

APPEALS@DTSC

From: ed rendon <edr@jc42.net>
Sent: Tuesday, March 03, 2015 7:25 AM
To: APPEALS@DTSC
Subject: APPEAL OF CLEANTECH PROJECT
Attachments: jc42.pdf

Please find attached letter from Teamsters JC 42 requesting appeal.

Edward J. Rendon
Director of Public Affairs
Teamsters Joint Council 42
mobile: 626-712-7907

TEAMSTERS JOINT COUNCIL 42

INTERNATIONAL BROTHERHOOD OF TEAMSTERS

March 4, 2015

Permit Appeals Officer
Department of Toxic Substances Control
8800 Cal Center Drive
Sacramento, California 95826-3200
Email: appeals@dtsc.ca.gov

LETTER TO BE ADDED TO THE OFFICIAL ADMINISTRATIVE RECORD

RE: APPEAL OF CLEANTECH PROJECT

Dear Permit Appeals Officer:

Teamsters Joint Council 42 is writing to appeal the CleanTech hazardous waste project in Irwindale, California.

We are dismayed that DTSC chose not to take our initial comment letter seriously and brushed our concerns aside. The permit and its environmental impact report (EIR) are shockingly deficient and contain numerous, unexplained (and unexplainable) inaccuracies, which seriously undermine the credibility of the EIR. These inaccuracies make us wonder, as members of the concerned public, whether DTSC took its duty to protect the community and the environment from toxic harm seriously, including whether DTSC took its duty under the California Environmental Quality Act (CEQA) to put together a trustworthy EIR.

As we stated in our initial comment letter, it makes no sense whatsoever to build a new hazardous waste treatment facility in this location. Our members and their families enjoy the Santa Fe Dam Recreational Area. We enjoy the natural habitat and wildlife and the recreational opportunities, as well as the community events held at the park. What if there is a release of hazardous waste? This could happen, but the EIR doesn't say how the public and workers are going to be protected if this happens.

What's even worse is that DTSC is apparently not requiring CleanTech to train anybody in the plan or hazardous waste spill response procedures or require any specialized personnel to deal with this potential impact. As representatives of workers, we know that the successful implementation of any plan relies on rigorous training. "MM Haz-1.1" is putting workers at serious risk by potentially exposing them to a situation in which they will have to execute potentially complicated, hazardous, and dangerous hazardous waste spill response procedures without adequate training. DTSC is failing to live up to its responsibilities as a government agency charged with protecting the public and environment, and this is unacceptable.

This raises other questions about worker safety:

- Is DTSC requiring a health risk analysis for onsite workers? Hazardous waste can present serious work-safety issues unless the workforce is adequately trained and has the proper equipment. We did not see requirements in the EIR for this.
- Will the employer offer adequate pay and benefits to hire and keep the skilled workforce that is necessary to safely run a project like this? Again, we did not see any analysis in the EIR about this.

- Similarly with the truck drivers who are hauling the hazardous waste. Will they have the skills and the equipment necessary to respond if there is an accident? Again, the EIR doesn't say anything about this.
- Will the project have a safety officer on-site 24-hours a day? Why isn't this disclosed in DTSC's decision, and why wasn't it studied?
- Will the project site have 24-hour security?

DTSC also failed to respond adequately to our initial comment letter. We incorporate those comments by reference into this letter.

Conclusion

The solution, as we stated in our first letter, is to deny the permit and force CleanTech to find a different location for the project. There is no reason why this project needs to be next door to the Santa Fe Dam Recreational Area. The Santa Fe Dam Recreational Area is unique in Los Angeles County, so it shouldn't be difficult for CleanTech to find an industrial site.

Why is DTSC so eager to approve this project, at this location? DTSC is rushing to judgment and overriding the safety of the public and workers.

Reviewing this appeal and correcting the EIR to fix the problems noted above, as well as dealing with other problems noted by other commenters in a stand-up manner, would be a step in the right direction in repairing DTSC's credibility and trust with the public.

Thank you for your consideration.

Sincerely,

Randy Cammack
President

RC/kr

with copy to:

Mr. Alfred Wong
Office of Permitting
Department of Toxic Substances Control
700 Heinz Avenue
Berkeley, California 94710
Email: Alfred.Wong@dtsc.ca.gov