

NOTICE OF AN EMERGENCY PERMIT

NIETO AND SONS TRUCKING

Brea

California

May 2, 2010 through May 11, 2011

WHAT IS BEING PROPOSED? On April 28, 2011, Nieto and Sons Trucking (Nieto) requested an Emergency Permit from the California Department of Toxic Substances Control (DTSC). Nieto proposes to store about 350 gallons of waste oil and water contaminated with polychlorinated biphenyls (PCBs) already contained in a tanker truck parked inside the Nieto Facility at 1281 Brea Canyon Road, Brea, CA 92885. DTSC requires an Emergency Permit for the requested storage because Nieto does not hold any other facility hazardous waste storage permit.

The permit application is for storage of hazardous waste or the PCBs. Based on DTSC's authority, DTSC finds there to be an imminent and substantial endangerment to human health and the environment and issues this temporary emergency permit to Nieto. The storage will be carried out on-site by Nieto personnel at their Brea facility.

DTSC finds there is a potential imminent and substantial endangerment to human health and the environment. As such, DTSC issued this emergency permit to Nieto effective May 2, 2011 through May 11, 2011. During this period, Nieto plans to arrange transportation of this waste to an off-site facility that will accept this PCB and waste oil combination. The emergency permit includes measures to minimize any adverse impact to the community or the environment during the storage.

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA): DTSC has determined that this Emergency Permit is exempt from the requirements of CEQA as an action necessary to prevent or mitigate an emergency. A Notice of Exemption (NOE) will be filed which starts a 35-day time period for any legal challenges to DTSC's CEQA determination for this Emergency Permit. This activity is necessary to prevent an emergency because the material cannot be stored in the tanker truck indefinitely without posing a threat to property and human health.

For further information regarding the Emergency Permit for Nieto, please contact:

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DTSC Hazardous Substances Engineer (HSE)
8800 Cal. Center Drive
Sacramento, California 95826
Phone: (916) 255-3746
BRikala@dtsc.ca.gov

WHERE DO I GET MORE INFORMATION? A copy of the Emergency Permit, NOE, and the Nieto request as well as the full Administrative Record for this project are available for review at:

DTSC
8800 Cal. Center Drive
Sacramento, California 95826

FOR ADDITIONAL INFORMATION: If you have questions or would to discuss the Emergency Permit, please contact:

For Permit Information
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NOTICE TO HEARING IMPAIRED INDIVIDUALS: TDD users may use the California Relay Service at 1-888-877-5378 (TDD) and ask to speak to Tim Chauvel at (714) 484-5487.