

April 2011 – Western Environmental Inc. Facility in Mecca, California

Based on the Department of Toxic Substances Control's (DTSC) determination of non-compliance with California laws, the Underground Storage Tank Cleanup Fund (Fund) will no longer reimburse costs related to the disposal of soils and other petroleum underground storage tank cleanup wastes at the Western Environmental Inc. facility in Mecca, California until such time that DTSC determines that the facility is in compliance with California law.

The Fund expects Fund claimants and/or contractors to Fund claimants to verify that disposal facilities for soil, water, and other wastes generated during the underground storage tank cleanups reimbursed by the Fund are properly permitted and in compliance with California laws as part of their due diligence process.

DTSC has determined that the Western Environmental Inc. facility located in Mecca (Riverside County) does not have a valid hazardous waste permit to operate in the State of California. The facility, which accepts non-RCRA hazardous waste, is located in the Coachella Valley near Indio on tribal land owned by the Cabazon Band of Mission Indians. Because this facility accepts non-RCRA hazardous waste, under California law it must either obtain a permit (1) from DTSC or (2) from the Cabazon tribe after the tribe has entered into a cooperative agreement with the Secretary of Cal/EPA. Western Environmental Inc. has not requested or received a permit from DTSC to operate a hazardous waste facility. The Cabazon tribe has not entered into a cooperative agreement with the Secretary of Cal/EPA authorizing the tribe to issue a hazardous waste permit.

For these reasons, DTSC has determined that Western Environmental Inc. is not authorized to receive non-RCRA hazardous waste, and any shipments made to this facility are therefore considered to be out of compliance with California law. Additional information on DTSC's determination for this facility can be located on their website at: <http://www.dtsc.ca.gov/WEI.cfm>.