

NOTICE OF APPEAL – STANDARD

Standard Appeal Form BES 2301 (3/23/23)

Directions: Any person wishing to dispute the Department of Toxic Substances Control's decision to grant, issue, modify, or deny a hazardous waste facility permit may appeal the Department's written decision by completing this form and seeking review of the decision by the Board of Environmental Safety in accordance with 22 CCR 66271.18.

Notice is given that the party below hereby appeals the hazardous waste facility permit decision of the Department as authorized by Health and Safety Code section 25125.2.

Appellant Name: Lighting Resources, LLC

Email: susan.richard@lightingresourcesinc.com

Address: 805 East Francis St., Ontario, CA 91761

Represented by Legal Counsel (if any): _____

DTSC Case Number of Permit Decision Being Appealed (if known): 2021/22-HWM-11

Date of Mailed Notice of Permit Decision Being Appealed: 07/05/2022

Facility Name and Address: Lighting Resources, LLC

805 East Francis St., Ontario, CA 91761

This Appeal is filed by (select one of the following boxes):

☒ The facility owner or operator

☐ A member of the public

IMPORTANT NOTE – PLEASE READ CAREFULLY

This notice must be filed with the Board of Environmental Safety at 1001 I Street, 25th Floor, P.O. Box 806, Sacramento, CA, 95814-0806 or via email to appeals@bes.dtsc.ca.gov or using the website portal at bes.dtsc.ca.gov **no later than 30 days** after the date of the mailed notice of the final hazardous waste facility permit decision being appealed.

DO NOT USE THIS FORM if you are appealing the decision to grant or deny a temporary authorization. Instead, please use Special Appeal Form BES 2302.

Petition for Review with Statement of Reasons Required. **No later than 60 days** after notice of the final hazardous waste facility permit decision, you are required to file a petition with the Board in accordance with 22 CCR 66271.18. The petition must contain a statement of reasons raising one or more issues with the decision to grant, modify, or deny the permit, or with the inclusion or omission of any condition(s) in the permit.

Failure to Participate in Public Review Process. If you did not file comments on the draft permit or modification, or participate in a public hearing (if any) regarding the draft permit or modification, your appeal will be limited to matters that appeared for the first time in the final permit, issues that could not have been raised during public review of the draft permit, or changes to the modification that did not appear in the request for modification. If this applies to you, then you must request a waiver from the Board (see below).

- ☐ I was unable to participate in the draft permit review process and hereby request the Board grant me permission to file a petition that is not limited to the following: matters that appeared for the first time in the final permit, issues that could not have been raised during public review of the draft permit, or changes to the modification that did not appear in the request for modification.

EXPLANATION (OPTIONAL):

This form is being completed per instructions during Montebello meeting on April 27, 2023. Lighting Resources is one of the two pending appeals. A copy of the original review/appeal Petition with Statement of Reasons dated July 28, 2022 is attached along with the response from Ms. Jeanne Rizzo, BES dated August 19, 2022.

Lighting Resources continues to operate on the "old" permit per DTSC guidelines.

We have filed modifications to the old permit as needed.

Documents:

1. Form 2301
2. New Permit issued June 30, 2022
3. Petition for Appeal/Review Letter
4. Open items regarding the Permit
5. BES Response to Appeal letter

Signature: _____

Aaron Richard, Compliance
949-300-7559 cell.