DEPARTMENT OF TOXIC SUBSTANCES CONTROL

NOTICE OF CONSENT DECREE
BKK LANDFILLS FACILITY
WEST COVINA, CALIFORNIA

EXTENSION OF PUBLIC COMMENT PERIOD TO JANUARY 13, 2006

The Department of Toxic Substances Control ("DTSC"), pursuant to the authority vested in DTSC under Section 107 of CERCLA, 42 U.S.C. § 9607 and California Health and Safety Code section 25358.3(e), proposes to finalize a Consent Decree regarding the BKK Landfills Facility located at 2210 South Azusa Avenue, West Covina, California.

On October 31, 2005, DTSC filed a complaint in United States District Court, Central District of California, Docket No. CV05-7746 CAS against a number of defendants under the provisions of the Comprehensive Environmental Response, Compensation, and Liability Act, 42 U.S.C. §§ 9601 *et seq*. and the California Health and Safety Code section 25358.3 (e). The Consent Decree is intended to resolve the liability of the defendants for: certain DTSC past and future response costs; and for oversight costs that DTSC will incur during the time that the defendants' conduct site activities. The Consent Decree obligates the defendants to conduct certain work at the BKK Landfills Facility for slightly less than two (2) years. The Consent Decree provides covenants not to sue and contribution protection for these costs and work, and provides for standstills and tolling of enforcement activity and litigation among the parties.

DTSC has extended the public comment period on the Consent Decree by an additional seven (7) days from January 6, 2006 to January 13, 2006. The public comment period began November 12, 2005, and now ends on January 13, 2006. Written comments on the proposed Consent Decree must be submitted on or before 5:00 p.m. January 13, 2006. This is the fourth extension of the public comment period. On December 13, 2005, DTSC extended the end of the public comment period from December 13, 2005 to December 20, 2005. On December 20, 2005, DTSC extended the end of the comment period from December 20, 2005 to December 30, 2005. On December 30, 2005, DTSC extended the end of the comment period from December 30, 2005 to January 6, 2006. DTSC may modify or withdraw its consent to the Consent Decree if such comments disclose facts or considerations that indicate the proposed Consent Decree is inappropriate, improper or inadequate.

Comments should be addressed to:

Marilee Hanson (mhanson @dtsc.ca.gov)
Department of Toxic Substances Control
Office of Legal Counsel

P.O. Box 806
Sacramento, California 95812-0806

With copy to:

Jim Dragna (jim.dragna@bingham.com)
Bingham McCutchen
355 South Grand Avenue
Los Angeles, California 90071-3106

Any comments sent electronically should also be sent by mail. Comments should refer to the BKK Landfills Facility Consent Decree.

During the public comment period, the Consent Decree may be examined on the DTSC Internet Web site at:

www.dtsc.ca.gov under "Hot Topics."
Scroll down to "Local Projects"
Click on "BKK Corporation Landfill"
Scroll down to "Project Related Documents"
Click on "Consent Decree-2005" and "Consent Decree Exhibits-2005"

The Consent Decree may also be examined at the following location:

DTSC headquarters office at 1001 I Street, Sacramento, California 95812-0806. Please contact Ms. Nancy Aquino at (916) 323-4911 (phone) or (916) 323-5542 (fax) or naquino@dtsc.ca.gov for an appointment.

The Consent Decree may also be examined at the DTSC regional office:

Department of Toxic Substances Control,
1011 North Glenview Avenue
Glendale, California 91201-2205
Please contact Ms. Jone Barrio, Regional Records Coordinator at (818) 551-2886 (phone) or (818) 551-2976 (fax) for an appointment.

A copy of the Consent Decree may also be obtained by mail from the DTSC Office of Legal Counsel at P.O. Box 806, Sacramento, California 95812-0806, or by faxing or e-mailing a request to Nancy Aquino (naquino@dtsc.ca.gov), fax no. (916) 323-5542, phone confirmation number (916) 323-4911. If requesting a copy from DTSC, the cost for reproductions is $0.15 (15 cents) per page. Please make your check or money order payable to the Department of Toxic Substances Control and mail it to Ms. Aquino in DTSC headquarters at the address shown above