



CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY

NEWS RELEASE

Department of Toxic Substances Control

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Department Denies Gibson Environmental Permit Appeal

Sacramento-- Citing reoccurring violations and the facility's long history of compliance problems, the California Environmental Protection Agency's Department of Toxic Substances Control (DTSC) today announced its decision to deny an appeal from the owner/operators of Gibson Environmental in Bakersfield for hazardous waste facility permits.

Upon issuing the appeal decision, Ted Rauh, Deputy Director of DTSC's Hazardous Waste Management Program, said, "Considering the compliance history, we believe Gibson cannot operate this facility in a manner that is protective of public health and the environment. The decision to deny their appeal to our permit determination was the only appropriate course of action."

DTSC initially denied the renewal and issuance of permits in 1996. Gibson appealed the permit determinations.

The appeal decision also invokes regulatory requirements to start the procedures for properly closing the hazardous waste facility. Under that procedure, Gibson is required to submit a modified closure plan to DTSC and, after its review and approval, remove all remaining hazardous waste from the site within 90 days.

The Gibson facility, located at the end of Commercial Drive in Bakersfield, was in operation from 1987 to 1995. In November 1994, Gibson filed for bankruptcy and, in 1995, stopped accepting new waste. The facility also discontinued treatment of used oil, oily waste water and contaminated soils.

The decision to deny the appeal was based in part on repeated violations, including:

- unauthorized acceptance, storage and treatment of hazardous waste;
- failure to comply with design and operating requirements for hazardous waste piles;
- failure to comply with water quality monitoring requirements; and
- failure to provide required liability insurance and financial assurances to cover costs of closing the facility.

The violations are also the basis of ongoing litigation between DTSC and Gibson in a case before the Alameda County Superior Court.

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Closure and cleanup at the site includes removal of oil wastes stored in tanks, and the removal of an estimated 80,000 tons of lead-contaminated soils stored in hazardous waste piles. The closure procedure also includes the issuance of a public notice and an opportunity for the public to submit written comments regarding the closure plan.

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