

APPEALS@DTSC

From: Rabbi Jonathan Klein, CLUE-LA <jklein@cluela.org>
Sent: Tuesday, March 03, 2015 12:35 PM
To: APPEALS@DTSC; Wong, Alfred@DTSC
Subject: Appeal of DTSC's decision to permit "CleanTech" facility at 5820 Martin Road, Irwindale, CA; EPA No.: Cal 000330453
Attachments: Appeal letter.pdf

To Whom It May Concern:

Please do not permit the CleanTech facility. Please see the attached letter of appeal of the DTSC decision.

Best Wishes,
Rabbi Klein



Clergy & Laity United
for Economic Justice **Creating a Just and Sacred Society**

Rabbi Jonathan D. Klein, Executive Director | [Clergy and Laity United for Economic Justice \(CLUE-LA\)](#)
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Join us Thursday, May 21st:

**CLUE-LA's 12th Annual Giants of Justice Breakfast
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*Saint Sophia Greek Orthodox Cathedral
1324 S Normandie Ave, LA 90006*

Honoring:

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Rabbi Neil Comess-Daniels

Laureen and Victor Narro Lazarovici

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8am | Free and Ample Parking; [email me for more info](#)



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RE: Appeal of DTSC's decision to permit "CleanTech" facility at 5820 Martin Road, Irwindale, CA; EPA No.: Cal 000330453

Dear Permit Appeals Officer and Mr. Wong:

We are writing to appeal DTSC's decision to approve the "CleanTech" project at 5820 Martin Road, Irwindale, CA. Clergy and Laity United for Economic Justice (CLUE) is a faith-based community organization that fights for the rights of working people and their families. We are outraged that DTSC did not listen to the community and has approved this project that could destroy one of the bright spots in the local community—the Santa Fe Dam Recreational Area.

STATEMENT OF REASONS

DTSC's conclusion that putting a **large hazardous waste facility** next to a **recreational area with children and wildlife** strains credulity. The proposed project next door the Santa Fe Dam Recreational Area. The Santa Fe Dam Recreational Area is a special place for our members and for the working-class communities we fight for. It is one of the few free recreational opportunities in this area. Endangered and threatened species call this area home, including Least Bell's vireo, Willow flycatcher, Swainson's hawk, and the Coastal California gnatcatcher. This area is also a Significant Ecological Area. This is a special designation that the County of Los Angeles gives "to designate critical components of the biodiversity of Los Angeles County."

The Santa Fe Dam Recreational Area is especially critical because it is one of the few opportunities for people in this community to enjoy the beauty and peace of the natural world. This community is **low-income** and overwhelmingly **Latino**. Why is DTSC doing this? Other elected officials can see how important it is for working class families to have a safe place to recreate and enjoy nature **without the danger of hazardous waste**. President Obama signed a proclamation setting aside almost 350,000 acres of the nearby Angeles National Forest as a national monument. He could see what DTSC obviously can't, that "too many children in L.A. County, especially children of color, don't have access to parks where they can run free and breathe fresh air, experience nature, and learn about their own environment." If the CleanTech project is built, families in this area will have one less place to run free, breathe fresh air, and learn about their own environment.

Unless DTSC grants this appeal, a large hazardous waste plant processing over **18,000,000 gallons of hazardous waste a year** will be sited within feet of the Santa Fe Dam Recreational Area and the Significant Ecological Area. A release of hazardous waste could devastate the Santa Fe Dam Recreational Area, covering endangered species, sensitive habitat, and impaired water bodies with hazardous waste.

The EIR doesn't adequately analyze impacts to the Santa Fe Dam Recreational Area

What if there is a spill of hazardous waste? It could happen; one hears of truck crashes, fires, earthquakes, and industrial accidents every day. The public isn't going to be protected by DTSC's "mitigation measure." It doesn't even deserve the term "mitigation measure." It is just a promise to develop an unspecified "plan" with very basic things like who employees should contact if there is a spill of hazardous materials. Common sense says that if there is a crash or an accident that releases hazardous waste, no plan is going to prevent the waste from reaching water bodies, habitat, endangered species, or the Santa Fe Dam Recreational Area.

DTSC didn't analyze the project's impacts water, habitat, recreation, and the Santa Fe Dam Recreational Area if there is an accident—it just assumed that this plan will “mitigate the impacts”. How is the public supposed to accept that?

With Mitigation Haz. 1-1, DTSC is basically saying “trust us—we are not going to tell you how spills of hazardous waste will be mitigated now, but after the project is built, the applicant will come up with a plan.” That is insane! DTSC is supposed to be the watchdog. It is the one who is supposed to require mitigation. Not later, now. DTSC's approach violates the public's trust and CEQA.

Put the project somewhere else

It would be wonderful if we lived in a world without hazardous waste. But we recognize that we don't live in that world, and it has to go somewhere. **But this is one of the worst possible locations for hazardous waste.** DTSC's conclusion that there is no better location for this project is absurd. Surely there is some industrial site between the facility and Long Beach that is not adjacent to the Santa Fe Dam Recreational Area and a Significant Ecological Area. In putting the project here, DTSC relied entirely on the applicant's wishes. What about the public's wishes and rights? What about DTSC's mission of protecting “California's people and environment from harmful effects of toxic substances”? DTSC must redo the alternatives analysis and consider alternatives that would not place a Sensitive Ecological Area and working-class, largely Latino community at risk.

What about the Community?

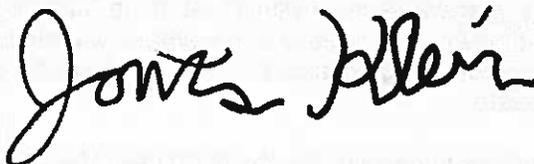
The process for this project was not conducted in a manner that “ensures the **fair treatment of people of all races, cultures, and income levels.**” DTSC can't be a callous as it seems here. Please stop for a minute and look at what you are doing. This community is largely Spanish speaking and low-income. There was very little public outreach on this project, and one day, folks will wake up to find that the park they love has millions of gallons of hazardous waste rumbling by on big-rig trucks every month, and DTSC can't protect them if there is an accident.

* * *

John Muir once wrote: “Climb the mountains and get their good tidings. Nature's peace will flow into you as sunshine flows into trees. The winds will blow their own freshness into you, and the storms their energy, while cares will drop away from you like the leaves of Autumn.”

The measure of a just society isn't how much money it makes or how quickly the wheels of industry turn. It is how we treat those who don't have a voice, the working class, parents who have uprooted their lives in search of a better world for their children, people who face a language barrier. Failing to grant this appeal would be fundamentally unjust, and would deprive the local community of the good tidings, peace, and freshness they get from the Santa Fe Dam Recreational Area.

Thank You for Your Attention to this Matter.



Jonathan Klein
Executive Director