

COMMUNITY Notice

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.

Update on Western Environmental Incorporated, Mecca, California

In a [letter dated April 8, 2014](#), Western Environmental Incorporated (WEI) notified the Department of Toxic Substances Control (DTSC) that it would not accept hazardous waste regulated by the State of California. The WEI facility is located within tribal land of the Cabazon Band of Mission Indians (CBMI).

Background

California's definition of hazardous waste is more stringent than most states and the federal government, resulting in a classification of hazardous waste called "non-RCRA hazardous waste" (also frequently referred to as "California-only hazardous waste"). DTSC had previously determined that WEI could not legally accept and/or treat "non-RCRA hazardous waste" at their Mecca facility without a valid permit. Facilities like WEI, that are operating on Indian land but not owned by a tribe itself, must either obtain a permit from DTSC or obtain a permit from the tribe that has executed a Cooperative Agreement with the Secretary of Cal/EPA. WEI's original permit did not fulfill these requirements.

In May of 2012, DTSC issued two documents pertaining to WEI, the first of which was an Evaluation Survey, and the second an Evaluation of Soil Sampling. The purpose of the Evaluation Survey was to gain a better understanding of WEI's operations and identify areas that needed to be addressed in order to meet California's standards for a hazardous waste management facility of this nature. Accordingly, the Evaluation Survey outlined seventeen recommendations that would facilitate WEI's compliance with California standards.

The purpose of the second document, the Evaluation of Soil Sampling, was to evaluate the results of the soil sampling conducted by WEI and DTSC. The soil sampling was conducted to address public concerns about the potential health impacts to surrounding communities and the safety of treated soils leaving the facility. The soils were tested for a broad list of potential contaminants. The main finding of the soil sampling was that chemical concentrations of the treated soils were below both federal and California hazardous waste limits.

Current Status

In a letter dated April 8, 2014, WEI notified DTSC that they will not be accepting "materials currently regulated as California Hazardous waste" until such time as a Cooperative Agreement is entered into with the Secretary of Cal/EPA. Therefore, compliance with the seventeen recommendations outlined in DTSC's Evaluation Survey for operation of a permitted California hazardous waste facility is not required. DTSC will continue to work with CBMI in an advisory capacity, and be available to provide support to the community.

For more information, please contact:

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