

Fact Sheet

The mission of DTSC is to protect California's people and environment from harmful effects of toxic substances through the restoration of contaminated resources, enforcement, regulation and pollution prevention.

Western Environmental, Inc. Update of Activities

Sampling Plan

The Department of Toxic Substances Control (DTSC) is currently working with Western Environmental, Inc. (WEI) for the sampling of existing soil stockpiles to characterize their nature and chemical characteristics. It has been agreed that WEI will prepare a Sampling and Analysis Plan based on a Scope of Work established by DTSC, and implement the sampling under DTSC oversight. On October 13, 2011 WEI submitted a draft of the Sampling and Analysis Plan to DTSC, to which DTSC provided comments on October 19, 2011. DTSC is presently waiting for the revised version of the Sampling and Analysis Plan for its final review and approval.

WEI-Mecca is a soil treatment and recycling facility operating under a permit by the Cabazon Band of Mission Indians (CBMI) to accept contaminated soil considered non-hazardous by federal standards. However, because California's standards for regulating hazardous waste are stricter than the federal standards, some of the soils accepted by WEI fall within the category of California hazardous waste. DTSC and CBMI are currently working together so that California standards for the treatment of hazardous waste can be implemented at WEI. In this regard, DTSC is undertaking a comprehensive evaluation of the operation at WEI, including its existing stockpiles of treated and untreated soils. The purpose of the planned sampling activity is to characterize the chemical nature of these soils. For the treated soils in particular, the sampling will determine if it has been adequately treated so as not to pose a risk to human health when it is shipped off site and used at our communities. The specific objectives of the sampling are:

1. Characterize the treated soil stockpiles to ensure that they do not pose a risk to human health in California communities where the soils may be used as fill material.
2. Verify the nature of untreated soil stockpiles and their classification as hazardous or nonhazardous based on California hazardous waste criteria.
3. Allow for comparison between untreated and treated soils as a measure of the effectiveness of WEI's treatment process.

Once DTSC approves the Sampling and Analysis Plan currently being prepared by WEI, implementation of the sampling can commence. Barring any unexpected interruptions, DTSC anticipates this work to be completed in the next 90 days.

Phase 1 Survey

On August 29-30, 2011, DTSC staff visited WEI-Mecca to view its facilities, interview personnel and review operational records. The purpose of this Phase 1 Survey was to gain understanding of the nature of operations, effectiveness of engineering practices, quality of waste handling and treatment processes, safety of operations, and current or potential impact to the



environment and surrounding communities. The purpose of the survey is to evaluate whether existing operations meet California standards for hazardous waste treatment facility, and identify areas of improvement to meet those standards.

Path Forward

Based on the result of the survey and the sampling of soil stockpiles, DTSC will develop a set of recommendations that would bring WEI operations into full conformance with California standards for facilities performing soil treatment of California hazardous waste.

The next step is for DTSC and CBMI to develop an agreement that establishes appropriate mechanisms for the implementation and maintenance of these standards at WEI, within the framework of tribal sovereignty and authority. The public will be fully informed of the agreement and will have opportunity to provide comments.

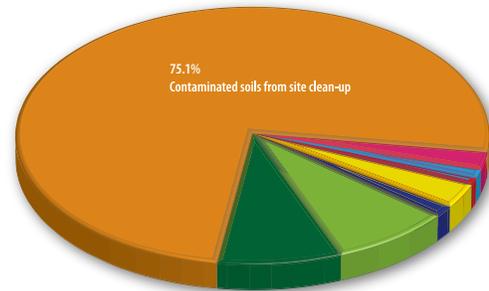
DTSC Internal Audit Update

On August 4, 2011, DTSC completed an internal audit of its past activities related to WEI. The audit concluded that in the past there has been a lack of clarity within DTSC over its ability to regulate California hazardous waste disposal or treatment on Indian lands.

To ensure that future similar situations are appropriately handled, DTSC has undertaken various steps:

- All staff members and managers have been made aware that WEI cannot accept hazardous waste.
- DTSC has notified generators (including Caltrans, school districts and the military) that WEI cannot accept California only waste. Transporters have also been notified.
- After being informed by DTSC, CalRecycle has suspended recycling incentive payments to WEI because the facility does not have authorization from DTSC to accept used oil.
- Acting on DTSC's notification, the State Water Resources Control Board has informed those associated with its Underground Storage Tank (UST) Program that it would no longer reimburse costs associated with UST cleanups where the waste was sent to WEI until DTSC determines the facility is in compliance with state law.
- A new process has been instituted that requires Project Managers overseeing cleanup projects to ensure that waste is going to an appropriately regulated facility. This includes a requirement that Project Managers must review and approve the destination of the waste.
- A multi-program team has been created to communicate critical policy issues internally.
- Staff members are being trained on the new processes for ensuring cleanup wastes are sent to an appropriate facility.
- DTSC policy makers have clarified and communicated the state's position on DTSC's authority with respect to the transportation of hazardous waste to Indian reservations.

2011 Waste Categories Delivered to Western Environmental Incorporated



Waste Code	Description	Tonage	%
134	Aqueous solution (2<PH,12.5) W org residues <10%	166.6	1.2
181	Other inorganic solid waste	142.9	1.0
221	Waste oil and mixed oil	403.2	2.9
223	Unspecified oil-containing waste	186.9	1.3
321	Sewage Sludge	1139.9	8.1
352	Other organic solids	1165	8.3
611	Contaminated soils from site clean-up	10,531.90	75.1
	*Other	286.21	2.0



- DTSC has developed plans for improvements to the Hazardous Waste Tracking System (HWTS) system. In October, DTSC began programming changes to HWTS which will provide ongoing review of manifest data to identify unauthorized facilities in California accepting manifested shipments of hazardous waste. These improvements will provide for active notification to enforcement staff of potential unauthorized facilities when manifest data is loaded into HWTS.

Community Outreach

DTSC is committed to inform and engage the community in its activities related to the WEI facility. The DTSC project team, led by Mr. Hamid Saebfar, has already begun reaching out to community groups and leaders in the Mecca/Coachella Valley area. As part of its outreach effort, the team will develop and distribute monthly project updates, hold regular meetings within the community, update DTSC’s web site, answer questions from the public, and share technical information.

For questions, contact:

Maya Akula at: 818-717-6566, e-mail: makula@dtsc.ca.gov

or U.S. Mail:

Department of Toxic Substances Control

Attn: Maya Akula, Public Participation

9211 Oakdale Avenue

Chatsworth, CA 91311-6505

For further information visit: www.dtsc.ca.gov/WEI.cfm

Mailing list information

If you would like to receive updates on WEI by email or U.S. Mail, please contact Ms. Akula or fill out the form below:

If you would like to receive future updates on Western Environmental Inc. issued by Cal/EPA, email your request to makula@dtsc.ca.gov or complete this form and return it to:

Department of Toxic Substances Control
Attn: Maya Akula
9211 Oakdale Ave. Chatsworth, CA 91311

Please Indicate your preference for: U.S. Postal mail Email

NAME _____	EMAIL _____	
STREET _____	APT. # _____	
CITY _____	STATE _____	ZIP _____

