills of any liquids, et cetera, et cetera?"

Response to Comment 2-2

A copy of this document has been mailed with the Final Permit Decision to all the persons who made comments or who signed the Public Hearing Attendance Sign-in Sheet.

According to the California Environmental Quality Act (CEQA), "Significant effect on the environment means a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project, including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance. An economic or social change by itself shall not be considered a significant effect on the environment. A social or economic change related to a physical change may be considered in determining whether the physical change is significant."(Section 15382, title 14, California Code of Regulations) The Environmental Analysis done on this project did not identify any significant effects on the environment.

DTSC could find only one instance of a hazardous waste release incident. Records show that soil remediation was performed for an underground drum/tank that had been used for collection of compressor lube oil. The tank had been removed in July 1989 under supervision of the Los Angeles County Fire Department. In January 1991 soil from the area was excavated under the approval and supervision of the Los Angeles County Department of Public Works. Analytical testing of soils from the excavation following removal of contaminated soil showed Total Petroleum Hydrocarbons (TPH) below detection limit (10 ppm) and 1,1,1- trichloroethane at 3 ppb, which was far below the drinking water Maximum Contaminant Level for this compound (200 ppb). The County of Los Angeles Department of Public Works certified the closure.

Because of the infrequent nature of shipment of hazardous waste to and from the facility, there is little or no impact on the already heavy truck traffic in the vicinity. Only one or two shipments per month will occur. Wastes are typically transported to and from the facility via Interstate Highway 5. There are two routes for access to I-5 from the facility. The first is via the northwest gate of the Pico Rivera Base to Slauson Ave. and then west to I-5. This route is approximately 1.3 miles through light industrial and retail business areas. There are no sensitive receptors such as schools, hospitals, retirement homes, etc. along this route. The other route is via the east gate of the Pico Rivera Base to Rosemead Blvd. then south to I-5. This route is approximately 0.8 miles through residential and retail business areas. There are no sensitive receptors such as schools, hospitals, retirement homes, etc. along this route.

The original hazardous waste storage facility concrete pad at Pico Rivera Facility (the area currently called Pads 1, 2, and 3) was poured in 1982. Pads 4 and 5 and the roof were added in 1987.

COMMENT 2-3

Mr. Luis Cabrales' verbal comments continue:

"Which takes me to the second question is how often does your agency inspect this facility? And I believe my neighbor already asked you that, but the fact that you already told him that he has to go to, where is it, Glendale to get that information, it doesn't make sense that you post information on the permit but not the history of inspections. To me as a resident, I look at the permit process. But then again how do I know if this location has been cited for violations? I think it's just right to make that information public and as accessible as possible. As it is, this information is just not accessible friendly. I spent all day on the Internet, and I had so much trouble finding this information. I don't want to imagine what someone -- any other person went through to find anything on this. So just respectfully request, formal request, take note this is a formal request that you make information on the history of this site available to the residents.

So I look forward to hearing from you folks. Thank you very much."

Response to Comment 2-3

The Enforcement and Emergency Response Program of the DTSC inspects hazardous waste facilities on an annual basis, and if there are no violations, then the inspections are conducted on a biannual basis. Since 1995, there were only three violations found by DTSC during its inspections. These violations were for failure to submit updated financial responsibility information in a timely manner. The last violation occurred in June of 2006 and was promptly corrected.

Regarding the availability of making information available to the public, DTSC placed relevant documents in the Rivera Public Library, the DTSC office in Glendale and on the DTSC web site. Additionally, a Fact Sheet was prepared and mailed to all persons living within a ¼ mile radius of the facility. Any information that the public requested during the public comment period was provided by DTSC to assist the public in preparing comments on the draft permit. On March 12, 2007, DTSC also provided copies to Ms. Henrietta Correa Salazar of the inspection reports for the years 1997, 2000, and 2006 in response to her request.

COMMENT 3-1

The following is a verbal comment from Mr. Raul Murga:

"My name is Raul, R-a-u-l, last name, M-u-r-g-a. I'd like to thank Mr. John Guerro (phonetic) and Julie from the Gas Company for the tour they provided to us. My question is, first of all, about the notification for the people in the area. I would like to know when the last list of contiguous homeowners and non-property owner residents in that area was

actually performed to get an accurate list. And what about the parents of all of the students at Selby Grove Elementary School, they should also be on that list and they should also be informed. I saw a newspaper article in 1989 where the City of Pico Rivera indicated that the 200-gallon limit was their requirement for the permit issued at that time. If that has been changed, I would like to know how and when it was changed. When we took a tour of the facility, we noticed that the drums were placed on pallets, and we were informed that these pallets were material gathering pallets, safety pallets. But the pallet height was equal to the curb which makes up the containment area of that facility. So you're placing a drum on a pallet that is at the same height of the curb that was designed to contain that liquid. So the possibility of leakage from the drum spreading over the edge of the pallet, over the top of the curb into a non-protected area and its gravel, so it could potentially seep into the groundwater. So I'd like to know if you address that issue of the pallet height and the curb containment height. I have an issue with this permit because the maximum volume of material for a given area is three times the volume of the containment area. In other words, if you have a 2 litre bottle of soda, you're trying to contain it in an 8 ounce glass. If that 2 litre was to leak or you were to pour that in the glass, all of the liquid would exceed the containment area. So that's for each containment area, so you have to multiply that by the four containment areas, so you would have approximately two times the volume permitted to be stored in that area in the actual containment area. So I would like to have someone address that issue."

Response to Comment 3-1

The DTSC is not familiar with any agreement between the City of Pico Rivera and the SCGC regarding the 200-gallon limit at the Pico Rivera Hazardous Waste Facility. Any regulatory agency could impose requirements that are more restrictive than those required by DTSC. SCGC is required to comply with all the requirements imposed by local, state and federal agencies. DTSC's decision to approve, deny, or modify a permit application is based on the permit application compliance with the applicable state and federal hazardous waste statutes and regulations. Based on DTSC's evaluation of the SCGC's permit application, DTSC found that this application meets the state and federal regulatory requirements.

Section 66264.175, title 22, California Code of Regulations states that the containment shall be able to contain precipitation from at least a 24 hour, 25 year rain storm , plus 10% of the aggregate volume of all the containers, or the volume of the largest container, whichever is greater. The containment pallets that SCGC uses are designed to contain only small leaks from the containers. In the event that a daily inspected area experiences a leaking drum, the liquids in the containment pallet will overflow into the containment area, not over the top of the curb.

In response to your comment on the maximum volume of material for a given area is three times the volume of the containment area, the regulations require that only 10% of the total volume or the volume of the largest container, whichever is greater, plus the precipitation

from a 24-hour, 25-year storm needs to be contained. Since most of the waste at the Pico Rivera facility are stored in 55-gallon containers, more than 10% of these containers would have to leak or spill at the same time before the spilled or leaked materials overflow from the containment area. Such an event would be highly unlikely to occur given the requirements that SCGC must comply with to store these wastes (i.e., daily inspections, Department of Transportation-approved containers, waste handling procedures, etc.)

COMMENT 3-2

Mr. Raul Murga's verbal comments continue:

"Typically the containment area should be greater than the capacity that you're storing so that you would not have any potential of that material breaching your containment field. In addition, there is no secondary containment area outside the primary containment field. Although the point was made that the primary containment is the drum, the sealed drum, there is -- and the secondary containment is the curb area, there is no additional containment area for any liquid runoff beyond the containment area. It's kind of a difficult scenario, I guess, but I go back to the 2 liter bottle. If you're permitting somebody to store enough liquid that fits in a 2 liter bottle and your safety area is an 8 ounce glass of water, and you dump all of the liquid into the cup, it's going to overflow. And then there is no other containment field or a separate drain system to contain any kind of that liquid."

Response to Comment 3-2

Please see response to comment 3-1.

COMMENT 3-3

Mr. Raul Murga's verbal comments continue:

"The other thing I'd like to express a concern with is that that facility is completely an open air facility. Okay? And although, as previously stated, the primary containment is the sealed drum, when you go in and take the sample, you open that drum. You're exposing that material to the air because that containment -- the facility, hazardous storage waste facility is not sealed. It's open air, as you can see by that. It has an awning, but as anybody knows that has an awning, rain comes in at an angle and if there is any volume of rain that washes the material away from any of the -- any point of leakage, it's going to go straight out into the graveled area, and that's why you should have a secondary drainage area for a containment field. And then that water that is possibly contaminated can be stored in another container and then shipped to a disposal site."

Response to Comment 3-3

Please see response to comment 3-1. The Pico Rivera Facility has a Storm Water Pollution Prevention Plan that mandates the sampling and analysis for runoff from each rainwater runoff event. No instances of detectable pollution in the rainwater runoff have ever been reported.

The short time duration of opening and closing of the bungs on the drums used for storage of hazardous waste during sampling do not emit any significant amount of hazardous waste constituents.

The secondary containment of the storage areas is adequately designed and constructed to capture and contain wind driven rainfall that falls inside the storage areas (see also response to comment 3-1).

COMMENT 3-4

Mr. Raul Murga's verbal comments continue:

"There was no safety washdown area visible in this facility. I'm assuming that they go in with their regular work cloths and they open up a sealed barrel to take a sample, and then if there is any contaminants which are invisible or not, there is no sensors in place to detect that. So when they walk away, what do they do? They take the possible contamination out of the containment area. So I think that's something else that needs to be looked at."

Response to Comment 3-4

Safety showers are under the purview of the California Department of Industrial Safety. There is a safety shower/eyewash 20 feet north of the storage area. On pages VI-5 and VI-6 of the Pico Rivera Part B Renewal Application, there are procedures described for the decontamination and/or disposal of any contaminated gloves or protective clothing.

COMMENT 3-5

Mr. Raul Murga's verbal comments continue:

"When we were there at the -- on the tour of the site, the Gas Company informed us that there was a 5-gallon drum of material containing PCBs. They indicated that on a maximum time period, they transport out of the facility 80 to 85 drums of material per month. That's a maximum, 80 to 85 gallons of material. I feel that the permit should be for that maximum, because Senate Bill 14, there has been a Senate mandate for them to reduce the hazardous waste material through a yearly plan of management reduction. I have yet to see that plan. I had the same problem as the other gentleman. I tried to

negotiate the website, and I'm rather an expert in that field, but it was to no avail. It was really difficult to try and pull down any of the records as far as manifests are concerned, the reports."

Response to Comment 3-5

The document, Guidance Manual for complying with the HAZARDOUS WASTE SOURCE REDUCTION & MANAGEMENT REVIEW ACT O F 1 9 8 9 (SB-14), states that the threshold for compliance with the Act is `12,000 kilograms or 26,430 pounds. Additionally, the Act specifically exempts motor vehicle fluids and wastes containing polychlorinated byphenols (PCBs). Because of these two exemptions, the Pico Rivera Base is exempt from the requirements of SB-14.

Also, to clarify, when SCGC stated that they transport out 80-85 drums per month, they meant 55-gallon drums. Therefore, the total is not 80-85 gallons, but more like 4400 to 4675 gallons. Most of that waste is not generated at the Pico Rivera Facility, and the total quantity per year generated by the Pico Rivera Base does not exceed the SB-14 stated minimum.

COMMENT 3-6

Mr. Raul Murga's verbal comments continue:

"Getting back to the other gentleman's statement too, you said there is no significant -- nothing significant to report for the changes. I have an issue with the DTSC creating a report for this -- for the California Air Quality Act (sic) because they're the policing agency for the Southern California Gas, and then they're making their recommendations to another policing agency. So I have an issue with that because it's kind of like the fox watching the hen house. I would like to know if you did soil samples, if you did air quality samples, if you did water samples for all of the ten years that they were in operation to make some determination if there was an escalation in hazardous toxins and their presence."

Response to Comment 3-6

The California Environmental Quality Act (CEQA) states that regulatory agencies must comply with its requirements when a discretionary decision is made on a proposed project (e.g., issuing a hazardous waste facility permit). For the Pico Rivera Hazardous Waste Permit Renewal, DTSC proposed to issue a Notice of Exemption (NOE) which was made available to the public during the comment period. DTSC determined that there is no significant environmental effect from the project. Any person who disagrees with DTSC's findings in the final NOE can challenge this decision in a court of law.

Additionally, in the response to Comment 2-2, DTSC stated that the concentration of contaminants in soil samples taken after the removal of the underground tank from the Pico Rivera Facility were found to be less than the maximum concentration allowed in drinking water standards. Therefore, no additional water samples were required. This occurred in 1991. There have been no soil samples taken since then, because there has been no evidence of a hazardous waste spill on the property, The South Coast Air Quality Management District only takes air quality samples when there is a citizen complaint and DTSC has no records of any such complaint. DTSC requires soil samples to be taken only when there is a need for corrective action. DTSC has no evidence that Pico Rivera Base has had a spill of hazardous waste/material at their facility outside of their hazardous waste area secondary containment and therefore, no air or soil samples have been required.

COMMENT 3-7

Mr. Raul Murga's verbal comments continue:

"I would also like to see the waste management reduction plans for the last ten years, and I would like to see a sampling of the manifests for -- typically for the month of March for years 2004 and 2005 -- I'm sorry, 2004, 2005 and 2006 to make a determination if the volumes of material that have been received and transported out of the facility are at the 80-gallon level. And I would like to see the -- your agency review that permit and only permit what is actually necessary, not -- because it's my impression that the containment area -- I'm sorry, that the storage area, the maximum permit was determined by a simple mathematical function of how many gallons can fit in this area of mass. So you come up with, okay, the gallons are a certain diameter, and 1300 gallons will fit in here. But that's really not the usage. And because it's hazardous waste and it's toxic waste, then it should only be permitted whatever they need. They shouldn't get a blanket permit to have an abundance of material at the facility. Thank you very much."

Response to Comment 3-7

See response to comment 3-5. The waste storage limit listed in the permit is based on the requirements allowed by state and federal regulations and based on the facility to properly manage and store the drums in a configuration that is safe and protective of public health and the environment.

COMMENT 4-1

The following is a verbal comment from Mr. Richard Briores:

"Honorable guests, my name is Richard Briores. I'm the former director of the Pico Water District. I am a resident of Pico Rivera for 35 years plus. I have heard from some well-informed residents here, so I will not be redundant, but they have asked -- but I will then

give you my concerns and that hopefully it will make an indentation on your process for the new permit. It's been ten years, I don't know if you call it a ten-year plan. I know that the city on a certain situation they have here, they will have maybe nothing to say but that would be changed. I also understand that one time the EPA was no longer involved. I believe that I hear now that they may be back in. The question is not concerning the EPA. However, my concerns are with the transportation of these waste drums from origin to our site. Now, I understand that there are two sites within our perimeter. I don't know what the latitudes are. However, if there are only two sites -- and I understand that the one in East L.A. is smaller than the one we have. Now, I imagine that the people in East L.A. are as concerned as we are, and I know that you are concerned also because you are like our watchdogs to watch -- to look out for the environment.

Now, I feel that the -- from the point of origin, where these drums will be coming from, the people there are responsible for that. They will be -- they are being transported by special vehicles. However, my concern here is if there is an accident out on the road, we don't know anything about it because maybe nobody was really hurt, but what happened inside that vehicle? When it arrives at our base here, who unloads it? Is it the Gas Company maintenance from this site, or is it a particular sort of unionized agency where they are the only ones that can unload it? Or do we have a specific mandated rule that our people, speaking of the Gas Company, that they will do the unloading? Now, do they keep a record, a log that they actually inspect these drums as they're being set on our storage site? Now, that's very important because if there is any kind of a leakage from a seal that is strapped to the drum and it's not noticeable to us, and those drums sit there and nobody -- I don't believe -- I don't think you monitor this because I haven't heard anything about atmospheric monitoring that would pick up any contamination. The potential for a catastrophic occurrence could come from that origin that we ourselves, it's not our fault. But we should be vigilant on this."

Response to Comment 4-1

The other SCGC Hazardous Waste Facility is located at 2424 East Olympic Boulevard in the City of Los Angeles. According to DTSC records, there were only two comments from the public during a recent public comment period for the proposed hazardous waste permit renewal for that facility. One comment was positive and one was negative. No appeals were received by the DTSC during the appeal period and therefore the permit renewal for that facility was granted.

The drums that enter and leave a permitted hazardous waste facility such as Pico Rivera are transported by registered Hazardous Waste Haulers. These haulers must comply with Department of Transportation regulations for transporting hazardous waste. Accidents or catastrophic occurrences outside the Pico Rivera facility are not within the scope of this permit.

The drums that the Pico Rivera facility receives are unloaded by employees of SCGC and/or employees of the licensed hazardous waste hauler. Regardless of who unloads the drums, each person must undergo 24 hour OSHA HAZWOPER (Hazardous Waste Operations and Emergency Response) training. SCGC employees undergo an additional in-house Company training. Each person is required to undergo an annual HAZWOPER refresher course. The same people also load the drums that are transported off the facility.

As part of SCGC's RCRA Part B Application, a list of facility operating procedures are required. Among them are manifest retention policies, facility inspection procedures, facility inspection records, safety equipment lists and emergency procedures. Manifests are kept for three years.

Section 66264.174, title 22, California Code of Regulations requires container storage be inspected at least weekly to ensure that containers are not leaking or deteriorating. SCGC uses new DOT approved 55 gallon drums to store their hazardous waste and has absorbent material at the facility to deal with any leaked hazardous waste and an 85 gallon salvage drum to contain any leaking drum.

COMMENT 4-2

Mr. Richard Briores verbal comments continue:

"Also, when these drums are transported someplace else, when they leave our site in a good condition, the company that transported it; it's out of our hands. The responsibility now lays on the transportation -- the overnight transportation, wherever it's going to go. What I don't appreciate is in your wordings, I believe on your other permit was that once there was a determination that the city -- which we are the humans that live in the city -- our representatives have no more say. I don't quite understand that. So I would like to have that clarified before any agreements are really made because if it's going to be made for another ten-year plan, that's a long ways to go. There could be some error or something that as a city we do not have a say.

I understand also that the reduction from the last permit was an 80 percent, dropping it down to 20 percent for containment. If I'm wrong, please, you know, let me know. Now, there is -- I would call it a clause that says on that 20 percent that every year there should be a reduction. Now, a reduction, not quite explained, but it was kind of explained to me today, is not a reduction on the amount of the matter, which would be the fluids with some more solid waste in there. But in the manner of technology that is learned from year to year to show that the Gas Company is following a procedure that could cut down on the danger of contamination.

My learned gentleman, I want to thank you for this opportunity for us to speak because I mentioned that I have been in the Pico Water District for many -- for some years, active in

the water industry for many, many more years, and I continue to do this whether I'm a director or not.

I have some expertise in how contamination of our ground basin, to start first, the water tables underneath is a very potential food for thought, that this type of waste should not be held as a simple manner of disposal. It's a very great area because lives depend on it. Thank you."

Response to Comment 4-2

Please see response to Comment 3-5.

COMMENT 5-1

The following is a verbal comment from Ms. Henrietta Correa Salazar:

"Yes. My name is Henrietta Correa Salazar. I just put a mint in my mouth. I'd like to give a little history of the last permit. I know there was a comment made when we had our walk through, our tour that the people were up in arms, and I'm afraid that I was responsible for that. You see, I got all the documents. In fact, I have two bags full at home because -- because the reason was that there are violations. There are violations from the year 1984 to '95, and at one point they were even fined, the Gas Company. I have the documents here, the pictures, anyway. I won't go into that. But they're here. And so these are where the people -- the list that were supposed to be -- or were mailed and notified all the way to Sacramento because you were telling us that -- okay -- you were saying at that time that it wasn't a dangerous situation, there were no violations, we shouldn't be concerned. But, you know when you have to notify every city and council person and all the way to Sacramento, I think we -- there was to be a concern. When I went before the hearing, you know, I kept saying, you know, you've got these violations and everything, and no one would respond. And that's why I started the toxic waste protest. So I request -- I want to request all the -- your papers such as the manifest. I want a copy of the last permit. Also I would like a map of the soil contamination, I know you have one, and water samples for the last two years. You're also -- there's on -- listed on the Superfund which means that there is contamination. In fact, the map shows the areas where there is soil contamination. Let's see, it's been ten years, and I am so full of questions and things. And for ten years I've been, you know, seething about this because you people lied to us. You told us that everything was okay. So this time I want your documents again. I want all of the documents.

And we have in Pico Rivera seven Superfund sites, and you're listed as one of them. So you're not -- you know, it's not this safe little place that you paint. Also, our concern is that we're setting -- you're sitting nearby the railroad. You've had derailments, and in the open, there is no protection.

You talk about home security now because of the 9/11. And what do we have? You're still out there in the open. Anybody could throw anything over, and then that thing will go up.

When we were taken on a tour, now, when we went into the building, the building where they test the pipes, I noticed the walls, the walls, and I asked Mr. Guerra (phonetic) "Are these walls special?" And he says "Yes, these are fire explosion proof." I think that's what we need. We need a building for -- if you are going to stay here with this site, we need a building where we can feel safe, just the same as those people in the office that have explosion and fire proof walls. We need a building. We cannot tolerate this anymore. For ten years I've been waiting for something to happen, and then you've got another little shed where you have aerosol cans, and, you know, even one is dangerous, and you have a little shed and you have those. I think all of this should be in a contained area. And that's what we would like to see. We would like -- if you want to be our friend, I think that's what we need.

Also, when I was putting out flyers to the surrounding neighbors by the Gas Company, they -- none of them said they got a letter about this hearing. There's -- at one end of your property, there's like a huge doorway where they come in and out, but the neighbors there were saying that they have little curbs. So the water -- your water comes down into their area, into their curbs and one lady said just recently you put a drain storm. But they are not sure if it's going to work because when it rains, it floods their yards, their front yards. Plus, there is a little gateway for the children to go to school, and when it rains, they have to walk through that water. So I am hoping that that water is not contaminated.

So my question is if we ask for these reports, will we get them? Otherwise, I don't think that we're going to feel safe, and we want some answers.

Also, on your draft there is listed exemption. I want to know what that means, what kind of exemption do you want, to store more or less or what? Could you explain that for me?

And, oh, yes, and as far as the fire department, you're listed as a hot spot, hot target spot, which means that anyone at the fire station is 24-hour alert regarding the Gas Company. So it's not a safe place for us, and I think after 23 years we deserve something better. We deserve a building, and we want a building, and I think you should consider that. I don't think if you lived in our neighborhood that you would feel safe knowing all of this. Thank you."

Response to Comment 5-1

All the records that were requested by emails from your associate Mr. Raul Murga were mailed to Ms. Salazar on March 15, 2007. See response to comment 2-3.

Regarding your request for a map of soil contamination, please see Response to Comment 2-2. Also, please note the Pico Rivera facility is not listed on the USEPA Superfund list and DTSC is not aware of any existing maps of contamination at the facility.

A building around the storage area for hazardous waste is not required by California regulations for the type of waste streams and duration of waste storage.

DTSC believes that Ms. Salazar may be confusing the CEQA Notice of Exemption with the draft permit. The permit application stated that SCGC is not requesting any change in the quantity of hazardous waste to be stored at its Pico Rivera facility.

COMMENT 6-1

The following is a verbal comment from Mr. James Royball:

My name is James Royball. I have a number of questions.

"Some were alluded to before, but specifically I want to know about the history of the building. I know it started in Pico Rivera, but where is it now in the exact provisions of the permits. I have deep concerns about it also."

Response to comment 6-1

DTSC is not sure to which building that Mr. Royball is referring to. There is no building associated with the Pico Rivera Hazardous Waste Storage Facility. There is, however, a rain awning that covers approximately 80% of the hazardous waste storage units. Building permits are not under the purview of the DTSC, DTSC suggests that you contact the City of Pico Rivera Building Department for further information on the rain awning.

COMMENT 6-2

Mr. James Royball's verbal comments continue:

"The second thing is about the CEQA process. There is one point where in reading the brochure you gave us earlier during your formal presentation where it says there is no problems with noise or other issues. And I know people that live in that area that hear noise coming from it all the time, and they're actually far away from it.

So if CEQA was followed as it's supposed to be, I want to know what part of CEQA -- how is that measured? How did you measure whether or not there was noise pollution or disturbances from the area to the neighborhoods?

I think we need a breakdown of all of the chemicals on the site by area, because you had six areas. And although it was explained that they go -- they're separated for specific

reasons, I think we as residents need to know exactly what the chemicals are that are there, how long they're going to be there, how they got shipped there, and then where do they go afterward?

If there is only two sites in Southern California, what happens to them? And why are they kept for certain lengths of time. I think we need a breakdown on what the parameters are for that. Do you have MSDS sheets at all for the chemicals that are coming up there? I think we also need to see if there are any associated with it because there may be VOCs coming out of some of the chemicals. There is a possibility of leaks, we don't know. We have no idea. I don't like being ignorant that way."

Response to Comment 6-2

DTSC is not aware of complaints regarding any noise coming from the Hazardous Waste Storage Facility at Pico Rivera. Because Rosemead Boulevard and Slauson Avenue are both heavily traveled truck routes, the continued one or two truck deliveries and/or removals of hazardous waste per week was considered not significant in the CEQA Notice of Exemption.

The facility's storage area is divided into 5 separate contained areas based on their compatibilities. The wastes are segregated according to compatibility. Area 1 is for corrosive acids. Area 2 is for corrosive bases. Area 3 is for flammables, combustibles, oily solids and miscellaneous wastes that may be flammable or combustible. Area 4 is for lab waste, waste oil, and waste vehicle fluids that may be flammable or combustible. Area 5 is for empty drums only.

The permit allows SCGC to store hazardous waste that it has collected from its various facilities for up to one year. On or before that year has elapsed, the waste must be transported to a permitted treatment and/or disposal facility.

Please see the permit for the breakdown of what types of chemicals are stored in each unit. There are five permitted units, not six units at the Hazardous Waste Storage Facility.

MSDS sheets are only available for pure products. However, the Part B application provides the hazardous properties of the various waste streams that are stored at the facility. For a list of the hazardous properties of the wastes stored at the Pico Rivera Facility, please see table III-1 in the Part B application, which is available in the Rivera Public Library or at the DTSC office in Glendale. Copies of manifests for the month of March for the years 2004, 2006 and 2006 were sent to Mr. Murga on March 13, 2007. DTSC suggests that you speak to either Mr. Murga or Ms. Salazar.

COMMENT 6-3

Mr. James Royball's verbal comments continue:

"Also, I'd like to know about the appeal process. According to your formal report, there is a point in which apparently the decision could be appealed. My reading of the situation, it looks like this thing has already passed, so I'm just going to be realistic about it. But I want to know exactly how we can appeal it and what the procedures are for appealing it."

Response to Comment 6-3

See attached "NOTICE OF FINAL HAZARDOUS WASTE FACILITY PERMIT DECISION" for the criteria and procedures for filing an appeal.

COMMENT 6-4

Mr. James Royball verbal comments continue:

"I'm sure you're fair minded and everything, but you have certain things you're concerned with. We have different things. And we want -- at least I do want to know if I disagree, I don't think a thorough job is done, how can I appeal this and what the steps are for me to do that.

And the last point I brought up earlier is how many residents were actually informed. Not that there was a lot of them, I could care a less about that. But 100 residents, 500, whatever it was, we would like to know specifically what the number was. Thank you."

Response to Comment 6-4

DTSC sent out 81 fact sheets to residents within a ¼ mile radius of the Pico Rivera facility, elected officials and the Mandatory Mailing List maintained by DTSC.

The following comment was received by e-mail from the El Rancho Unified School District.

COMMENT 7

"Opposition to the Proposed Hazardous Waste Storage Permit Renewal for the Southern California Gas Company Pico Rivera Facility.

Whereas, the Board of Education is concerned about and generally opposed to any hazardous waste storage facility within the community of Pico Rivera; and

Whereas, the route into and out of the storage area traverses several highly traveled streets in the community, with dense traffic increasing the possibility of traffic accidents leading to a spill of toxic material, and

Whereas, the area has proven to be extremely vulnerable in the event of an earthquake, and

Whereas, the Board of Education is always concerned about the safety and welfare of the staff and community members, and

Whereas, the District's Business and Maintenance Departments are in close proximity to the proposed storage area, and

Whereas, the storage area proposed is within a half mile of several schools, where children work and play, and

Whereas, the overriding concern of the Board of Education must be, and is, the safety of all students.

Now therefore be it resolved that the El Rancho Unified School District opposes the granting of the proposed Hazardous Waste Storage Permit Renewal for the Southern California Gas Company Pico Rivera Facility.

Adopted this 22nd day of March, 2007, by the El Rancho Unified School District Governing Board of Education.

Signed, Vincent Chavez, President; Delia Alvidrez, Vice President; Joseph Rivera, Ed. D., Clerk; Rita Jo Ramierez, Member; and Lupe Salas, Member."

Response to Comment 7

Comment noted. Please see response to comment 2-2, 3-6 and 4-1. With regard to the earthquake hazard, the only requirement that is part of the statute is that a facility not be within 200 feet of a fault which has had displacement in Holocene time. This requirement applies only to new facilities or facilities undergoing substantial modification. Since the Pico Rivera facility is not a new facility nor undergoing substantial modification, this requirement does not apply to this particular facility.

The following comments were received by e-mail from Mr. Raul Murga on March 9, 2007

COMMENT 8

"I would like to take this opportunity to first thank you for your conversation and information at the DTSC Hearing last night at the El Rancho High School cafeteria.

As discussed, here is a partial list of the documents Ms. Henrietta Salazar and I would like a copy of;

Current SCGC Toxic Waste Facility Permit

Complete manifests for the month of March for the years 2004, 2005, & 2006

Yearly Waste Reduction Plans (SB14)

Soil Contamination Map

Water samples Reports 1996 through 2006

Soil Sample Reports 1996 through 2006

Air Quality Reports 1996 through 2006"

Response to Comment 8

DTSC electronically transmitted the current permit plus attachments to Mr. Murga on March 13, 2007. The same documents in hard copy were sent to Ms. Salazar by Federal Express on March 14, 2007. The soil contamination map, water, soil and air quality reports for 1996 through 2006 do not exist because there is no contamination that currently exists within the confines of the facility. The facility is exempted from having to prepare waste reduction plans per SB 14.

COMMENT 9

The following comments were received by e-mail from Mr. Raul Murga on March 13, 2007

"In addition to the previously requested documentation, we would like to respectfully request the Annual Report of Hazardous Waste Facility Activities and related documents, generated by Environmental Affairs Administrator of the SCGC.

Additionally the hyperlink you provided returned an error of "page not found". It may be possible that this hyperlink is and internal database and can only be accessed through the DTSC intranet.

Additionally, I have received an email from Mr. William Jeffers indicating that the DTSC has no air, water, or ground water sampling reports. There was no comment regarding the soil sample reports. Are there any available?

In the absence of these toxic indicators, I cannot fathom how an exception can be submitted without factual evidence of non-contamination.

Furthermore, is the requested "Soil Contamination Map" forthcoming?

Please advise us of findings in this regard, at your earliest convenience."

Response to Comment 9

Please see DTSC response to Comment 8.

COMMENT 10

The following comments were received by e-mail from Mr. Raul Murga on March 13, 2007

"Thank you for your response to our concerns. The hyperlink provided yields a "404 – Document Not Found" error.

Is this document available elsewhere?"

Response to Comment 10

A pdf copy of the draft CEQA Notice of Exemption was sent to MR. Murga electronically on March 14, 2007 and is available for review at the Rivera Public Library and DTSC's Glendale Regional office.

COMMENT 11

The following comments were received by e-mail from Mr. Raul Murga on March 13, 2007

"Thank you for timely response to our concerns.

At the time that the SCGC provide a tour of the Toxic Waste Storage facility, we were instructed not to take any pictures, as that was not permitted due to the Homeland Security regulations.

Some of the same items which we wanted to photograph were made public at the DTSC hearing. Therefore, and since these photographs were provided to the public, we would like the opportunity to photography areas of concern for incorporation into our final written communication to be submitted before the close of the public comments deadline.

We therefore respectfully request that the DTSC contact the SCGC and allow that activity to take place."

Response to Comment 11

DTSC has no authority to require facilities to provide public access to their property. However, the same photographs that were displayed during the public hearing are available in section 1 of the Part B permit application that is available for review at the Rivera Public Library.

The following comments were received by e-mail from Mr. Raul Murga on March 14, 2007

COMMENT 12

"Thank you for your extra effort in this regard. It is possible that your computer is plugged in to the DTSC main computer and the link was connected. Maybe, for security sake, computers accessing the same info may not be able to retrieve it. At any rate, I was able to peruse the .pdf file.

Again, thank you for taking the extra step in sending the file."

Response to Comment 12

Comment noted.

The following comments came by mail from Mr. Pat Canney of Sempra Energy Utilities, parent company of the Southern California Gas Company.

COMMENT 13-1

"Cover Page: The ZIP code listed for the Southern California Gas Co. under the owner and operator addresses should be ***90013***-1011 instead of 90051-1011. This change should be made to the three addresses listed on the page."

Response to Comment 13-1

DTSC concurs. The cover page of the Permit has been changed as requested.

COMMENT 13-2

"Part II.1 & 2.: The ZIP code listed for the owner and operator addresses should be ***90013***-1011 instead of 90051-1011."

Response to Comment 13-2

DTSC concurs. The Permit has been changed as requested.

COMMENT 13-3

"Part II.3.: The correct attachment reference for the site layout is II-2 rather than II-5."

Response to Comment 13-3

DTSC concurs. The Permit has been changed as requested.

COMMENT 13-4

"Part II.4.d.: The correct length of the base of Area 4 is 53 feet rather than 63 feet. The correct containment volume for Area 4 is 4,144 gallons rather than 6,224 gallons."

Response to Comment 13-4

DTSC concurs. The Permit has been changed as requested.

COMMENT 13-5

"Part II.4.e.: The correct containment volume for Area 5 is 6,224 gallons."

Response to Comment 13-5

DTSC concurs. The Permit has been changed as requested.

COMMENT 13-6

"Part II.6.: The Pico Rivera storage facility should be classified as a "small" rather than "large" storage facility with respect to Health & Safety Code section 25205.19. In this H&S Code section, a small storage facility is defined as one storing between 1,000 pounds and 1,000 tons of waste. The Pico Rivera facility stores less than 1,000 tons of waste. Note that if the facility stored 1,000 tons (2,000,000 pounds) of waste in the total number of containers allowed in Section IV of the permit—1,122—each container would weigh at

least 1,782 pounds, and this includes empty containers. The typical *maximum* weight of a 55-gallon container of waste stored at the facility, for example contaminated soil, is approximately 600 pounds."

Response to Comment 13-6

DTSC concurs. The Permit has been changed as requested.

COMMENT 13-7

"Part III.6: References are made to "Part VI" of the permit in Sections (a)(2), (b)(1), (b)(2), (b)(3), and (b)(4). There is no Part VI in the draft permit received. It is assumed the reference should be to Part V – CORRECTIVE ACTION."

Response to Comment 13-7

DTSC concurs. The Permit has been changed as requested.

COMMENT 13-8

"Part IV:
Area 1:

MAXIMUM CAPACITY: In the first sentence, add "and solids" after the word "liquid". Both liquid and solid wastes are stored."

Response to Comment 13-8

DTSC concurs. The Permit has been changed as requested.

COMMENT 13-9

"Part IV:
Area 1:

CALIFORNIA WASTE CODES: Add the following waste code:

- 792—liquids with pH less than or equal to 2 with metals. **Rationale** These acidic wastes are compatible with other wastes stored in Area 1.

Note: The waste codes listed in the draft permit for Area 1 include "761" which is not a valid waste code. It is assumed that this code should be "791" based on the previous permit."

Response to Comment 13-9

DTSC concurs. The Permit has been changed as requested.

COMMENT 13-10

"Part IV
Area 2:
MAXIMUM CAPACITY: In the first sentence, add "and solids" after the word "liquid". Both liquid and solid wastes are stored."

Response to Comment 13-10

DTSC concurs. The Permit has been changed as requested.

COMMENT 13-11

"Part IV
Area 3:
MAXIMUM CAPACITY: In the first sentence, add "and solids" after the word "liquid". Both liquid and solid wastes are stored."

Response to Comment 13-11

DTSC concurs. The Permit has been changed as requested.

COMMENT 13-12

"Part IV
Area 3:
ACTIVITY DESCRIPTION, WASTE TYPES, RCRA WASTE CODES and CALIFORNIA WASTE CODES: It is requested that Areas 3 and 4 be allowed to store the same types of wastes and lists of waste codes. The wastes currently allowed to be stored in these areas are compatible. They include flammable and non-flammable hydrocarbons; aqueous liquids; contaminated solids, soil, and debris; vehicle maintenance wastes (oil, antifreeze, grease); PCBs; non-corrosive solids and liquids contaminated with heavy metals; and asbestos containing waste. This would allow more flexibility in operation of the facility. The text in the sections for Areas 3 and 4 have been edited to indicate the activities and wastes are the same for these areas.

In addition, it is requested that the following waste codes be added to these areas:

RCRA HAZARDOUS WASTE CODES:

- D005—barium. **Rationale**: Certain wastes from gas transmission pipeline maintenance may have RCRA levels of barium.
- D035—methyl ethyl ketone. **Rationale**: Certain paint wastes, particularly aerosols, may contain methyl ethyl ketone.

CALIFORNIA WASTE CODES:

- 132—aqueous solution w/metals. **Rationale**: wash waters from tank cleanouts and hydroblasting painted surfaces may contain metals
- 135—unspecified aqueous solution. **Rationale**: wash waters from cleaning equipment and certain air conditioning chiller solutions may be hazardous due to the toxicity characteristic, but not meet other waste code classifications.
- 141—off-specification, aged, or surplus inorganics. **Rationale**: certain inorganic products such as solid desiccants that have passed their shelf life or become unusable.
- 162—other spent catalyst. **Rationale**: small, spent nickel catalyst canisters from hand-held carbon monoxide analyzers.
- 271—organic monomer waste. **Rationale**: containers of unused components from urethane resin spray kits.
- 272—polymeric resin waste. **Rationale**: unused epoxy resin kits.
- 342—organic liquids with metals. **Rationale**: unused paint containing lead and chromium

Note: The waste codes listed in the draft permit for Area 3 include “15” and “1212” which are not valid waste codes. It is assumed these should be “151” and “212” based on the previous permit.”

Response to Comment 13-12

DTSC concurs. The Permit has been changed as requested.

COMMENT 13-13

“Part IV
Area 4:
PHYSICAL DESCRIPTION: The correct containment volume for Area 4 is 4,144 gallons, rather than 6,224 gallons.”

Response to Comment 13-13

DTSC concurs. The Permit has been changed as requested.

COMMENT 13-14

“Part IV
Area 4:
MAXIMUM CAPACITY: In the first sentence, add “and solids” after the word “liquid”. Both liquid and solid wastes are stored.”

Response to Comment 13-14

DTSC concurs. The Permit has been changed as requested.

COMMENT 13-15

"Part IV
Area 4:
ACTIVITY DESCRIPTION, WASTE TYPES, RCRA WASTE CODES, and CALIFORNIA WASTE CODES: See comments for Area 3 above."

Response to Comment 13-15

DTSC concurs. The Permit has been changed as requested.

COMMENT 13-16

"Part IV
Area 5:
PHYSICAL DESCRIPTION: The correct containment volume for Area 5 is 6,224 gallons rather than 4,144 gallons."

Response to Comment 13-16

DTSC concurs. The Permit has been changed as requested.

COMMENT 14

This comment was received via e-mail from Mr. Jim Roybal and Mr. Luis Cabrales, Residents of Pico Rivera for Environmental Justice

"This is to comment on the Southern California Gas Company Hazardous Waste Storage Permit application process.

We are formally requesting that the comment period be extended for at least one month from the date you respond to all the questions presented to you by residents, during the Public Hearing, held in Pico Rivera on March 8, 2007.

Given the facts that this Public Hearing was held so close to the public comment period deadline of March 23, 2007, and residents' questions have not been answered by your staff, DTSC is thereby denying residents ample time to comment in regard to this project.

Furthermore, the residents who attended this meeting were left with too many unresolved questions and concerns about this permit renewal process, despite the assurance in your public hearing newspaper add that questions would "be answered before or after the hearing on the project."

Among other things, we are concerned about the lack of information regarding the history of inspections and detailed information of the toxics transferred to and from this location.

Moreover, the distance from the waste storage site to the nearest elementary school raises serious concerns.

Thank you in advance for your help. We look forward to hearing from you about this matter."

Response to Comment 14

DTSC extended the comment period to April 30, 2007. The information requested regarding the manifests for the years requested, the original permit and the 2005 biannual hazardous waste report were forwarded to Mr. Raul Murga electronically on the 13th, 14th, and 15th of March, 2007.