

## INSTRUCTIONS TO FILE A BRIEF

Section 25200.27 of the Health and Safety Code (HSC) requires DTSC to prepare a report to the Board of Environmental Safety (BES) regarding certain hazardous waste facility permit decisions. In response to that report, the owner or operator of a hazardous waste facility may file a brief with BES. These instructions govern the filing of such briefs with BES.

A. Content and Form of Briefs:

All briefs filed under these instructions must contain, under appropriate headings:

- (i) A table of contents with page references;
- (ii) A table of authorities with page references for citations;
- (iii) A table of attachments, if any; and
- (iv) A statement of compliance with the word limit.

B. Word Limit:

Briefs may not exceed 6000 words. Filers may rely on the word-processing system used to determine the word count. In lieu of a word limitation, filers may comply with a 12-page limit. Headings, footnotes, and quotations count toward the word or page-length limitation. The table of contents, table of authorities, table of attachments (if any), statement of compliance with the word limitation, and any attachments do not count toward the word limitation.

C. Attachments:

Correspondence and other reference documents which the facility owner or operator wishes to bring to the Board's attention may be appended to the brief submitted. If the brief includes attachments, a table must be included that provides the title of each appended document and assigns a label identifying where it may be found. Attachments are limited to records submitted to DTSC by the facility owner or operator, records sent to the facility owner or operator by DTSC, and other public records that concern the facility.

D. Filing Requirements:

The brief must specifically identify in the caption the permit applicant, the permitted facility, and the permit number. The brief must be signed by the person filing the documents or the representative of the person filing the documents. Each filing must also indicate the signer's name, address, telephone number, and email address. Briefs filed under these instructions must be filed with the Clerk of the Board by no later than 5:00 pm on the last day to file. A document is filed when it is received by the Clerk of the Board at the address specified for the appropriate method of delivery as provided in these instructions.

E. Filing Date:

Briefs must be filed on or before August 6, 2025.

F. Address for Filing:

Board of Environmental Safety  
1001 I Street, 25th Floor  
PO Box 806  
Sacramento, CA 95814-0806

G. Method of filing.

Briefs must be filed by email, U.S. mail, or hand delivery or courier (including delivery by U.S. Express Mail or a commercial delivery service).

- (i) Email filing. Documents that are filed electronically must be submitted to the Board's email address ([besinfo@bes.dtsc.ca.gov](mailto:besinfo@bes.dtsc.ca.gov)). All documents filed electronically must include the full name of the person filing below the signature line. Compliance with BES electronic filing requirements constitutes compliance with applicable signature requirements.
- (ii) Filing by U.S. Mail. Documents that are sent by U.S. Postal Service (except by U.S. Express Mail) must be sent to the official mailing address of the Clerk of the Board at 1001 I Street, 25th Floor, PO Box 806, Sacramento, CA 95914-0806. The original and two copies of each document must be filed. The person filing the documents must include a cover letter to the Clerk of the Board clearly identifying the documents that are being submitted, the name of the party on whose behalf the documents are being submitted, as well as the name of the person filing the documents, his or her address, telephone number and, if available, email address.
- (iii) Filing by hand delivery or courier. Documents delivered by hand or courier (including deliveries by U.S. Express Mail or by a commercial delivery service) must be delivered to the Clerk of the Board at: 1001 I Street, 25th Floor, PO Box 806, Sacramento, CA 95914-0806.