

APPEALS@DTSC

From: Rabbi Jonathan Klein, CLUE-LA <jklein@cluella.org>
Sent: Thursday, February 26, 2015 11:47 PM
To: McFadden, Nancy
Cc: Lee, Barbara@DTSC; Ingenito, Miriam@DTSC; mccarthy.gina@epa.gov; APPEALS@DTSC; senator@boxer.senate.gov; senator@feinstein.senate.gov; grace@mail.house.gov; chu@mail.house.gov; senator.hernandez@sen.ca.gov; assemblymember.hernandez@assembly.ca.gov; firstdistrict@bos.lacounty.gov; markb@ci.irwindale.ca.us; mgarcia@ci.irwindale.ca.us; aambriz@ci.irwindale.ca.us; jmiranda@ci.irwindale.ca.us
Subject: Coalition Letter and Petition to Save Santa Fe Dam
Attachments: Save_SFDRA_Eng_final.pdf

Dear Governor Brown and Respected Elected Leaders,
The attached letter and collection of signatures from the area surrounding the Santa Fe Dam in Irwindale needs immediate attention.

In addition to the organizations listed on the attached letter, our coalition also has the support of the Center on Race, Poverty and the Environment, and our list continues to grow.

We request action be taken immediately to prevent a potential environmental disaster.

Respectfully,
Rabbi Jonathan Klein

Rabbi Jonathan D. Klein, Executive Director | **Clergy and Laity United for Economic Justice: Creating a Just and Sacred Society (CLUE-LA)**
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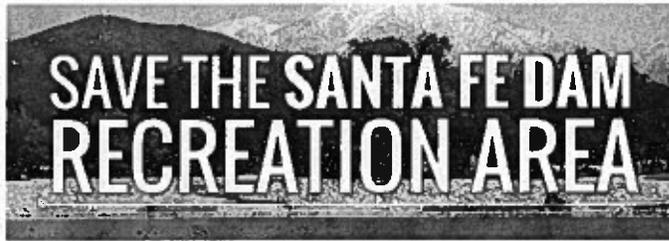
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The Honorable Edmund Brown
Office of Governor
State Capitol
Sacramento, CA 95814

Re: Governor Brown Please Help Us: Building a Hazardous Waste Facility Next to a 836 Acre Nature Preserve is Outrageous

Dear Governor Brown:

We write to urge you to intervene to save the Santa Fe Recreation Area. Can you imagine what would possess a regulator to want to approve the building of a hazardous waste plant that will process millions of gallons of used motor oil and other waste next door to one of the San Gabriel Valley's most important ecological areas? We can't either. But that is exactly what the Department of Toxic Substances Control (DTSC) has done.

This is a shocking step to take given President Obama's recent designation of the San Gabriel Mountains as a national monument. President Obama said of this designation: "We heard from the community that for a lot of urban families this is their only big, outdoor space. And 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."

President Obama's environmental leadership stands in stark contrast to DTSC's odd process, which results in this kind of a permitted facility. Now, DTSC wants to put a used motor oil hauler and recycler right next to the San Gabriel Valley's ecological area.

The Santa Fe Dam Recreation Area, an 836-acre nature preserve with a 70-acre lake, is nestled at the foot of the San Gabriel Mountains. The County of Los Angeles previously designated it as a Significant Ecological Area for both protected species and people who like to swim, hike, and fish there as a respite from dense urbanization because of "land that contains irreplaceable biological resources," including Least Bell's Vireo, Willow Flycatcher, Swainson's Hawk, and the Coastal California Gnatcatcher.

We are a coalition of community members, animal and wildlife lovers, environmentalists, faith leaders, labor groups, environmental-justice leaders, and California citizens. Though we come from different walks of life and have different perspectives on many issues, we are united in our opposition to the hazardous waste facility that DTSC has approved.

The site slated for this "CleanTech Environmental" project in Irwindale is practically a stone's throw away from the dam. Somehow DTSC has concluded that in the hundreds of square miles of

industrial areas throughout the San Gabriel Valley and Los Angeles, this site sitting on the edge of the ecological preserve is the ONLY place one can build an enormous hazardous waste plant, an outrageous conclusion to say the least.

This is not a question of whether we should have facilities to process hazardous waste. Of course we need them; the question is where to put them. This site is in an economically disadvantaged and largely minority community. DTSC's permit decision is an outrageous act of environmental injustice. Would we ever see the DTSC allow such a facility in, say, Santa Monica?

DTSC's cavalier response to community outcry over foisting this plant on an economically disadvantaged, Latino community was that, "The CEQA process doesn't require an environmental justice component as part of [sic] EIR" If the CEQA process does not provide protection for poor minority communities from environmental hazards in the context of an Environmental Impact Report required under CEQA, then what does?

The DTSC also mishandled the EIR by performing faulty analysis, failing to analyze the impacts of such a facility on the air and water, ignoring an assessment of cumulative impacts in an area that already has at least a dozen other EPA regulated facilities generating, transporting, treating, storing or disposing of hazardous waste, and by obscuring the plant's capacity.

It is impossible to tell how many gallons of waste will flow into the dam as a result of this permit decision. But we know it will flow. And the plant will foul the air based on other cases of pollution around the state from lead battery recycler Exide Technologies in east Los Angeles to chemical waste recycler PhibroTech in Santa Fe Springs, and Evergreen Oil, another used motor oil recycler in the East Bay. A safety plan is also missing. What happens if a level 6 earthquake strikes?

Lastly, the company itself cannot be trusted to operate safely. The company is the third largest collector of used motor oil in the state and the second largest provider of part washers in California with a facility in Fresno and corporate offices in Irwindale. In 2003, DTSC fined the company for storing used motor oil longer than was safe—121 times. In 2005, DTSC fined the company for the same violation, but also for paperwork violations involving improper reporting of what hazardous waste truck drivers were transporting.

It is difficult to believe that DTSC would exercise such poor judgment in this decision without some undue influence.

Tim Swickard, the former Director of DTSC, is now CleanTech's attorney. This raises serious ethical concerns. How can DTSC staff that previously worked for Mr. Swickard possibly be expected to objectively and fairly assess this project? And if DTSC staff is not being influenced by Mr. Swickard's involvement, how could they come to such a poor decision that will harm the sensitive plants and animals, economically disadvantaged minority communities, and the Santa Fe Dam Recreational Area?

If DTSC's let's this bad decision move forward, Los Angeles children, especially children of color, will have one less place where, as President Obama said, they can "run free and breathe fresh air, experience nature, and learn about their own environment." This from DTSC, the agency whose mission statement is to "protect California's people and environment from harmful effects of toxic substances."

Governor Brown, please don't leave behind a legacy of environmental disaster. You're our only hope now to stop this unfair, outrageous, and dangerous plan.



Jena Price
Legislative Affairs Manager



CCA EJ
Penny Newman
Executive Director



California Latino
Environmental Advocacy
Network



Communities for a
Better Environment



Liza Tucker
Consumer Advocate



Clergy & Laity United
for Economic Justice
Rabbi Jonathan Klein
Executive Director



"Fighting for Life"



Faith Action
for
Animals



Resurrection Church
Rev. Msgr. John Moretta, Pastor
serving East Los Angeles since 1923



cc:

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SAVE THE SANTA FE DAM RECREATION AREA

Governor Jerry Brown, we need your help. DTSC is proposing to allow the construction of a hazardous waste facility literally next door to one of the largest and most sensitive ecological preserves and outdoor recreation areas in the San Gabriel Valley of Los Angeles County, the Santa Fe Dam Recreational Area. This hazardous waste facility would be built bordering this pristine Recreational Area and will process over 1,500,000 gallons of hazardous waste every month, putting at risk this preserved natural habitat and recreational area enjoyed by thousands of children and families.

DTSC's job is to protect Californians and our environment. Why would anyone locate a hazardous waste facility next to a sensitive ecological and recreation area? There are hundreds of industrial areas throughout the Los Angeles region where this could be located. There is no reason to do this next to the Santa Fe Dam Recreational area. Please help us save the Santa Fe Dam Recreational Area before it's too late.

NAME	ADDRESS	CITY, STATE, ZIP	PHONE	EMAIL
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Wl Flores	5028 LaSana Ave Baldwin Park Ca	91706	(626) 678-4491	

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SAVE THE SANTA FE DAM RECREATION AREA

Gobernador Jerry Brown, necesitamos su ayuda. El DTSC propone permitir la construcción de la instalación de desecho arrojada literalmente al lado a uno de los vedados ecológicos más grandes y más sensibles y áreas de recreación al aire libre en el Valle de San Gabriel del Condado de Los Angeles, el Área de Recreación de la Presa de Santa Fe. Esta instalación de desecho arrojada sería construida lindando con esta Área de Recreación prístina y tratará más de 1,500,000 galones de basura arrojada cada mes. Poniendo en peligro este hábitat natural conservado y área recreacional disfrutada por miles de niños y familias.

El trabajo del DTSC debe proteger a californianos y nuestro ambiente. ¿Por qué localizaría alguien una instalación de desecho arrojada al lado de un área de recreación sensible y ecológica? Hay cientos de áreas industriales en todas partes de la región de Los Angeles donde esto podría ser localizado. No hay ninguna razón de hacer esto al lado del área de recreación de la Presa de Santa Fe. Por favor ayúdenos a salvar la Área Recreacional de la Presa de Santa Fe antes de que sea demasiado tarde.

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Emilio H. Ibarra	15827 NUBIA ST.	B.P. 91706	626 813 9729	

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NAME	ADDRESS	CITY, STATE, ZIP	PHONE	EMAIL
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Dezace Saralegui	4912 Armitage Ave.	91706	(626) 524-9934	

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NAME	ADDRESS	CITY, STATE, ZIP	PHONE	EMAIL
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Marta Torres	4846 Annistone Ave	B.P. 91706	—	
Hector Torres	4846 Annistone Ave	Baldwin Park 91706	—	
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FRANK TORRES	4848 Anniston Ave	BALDWIN PARK 91706	(626) 664-8777	
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